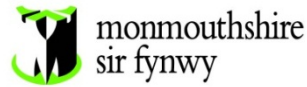


# Public Document Pack



County Hall  
Rhadyr  
Usk  
NP15 1GA

Monday, 27 January 2020

Notice of meeting:

## Planning Committee

Tuesday, 4th February, 2020 at 2.00 pm  
The Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA

### AGENDA

Item No	Item	Pages
1.	Apologies for Absence.	
2.	Declarations of Interest.	
3.	To confirm for accuracy the minutes of the previous meeting.	1 - 8
4.	To consider the following Planning Application reports from the Chief Officer - Enterprise (copies attached):	
4.1.	Application DM/2018/00374 - Construction of seven dwellings and associated works. Land At Woodbine Field, Monmouth Road, Usk.	9 - 24
4.2.	Application DC/2018/00218 - Retention of timber close boarded fence on south boundary, and raise level of no. 21 garden between 120mm and 810mm over the fence length. 21 Jasper Tudor Crescent Abergavenny NP7 9AZ.	25 - 30
4.3.	Application DM/2018/01720 - Alterations and conversion of existing agricultural buildings to form two bedroom dwelling unit with ancillary works. Worthybrook Farm, Old Hendre Road, Wonastow, Monmouth.	31 - 36
4.4.	Application DM/2019/00898 - New detached two storey dwelling with integral garage and driveway access from highway with on-site parking and turning. Land to rear Of Rosemary, Beaufort Road, Osbaston, Monmouth.	37 - 46
4.5.	Application DM/2019/01041 - Reserved matters application for the erection of 271 dwellings with ancillary works. Land Development South Of Crick Road, Portskewett.	47 - 68

<b>4.6.</b>	<b>Application DM/2019/01480 - Change of use of land to accommodate two park homes and up to four touring caravans - Traveller needs (private family site only). Land Adjacent Sunnybank, A48 Crick to Parkwall Roundabout, Crick, Monmouthshire.</b>	<b>69 - 88</b>
<b>4.7.</b>	<b>Application DM/2019/01629 - Application for reserved matters pursuant to DM/2018/00696 relating to Layout, Scale, Appearance of Buildings, Means of Access (where not already approved) and Landscaping for the construction of a care home and associated works. Land Development South Of Crick Road, Crick Road, Portskewett.</b>	<b>89 - 100</b>
<b>5.</b>	<b>FOR INFORMATION - New Appeals - 21st November 2019 to 27th January 2020.</b>	<b>101 - 102</b>

**Paul Matthews  
Chief Executive**

## MONMOUTHSHIRE COUNTY COUNCIL

THE CONSTITUTION OF THE PLANNING COMMITTEE IS AS FOLLOWS:

County Councillors:

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

### Public Information

**Any person wishing to speak at Planning Committee must do so by registering with Democratic Services by no later than 12 noon two working days before the meeting. Details regarding public speaking can be found within this agenda or is available here**  
**<https://democracy.monmouthshire.gov.uk/documents/s5949/AMENDMENTSTOTHEPROTOCOLONPUBLICSPEAKINGATPLANNINGCOMMITTEE.pdf>**

#### **Access to paper copies of agendas and reports**

A copy of this agenda and relevant reports can be made available to members of the public attending a meeting by requesting a copy from Democratic Services on 01633 644219. Please note that we must receive 24 hours notice prior to the meeting in order to provide you with a hard copy of this agenda.

#### **Watch this meeting online**

This meeting can be viewed online either live or following the meeting by visiting [www.monmouthshire.gov.uk](http://www.monmouthshire.gov.uk) or by visiting our Youtube page by searching MonmouthshireCC.

#### **Welsh Language**

The Council welcomes contributions from members of the public through the medium of Welsh or English. We respectfully ask that you provide us with 5 days notice prior to the meeting should you wish to speak in Welsh so we can accommodate your needs.

# Aims and Values of Monmouthshire County Council

## Our purpose

Building Sustainable and Resilient Communities

### Objectives we are working towards

- Giving people the best possible start in life
- A thriving and connected county
- Maximise the Potential of the natural and built environment
- Lifelong well-being
- A future focused council

## Our Values

**Openness.** We are open and honest. People have the chance to get involved in decisions that affect them, tell us what matters and do things for themselves/their communities. If we cannot do something to help, we'll say so; if it will take a while to get the answer we'll explain why; if we can't answer immediately we'll try to connect you to the people who can help – building trust and engagement is a key foundation.

**Fairness.** We provide fair chances, to help people and communities thrive. If something does not seem fair, we will listen and help explain why. We will always try to treat everyone fairly and consistently. We cannot always make everyone happy, but will commit to listening and explaining why we did what we did.

**Flexibility.** We will continue to change and be flexible to enable delivery of the most effective and efficient services. This means a genuine commitment to working with everyone to embrace new ways of working.

**Teamwork.** We will work with you and our partners to support and inspire everyone to get involved so we can achieve great things together. We don't see ourselves as the 'fixers' or problem-solvers, but we will make the best of the ideas, assets and resources available to make sure we do the things that most positively impact our people and places.

## **Purpose**

The purpose of the attached reports and associated officer presentation to the Committee is to allow the Planning Committee to make a decision on each application in the attached schedule, having weighed up the various material planning considerations.

The Planning Committee has delegated powers to make decisions on planning applications. The reports contained in this schedule assess the proposed development against relevant planning policy and other material planning considerations, and take into consideration all consultation responses received. Each report concludes with an officer recommendation to the Planning Committee on whether or not officers consider planning permission should be granted (with suggested planning conditions where appropriate), or refused (with suggested reasons for refusal).

Under Section 38(6) of the Planning and Compulsory Purchase Act 2004, all planning applications must be determined in accordance with the Monmouthshire Local Development Plan 2011-2021 (adopted February 2014), unless material planning considerations indicate otherwise.

Section 2(2) of the Planning (Wales) Act 2015 states that the planning function must be exercised, as part of carrying out sustainable development in accordance with the Well-being of Future Generations (Wales) Act 2015, for the purpose of ensuring that the development and use of land contribute to improving the economic, social, environmental and cultural well-being of Wales.

The decisions made are expected to benefit the County and our communities by allowing good quality development in the right locations, and resisting development that is inappropriate, poor quality or in the wrong location. There is a direct link to the Council's objective of building sustainable, resilient communities.

## **Decision-making**

Applications can be granted subject to planning conditions. Conditions must meet all of the following criteria:

- Necessary to make the proposed development acceptable;
- Relevant to planning legislation (i.e. a planning consideration);
- Relevant to the proposed development in question;
- Precise;
- Enforceable; and
- Reasonable in all other respects.

Applications can be granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended). This secures planning obligations to offset the impacts of the proposed development. However, in order for these planning obligations to be lawful, they must meet all of the following criteria:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

The applicant has a statutory right of appeal against the refusal of permission in most cases, or against the imposition of planning conditions, or against the failure of the Council to determine an application within the statutory time period. There is no third party right of appeal against a decision.

The Planning Committee may make decisions that are contrary to the officer recommendation. However, reasons must be provided for such decisions, and the decision must be based on the Local Development Plan (LDP) and/or material planning considerations. Should such a decision be challenged at appeal, Committee Members will be required to defend their decision throughout the appeal process.

## **Main policy context**

The LDP contains over-arching policies on development and design. Rather than repeat these for each application, the full text is set out below for Members' assistance.

### *Policy EP1 - Amenity and Environmental Protection*

Development, including proposals for new buildings, extensions to existing buildings and advertisements, should have regard to the privacy, amenity and health of occupiers of neighbouring properties. Development proposals that would cause or result in an unacceptable risk /harm to local amenity, health, the character /quality of the countryside or interests of nature conservation, landscape or built heritage importance due to the following will not be permitted, unless it can be demonstrated that measures can be taken to overcome any significant risk:

- Air pollution;
- Light or noise pollution;
- Water pollution;
- Contamination;
- Land instability;
- Or any identified risk to public health or safety.

### *Policy DES1 – General Design Considerations*

All development should be of a high quality sustainable design and respect the local character and distinctiveness of Monmouthshire's built, historic and natural environment. Development proposals will be required to:

- a) Ensure a safe, secure, pleasant and convenient environment that is accessible to all members of the community, supports the principles of community safety and encourages walking and cycling;
- b) Contribute towards sense of place whilst ensuring that the amount of development and its intensity is compatible with existing uses;
- c) Respect the existing form, scale, siting, massing, materials and layout of its setting and any neighbouring quality buildings;
- d) Maintain reasonable levels of privacy and amenity of occupiers of neighbouring properties, where applicable;
- e) Respect built and natural views and panoramas where they include historical features and/or attractive or distinctive built environment or landscape;
- f) Use building techniques, decoration, styles and lighting to enhance the appearance of the proposal having regard to texture, colour, pattern, durability and craftsmanship in the use of materials;
- g) Incorporate and, where possible enhance existing features that are of historical, visual or nature conservation value and use the vernacular tradition where appropriate;
- h) Include landscape proposals for new buildings and land uses in order that they integrate into their surroundings, taking into account the appearance of the existing landscape and its intrinsic character, as defined through the LANDMAP process. Landscaping should take into account, and where appropriate retain, existing trees and hedgerows;
- i) Make the most efficient use of land compatible with the above criteria, including that the minimum net density of residential development should be 30 dwellings per hectare, subject to criterion l) below;
- j) Achieve a climate responsive and resource efficient design. Consideration should be given to location, orientation, density, layout, built form and landscaping and to energy efficiency and the use of renewable energy, including materials and technology;
- k) Foster inclusive design;
- l) Ensure that existing residential areas characterised by high standards of privacy and spaciousness are protected from overdevelopment and insensitive or inappropriate infilling.

Other key relevant LDP policies will be referred to in the officer report.

#### Supplementary Planning Guidance (SPG):

The following Supplementary Planning Guidance may also be of relevance to decision-making as a material planning consideration:

- Green Infrastructure (adopted April 2015)
- Conversion of Agricultural Buildings Design Guide (adopted April 2015)
- LDP Policy H4(g) Conversion/Rehabilitation of Buildings in the Open Countryside to Residential Use- Assessment of Re-use for Business Purposes (adopted April 2015)
- LDP Policies H5 & H6 Replacement Dwellings and Extension of Rural Dwellings in the Open Countryside (adopted April 2015)
- Abergavenny Conservation Area Appraisal (adopted March 2016)
- Caerwent Conservation Area Appraisal (adopted March 2016)
- Chepstow Conservation Area Appraisal (adopted March 2016)
- Grosmont Conservation Area Appraisal (adopted March 2016)
- Llanarth Conservation Area Appraisal (adopted March 2016)
- Llandenny Conservation Area Appraisal (adopted March 2016)
- Llandogo Conservation Area Appraisal (adopted March 2016)
- Llanover Conservation Area Appraisal (adopted March 2016)
- Llantilio Crossenny Conservation Area Appraisal (adopted March 2016)
- Magor Conservation Area Appraisal (adopted March 2016)
- Mathern Conservation Area Appraisal (adopted March 2016)
- Monmouth Conservation Area Appraisal (adopted March 2016)
- Raglan Conservation Area Appraisal (adopted March 2016)
- Shirenewton Conservation Area Appraisal (adopted March 2016)
- St Arvans Conservation Area Appraisal (adopted March 2016)
- Tintern Conservation Area Appraisal (adopted March 2016)
- Trellech Conservation Area Appraisal (adopted April 2012)
- Usk Conservation Area Appraisal (adopted March 2016)
- Whitebrook Conservation Area Appraisal (adopted March 2016)
- Domestic Garages (adopted January 2013)
- Monmouthshire Parking Standards (adopted January 2013)
- Approach to Planning Obligations (March 2013)
- Affordable Housing (revised version) (adopted July 2019)
- Renewable Energy and Energy Efficiency (adopted March 2016)
- Planning Advice Note on Wind Turbine Development Landscape and Visual Impact Assessment Requirements (adopted March 2016)
- Primary Shopping Frontages (adopted April 2016)
- Rural Conversions to a Residential or Tourism Use (Policies H4 and T2) Supplementary Planning Guidance November 2017
- Sustainable Tourism Accommodation Supplementary Guidance November 2017

#### National Planning Policy

The following national planning policy may also be of relevance to decision-making as a material planning consideration:

- Planning Policy Wales (PPW) 10 2018
- PPW Technical Advice Notes (TAN):
- TAN 1: Joint Housing Land Availability Studies (2015)
- TAN 2: Planning and Affordable Housing (2006)
- TAN 3: Simplified Planning Zones (1996)
- TAN 4: Retailing and Town Centres (1996)
- TAN 5: Nature Conservation and Planning (2009)
- TAN 6: Planning for Sustainable Rural Communities (2010)

- TAN 7: Outdoor Advertisement Control (1996)
- TAN 8: Renewable Energy (2005)
- TAN 9: Enforcement of Planning Control (1997)
- TAN 10: Tree Preservation Orders (1997)
- TAN 11: Noise (1997)
- TAN 12: Design (2016)
- TAN 13: Tourism (1997)
- TAN 14: Coastal Planning (1998)
- TAN 15: Development and Flood Risk (2004)
- TAN 16: Sport, Recreation and Open Space (2009)
- TAN 18: Transport (2007)
- TAN 19: Telecommunications (2002)
- TAN 20: The Welsh Language (2013)
- TAN 21: Waste (2014)
- TAN 23: Economic Development (2014)
- TAN 24: The Historic Environment (2017)
- Minerals Technical Advice Note (MTAN) Wales 1: Aggregates (30 March 2004)
- Minerals Technical Advice Note (MTAN) Wales 2: Coal (20 January 2009)
- Welsh Government Circular 016/2014 on planning conditions

### **Other matters**

The following other legislation may be of relevance to decision-making.

#### Planning (Wales) Act 2015

As of January 2016, Sections 11 and 31 of the Planning Act come into effect meaning the Welsh language is a material planning consideration.

Section 31 of the Planning Act clarifies that considerations relating to the use of the Welsh language can be taken into account by planning authorities when making decisions on applications for planning permission, so far as material to the application. The provisions do not apportion any additional weight to the Welsh language in comparison to other material considerations. Whether or not the Welsh language is a material consideration in any planning application remains entirely at the discretion of the local planning authority, and the decision whether or not to take Welsh language issues into account should be informed by the consideration given to the Welsh language as part of the LDP preparation process. Section 11 requires the sustainability appraisal, undertaken as part of LDP preparation, to include an assessment of the likely effects of the plan on the use of Welsh language in the community. Where the authority's current single integrated plan has identified the Welsh language as a priority, the assessment should be able to demonstrate the linkage between consideration for the Welsh language and the overarching Sustainability Appraisal for the LDP, as set out in TAN 20.

The adopted Monmouthshire Local Development Plan (LDP) 2014 was subject to a sustainability appraisal, taking account of the full range of social, environmental and economic considerations, including the Welsh language. Monmouthshire has a relatively low proportion of population that speak, read or write Welsh compared with other local authorities in Wales and it was not considered necessary for the LDP to contain a specific policy to address the Welsh language. The conclusion of the assessment of the likely effects of the plan on the use of the Welsh language in the community was minimal.

#### Environmental Impact Assessment Regulations 2016

The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2016 are relevant to the recommendations made. The officer report will highlight when an Environmental Statement has been submitted with an application.

#### Conservation of Species & Habitat Regulations 2010



Where an application site has been assessed as being a breeding site or resting place for European Protected Species, it will usually be necessary for the developer to apply for 'derogation' (a development licence) from Natural Resources Wales. Examples of EPS are all bat species, dormice and great crested newts. When considering planning applications Monmouthshire County Council as Local Planning Authority is required to have regard to the Conservation of Species & Habitat Regulations 2010 (the Habitat Regulations) and to the fact that derogations are only allowed where the three tests set out in Article 16 of the Habitats Directive are met. The three tests are set out below.

- (i) The derogation is in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.
- (ii) There is no satisfactory alternative
- (iii) The derogation is not detrimental to the maintenance of the population of the species concerned as a favourable conservation status in their natural range.

#### Well-being of Future Generations (Wales) Act 2015

This Act is about improving the social, economic, environmental and cultural well-being of Wales. The Act sets out a number of well-being goals:

- **A prosperous Wales:** efficient use of resources, skilled, educated people, generates wealth, provides jobs;
- **A resilient Wales:** maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change);
- **A healthier Wales:** people's physical and mental wellbeing is maximised and health impacts are understood;
- **A Wales of cohesive communities:** communities are attractive, viable, safe and well connected;
- **A globally responsible Wales:** taking account of impact on global well-being when considering local social, economic and environmental wellbeing;
- **A Wales of vibrant culture and thriving Welsh language:** culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation;
- **A more equal Wales:** people can fulfil their potential no matter what their background or circumstances.

A number of sustainable development principles are also set out:

- **Long term:** balancing short term need with long term and planning for the future;
- **Collaboration:** working together with other partners to deliver objectives;
- **Involvement:** involving those with an interest and seeking their views;
- **Prevention:** putting resources into preventing problems occurring or getting worse;
- **Integration:** positively impacting on people, economy and environment and trying to benefit all three.

The work undertaken by Local Planning Authority directly relates to promoting and ensuring sustainable development and seeks to strike a balance between the three areas: environment, economy and society.

#### Crime and Disorder Act 1998

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. Crime and fear of crime can be a material planning consideration. This topic will be highlighted in the officer report where it forms a significant consideration for a proposal.

## Equality Act 2010

The Equality Act 2010 contains a public sector equality duty to integrate consideration of equality and good relations into the regular business of public authorities. The Act identifies a number of 'protected characteristics': age; disability; gender reassignment; marriage and civil partnership; race; religion or belief; sex; and sexual orientation. Compliance is intended to result in better informed decision-making and policy development and services that are more effective for users. In exercising its functions, the Council must have due regard to the need to: eliminate unlawful discrimination, harassment, victimisation and other conduct that is prohibited by the Act; advance equality of opportunity between persons who share a protected characteristic and those who do not; and foster good relations between persons who share a protected characteristic and those who do not. Due regard to advancing equality involves: removing or minimising disadvantages suffered by people due to their protected characteristics; taking steps to meet the needs of people from protected groups where these differ from the needs of other people; and encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

## Children and Families (Wales) Measure

Consultation on planning applications is open to all of our citizens regardless of their age: no targeted consultation takes place specifically aimed at children and young people. Depending on the scale of the proposed development, applications are publicised via letters to neighbouring occupiers, site notices, press notices and/or social media. People replying to consultations are not required to provide their age or any other personal data, and therefore this data is not held or recorded in any way, and responses are not separated out by age.

## Climate Emergency

In May 2019 Monmouthshire County Council declared a Climate Emergency with unanimous support from Councillors. The Cabinet Member for Infrastructure and Neighbourhood Services has been appointed as the member responsible for climate change and decarbonisation.

Tackling climate change is very important, because if the planet's temperature rises by 2°C there are risks of drought, flood and poverty, impacting on hundreds of millions of people. In Monmouthshire impacts that could happen include more extreme weather events (such as storms), water shortages, droughts, species loss and risk of flooding. Planning has a key role in addressing climate change through the promotion of sustainable development.

The Council has formulated a draft action plan which will be subject to Member approval and will form the Council's response to tackling this issue. Council decisions will need to take into account the agreed action plan.

## **Protocol on Public Speaking at Planning Committee**

Public speaking at Planning Committee will be allowed strictly in accordance with this protocol. You cannot demand to speak at the Committee as of right. The invitation to speak and the conduct of the meeting is at the discretion of the Chair of the Planning Committee and subject to the points set out below.

### **Who Can Speak**

#### Community and Town Councils

Community and town councils can address Planning Committee. Only elected members of community and town councils may speak. Representatives will be expected to uphold the following principles: -

(i) To observe the National Code of Local Government Conduct. (ii)

Not to introduce information that is not:

- consistent with the written representations of their council, or
- part of an application, or
- contained in the planning report or file.

When a town or community councillor has registered to speak in opposition to an application, the applicant or agent will be allowed the right of reply.

#### Members of the Public

Speaking will be limited to one member of the public opposing a development and one member of the public supporting a development. Where there is more than one person in opposition or support, the individuals or groups should work together to establish a spokesperson. The Chair of the Committee may exercise discretion to allow a second speaker, but only in exceptional cases where a major application generates divergent views within one 'side' of the argument (e.g. a superstore application where one spokesperson represents residents and another local retailers). Members of the public may appoint representatives to speak on their behalf.

Where no agreement is reached, the right to speak shall fall to the first person/organisation to register their request. When an objector has registered to speak the applicant or agent will be allowed the right of reply.

Speaking will be limited to applications where, by the deadline, letters of objection/support or signatures on a petition have been submitted to the Council from 5 or more separate households/organisations (in this context organisations would not include community or town councils or statutory consultees which have their own method of ensuring an appropriate application is considered at Committee) The deadline referred to above is 5pm on the day six clear working days prior to the Committee meeting. This will normally be 5pm on the Friday six clear working days before the Tuesday Planning Committee meeting. However, the deadline may be earlier, for example if there is a Bank Holiday Monday.

The number of objectors and/or supporters will be clearly stated in the officer's report for the application contained in the published agenda.

The Chair may exercise discretion to allow speaking by members of the public where an application may significantly affect a sparse rural area but less than 5 letters of objection/support have been received.

## Applicants

Applicants or their appointed agents will have a right of response where members of the public or a community/town council, have registered to address committee in opposition to an application.

When is speaking permitted?

Public speaking will normally only be permitted on one occasion where applications are considered by Planning Committee. When applications are deferred and particularly when re-presented following a committee resolution to determine an application contrary to officer advice, public speaking will not normally be permitted. Regard will however be had to special circumstances on applications that may justify an exception. The final decision lies with the Chair.

### Registering Requests to Speak

Speakers must register their request to speak as soon as possible, between 12 noon on the Tuesday and 12 noon on the Friday before the Committee. To register a request to speak, objectors/supporters must first have made written representations on the application.

Anyone wishing to speak must notify the Council's Democratic Services Officers of their request by calling 01633 644219 or by email to [registertospeak@monmouthshire.gov.uk](mailto:registertospeak@monmouthshire.gov.uk). Please leave a daytime telephone number. Any requests to speak that are emailed through will be acknowledged prior to the deadline for registering to speak. If you do not receive an acknowledgement before the deadline please contact Democratic Services on 01633 644219 to check that your registration has been received.

Parties are welcome to address the Planning Committee in English or Welsh, however if speakers wish to use the Welsh language they are requested to make this clear when registering to speak, and are asked to give at least 5 working days' notice to allow the Council the time to procure a simultaneous translator.

Applicants/agents and objectors/supporters are advised to stay in contact with the case officer regarding progress on the application. It is the responsibility of those wishing to speak to check when the application is to be considered by Planning Committee by contacting the Planning Office, which will be able to provide details of the likely date on which the application will be heard. The procedure for registering the request to speak is set out above.

The Council will maintain a list of persons wishing to speak at Planning Committee.

### Content of the Speeches

Comments by the representative of the town/community council or objector, supporter or applicant/agent should be limited to matters raised in their original representations and be relevant planning issues. These include:

- Relevant national and local planning policies
- Appearance and character of the development, layout and density
- Traffic generation, highway safety and parking/servicing;
- Overshadowing, overlooking, noise disturbance, odours or other loss of amenity.

Speakers should avoid referring to matters outside the remit of the Planning Committee, such as;

- Boundary disputes, covenants and other property rights

- Personal remarks (e.g. Applicant's motives or actions to date or about members or officers)
- Rights to views or devaluation of property.

### Procedure at the Planning Committee Meeting

Persons registered to speak should arrive no later than 15 minutes before the meeting starts. An officer will advise on seating arrangements and answer queries. The procedure for dealing with public speaking is set out below;

- The Chair will identify the application to be considered.
- An officer will present a summary of the application and issues with the recommendation.
- The local member if not on Planning Committee will be invited to speak for a maximum of 6 minutes by the Chair.
- The representative of the community or town council will then be invited to speak for a maximum of 4 minutes by the Chair.
- If applicable, the objector will then be invited to speak for a maximum of 4 minutes by the Chair.
- If applicable, the supporter will then be invited to speak for a maximum of 4 minutes by the Chair.
- The Chair will then invite the applicant or appointed agent (if applicable) to speak for a maximum of 4 minutes. Where more than one person or organisation speaks against an application, the applicant or appointed agent, shall, at the discretion of the Chair, be entitled to speak for a maximum of 5 minutes.
  - Time limits will normally be strictly adhered to, however the Chair will have discretion to amend the time having regard to the circumstances of the application or those speaking.
  - The community or town council representative or objector/supporter or applicant/agent may not take part in the member's consideration of the application and may not ask questions unless invited by the chair.
  - Where an objector/supporter, applicant/agent or community/town council has spoken on an application, no further speaking by or on behalf of that group will be permitted in the event that the application is considered again at a future meeting of the committee unless there has been a material change in the application.
  - The Chair or a member of the Committee may, at the Chair's discretion, occasionally seek clarification on a point made.
  - The Chair's decision is final.
- Officers will be invited to respond to points raised if necessary.
- Planning Committee members will then debate the application, commencing with the local member of Planning Committee.
- A member shall decline to vote in relation to any planning application unless he or she has been present in the meeting of the Planning Committee throughout the full presentation and consideration of that particular application.
- Response by officers if necessary to the points raised.
- Immediately before the question being put to the vote, the local member will be invited to sum up, speaking for no more than 2 minutes.
- When proposing a motion whether to accept the officer recommendation or to make an amendment, the member proposing the motion shall state the motion clearly.

- When the motion has been seconded, the Chair shall identify the members who proposed and seconded the motion and repeat the motion proposed. The names of the proposer and seconder shall be recorded.
- A member shall decline to vote in relation to any planning application unless he or she has been present in the meeting of the Planning Committee throughout the full presentation and consideration of that application.
- Any member who abstains from voting shall consider whether to give a reason for his/her abstention.
- An officer shall count the votes and announce the decision.

# Public Document Pack Agenda Item 3

## MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the meeting of Planning Committee held  
at The Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA on Tuesday, 3rd  
December, 2019 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, 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
Lowri Hughson-Smith	Senior Development Management Officer
Denzil – John Turbevill	Commercial Solicitor
Louise Corbett	Strategy & Policy Officer - Affordable Housing
Richard Williams	Democratic Services Officer

### **APOLOGIES:**

County Councillor J. Higginson

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

County Councillor L. Brown declared a personal interest pursuant to the Members' Code of Conduct in respect of application DM/2019/01804, as she is a local preacher on the Newport and Lower Wye circuit which covers Monmouth. She has not been involved in anything to do with this application.

County Councillor P. Murphy declared a personal and prejudicial interest pursuant to the Members' Code of Conduct in respect of application DM/2019/01672, as the applicant is a personal friend. He left the meeting taking no part in the discussion or voting thereon.

#### **2. Confirmation of Minutes**

The minutes of the Planning Committee dated 5<sup>th</sup> November 2019 were confirmed and signed by the Chair subject to the following amendment:

Minute 1 – Declarations of Interest be amended as follows:

County Councillor A. Easson declared a personal interest pursuant to the Members' Code of Conduct in respect of application DM/2019/00997 as he is a governor of Ysgol Gymraeg Y Ffin.

## MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Planning Committee held  
at The Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA on Tuesday, 3rd  
December, 2019 at 2.00 pm

### **3. Application DM/2019/00725 - Change of use and conversion of a traditional stone barn into a single residential dwelling (C3) along with associated curtilage and works. Llananant, Barn Brook Road, Penallt, Monmouthshire**

We considered the report of the application and late correspondence which was recommended for approval subject to the 11 conditions as outlined in the report.

It was considered that approval of the application would be an improvement to the existing building and would bring it back into use. However, concern was expressed that the building had plastic rainwater goods that were not in keeping with the age of the building.

It was proposed by County Councillor R. Harris and seconded by County Councillor P. Murphy that application DM/2019/00725 be approved subject to the 11 conditions as outlined in the report and also subject to an additional condition being added to provide metal rainwater goods.

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/2019/00725 be approved subject to the 11 conditions as outlined in the report and also subject to an additional condition being added to provide metal rainwater goods.

### **4. Application DM/2019/01333 - Relocation of children's playground at Chippenham Mead Village Green, Monmouth. Chippenham Mead Playground, Chippenhamgate Street, Monmouth**

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

The local Member for Drybridge, Monmouth, also a Planning Committee Member, outlined the following points:

- There is a need to relocate the children's playground due to health and safety reasons and the proposed site is the most suitable location on the village green.
- There has been some reluctance from some people in the Monmouth area towards the relocation who consider that no changes should be made to the village green.
- However, we as an authority have an obligation and a duty to provide a suitable play area in the most suitable location on the village green and to make a significant improvement on the existing play area.



## **MONMOUTHSHIRE COUNTY COUNCIL**

### **Minutes of the meeting of Planning Committee held at The Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA on Tuesday, 3rd December, 2019 at 2.00 pm**

- The proposed relocation has the support of the majority of parents within the area. However, it was acknowledged that there are some concerns regarding noise levels and the potential for people to gather there in the evenings. The proposed relocation site is only metres away from the existing site and therefore, these arguments should not prevent approval of the application.
- The final details of the design will be addressed at the reserved matters stage. However, the design of the fencing and the play equipment will ensure the success of the proposal. Input from local groups would be helpful in delivering the best type of equipment which could be undertaken via consultation.
- An increase in the levels of biodiversity of the site within the village green should be considered with a view to providing appropriate planting to the original site. This would also provide much needed buffering of the nearby dual carriageway in respect of the village green.

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

- The proposed site is more open and safer than the original site. It is located on the other side of the bund reducing noise levels for residents.
- The proposed play area will consist of natural materials.
- Appropriate landscaping will benefit the area.
- The proposed play area will be located further away from the dual carriageway.
- Concern was expressed that the proposed new site will not be enclosed to prevent dog fouling of the area. However, it was noted that there might be difficulties involved in fully enclosing the play area located within the village green as this might affect the public access rights of the village green as well as potentially affecting obtaining village green consent for the play area. However, there are ways of reducing public access by providing appropriate planting as a means of addressing the concerns raised.
- It was suggested that a proposal be submitted outlining the specific issues that have been identified with a view to obtaining a fenced and gated area for the proposed play area which would improve the health and safety of the children who will be using the play area.
- A condition could be added that appropriate planting could be used as a suitable means of naturally enclosing the play area. When the village green application is submitted, representations can be made by appropriate organisations. This matter is dealt with by the Welsh Government Planning Inspectorate. Therefore, providing appropriate planting rather than a fence might be a better way forward.
- If the Committee was minded to approve the application, subject to the issues identified regarding dog fouling, a condition could be added that a scheme

## MONMOUTHSHIRE COUNTY COUNCIL

### Minutes of the meeting of Planning Committee held at The Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA on Tuesday, 3rd December, 2019 at 2.00 pm

indicating the form of enclosure could be submitted to deal with the dog fouling issue to be agreed by the Local Planning Authority. Planning Officers would work with the Delegation Panel and the local Member to agree a list of consultees with a view to consulting on the type of equipment and the scheme to address the dog fouling issue.

It was proposed by County Councillor M. Feakins and seconded by County Councillor P. Murphy that application DM/2019/01333 be approved subject to the five conditions as outlined in the report and that the following conditions be added:

- A means of enclosure of the play area to be agreed before works commence on site and carried out in accordance with the approved details before the approved play area is brought into use.
- A landscaping scheme for the existing play area to be submitted to and agreed by the Local Planning Authority to include its implementation.

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

In favour of the proposal	-	13
Against the proposal	-	0
Abstentions	-	1

The proposition was carried.

We resolved that application DM/2019/01333 be approved subject to the five conditions as outlined in the report and that the following conditions be added:

- A means of enclosure of the play area to be agreed before works commence on site and carried out in accordance with the approved details before the approved play area is brought into use.
- A landscaping scheme for the existing play area to be submitted to and agreed by the Local Planning Authority to include its implementation.

**5. Application DM/2019/01377 - Variation of condition 2 relating to application DC/2015/00938 (APP/E6840/A/16/3162841). Minor design amendment to include a Garden Studio and dwarf brick retaining walls with the dwelling curtilage in accordance with Condition 8 of Appeal Decision APP/E6840/A/16/3162841. Including regularisation of plan references in accordance with Non Material Amendment Application No: DM/2019/01118. Proposed Replacement Dwelling At Orchard House, Llanbadoc, Usk**

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

## MONMOUTHSHIRE COUNTY COUNCIL

### Minutes of the meeting of Planning Committee held at The Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA on Tuesday, 3rd December, 2019 at 2.00 pm

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

- A condition to secure an obscured glazed window to the north elevation would be appropriate.
- The level of the plot will be returned to its original level alleviating concerns expressed by nearby residents.
- A request was made for consideration of the application to be deferred to look at any flooding issues that might arise if the levels of soil were to be raised. In response, it was noted that the land levels are currently under construction and not yet finished. However, the levels would need to be finished to the original topographical ground level which would be conditioned and be subject to enforcement.
- With regard to the studio, it was noted that the Inspector had removed permitted development rights. Therefore, if the existing permission was implemented, this could not be erected at a later time under part 1 of permitted development rights.
- The local Member for Llanybi Fawr, also a Planning Committee Member, expressed concern regarding the soil that had been spread between the new property and the existing stream. When the topsoil is put back he asked for assurances that the ground level would be returned to the level before work commenced on the site. Planning Officers confirmed that the site would return to the original ground level when work is completed.

It was proposed by County Councillor P. Murphy and seconded by County Councillor R. Harris that application DM/2019/01377 be approved subject to the six conditions as outlined in the report and subject to an additional condition to secure an obscurely glazed window to the north elevation. Also, ensure that a list of approved drawings includes an approved topographical survey of the previous approval, as well as a cross section in the current application.

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

In favour of the proposal	-	12
Against the proposal	-	0
Abstentions	-	2

The proposition was carried.

We resolved that application DM/2019/01377 be approved subject to the six conditions as outlined in the report and subject to an additional condition to secure an obscurely glazed window to the north elevation. Also, ensure that a list of approved drawings includes an approved topographical survey of the previous approval, as well as a cross section in the current application.

**MONMOUTHSHIRE COUNTY COUNCIL**

**Minutes of the meeting of Planning Committee held  
at The Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA on Tuesday, 3rd  
December, 2019 at 2.00 pm**

**6. Application DM/2019/01672 - Proposed sub-division of existing dwelling into two residential units. The Courtyard, Carrow Road, Carrow Hill, Caerwent**

We considered the report of the application and late correspondence which was recommended for approval subject to the six conditions as outlined in the report and subject to a Section 106 Legal Agreement.

In noting the detail of the application, it was proposed by County Councillor A. Davies and seconded by County Councillor M. Feakins that application DM/2019/01672 be approved subject to the six conditions as outlined in the report and subject to a Section 106 Legal Agreement.

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

For approval	-	13
Against approval	-	0
Abstentions	-	0

The proposition was carried.

We resolved that application DM/2019/01672 be approved subject to the six conditions as outlined in the report and subject to a Section 106 Legal Agreement.

**7. Application DM/2019/01740 - Change of use from C1 Guest House to C2 residential care facility and two storey rear extension. Black Lion Guest House, 43 Hereford Road, Abergavenny, NP7 5PY**

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

In noting the detail of the application and the support expressed by the Committee, it was proposed by County Councillor M. Powell and seconded by County Councillor S. Woodhouse that application DM/2019/01740 be approved subject to the three conditions as outlined in the report.

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

For approval	-	14
Against approval	-	0
Abstentions	-	0

The proposition was carried.

We resolved that application DM/2019/01740 be approved subject to the three conditions as outlined in the report.

**MONMOUTHSHIRE COUNTY COUNCIL**

**Minutes of the meeting of Planning Committee held  
at The Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA on Tuesday, 3rd  
December, 2019 at 2.00 pm**

8. **Application DM/2019/01804 - Change of use of ground floor from a gymnasium and exercise centre to a facility for rough sleepers provided by a project run in partnership with Monmouthshire County Council and Gwent Police. The facility will be operational in the winter months, initially from January to the beginning of March, but may run to the end of March according to need and the availability of suitably checked and trained volunteers. Nelson Museum and Local History Centre, Old Market Hall, Priory Street, Monmouth**

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

In noting the detail of the application and the support expressed by the Committee it was proposed by County Councillor M. Feakins and seconded by County Councillor A. Davies that application DM/2019/01804 be approved subject to the five conditions as outlined in the report.

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

For approval	-	14
Against approval	-	0
Abstentions	-	0

The proposition was carried.

We resolved that application DM/2019/01804 be approved subject to the five conditions as outlined in the report.

**9. New Appeals - 23rd October to 20th November 2019.**

We noted the new appeals received between 23<sup>rd</sup> October and 20<sup>th</sup> November 2019.

**The meeting ended at 3.34 pm.**

This page is intentionally left blank

**Application Number:** DM/2018/00374

**Proposal:** Construction of seven dwellings and associated works

**Address:** Land At Woodbine Field, Monmouth Road, Usk

**Applicant:** ButlerWall Homes

**Plans:** Site Plan SP01 - A, Drainage OCTOBER 2019 - , Site Plan 01 - A, Site Sections 02 - , All Drawings/Plans 03 - A, All Drawings/Plans 04 - A, All Drawings/Plans 05 - , All Drawings/Plans 06 - , Floor Plans - Proposed 10 - , Other 0457\_R02C\_JP\_MM - , Landscaping Plan 10457\_R01E\_AW\_MM - , Green Infrastructure Appraisal 10457\_R03 - D, Elevations - Proposed 11 - , Elevations - Proposed 12 - A, Elevations - Proposed 13 - , Elevations - Proposed 14 - , Elevations - Proposed 15 - , Garage Plans 16 - , Elevations - Proposed 17 - A, All Drawings/Plans 3053\_100C - , Landscaping Plan 823-03 - , Other 8951 - , Location Plan 8951 LP01 - A,

## **RECOMMENDATION: APPROVED SUBJECT TO S106 AGREEMENT**

Case Officer: Mr Andrew Jones  
Date Valid: 05.11.2018

**This application is presented to Planning Committee as there have been objections received from at least five different households.**

### **1.0 APPLICATION DETAILS**

1.1 This application relates to a parcel of land allocated within the adopted Local Development Plan (LDP) under Policy SAH10(i) for small scale residential developments, 20 dwellings. The allocated site measures 0.66 hectares and is located on the North East edge of the town of Usk, to the South of Monmouth Road.

1.2 The application has been subject to significant amendment following its original submission in March 2018 for 18 dwellings. Following consultation and discussion with the Council's Flood Risk Management Team it was concluded that the lower portion of the site was not suitable for development. This was due to overriding concerns with regard to the level of flood risk. Accordingly the site boundary has been reduced to approximately 0.4 hectares and full permission is now sought for 7 dwellings, 2 of which would be affordable.

1.3 The proposal would see five detached dwellings and a pair of semi-detached properties, these would be accessed via four new entrances directly onto Monmouth Road. The detached properties would provide a third floor within the roof space, Plot 5 would feature 2 dormer windows to the front elevation whilst the others would feature roof lights. The semi-detached properties (Plots 1 and 2) would be two storey only. With regard to external finishes these would include both stone and render to the walls, artificial roof slate and grey uPVC doors/windows. All detached properties would also be served by a detached single storey garage. In respect of boundary treatment this would see hedgerow along the front boundary to Monmouth Road, 1.8m high close board fencing between rear gardens and existing hedgerows to remain to southern boundaries with post and rail fencing. The revised proposals require the removal of a single ash tree, part of a tree group and a hedgerow. The trees within the southern field parcel will now be retained.

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

<b>Reference Number</b>	<b>Description</b>	<b>Decision</b>	<b>Decision Date</b>
DM/2018/00374	Construction of seven dwellings and associated works.	Pending Determination	

### **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  
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  
SAH10 (I) Rural Secondary Settlements - Cwrt Burrium, Monmouth Road, Usk

#### **Development Management Policies**

H1 LDP Residential Development in Main Towns, Severnside Settlements and Rural Secondary Settlements  
SD3 LDP Flood Risk  
SD4 LDP Sustainable Drainage  
GI1 LDP Green Infrastructure  
NE1 LDP Nature Conservation and Development  
EP1 LDP Amenity and Environmental Protection  
EP5 LDP Foul Sewage Disposal  
MV1 LDP Proposed Developments and Highway Considerations  
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

##### **Original Proposal**

**Usk Town Council** - Recommend the application is approved.



**MCC Ecology** - The proposed development for 18 dwellings appears to be unacceptable with parts of the southernmost dwellings being partially outside the LDP boundary and within the flood zone. Furthermore, the loss of habitat for dormice both at the northern boundary and the central tree/scrub belt cannot be adequately mitigated for on site, the proposed planting being within the flood zone is not a viable alternative for this species. A revised biodiversity mitigation strategy would need to be submitted to reflect site layout changes, please note that any works to the hedges/scrub on site will need to be subject to an EPS licence for dormice.

**MCC Landscape/Urban Design** - Submitted a holding objection. Outlining the following points:

- Proposed loss of landscape character and setting to the approach to Usk from the east on the Monmouth road
- The proposed loss of hedge on Monmouth road due to additional footways and splays required for four access points on to Monmouth Road to a development of 18 dwellings.
- The density of the development impacting on the hedge lined ditch and Olway brook floodplain

**MCC Flooding** - The information we have at present indicates that the lower part of the site floods regularly. The modelling undertaken by the applicant to date does not accurately reflect conditions at the site. Unless the applicant provides compelling evidence that the lower part of the site is not affected by flooding or can be protected by an appropriate engineering solution, (taking account the role the site appears to currently provide within the flood plain) we would maintain our strong objection to application.

The upper part of the site does not appear to be affected by flooding. We would not object to construction within this area.

**MCC Environmental Health** - Recommend that in view of the close proximity of existing dwellings to the proposed site, that any grant of planning permission is subject to a condition ensuring construction work is undertaken during reasonable working hours e.g. between 7.30am to 6pm Mon to Fri and 8am to 1pm Saturdays with no work on Sundays / Bank Holidays or variation thereof agreed with applicant.

**Wales And West Utilities** - have no objections to these proposals; however our apparatus may be at risk during construction works and should the planning application be approved then we require the promoter of these works to contact us directly to discuss our requirements in detail. Should diversion works be required these will be fully chargeable.

**Glamorgan Gwent Archaeological Trust** - The proposal will require archaeological mitigation. We recommend a condition be added worded in a similar manner to model condition 24 in Welsh Government Circular 016/2014.

**Welsh Water** - The drainage strategy demonstrates that foul water is proposed to discharge to an adjacent public sewer; we are satisfied to see that the use of sustainable drainage systems has been exhausted and the communication of surface water to a nearby watercourse has been selected. Notwithstanding this please include recommended conditions and advisory notes if minded to grant consent.

## **Revised Proposal**

**Usk Town Council** - Have not responded to date.

**MCC Landscape/Urban Design** - The proposed development layout, elevations alignment, materials and details are acceptable from an edge of settlement and urban design perspective following recent amendments.

There appears to be discrepancies regarding the retention of the northern boundary hedge i.e. the hedge to the Monmouth road. Clarification is required from the applicant including protection measures during development should the application be approved.

Our preference has been consistent for the northern hedge to remain enhanced and broken only where access is required with clarification on the extent of splay impact. This is for aesthetical, GI and ecological reasons.

A Green Infrastructure Management Plan of all areas within the developable and landownership red and blue lines shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development.

I am relatively happy with the proposed landscape species for trees, hedgerows, buffer zones and ornamental planting from a landscape and GI perspective.

I am happy with the proposed species mix for the northern boundary hedge retention and enhancement and eastern boundary buffer. I would like to see the inclusion of dog rose (*Rosa canina*) if possible to add further diversity and winter food source.

I am happy with the proposed internal ornamental landscaping inclusive of shrubs, herbaceous, climbers and grasses.

**MCC Biodiversity** - The Updated walkover (Phase 1) is 2 years old, it is accepted that the site has not altered in the intermediate time and that further updates are not necessary to inform the application.

The secondary surveys are outdated based on the recommended CIEEM guidelines but are deemed acceptable based on the reduced extent of the proposals and the securing of the southern portion as a mitigation area as provided in the Biodiversity Mitigation Strategy.

Updated assessment was requested to inform the revised submission, an updated Tree survey of the Ash tree to be removed has been submitted. There is some low potential for bat roosting behind ivy on the tree and therefore a sensitive felling approach is recommended.

Request that a plan detailing biodiversity enhancements as above and including the recommendations provided within the submitted Biodiversity Mitigation Strategy, is provided prior to the commencement of development.

Requested that a lighting plan is sought via condition to ensure that any external lighting on the properties is controlled.

The submitted survey has confirmed presence of dormice on the site. The development will need to be subject to a licence from Natural Resources Wales before works can commence at the site. As a licence is required, the Local Planning Authority will need to consider the 'Three Tests' for European Protected Species.

In order to compensate for the loss of habitats within the development site, the blue line area has been put forward as mitigation, we require a GI Management Plan for this area, and the Strategic GI areas within the red line but outside the property gardens.

**MCC Highways** - The original application submitted in early 2018 was for a development of 18 dwellings, the applicant has subsequently submitted a revised layout proposing the development of only 7 dwellings with individual and shared accesses / drives off Monmouth Road, the amendment will have significantly less impact on the immediate highway network

The proposed seven dwellings are located well within the 30mph speed limit.

The drives are proposed to be permeable.

Off street parking is provided in accordance with the councils adopted parking guidelines.

The highway authority offers no objection to the proposed development, the development would not be detrimental or lead to a deterioration to highway safety or capacity on the local highway network.

The applicant should be aware of the advisory note at the foot of the response, the applicant is required to apply to the highway authority for consent to construct the single and shared drives.

The highway authority acknowledge that the applicant will be required to construct a number of single and shared drives off Monmouth Road, the creation of the drives and the construction of the dwellings will require careful consideration and planning and carried out in a manner that ensures that Monmouth road is not adversely affected by the works. It is recommended that a suitably worded condition is applied to any decision notice.

**MCC Environmental Health** - Recommend that in view of the close proximity of existing dwellings to the proposed site, that any grant of planning permission is subject to a condition ensuring construction work is undertaken during reasonable working hours e.g. between 7.30am to 6pm Monday to Friday and 8am to 1pm Saturdays, with no work on Sundays / Bank Holidays or variation thereof agreed with applicant.

**MCC Flooding** - This team raised significant concerns regarding the previous proposal at this site (construction of eighteen dwellings and associated works under DM/2018/00374) on the basis of flood risk to the lower part of the site.

The revised proposals (December 2019) have addressed these concerns by limiting development to the northern, upper, section of the site. As a result, flooding from the ordinary watercourse to the south of the site is not considered a concern. We therefore have no objection to the proposed development on flooding grounds.

We recommend that entry points to the site from the highway are designed to avoid ingress of surface water flows from the highway. Significant surface water flows (originating from agricultural land to the north) have been recorded in recent years.

The proposed development will require a sustainable drainage system designed in accordance with the Welsh Government Standards for sustainable drainage.

**NRW** - The revised redline boundary results in the proposed development site no longer being located within Zone C2 of the Development Advice Map (DAM) contained in TAN15. Our Flood Risk Map confirms the site to be within Zone A of the DAM.

We have significant concerns with the proposed development as submitted. We recommend you should only grant planning permission if you attach the recommended conditions to the permission. Otherwise, we would object to this planning application.

Ecological surveys have identified that dormice are present on site, and bats are using the site for foraging and commuting.

Where bats or dormice are present and a development proposal is likely to contravene the legal protection they are afforded, the development may only proceed under licence issued by Natural Resources Wales, having satisfied the three requirements set out in the legislation.

We do not consider that the development is likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range, provided that the mitigation measures outlined and illustrated on the submitted documents are implemented.

**Welsh Water** - The proposed development will require a sustainable drainage system designed in accordance with the Welsh Government Standards for sustainable drainage.

Notwithstanding this please include recommended conditions and advisory notes if minded to grant consent.

**NATS Safeguarding** - Does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

## 5.2 Neighbour Notification

### **Original Proposal**

10 letters of objection were received raising the following areas of concern:

- Lack of parking
- Flooding and land drainage problems on site
- Do not support Greenfield development
- Existing traffic speeds in area excessive
- Overdevelopment of site
- No detail of lighting
- Should protect existing trees
- Would obstruct views
- Site is a flood plain
- Impact on TPOs and local biodiversity
- Surface water flooding risk
- Exceeds LDP site allocation
- Not integrated with sustainable transport links
- Air pollution
- Fails to meet fundamentals of sustainable development
- Is there adequate waste sewage provision
- No footpath adjacent to development

1 letter of support raising the following issue:

- Pleased to see smaller housing for younger persons.

## **Revised Proposal**

9 letters of objection were received raising the following areas of concern:

- Affect local ecology/protected trees
- Close to adjoining properties
- Conflict with local plan
- Development too high
- Inadequate access
- Inadequate parking provision
- Increase danger of flooding
- Increase in traffic
- Information missing from plans
- More open space needed on development
- Out of keeping with character of area
- Over development
- Loss of light
- Increase of pollution
- A planning notice detailing the revised planning application has not been placed near the proposed development site for comment.
- House type design, including materials
- Street scene proportion and scale

1 letter providing general observations including the following:

- In order to improve local access provision to link with the existing footpath along the railway line through the tunnel, we would like to see the creation of a linking path from the development running west along the railway line to link with the path towards the tunnel.
- Consideration of further improved footpath / cycle track to the east of the site along the railway line should also be considered. Failure to improve and provide a cycle track / footpath along the railway line during this development may make it difficult in the future as housing alongside may not in the future support such a route being used.

## **6.0 EVALUATION**

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

#### 6.1.1 Principle of Development

The Settlement of Usk is identified in Strategic Policy S1 of the Local Development Plan (LDP) as a Rural Secondary Settlement. Policy SAH10 asserts that such settlements are relatively sustainable and offer a range of community facilities and therefore considered that they are suitable for small scale residential developments. This application is identified by Policy SAH10(i) in its totality, 0.66 hectares, as suitable for 20 dwellings.

As detailed, this application has seen the extent of the site as well as the number of dwellings significantly reduced due to flooding concerns. The Council's Flood Risk Management Team have been engaged with during negotiations with the applicant, with a clear conclusion that the lower portion of the site is simply not suitable for residential development. Accordingly whilst the site will ultimately deliver less than the intended LDP target, given the overriding technical constraint on site the number now proposed is acceptable. Consideration of density in compliance with Policy DES1 is to be considered in Section 6.1.2 below.

Finally with regard to affordable housing, Policy S4 states that in Rural Secondary Settlements, sites with a capacity of 5 or more dwellings will make provision for 35% of the total number of dwellings on the site to be affordable. In this instance 35%, 2 units, would be affordable and would be secured through a Section 106 Agreement.

#### 6.1.2 Good Design/ Place making

As detailed previously within this report the application has been subject to considerable negotiation and amendment; this has also included the individual dwellings. In terms of context the site sits opposite Burrium Gate which is a modern residential development characterised by a mix of house sizes finished with stone, brick and render. Immediately to the west are large detached stone/render dwellings that were granted permission in 2012. The site is located on the very eastern edge of the settlement and adjoins open countryside, and immediately to an allotment site. Whilst the dwellings themselves are of good size, they are certainly comparable to the those in the immediate context and as such would not disrupt the street scene in terms of scale or mass. Criterion i) of Policy DES1 states that to "make the most efficient use of land compatible with the above criteria, including that the minimum net density of residential development should be 30 dwellings per hectare". On this basis this would equate to 12 dwellings to be erected, however given the edge of settlement location it is considered that this would have resulted in a cramped form of development. The edge of settlements are typically characterised by less dense development as the built form carries through into open countryside.

The external finishes are appropriate to the context, and whilst samples of materials would need to be managed through the planning condition, the dwellings are considered to be well detailed. The layout follows the linear form of buildings along Monmouth Road, whilst slight differences in the building line are considered to add depth and visual interest. The porch and bay window detailing are well proportioned, whilst the addition of modest dormer windows to Plot 5 is welcome to the roofscape.

All detached garages are of modest scale and proportion, they would read clearly as secondary to the main dwellings which would be further distinguished by being set well into the site. The roofs have been orientated to align with those of the main dwellings which is considered to be appropriate for the street scene.

### 6.1.3 Impact on Amenity

As a result of the revised plans no dwelling would now sit adjacent to No 6 Cwrt Bryn Derwen, the only third party property that would now adjoin the site is Dan-y-Coed to the west. Plot 1, which is closest to this property, would be set slightly further back from Monmouth Road however would feature no windows (either ground or first floor) or other openings on the west elevation. Therefore existing levels of residential privacy would be maintained. Plot 1 would also be sited a reasonable distance from Dan-y-Coed, and therefore would not have a harmful overbearing impact.

Accordingly it is considered that the proposed development would maintain reasonable levels of privacy and amenity of occupiers of neighbouring properties and therefore accord with Policies DES1 (d) and EP1 of the adopted LDP.

Third party concerns in respect of flooding, drainage and highway safety are to be addressed in the following sections of this report.

## **6.2 Active and Social Places**

### 6.2.1 Transport (Sustainable Transport Hierarchy)

PPW10 makes it clear that the Welsh Government is committed to reducing reliance on the private car and supporting a modal shift to walking, cycling and public transport. The Policy moves on to require "the use of a sustainable transport hierarchy in relation to new development, which prioritises walking, cycling and public transport ahead of the private motor vehicles."

The site as stated previously is allocated within the LDP for residential development, however it is noted that this allocation predates the adoption of PPW10 in late 2019. With regard to travel by foot and cycling, the site is within reasonable walking distance to the Primary School (400m) and is 0.77km from Twyn Square (taken as a central point in the town). Whilst no new footway is proposed on the application site side of Monmouth Road, this is due to the fact that there is no footway on this side of the road to link to. The land in question is outside of the ownership and control of the applicant. Therefore occupiers of the proposed dwellings would, as do existing residents to the south of Monmouth Road, have to cross the carriageway to join the existing footway into town.

With regard to travel by bus, the town of Usk is served by five bus services (60, 61, 63, 66 and 68) which includes direct links to employment and services in larger towns including Monmouth,

Newport and Cwmbran. Indeed, there are stops for the No 60 service to Newport in very close proximity to the site.

With regard to trains, whilst there is no rail station within the town as noted, the bus service does provide direct links to Cwmbran and Newport, both of which provide rail stations.

PPW10 and the transport hierarchy "recognises that Ultra Low Emission Vehicles (ULEV) also have an important role to play in the decarbonisation of transport, particularly in rural areas with limited public transport services." However, the requirement to provide ULEV charging points on a site such as this is not a mandatory requirement, none are proposed as part of this application. It is therefore considered on balance that the application site is within close walking/cycling distance to the town and its various amenities/services including a primary school, medical surgery and shops. In addition the town is reasonably served by bus with a number of onward journeys possible.

For these reasons, whilst it is noted the site cannot achieve complete compliance with the aims of the transport hierarchy it is considered that the allocated site within a Rural Secondary Settlement does have appropriate access to sustainable forms of transport.

### 6.2.2 Access / Highway Safety

The revised proposal would see the seven dwellings served by four points of vehicular access onto Monmouth Road. In addition, the two bedroom affordable dwelling would be served by two parking spaces whilst all (five) open market dwellings would be served by three parking spaces. This would fully accord with the off street parking requirements as set out in the Council's adopted parking guidelines. Each plot would have the ability to turn within the site and enter onto the carriageway in a forward gear.

A number of concerns have been expressed from local residents with regards to existing traffic speeds in the area being excessive. To confirm the site is located within a 30mph zone which increases to the National Speed Limit approximately 100 metres to the east. There are existing traffic calming features in place within the vicinity of the site to seek to enforce the 30mph speed limit comprising of 'SLOW' road markings as well as sections of red surfacing.

The submitted Transport Statement confirms that at its time of writing (March 2018) that having reviewed Personal Injury Collision (PIC) data and accident no incidents had been recorded. Given the scale of the reduced proposal it is not considered that the allocated housing site would cause an unacceptable increase in vehicular trips in the peak hours and that the development proposals will therefore not have a material impact on the safety and operation of the local highway network. The Council's Highways Engineer offers no objection to the proposed development, the development would not be detrimental or lead to a deterioration to highway safety or capacity on the local highway network.

It is therefore considered that in light of the above the proposed development for seven dwellings would not create significant and unacceptable additional traffic growth in relation to the capacity of the existing road network and would provide a safe and easy access for road users. It therefore complies with the requirements of Policy MV1 of the adopted LDP.

## **6.3 Distinctive & Natural Places**

### 6.3.1 Landscape Impact

A Landscape and Visual Appraisal Report has been submitted in support of the application, which has been considered by the Council's Landscape and Green Infrastructure Officer. No objections have been received from this Officer, subject to planning conditions, and it is acknowledged that that the proposed development layout, elevational alignment, materials and details are acceptable from an edge of settlement and urban design perspective following recent amendments.

Indeed the wider landscape impact is considered to be much reduced given the significant reduction in units that now feature just a single row of properties. Additional landscaping is proposed to reinforce the hedgerow along the eastern boundary which will form a suitable soft edge to the site. In addition, earlier proposals saw the loss of the existing hedgerow fronting onto Monmouth Road and to be replaced by sections of stone wall. It is now proposed to retain the hedgerow with new openings introduced to provide vehicular access points. Given the site location on the fringe of town this amendment is welcomed and better reflects the adjoining rural environment.

The revised proposals require the removal of a single ash tree, part of a tree group and a hedgerow. The trees within the southern field parcel will now be retained. A new soft-landscaping scheme has been submitted which includes new tree planting to compensate for the required tree removals. It is recognised that the site forms an important gateway into the town of Usk and therefore requires sensitive consideration. Subject to conditions, including the requirement for an Arboricultural Method Statement, it is not considered that the proposal would have an adverse impact on the wider rural landscape. Further consideration of Green Infrastructure issues are offered in Section 6.3.3 of this report.

### 6.3.2 Historic Environment

The application site is not located within the Usk Conservation Area (Policy HE1), the boundary of which is located approximately 0.4 miles to the south east. In addition there are no listed buildings within the immediate vicinity of the site, the nearest Scheduled Ancient Monument (Usk Castle) is also approximately 0.4 miles from the application site.

The Council's professional advisors in respect of archaeology, Glamorgan Gwent Archaeological Trust, have however advised that mitigation will be required. The Historic Environment Record shows that no designated or non-designated historic assets are recorded within the development area itself. However, historic OS mapping from 1901 shows evidence of a timber yard and saw mills. Accordingly GGAT have requested a condition requiring the applicant to submit and implement a programme of archaeological work in accordance with a written scheme of investigation.

PPW 10 is clear that in paragraph 6.1.7 that it "is important that the planning system looks to protect, conserve and enhance the significance of historic assets". It is considered here that subject to the condition the impact on any archaeological resource can be mitigated, whilst given the distance to other historic designations the proposed seven dwellings would not adversely impact their significance or setting. The proposal is therefore considered to be in accordance with section 6.1 of PPW 10.

### 6.3.3 Green Infrastructure

Policy GI1 of the LDP seeks that development proposals will be expected to maintain, protect and enhance Monmouthshire's diverse green infrastructure (GI) network. A GI Strategy Statement has been submitted in support of the application. In order to compensate for the loss of habitats within the development site, the blue line area has been put forward as mitigation. As such, a GI Management Plan condition is necessary to ensure the protection, enhancement and long term management of the GI assets at the site.

The applicant has confirmed in response to queries raised by the Council's Biodiversity and Landscape Officers that the existing hedge along the northern boundary will be retained, with new openings created to facilitate access to driveways.

In addition the wider field parcel, will be retained in the ownership and management of ButlerWall Homes. They envisage that the ownership of each property will run up to the red-line, albeit there will be a rear garden fence and a new native hedge planted along the rear site boundary. The rear hedge will be accessed from each individual property and can be maintained from each garden. For this development, the applicant had advised that they do not consider it necessary to create a management company, as all this will do is add cost to the individual homeowners and the RSL, when in reality, there is little on-going maintenance required, aside from occasional trimming of the hedgerow.

Therefore subject to the detailed GI Management Plan condition, see Section 7.0, the development is considered to comply with the requirements of Policy GI1 of the adopted LDP.

### 6.3.4 Biodiversity

The Council's Biodiversity Officer has confirmed that the survey and assessment work undertaken is acceptable to inform the planning decision. The secondary surveys are outdated based on the recommended CIEEM guidelines but are deemed acceptable based on the reduced extent of the proposals and the securing of the southern portion as a mitigation area as provided in the Biodiversity Mitigation Strategy. The survey work undertaken has considered bats, great crested

newts, dormice and reptiles. Subject to conditions that would manage a plan for biodiversity enhancement, GI Management Plan, lighting and landscaping plans no objection is offered.

The development will be subject to a licence from Natural Resources Wales before works can commence at the site. As a licence is required, the Local Planning Authority are required to consider the 'Three Tests' for European Protected Species.

#### 6.3.5 European Protected Species - Three Tests

In consideration of this application, European Protected Species (bats / otters / dormice / great crested newts) will be affected by the development and it has been established that a derogation licence from Natural Resources Wales will be required to implement the consent. Monmouthshire County Council as Local Planning Authority is required to have regard to the Conservation of Species & Habitat Regulations 2010 (as amended) and to the fact that derogations are only allowed where the three tests set out in Article 16 of the Habitats Directive are met. The three tests have been considered in consultation with NRW / Council Biodiversity and Ecology Officers as follows:

(i) The derogation is in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.

Development Management Comment: The proposed development would provide seven new homes in total, two of which would be secured as affordable housing through a Section 106 Agreement. These units are welcomed as they are much needed with considerable local demand for affordable housing. The provision of such housing will provide social and economic benefits within the area.

(ii) There is no satisfactory alternative

Development Management Comment: The application site is allocated within the adopted LDP for residential development. During the LDP process other candidate sites for the town of Usk would have been considered by the Local Planning Authority. It is therefore considered that site has been through the appropriate rigorous site selection process in the plan-led system and therefore there are no satisfactory alternatives.

(iii) The derogation is not detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

Development Management Comment: This test is to be considered by NRW.

In the light of the circumstances outlined above which demonstrate that the three tests would be met, and having regard for the advice of Natural Resources Wales and the Council's own Biodiversity Officers, it is recommended that planning conditions are applied to any permission as detailed in Section 7.0 of this report.

#### 6.3.6 Flooding

The original site boundary included land within Flood Zone C2 which in itself raised significant concern to the Local Planning Authority. A Flood Consequence Assessment (FCA) submitted in support of the application provided modelling which asserted that the land was not actually in Flood Zone C2. This was challenged by the Council's Flood Risk Management Team who noted that the modelling had not been ground-proofed. Indeed the FCA did not take account of a watercourse entering the western corner of the site. In addition the potential for blockage of the masonry culvert, at the southern end of the site, was also not considered by the FCA. Third party representations, including submission of photographs, also confirmed that the lower portion of the site was subject to regular flooding.

In light of the significant amendments to the proposal the Flood Risk Management team have confirmed that the changes have addressed original concerns by limiting development to the northern, upper section of the site. As a result, flooding from the ordinary watercourse to the south of the site is no longer considered a concern.

#### 6.3.7 Drainage



The site is served by an existing public sewer network which is located in the existing highway to the north west of the site and a small watercourse running on the western and southern boundary. It is proposed that the development be served by a gravity foul water system, draining to the adopted sewer in the public highway to the north west of the site. This would be offered to Dwr Cymru Welsh Water for adoption under an appropriate Section 104 Agreement.

With regard to surface water drainage it is proposed that the development be served by a mix of soakaways and permeable surfaces. The submitted Drainage Strategy notes that where the proximity of existing and proposed structures prevents the use of soakaways permeable surfaces and drainage blankets beneath the proposed drive areas will be employed to dispose of the surface water.

As of 7th January 2019, all construction work in Wales with drainage implications, of 100m<sup>2</sup> or more, is now required to have Sustainable Drainage Systems (SuDS) to manage on-site surface water. However, notwithstanding the observation submitted by the Flood Risk Management Team as this planning application was validated prior to the aforementioned date the proposal is exempt from approval by the SuDS Approving Body (SAB).

## **6.4 Response to the Representations of Third Parties**

6.4.1 A number of the objections received have already been addressed in the preceding sections of this report and therefore shall not be repeated.

Whilst concerns raised regarding the site being overdeveloped, as detailed in Section 6.1.2 the proposal is below the density of 30 dwellings per hectare as set out in the LDP and therefore this objection is not considered to be founded.

With regards to increased pollution it is acknowledged that Bridge Street in the centre of the town of Usk is an Air Quality Management Area (AQMA). However, given the scale of the proposed development which is now for seven dwellings only and its distance from the AQMA, it is not considered that a formal AQ Assessment is warranted in order to inform the planning decision. The Council's Environmental Health Officer (EHO) has been consulted and had not requested such a report to be commissioned. The development is therefore considered to be compliant with Policy EP1.

In respect of loss of light, as detailed in Section 6.1.3 of this report the proposal is not considered to cause harm to third party residential amenity. The orientation of the dwellings is such that they would not be overbearing or cause unacceptable obstruction to natural light.

It is noted in some correspondence that more open space should be provided, however as detailed elsewhere in this report the dwellings are set in generous plots and the retention of the southern parcel of land as open space is considered to be sufficient with regard to open space. The original proposal for 18 dwellings on a site in excess of 0.5 hectares was a major planning application and was advertised as such via site notice and local press. The revised scheme is on a site of less than 0.5 and for less than 10 dwellings and is therefore no longer within the definition of major development. Accordingly re-consultation of the revised scheme was done via neighbour letters only to immediately adjoining properties and those who had provided comment on the original proposal (in addition to all statutory consultees). It is therefore noted that the correct consultation procedure has been followed.

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

6.5.1 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.

## **6.6 Conclusion**

6.6.1 This application has been subject to considerable negotiation and amendment between the local planning authority and the applicant. Unfortunately whilst the LDP allocation of 20 units,

including a significant number of affordable units, cannot be achieved this is a result of a detailed assessment of the technical constraints affecting the site in relation to flooding. The matter has been thoroughly reviewed with the Council's Flood Team and it is concluded that the site boundary now proposed is the maximum deliverable envelope for residential development.

Whilst some GI assets are to be lost including an ash tree and the 'puncturing' of the front field hedge, additional planting and mitigation are considered acceptable and proportionate.

The dwellings themselves, while providing two much needed affordable units, are considered responsive to the surrounding built context and appropriate in scale and design given the gateway location into the town of Usk.

It is therefore concluded that having regard to national and local planning policy, as well as all relevant material planning considerations that the application is acceptable subject to a S106 Agreement and the conditions detailed in Section 7.0 below.

## **7.0 RECOMMENDATION: APPROVE**

Subject to a 106 Legal Agreement requiring the following:

### S106 Heads of Terms

Two dwellings (shown as Plots 1 and 2) on the proposed site plan shall be secured as Affordable Housing.

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 this 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 No development shall take place until the applicant or his agent or successor in title has secured a written scheme of historic environment mitigation which has been submitted to and approved in writing 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 in accordance with Planning Policy Wales (Edition 10, December 2018).

5 Prior to installation of lighting, a "lighting design strategy for biodiversity" for the scheme shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for bats and dormice and that are likely to cause disturbance in or around breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent light sensitive species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

REASON: To safeguard protected species in accordance with Environment (Wales) Act 2016 and Conservation of Habitats and Species Regulations 2017.

6 Prior to the commencement of development full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. Details shall include:

- Detailed scaled plans, showing existing and proposed levels.
- Proposed and existing utilities/services above and below ground.
- Soft landscape details shall include: means of protection, planting plan, specifications including cultivation and other operations associated with wildflowers and grass inclusive of tree planting details, northern hedge enhancements
- Hard surfacing materials.
- A landscape management plan to inform a 5 year landscape establishment period to include a gant chart or similar schedule interpretation to include annual establishment inspection visits.

REASON: In the interests of visual and landscape amenity; in accordance with Policies DES1 & LC1/5 of the Local Development Plan.

7 All hard and soft landscape works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

REASON: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs and ensure the provision afforded by appropriate Landscape Design and Green Infrastructure LC5, DES 1, S13, and GI 1 and NE1.

8 The felling of the tree identified as T1 in the submitted "Arboricultural Impact Assessment Land at Woodbine Field, Monmouth Road, Usk dated 17th December 2019" shall be carried out in strict accordance with section 9 & 10 of the approved "Tree Survey - Land off Monmouth Road, Usk, produced by Ecological Services Wales dated December 2019 V1.0"

REASON: To ensure adequate safeguards for species of principle importance for conservation

9 A Green Infrastructure Management Plan shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development. The content of the Management Plan shall include the following;

a) Description and evaluation of Green Infrastructure assets to be managed.

The following ecological features should be identified and protected in the GI Management Plan

- Pond
- Landscape buffer areas - dormice mitigation,
- Boundary hedgerows
- Management of grassland for botanical species diversity and/or protected species including reptiles
- Provision of hibernacula suitable for reptiles/amphibians
- Maintain habitat connectivity through site for species such as hedgehogs
- Integrated Bird and Bat Provision
- A detailed Plan of Biodiversity Enhancements providing specification, location and type to be based upon the recommendations of the submitted "Tree Survey - Land off Monmouth Road, Usk, produced by Ecological Services Wales dated December 2019 V1.0" & "Woodbine Field, Usk - Biodiversity Mitigation Strategy dated January 2020 produced by Aecom"

b) Trends and constraints on site that might influence management of above features.

c) Aims and objectives of management.

d) Appropriate management options for achieving aims and objectives.

e) Prescriptions for management actions.

f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a twenty-year period).

g) Details of the body or organization responsible for implementation of the plan.

h) Ongoing monitoring and remedial measures.

The Management Plan shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the Green Infrastructure Management Plan are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning Green Infrastructure objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

REASON: To maintain and enhance Green Infrastructure Assets in accordance with LDP policies, DES1, S13, GI1, NE1, EP1 and SD4. (Legislative background - Well Being of Future Generations Act 2015, Planning (Wales) Act 2015 Environment (Wales) Act 2016).

10 No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities;
- b) Identification of "biodiversity protection zones";
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- d) The location and timing of sensitive works to avoid harm to biodiversity features;
- e) The times during construction when specialist ecologists need to be present on site to oversee works;
- f) Responsible persons and lines of communication;
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person; and
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

NOTE: See BS 42020:2013, Clause 10, for a comprehensive list of issues and activities that may be considered and included within a CEMP.

REASON: To safeguard habitats and species protected under the Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 (as amended), and Environment (Wales) Act 2016.

11 Notwithstanding the provisions of Article 3, Schedule 2, Part 2 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 fence, wall or other means of enclosure other than any approved under this permission shall be erected or placed without the prior written approval of the Local Planning Authority.

REASON: In the interests of visual amenity and to safeguard the appearance of the area and to ensure compliance with LDP Policy DES1.

12 No construction work shall be undertaken between 7.30am to 6pm Monday to Friday and 8am to 1pm Saturdays with no construction work on Sundays / Bank Holidays.

REASON: To safeguard local residential amenity in accordance with LDP Policy EP1.

13 Prior to any works commencing on site a Construction Traffic Management Plan (CTMP) shall be submitted to and approved by the local planning authority, the CTMP shall take into account the specific environmental and physical constraints of the adjoining highway network. The CTMP shall include traffic management measures, hours of working, measures to control dust, noise and related nuisances, measures to protect adjoining users from construction works, provision for the unloading and loading of construction materials and waste within the curtilage of the site, the parking of all associated construction vehicles. The development shall be carried out in accordance with the approved CTMP.

REASON: In the interests of highways safety in accordance with LDP Policy MV1.

14 The new vehicular accesses shall be laid out and constructed strictly in accordance with Drawing No. 3053/100/C Engineering Schematic, and shall be completed in accordance with the approved details before each individual dwelling is brought into beneficial use. Thereafter it shall be retained, unobstructed, in this form in perpetuity.

REASON: In the interests of highways safety in accordance with LDP Policy MV1.

## **INFORMATIVES**

1 The proposed development (including any demolition) has been screened under the Environmental Impact Assessment Regulations and it is considered that an Environmental Statement is not required.

2 This planning permission does not provide consent to undertake works that require an EPS licence.

It is an offence to deliberately capture, kill or disturb EPS or to damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine.

To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at <https://naturalresources.wales/permits->

Development should not be commenced until the Applicant has been granted a licence by Natural Resources Wales pursuant to Regulation 55 of the Conservation of Habitats and Species Regulations (2017) authorizing the specified activity/development to go ahead. Please note that any changes to plans between planning consent and the licence application may affect the outcome of a licence application. We advise recipients of planning consent who are unsure about the need for a licence to submit a licence application to Natural Resources Wales.

3 The Naming & Numbering of streets and properties in Monmouthshire is controlled by Monmouthshire County Council under the Public Health Act 1925 - Sections 17 to 19, the purpose of which is to ensure that any new or converted properties are allocated names or numbers logically and in a consistent manner. To register a new or converted property please view Monmouthshire Street Naming and Numbering Policy and complete the application form which can be viewed on the Street Naming & Numbering page at [www.monmouthshire.gov.uk](http://www.monmouthshire.gov.uk) This facilitates a registered address with the Royal Mail and effective service delivery from both Public and Private Sector bodies and in particular ensures that Emergency Services are able to locate any address to which they may be summoned. It cannot be guaranteed that the name you specify in the planning application documents for the address of the site will be the name that would be formally agreed by the Council's Street Naming and Numbering Officer because it could conflict with the name of a property within the locality of the site that is already in use.

4 It should be brought to the attention of the applicant that in the event of a new or altered vehicular access being formed, the requirements of Section 184 of the Highways Act 1980 must be acknowledged and satisfied. In this respect the applicant shall apply for permission pursuant to Section 184 of the Highways Act 1980 prior to commencement of access works via MCC Highways.

**Application Number:** DC/2018/00218

**Proposal:** Retention of timber close boarded fence on south boundary, and raise level of no. 21 garden between 120mm and 810mm over the fence length.

**Address:** 21 Jasper Tudor Crescent Abergavenny NP7 9AZ

**Applicant:** Mr & Mrs S Johnson

**Plans:** All Proposed Plans BP2612/00 - Rev E,

## **RECOMMENDATION: Approve**

Case Officer: Mr Andrew Jones

Date Valid: 26.03.2018

**This application is presented to Planning Committee at the request of the Local Ward Member, Councillor Giles Howard.**

### **1.0 APPLICATION DETAILS**

1.1 This application relates to a detached property on a modern housing estate on the edge of Llanfoist. The application has been submitted as the result of an enforcement case as the owners of the property carried out works to raise the ground level of the rear garden to make the area one level. In addition because of the alteration to the new ground levels works were also carried out which led to a new close boarded boundary fence being erected at a higher height than the original fencing. The ground levels were raised at No.21 up to 810mm at the highest point. As a result of increasing the height of the ground level the close boarded fencing was raised from 1.82m to 2.52m at its highest point.

1.2 Since the application has been submitted several amendments have been made which include a reduction in the height of the existing fence and the proposed introduction of trellis fencing and a planting scheme. It is now proposed to reduce the solid fence to 1.3m in height and to install trellis panels above that would see the overall structure stand 1.72m at its highest point.

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

<b>Reference Number</b>	<b>Description</b>	<b>Decision</b>	<b>Decision Date</b>
DC/2017/01142	Retention of 1.65m timber close boarded fence on south garden boundary.		05.12.2017
DC/2018/00218	Retention of timber close boarded fence on south boundary, and raise level of no. 21 garden between 120mm and 810mm over the fence length.	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**

DES1 LDP General Design Considerations  
EP1 LDP Amenity and Environmental Protection

## **4.0 NATIONAL PLANNING POLICY**

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

4.1 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.

4.2 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 - Members reviewed the case file documents and noted that this application is (i) connected with enforcement proceedings and (ii) the subject of a neighbour's objection. Members considered that this application rests on planning technicalities upon which this Community Council does not feel it constructive to comment further.

The community council also followed up with comments on amended drawings that were submitted - comments were the same as originally stated

Local Member – requests that the application be presented to the Council's Delegation Panel on the grounds of amenity and privacy.

### 5.2 Neighbour Notification

Objections from one party have been made in response to the consultation period and amendments to the scheme.

Comments are as follows:

1. Fence Height - object to the new fence height which now stands at 2.7 metres off the original land fall, clearly way above the approved planning regulations. The new fence which has been attached to the original existing fence towers above our garden overshadowing the property and preventing light from entering the downstairs windows.

2. Land raising - groundworks have been carried out where a breeze block wall has been built at height of 70cm for several metres across the boundary length. This has raised the land level next door across the boundary considerably and does not fall under permitted development; this has consequently raised the height of the fence.

Regarding the latest application, should this level is given approval and the fence reduced by 280mm it would lead to a privacy issue with the neighbour being able to see over the top into our garden. Thus any land raising consent causes overlooking and a breach of our privacy.



3. The building work has altered the natural flow of water drainage and we now have severe waterlog in that area of the garden. This has now caused movement in the original fence due to the excess build up of water.

4. The new fence has been attached to the original fence, thus directly abutting the existing fence and therefore does not allow any maintenance works to be carried out.

Amended drawings were submitted following discussions and neighbours consulted. Objections to the proposed amendments are as follows:

Issues that have led to this objection result from the significant groundworks that have been implemented by the owners of No.21. The re-profiling of the site has resulted in levels that are alien to those that existed when the original development was completed. Objections are raised with regard to the description of the application as the applicant has not included extensive groundworks into the description. The problems have not just resulted from the erection of the means of enclosure but the totality of the extensive works that have been undertaken at No.21. Comments received are as per the original consultation with the addition of comments regarding the revised drawings.

1. Revision B is merely replacing part of the height with a trellis and planting. This means the height will still be the same and overshadow the garden, thus, impacting on our residential amenity, with the lack of light impacting this area and the benefit enjoyed from our physical external space. The proposed plans submitted also indicate the trellis is to be put on top of the fence at a higher level in some parts than the feathered edge board is now.

2. Land Raising Rev B - once again has not applied for planning permission for such groundworks making the application deficient and it does not include the change in the land profiles which have created the issue. Should this new ground level be given approval and the fence reduced with trellis, it would lead still to a privacy issue with the neighbour being able to see over the top into our garden; thus any land raising consent causes overlooking and a breach of our privacy.

3. The plans submitted for revision B are most confusing and omit essential detail. Although BS Technical Services state in their supporting letter that the close boarded fence will be reduced to the original level, their diagrams indicate otherwise. They still show a proportion of feather edge board remaining above the original level. Furthermore they do not show the original level of the land next door or the measurements of the retaining wall built to increase the level of the lawn.

Revision C - the proposed trellis on top of fencing will still be the same and overshadow the garden, thus impacting on our residential amenity with the lack of light impacting this area. In terms of the land raising - new revision clearly states that their groundworks have been built in excess of permitted development regulations of 810mm.

The plans submitted for revision c) again are most confusing and omit essential detail. Although BS Technical Services state in their supporting letter that the close boarded fence will be reduced to the original level, their diagrams indicate otherwise. They still show a proportion of feather edge board remaining above the original level.

Furthermore, the original level of the land at no.21 was always the same as no.19, not as shown on the diagram; if it had been different then the original fence would have been supporting the earth which it was not. There was no earth against the fence. If there had been it would be visible on the rear fencing panels.

The latest revision indicates shrubs which they intend to plan. We must note here that the applicant has already planted in this area with planting towering above the fence already.

## **6.0 EVALUATION**

### 6.1 Visual Impact

6.1.1 The application relates to the retention of a close boarded fence along the southern boundary and the change of ground levels to the rear garden of No 21 Jasper Tudor Crescent. The works undertaken are largely only visible from within the application site and from the neighbouring dwelling No 19 Jasper Tudor Crescent. The impact with regard to amenity impact and No 19 are considered in Section 6.2 and 6.3. However, the provision of close board fence

between neighbouring properties is prevalent within the wider residential estate. Therefore with regard to visual impact the development is considered to be in accordance with relevant criteria set out within Policy DES1 of the adopted LDP.

## 6.2 Residential Amenity

6.2.1 In relation to the effect the development has on the neighbouring property the issues have been raised in the objections to the application. Discussions have taken place with the applicant and agent in order to resolve these issues and subsequent revisions have been submitted to overcome this.

6.2.2 In terms of the changes to the ground level at No.21 the reason for the groundworks was so that the garden was made level across the rear of the property. This was carried out because of personal reasons which are not part of the application details. The difficulty in this issue is that when the housing estate was developed No.21 was constructed on higher ground than that of the neighbouring property below, therefore any alteration to the enclosure or raising of ground levels could have potential impact on residential amenity. The changes to ground level were such that they required the benefit of planning permission.

6.2.3 As a result of the change to ground levels, the new fence that was erected along the southern boundary posed an issue with regard to having an overbearing impact on the neighbouring property as well as obstructing the neighbour's right to have access to natural light. In order to overcome both issues it was discussed on site with the agent and applicant and separate meetings with the neighbour what could be done in order to deal with these issues. It was therefore proposed to reduce the height of the close boarded fence to the internal frame and replace the solid structure with trellis fencing. By securing these amendments via a planning condition it would alleviate the overbearing impact of the solid fencing but allow for light to go through the trellis fencing, but at the same time still give privacy to both No.21 and the neighbour.

6.2.4 The implementation of this revision is not considered to have a harmful impact on any other party's residential amenity. The harmful overbearing impact of the unauthorised fence would be mitigated; furthermore the revised plans would not have an unacceptable impact on any party's privacy or obstruct any party's access to natural light. The application is therefore in accordance with Policies DES1 c) and EP1 of the Local Development Plan.

## 6.3 Drainage

6.3.1 In light of the correspondence received from the objecting third party with regard to drainage issues within the garden of 19 Jasper Tudor Crescent the Local Planning Authority (LPA) engaged in consultation with the Flood Risk Management team within the Council. A number of site meetings were conducted and it was determined that the unauthorised works to the rear garden levels in 21 Jasper Tudor Crescent could have led to the wet conditions affecting the garden of 19 Jasper Tudor Crescent. Whilst the advice from the Flood Team was that it was impossible to be certain, they did advise there was a potential mechanism for the works to be causing the problem or exacerbating an existing problem.

Drainage solutions were discussed between all parties and it was proposed that, prior to determination of the planning application, the owners of number 21 install a French drain (shallow gravel filled trench) in the garden of number 19, discharging into the surface water drainage system of number 19. As these works, in part, would have to take place outside of the red line boundary of the planning application and within land not in the ownership/control of the application it was agreed that these works would need to take place prior to any decision being taken on this planning application as they could not have been controlled through planning condition.

The works were undertaken in December 2019 and whilst required no formal consent from the Flood Risk Team, were inspected by one of their Engineers. However, this has not resulted in the objection on this matter being withdrawn from No 19 who had anticipated that the drainage solution would have included a land drain being laid along the grassed area to the rear of No 19.

Whilst it is acknowledged that the drainage works did not include this, the Council's Flood Risk Team are satisfied that the works undertaken were sufficient to alleviate any detriment to the

drainage system in the neighbouring garden caused by the unauthorised ground works. Upon inspection the Engineer confirmed that the new drainage system was working well to remove water from the area around the wall. Although water was standing in the lawn of No 19 it is heavy clay soil - typical of the natural soils of much of Monmouthshire. Moreover, ground conditions have also been affected by the very heavy rainfall since the autumn.

6.3.2 Therefore with regard to the issue of land drainage and in particular the impact on the rear lawn of the lower neighbouring property, No 19, it is considered that the applicant has undertaken reasonable and appropriate works to mitigate any adverse drainage impact on third parties. This matter has been very carefully considered in close consultation with the relevant technical expert within the Council's Flood Risk Team, who is satisfied that even though no land drain extends along the lawn of No 19 the solution installed is sufficient to alleviate any unacceptable harm.

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

6.4.1 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.

#### 6.5 Conclusion

6.5.1 The application has been subject to considerable negotiation and amendment in order to mitigate the impact caused by the changing of the rear garden levels and new close board fencing. It is also noted that the amendments proposed and mitigation measures implemented (drainage) have not resulted in the objection from the neighbouring property No 19 being withdrawn and their concerns remain.

However, it is considered on balance that subject to a planning condition to secure implementation of the revised fence together with associated landscaping and the drainage works already undertaken to mitigate any drainage impact, that the harm caused by the unauthorised works can be overcome and therefore acceptable.

### **7.0 RECOMMENDATION: APPROVE**

#### **Conditions:**

1 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.

2 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 completion of revised fence line and trellis as shown on drawing no. BP2612/00 Rev E, 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.

3 The lattice design spacers on the trellis fencing shall be no more than 70mm spacing and retained in perpetuity.

REASON: In the interests of residential amenity.

4 The fence shall be reduced and the trellis panels installed in accordance with drawing BP2612/00 Rev E within 2 months from the date of this permission and retained in perpetuity.

REASON: In the interests of residential amenity.

## **INFORMATIVES**

1 The developer is advised that the provisions of the Party Wall etc. Act 1996 may be applicable to the proposal and is advised to seek appropriate advice prior to any work commencing on site.

**Application Number:** DM/2018/01720

**Proposal:** Alterations and conversion of existing agricultural buildings to form two bedroom dwelling unit with ancillary works.

**Address:** Worthybrook Farm, Old Hendre Road, Wonastow, Monmouth

**Applicant:** Mr A Bevan

**Plans:** Block Plan 2340:BP01 - , All Proposed Plans 2340-P01 - REV B, Elevations - Existing T196.01 - , Ecology Report Clarke Webb Ecology - Preliminary Appraisal, Location Plan 2340-LP01 - ,

## **RECOMMENDATION:REFUSE**

Case Officer: Ms Jo Draper  
Date Valid: 07.11.2018

### **1.0 APPLICATION DETAILS**

1.1 This proposal seeks the conversion of disused farm buildings to residential use. The application site is a complex of outbuildings situated in an isolated but prominent position along the highway connecting Wonastow to Dingestow. One building is constructed in stone with a concrete tile roof with a modern blockwork lean-to at the side, whilst the other buildings are made up of modern blockwork and timber boarding construction.

1.2 There is a long planning history in relation to this site with a previous proposal for the conversion of the existing buildings that was refused and then dismissed at appeal. The most recent decision on this site related to the refusal of application DC/2007/01007. That proposal was for 'Alterations, extensions and conversion of existing buildings to form dwelling with ancillary works (amended scheme resubmission)'. The reasons for refusal were as follows:

1. The level of rebuild necessitated by the poor structural condition of these buildings represents substantial reconstruction, and a large part of the scheme proposes the conversion of modern, breeze-block structures. Therefore, the proposed conversion is contrary to criteria c) and e) of Policy H7 of the Monmouthshire Unitary Development Plan.
2. The level of rebuild required to convert the building to a dwelling, combined with the inevitable domestic paraphernalia associated with the residential use would have a detrimental impact upon the surrounding area, which has been designated as a Special Landscape Area. This is contrary to Policy C3 of the Monmouthshire Unitary Development Plan.

1.3 Like the previous proposal, this application is for the conversion of two of the buildings into a single, linked dwelling. In this case, the link is narrower and glazed, the modern lean-to at the side would be a kitchen, with the host building (which is the stone building) to be

underpinned and the floor level dropped to provide a bedroom/living room in the roof space. The building linked to the rear via the glazed extension is constructed in blockwork and has a larger floor area than the host building, it is proposed that this is to accommodate a home office, a double garage and a workshop.

1.4 It is proposed that the finishing materials on the lean-to and the building to the rear would be waney-edge boarding with a natural slate roof proposed throughout and timber fenestration. Existing access arrangements are to be used. A new residential curtilage is proposed to the rear and side defined by stock proof fencing.

1.5 The agent has stated the following in the supporting information:  
The application has been submitted having due regard to the reasons for refusal.  
The scale of development has been significantly reduced.  
Proposals to remove the redundant steel framed structures in lieu of including them as part of the proposed development . The buildings retained for conversion are deemed structurally suitable for conversion without the need for significant reconstruction works, reference made to the structural engineer's appraisal.  
Consideration given to design elements and choice of materials to ensure rural character is maintained and building appearance enhanced.  
Such buildings will otherwise become dilapidated structures and create a local eye sore.  
Central glazed link forms a contemporary link between traditional barn and out-building conversion works  
Proposal to reduce ground floor level of the existing stone host building (approximately 500mm) will then facilitate two-storey development to this unit and provide an opportunity to carry out underpinning works in accordance with the structural engineer's recommendations.  
The stone barn structure is believed to have dated from late 1800's and subsequent ancillary outbuildings built pre 1950. The ancillary buildings could not be considered modern i.e. post 1971 which is considered as the cut-off point in accordance with planning policy.  
The conversion of the host stone barn and adjacent out-building provides a viable opportunity for much needed repairs to these redundant farm buildings.  
The application has many similarities to other developments in the area, which have received approval from MCC. Some development having been allowed with significant extensions, reconstruction works and conversion of buildings with more utilitarian modern construction.

1.6 A structural engineer's report has been submitted with this proposal, the conclusion of which is that both barns are in 'serviceable structural condition with no evidence to indicate any progressive lateral vertical or foundation related movement in the main load bearing fabric of the buildings'. Notwithstanding this, the barns exhibit evidence of dilapidation due to an absence of maintenance over the years and also from their original use.

1.7 This application is being presented to Planning Committee at the request of the local member.

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

<b>Reference Number</b>	<b>Description</b>	<b>Decision</b>	<b>Decision Date</b>
-------------------------	--------------------	-----------------	----------------------

DC/2009/00748	Removal of planning conditions 1-3 of planning permission M/1181 for change of use of barn to holiday accommodation so as to enable use of the converted building as a single dwelling.	Approved	16.09.2009
DC/2007/00173	Alterations, extensions and conversion of existing buildings to form dwelling with ancillary works (amended scheme).	Refused	11.07.2007
DC/2007/01070	Alterations, extensions and conversion of existing buildings to form dwelling with ancillary works (amended scheme) (resubmission).	Refused	05.11.2007

### 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

DES1 LDP General Design Considerations  
EP1 LDP Amenity and Environmental Protection  
H4 LDP Conversion/Rehabilitation of Buildings in the Open Countryside for Residential Use  
NE1 LDP Nature Conservation and Development  
LC4 LDP Wye Valley AONB  
GI1 LDP Green Infrastructure

### 4.0 REPRESENTATIONS

#### 4.1 Consultation Replies

**Mitchel Troy Community Council:** No comment to date

**Welsh Water:** No comment

**MCC Ecology:** Despite some deviation from the Bat Survey Guidelines (expiration of survey), I consider that the survey will be sufficient to inform the planning decision. We visited the buildings on 12th November 2018 and agree with the conclusions and recommendations of the survey. The barn adjacent to the gateway is not included in the current application. This was the location of a previously identified lesser horseshoe roost although we were not able to reconfirm this as survey of the floor substrate and piles of timber made searching for droppings very difficult.

Evidence of a previous nesting site for birds was also identified and therefore, a pre-check for nesting birds is also recommended. Conditions are recommended

## 4.2 Neighbour Notification

No comments received to date

## 5.0 EVALUATION

### 5.1 Principle of the proposed development

5.1.1 The relevant planning policy to consider in this case is Policy H4 of the LDP; this relates to the conversion / rehabilitation of a building in the open countryside for residential use, and the relevant criteria in this case are the following:

e) Buildings of modern and /or utilitarian construction and materials such as concrete block work, portal framed buildings clad in metal sheeting or buildings of substandard quality and / or incongruous appearance will not be considered favourably for residential conversion. Other buildings will be expected to have been used for their intended purpose for a significant period of time and particularly close scrutiny will be given to proposals relating to those less than 10 years old, especially where there has been no change in activity on the unit;

f) The building is capable of providing adequate living space (and ancillary space such as garaging) within the structure. Only very modest extensions will be allowed and normal permitted development rights to extend further or to construct ancillary buildings will be withdrawn;

5.1.2 This policy is further supported by the adopted Supplementary Planning Guidance, 'Rural Conversions to a Residential or Tourism Use', November 2017. This states in relation to determining the suitability of a conversion (i.e. criterion e) is of relevance), "Modern and utilitarian buildings are designed to be functional and are not generally considered to be aesthetically pleasing. These buildings are often of an industrial character and due to their design and modern construction methods are unlikely to be suitable for residential conversion. Modern construction methods include, but are not limited to: steel frame construction, buildings clad in metal sheeting, corrugated sheets, concrete blockwork and plastic."

5.1.3 In relation to the provision of adequate living space (criterion f) the adopted SPG sets out that buildings proposed for rural conversion should be capable of providing adequate living space within the existing structure (including ancillary space such as garaging, which is discussed in paragraphs 3.18 to 3.20). Buildings that are deemed to be too small to accommodate a permanent residential use would not be considered appropriate for rural conversion. The conversion of an unsuitably sized building would potentially result in additional planning applications for extensions at a later date in order to provide more living space. This approach would be contrary to criterion f) of Policy H4. It is appreciated, however, that small barn conversions could sometimes accommodate one or two people satisfactorily, and in assessing a building's suitability for conversion a minimum standard of 50 sq.m will be adopted. Conversions of buildings below this size will not be approved. This 50 sq.m standard relates to the internal floorspace (including storage space) and conversion of a property of this size will only be allowed on the basis of a one bedroomed property for two people. If a case is made for the conversion of a building of this size at the time of a planning application, it is very unlikely extensions will be permissible in future to allow for additional people to reside at the property.



5.1.4 In this case, the lion's share of the scheme comprises of utilitarian buildings; these include the lean-to, which is made up of blockwork and accommodates the kitchen. While a home office is accommodated in part of the outbuilding, the remaining part of the building is utilised for ancillary purposes, namely garaging and storage. A glazed link is proposed to connect the host building with the proposed home office/ garage/ storage building. The host building (without the modern lean-to blockwork structure to the side of the building) measures approximately 34 square metres (taken externally) whilst the more modern out-building to the rear measure 51 square metres. The modern lean-to element (for the proposed kitchen) adds a further 16.5 square metres. In total the modern blockwork element accounts for almost double the floor area of the existing host building (34 and 66.5 square metres respectively). This is the reason why such a significant part of this development would be faced with waney-edged timber as this covers up the blockwork on the scheme. It is concluded that the proposal fails to comply with criterion e) of the LDP and the provisions of the SPG.

This criteria needs to be considered alongside criterion f), which states that the building should be capable of providing adequate living space without needing an extension. The host building (including the blockwork lean-to) as measured externally is 50.6 square metres. If the blockwork lean-to is removed, this floor area reduces to 34 square metres (also measured externally). Internally the measurement is less and falls well short of the 50 square metres threshold. It is proposed to provide a first floor by digging down and dropping the ground level thus lowering the wall plate and facilitating a bedroom in the first floor. Like the link, this is an extension and clearly something that has to be undertaken to make the building potentially big enough to provide the living space for an independent residential unit. In this case the existing floor area of the host building accommodates a bathroom and bedroom only, the living room is in the roof space that has been created by increasing the internal volume from expanding downwards into the ground, whilst the modern lean-to on the side accommodates the kitchen. As well as this, an additional extension is proposed through a glazed link to provide further domestic accommodation including a home office within the modern outbuilding to the rear. Given that the host building taken in its existing form measures externally just 34 square metres (the modern lean-to on the side and the first floor provided by altering and extending the buildings downwards is excluded in this calculation) the building fails to comply with criterion f) of Policy H4 and the provisions of the SPG.

The proposal fails to comply with criteria e) and f) of Policy H4 and in principle, the proposal is unacceptable.

## 5.2 Design

5.2.1 The design of the scheme has sought to improve the visual appearance of the existing out-buildings by cladding them in waney-edge boarding to cover the walls and using natural slate throughout the scheme. The proposed glass link does effectively link the stone host building with the modern building to the rear, but ideally the scheme should keep the buildings separate so that the host building, which is subject to the conversion, is seen as one part and the modern building is a separate element as it forms an ancillary function. The residential curtilage is potentially visually intrusive although subject to an appropriate landscaping scheme (with both hard and soft landscaping controlling the surface and boundary materials) this aspect of the development could be acceptable.

### 5.3 Economic Development Implications

5.3.1 There is no economic justification proposed as part of this proposal. However, given the scale of the host stone building this is unlikely to be suitable for the purposes of a business.

### 5.4 Highway Safety

5.4.1 It is proposed to utilise the existing access point. There is ample space on site for turning and parking; there is no highway objection to this proposal.

### 5.5 Ecology

5.5.1 A relevant survey report was submitted to inform a decision on this proposal. The Council's ecologist has confirmed that the development is acceptable subject to ecological conditions being imposed.

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

5.6.1 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.

## **6.0 RECOMMENDATION: REFUSE**

### **Reasons for Refusal:**

1 The existing host building is too small to accommodate an independent residential use and requires extensions in the form of excavations to lower the floor level together with the use of a modern lean-to and a new link extension to access and utilise part of a modern out-building to provide the level of accommodation necessary for an independent residential unit. The proposal is contrary to criterion f) of Policy H4 of the Monmouthshire Local Development Plan (LDP) and adopted Supplementary Planning Guidance (SPG), 'Rural Conversions to a Residential or Tourism Use', November 2017.

2 The majority of the scheme proposes to utilise modern, utilitarian buildings as part of the conversion and provide the necessary level of accommodation required for an independent dwelling. The proposed conversion is contrary to criterion e) of Policy H4 of the LDP and adopted SPG, 'Rural Conversions to a Residential or Tourism Use', November 2017.

**Application Number:** DM/2019/00898

**Proposal:** New detached two storey dwelling with integral garage and driveway access from highway with on-site parking and turning

**Address:** Land to rear Of Rosemary, Beaufort Road, Osbaston, Monmouth

**Applicant:** Mr. & Mrs. Morgan

**Plans:** Location Plan OS Location Plan - , Elevations - Proposed 1460[PL]02B - , Site Plan 1460[PL]01B - , Ecology Report An Ecological Survey Report at Rosemary, Beaufort Road, Osbaston, Monmouth. By Just Mammals dated S -

**RECOMMENDATION: Approve**

**Case Officer: Ms. Jo Draper**

**Date Valid: 06.06.2019**

**This application is presented to Planning Committee due to there being five or more objections to the application**

## 1.0 APPLICATION DETAILS

1.1 This application proposes a detached two-storey dwelling with adjoining single garage to the rear of Rosemary, Beaufort Road. This application proposes to share the existing access that served the host property Rosemary and remove the existing single garage to create an access that serves the plot to the rear. The site is a long plot with a traditional dwelling located close to the front boundary with the highway but with a large rear garden. The garden shares a boundary on all sides with existing neighbouring properties.

1.2 The two-storey element of the proposed dwelling measures 10.9m depth (including gable projection) 8.4m in width (not including integral single garage), the height is 7.7m to ridge and 4.6m to eaves. The application has been subject to amendments to reduce the scale and mass of the proposed development. The proposed ridge height has been reduced from what was previously 8.4m in height with a lowering of the roof pitch. There was accommodation previously proposed in the roof space and over the garage but this has been removed, reducing the proposal from a six bedroom to a four bedroom dwelling. The proposal also had a larger footprint with an adjoining double garage; this has been reduced to a single garage.

1.3 The proposed external materials comprise of the following:

Facing Brickwork or painted render to walls

Natural slate or manmade slate with riven surface with blue black angular ridge tiles

Painted timber or uPVC fascia and bargeboards

Colour coated aluminium or uPVC fenestration.

1.4. The application proposes to retain the trees to the rear and to fence in this ecological buffer to the rear. All of the existing trees and foliage on the rear boundary will remain.

1.5 The existing laurel hedges will be replaced with native species hedges along the side boundaries (a mix of Hawthorn 45%, Hazel 25%, Blackthorn 20%, Holly 10%).

1.6 The agent has provided the following information in support of this application:

- The ridge height of the two-storey part is 270mm (10½") lower than the ridge of no.11 Charles Close.

- The eaves height of the two-storey part is 1530mm (5ft 1") lower than the eaves of no.11 Charles Close.

- The ridge height of the garage is the same as the ridge of Llys-Wen's.

- The eaves height of the garage is 1400mm (4ft 8") lower than the eaves of Llys-Wen.

-

1.7 The plan shows rear boundary fencing to maintain an ecological buffer zone. There is a sewer to the rear of the site. The block plan shows a 3 metre separating distance between this infrastructure and the proposed build.

1.8 The block plan shows an extension outlined to the rear of the host dwelling. This is illustrative only as there is no planning consent or current planning application relating to this.

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

<b>Reference Number</b>	<b>Description</b>	<b>Decision</b>	<b>Decision Date</b>
DM/2019/00898	New detached two storey dwelling with integral garage and driveway access from highway with on site parking and turning.	Pending Determination	

## **3.0 LOCAL DEVELOPMENT PLAN POLICIES**

### **Strategic Policies**

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

### **Development Management Policies**

DES1 LDP General Design Considerations  
EP1 LDP Amenity and Environmental Protection  
H1 LDP Residential Development in Main Towns, Severnside Settlements and Rural Secondary Settlements  
NE1 LDP Nature Conservation and Development  
MV1 LDP Proposed Developments and Highway 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**

**Monmouth Town Council:** Reject; overdevelopment, location, scale, impact on neighbours

**MCC Ecology:** No objection.

The application is informed by the following Ecological assessment: An Ecological Survey Report at Rosemary, Beaufort Road, Osbaston, Monmouth by Just Mammals dated September 2019.

The site is surrounded by species poor laurel hedges, it is proposed to enhance the boundaries to the east and west through mixed native species planting. The hedges and other garden shrubs on site have potential for use by nesting birds, the recommendations of the report and introduction of nest boxes is acceptable and should be secured by condition to ensure no net loss for biodiversity.

The house (Rosemary) was inspected and found to have low potential for bats associated with raised fascia boards on the south-west gable, no evidence of bats was identified during the Preliminary Roost assessment and the activity survey carried out in August 2019 found no evidence of bats using the property. The garage on site was confirmed as having negligible potential.

The Ecological Connectivity Assessment undertaken for the LDP (dated 2010) identifies the tree line to the south of the site as an important existing connection for ecology. This in combination with the proximity of the Wye Valley and Forest of Dean Bat Site SAC and the records of horseshoe bats in this area resulted in a holding objection until further assessment and details were provided by the applicant.

The bat survey was undertaken over three nights of passive monitoring (14<sup>th</sup> -17th August.) Whilst the survey period is limited, it did identify one record for a Greater Horseshoe bat and three records for Lesser Horseshoe Bats demonstrating that these species do commute along the wooded stream corridor; this is confirmed by local knowledge. Due to the potential for impacts on these species, a habitats regulations assessment was undertaken.

#### Habitats Regulations Assessment

Protected Sites - Wye Valley and Forest of Dean Bat Sites SAC

The development site is within 1.7km of Newton Court Stable Block SSSI. Newton Court Stable Block is the only breeding roost for greater horseshoe bats in Monmouthshire and one of only three known in Wales. The site is also used by a small number of lesser horseshoe bats. Both species of horseshoe bats were recorded using the site during the survey undertaken in August 2019; this is confirmed by local knowledge.

A Habitats Regulations Assessment for the Wye Valley and Forest of Dean Bat Sites SAC has been undertaken to support the application.

The interest features which could be affected are Lesser Horseshoe Bat and Greater Horseshoe Bat as both were recorded foraging at the site.

The following potential hazards were taken forward for the Test of Likely Significant Effect:

1. Habitat loss and Habitat fragmentation.
2. Disturbance (lighting)

The possible effects may occur both during construction and during operation of the site as a dwelling.

Physical damage; and Toxic contamination are screened out due to the scale of the proposed development and distance from the protected site: The TOLSE concludes that that there are no pathways to significant effect on Interest Features of the bat SAC.

Matters relating to Habitat loss; and Habitat fragmentation were screened out of the assessment because of the design of the scheme including an ecological buffer retained and protected by fencing as shown on plan which allows commuting to continue.

Disturbance of the known flight lines through light spill is secured by the design of the scheme.

The development has been revised to reduce the height of the building, The roof pitch and ridge heights have been reduced, the first floor windows have been reduced in size and it is confirmed on plan that there will be no lighting on the southern elevation. External lighting has been specified on plan as low level located away from the wooded corridor and shielded by porched areas.

A condition is recommended.

The development shall be carried out in strict accordance with the details illustrated on Site Plan As Proposed Drwg no.1460(PL)01B revised 21/1/2020 produced by Buckle Chamberlain Partnership Ltd & Proposed Floor Plans and Elevations\_ Drwg no.1460\_PL\_02B revised 21/1/2020 produced by Buckle Chamberlain Partnership Ltd and Section 10 Recommendations of the approved "An Ecological Survey Report at Rosemary, Beaufort Road, Osbaston, Monmouth. By Just Mammals dated September 2019".

Reason: To ensure adequate safeguards for species of principle importance for conservation and to ensure compliance with LDP policy NE1 and the Environment (Wales) Act 2016.

**Dwr Cymru-Welsh Water:** a public 150mm foul water (only) sewer crosses the proposed development site. No operational development is to commence within 3 metres either side of the centreline of this sewer. A condition is recommended preventing surface water to connect into the main drains

**MCC Highways:** The Application is for the construction of a detached, six bedroom residential dwelling with integral double garage and driveway access from the public highway, with onsite parking and turning all within the existing curtilage of the property known as "Rosemary". Associated works also include the demolition of the existing detached single garage to facilitate the construction of the shared use vehicular access to both the existing and proposed residential dwellings.

The Application states that the proposed shared use driveway is to be constructed in permeable block paving and is acceptable.

The configuration of the proposed driveway/parking/turning arrangement will provide the required number of parking spaces in line with MCC Parking Guidelines SPG and allow vehicles to turn within the development to exit onto public highway in a forward gear and is acceptable.

The existing vehicular access from the public highway is to be utilised for access into the development proposal. It is noted that this access is to be slightly amended in shape but appears to be contained within the existing bell-mouth arrangement.

The Applicant should note that any additional drop kerbs, footway crossover strengthening works etc. required are to be to MCC Highways standards.

No highways grounds for objection.

## 5.2 Neighbour Notification

24 Letters have been received with regard to the original scheme raising the following issues:

1. Overlooking into neighbours property
2. Incorrect description - there is a reference to a single storey element but there is no single storey part there is an upper storey above the garage
3. Subjective comments; 'big garden' is subjective and not relevant; it is not a big garden if one considered the surroundings when the house and parking is accommodated

There is insufficient turning area within the site, further exacerbated by a further double garage to serve the severed property.

Increase in cars visitors, etc.

Windows to front of building face direct towards neighbour's property as the north-west elevation overlooks the neighbour's property, exacerbated by the drop in boundary materials

The boundary materials will not screen views to neighbour's property

Landscape scheme referred to is not native; removes native planting and replaces with non-native planting

Proximity of extension to common boundary with neighbouring property

Proposal is inappropriate for this location

Proposal will result in a severe loss of privacy and an increase in overlooking, noise disturbance and pollution

Tandem development and infilling of a garden sets an extremely negative precedent within the area

Ecological impact on local flora and fauna

Once the pre-existing garage is demolished and access cleared the site will be visible

Contrary to Chapter 5.133. 5.135 (Strategic policies respecting distinctiveness) and Chapter 6.5 (General Design Considerations) damaging quality of life and sense of place

Inadequate access

Increased danger of flooding

Over-development of the site

Beaufort Road is a single track with passing places; pedestrians have to step into driveways to let vehicles pass, construction traffic would cause a further hazard compromising highway safety

Conflict with local plan

More open space needed on development - little recreational spaces for the new or severed property

Out of character with area

Too many infilling developments resulting in irreversible damage

Loss of light

Impact on residential amenity

Light intrusion

Building over an established garden will irrevocably alter the character of the immediate area

Charles Close enjoys uninterrupted views across landscape; the construction would alter the view and change the character of the area

Impact on highway will discourage children from walking to school

Impact on nesting birds

Development detracts from the semi-rural feel

High density housing out of character with the area

What is the intention of Rosemary Cottage - no details given in the application?

Increase in rainwater run off

Disproportionate scale and mass of proposed development with six bedrooms

question land ownership boundaries

Trees not shown correctly on boundary

Strain on community facilities, particularly local school that is overstretched

Increase in rainwater run off

Greater Horseshow bats on commuting route through site and high levels of foraging at the site along the mature deciduous tree lined brook and hazel and laurel hedgerows

Potential for dormouse, reptiles and amphibians on site through brash piles, pond and slow flowing brook

Existing house on site has potential for roosting bats

Existing mature and tall hazel and laurel hedgerows on site providing food source for dormouse

The site is too small to accommodate such a large and high building, it will be impossible to achieve net gain in biodiversity if the hedgerows or trees are removed to accommodate this large building; two trees have already been felled

Light spill onto existing tree lined brook and hedgerows will impact foraging and commuting bats and potentially dormouse

Sediment pollution run off into brook will impact aquatic species

Foul water potentially entering the brook and rise of pollution, the sewer system in Osbaston is already at its limit

No tree survey has been done

No breeding bird survey has been done

Significant concerns over impacts of the proposal on European protected species. The tree lined brook is connected to the Rivers Monnow and Wye and as such is used as a commuting route by bats and potentially other protected species. The brook is part of a mosaic of habitats in Osbaston which lead from Buckholt wood and further to Newton Court bat SSSI down into the river Monnow and the River Wye. Potentially impact the bat SSSI and SAC

Destruction of character of the existing cottage

Development is a result of profiteering and opportunism causing disruption to local area

- In response to revised plans a further six representations have been received to date with the following comments:

- Neighbouring property Llys-Wen has stated in the context of privacy the revision merely removes one window from one aspect - the south-west. Fails to address north-west aspect, whole front of proposed property would overlook garden area and internal habitable rooms

- Inappropriate development for reasons given in previous objection

- Infill does not respect or enhance its surroundings

- Reference is made to supporting text in the LDP Chapter 5 Strategic Policies 'Respecting Distinctiveness'

- Layout and design essential to achieving quality of life, sense of place and a healthy and safe environment'

- No material difference to the resubmitted plans
- Narrow single dwelling is inappropriate and breached the Council's planning objectives
- Require access from the narrow, single track Beaufort Road
- Unresolved legal boundary disputes
- Development in the area is relentless
- Access is unsuitable for heavy construction traffic
- There are no pedestrian footways serving highway
- Do not object to the application in principle - objection is concerning the clause that the trees on the fringe of the brook separating our two properties, are to remain. The trees in question are not part of the original tree-line, They were planted some 25 years ago by the current applicant's father and despite many requests to have them reduced in height they were ignored. These trees cause a serious case of "loss of light" into my lounge and front bedrooms, especially during spring and summer months when in full foliage. Many people who do not live near this location have remarked about the effect on local wild life. I have resided here for 41 years, have never seen a bat or otter, except for a slow worm some years ago. I am an avid bird watcher and a member of the Gwent Wild Life Trust and would have noticed these creatures. In addition I would point out that my property is the only one which faces this brook. All other properties fringing the brook from Charles Close to St Mary's Road, back onto it.
- The reduced scaling is immaterial, the paramount factor should be the principle of inappropriate garden infilling with a tandem development
- Town Council voted unanimously against the development; concerns over creating a precedent and against the local plan - are their and indeed local residents' views irrelevant?
- The plan is also in direct conflict of central government's policy to avoid continual erosion of valuable ecological amenity by 'garden grabbing'
- No information given on how Rosemary will be redeveloped; this has an impact on this development.

## **6.0 EVALUATION**

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

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

The application site is within the development boundary for Monmouth, therefore the principle of this development is acceptable. The site is a long plot with a traditional dwelling located close to the front boundary with the highway with a large rear garden. Whilst the garden is bounded on all sides by existing neighbouring properties there is scope to site a dwelling on this plot with access delivered by demolishing the existing garage to facilitate a shared access to serve the severed (host) dwelling and the new dwelling to the rear. The development is to be considered in view of the recently adopted SPG on infill residential development. This states the following:

"The overarching objectives for infill development as set out in this SPG are to:

- a. Make efficient use of brownfield land.
- b. Protect residential amenity, both of new and existing occupiers.
- c. Make a positive contribution to the creation of distinctive communities, places and spaces.
- d. Respond to the context and character of the area.
- e. Be of a good design, which is sustainable.

#### 6.1.2 Good Design/ Place making

Whilst traditionally this proposal may appear as backland development, the existing layout with the host dwelling located the side and at the front enables an aspect for the new dwelling towards the highway; also, the urban grain is not altered significantly, as the layout is such that the dwelling sits adjacent to the properties running along Charles Close. The proposed dwelling with its reduced scale now sits comfortably on this plot in association with the footprint of the surrounding dwellings and their respective plots. There are a mix of house designs in the area; this traditional simple design works within this setting where there is no over-arching form or design. The proposed external materials are acceptable. When framed with the improved indigenous landscaping of new native hedgerows along boundaries and the retention of the existing landscaping belt to the rear will help the development to settle into the surrounding area.



### 6.1.3 Impact on Amenity/ Promoting Healthier Places

The potential impact upon the neighbouring properties has been minimised with the siting of the dwelling combined with existing mature foliage that runs along the boundaries of the site. There are no first floor side windows serving habitable windows that may overlook neighbouring properties. The proposed dwelling has been sited almost adjacent to no 11 Charles Close with 4.3m separating the proposed development from the common boundary with this property. This minimises the impact of the proposal upon this property in terms of massing and over-dominating impact.

The frontage of the main dwelling would be almost level with the rear building line of Llys-Wen (which is single storey). This prevents overlooking into the rear garden space or into windows. The proposed scheme also locates the smaller ancillary element of the garage adjacent to the south-west common boundary. The revised plans pull the development further away from the common boundary, minimising the massing impact of the proposal upon the neighbouring property.

The separating distance to the rear (west) is acceptable and coupled with the strong landscape tree belt which is to be retained results in this development not having an adverse overlooking or over-bearing impact upon this neighbouring property.

There is more than a sufficient separating distance between the application site and the host property and to Downlea that fronts Beaufort Road, both in terms of distance to rear windows and into private garden space. The proposal meets the privacy guidelines and has been designed to be of a scale whereby the rooflines that run adjacent to the neighbouring properties sit below that of the neighbouring properties namely 11 Charles Street and Llys Wen. Thus, the development does not have an over-bearing impact in this case.

### 6.2 Access / Highway Safety

There have been concern raised by neighbours regarding the highway implications of the proposal. The Council's Highways Team has been consulted as part of the planning application and have no objection. It is accepted that traffic flows on Beaufort Road will not be adversely affected by one additional dwelling; the site delivers the required level of parking provision. There will be a turning area on site so that cars can enter and leave in a forward direction.

### **6.3 Distinctive & Natural Places**

There is no distinctive form or design of the dwellings within this area. The design and appearance of the proposed dwelling is appropriate to the location and the mixed architectural styles of existing neighbouring properties. The proposal sits comfortably within the urban grain and does not appear out of context within the existing urban form or pattern of development.

The landscaping scheme, which proposes to retain the existing trees and replace non-native species with native species, will serve to frame the development and help to ensure the development sits within the context of this area,

#### 6.3.1 Landscape/ Visual Impact

There will be glimpsed viewpoints into the site from Beaufort Road when the garage is demolished, however the form scale and design of the frontage of this development, framed by the proposed landscaping scheme will ensure that this development will be visually acceptable from this viewpoint. There will be views of the rear of the site from the end of Charles Street, this but will be softened by the landscaping to the boundary. The height and mass of the proposal is such that it will be viewed as a continuation of the built form of the existing pattern of development in Charles Close.

#### 6.3.2 Biodiversity

There has been significant work undertaken to ensure that the development meets the requirements in terms of biodiversity. The relevant studies have been undertaken that has informed the final design of the site. The measures proposed, which include the retention and protection of the landscape belt to the rear of the site, the inclusion of new native hedgerows to replace non-native species and control of lighting, result in a proposal that not only meets ecological requirements but also provides ecological enhancement.

### 6.3.3 Water (including foul drainage / SuDS)

This will be subject to the approval of the Sustainable Drainage Approval Body. The agent has addressed this issue in that the proposed dwelling will not affect surface water drainage. The proposed development must comply with Welsh Government Legislation regarding Sustainable drainage which strictly controls surface water run-off. To achieve compliance with Sustainable Drainage legislation the new dwelling will have rainwater harvesting system to collect and store rainwater and make use of it to flush toilets, supply washing machines, water gardens etc. there will be little if any water discharging to the ground to soakaway. In fact, the rainwater harvesting installation will still require mains water supply as stored water is not sufficient on its own. The driveway will be of permeable surfacing to avoid run-off.

## **6.4 Response to the Representations of Third Parties and the Town Council**

The relevant planning issues that have been raised have been addressed in the report.

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

6.5.1 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.

## **6.6 Conclusion**

The application site is more than adequate to accommodate the proposed dwelling and is able to provide the required on-site parking and turning and associated landscaping. The proposed dwelling is of traditional two-storey design and has been designed and sited to ensure that it does not impact adversely on neighbour amenity. It also works with the context of the surrounding area. The proposal provides ecological net gain and delivers a scheme that meets planning policy and relevant Supplementary Planning Guidance.

## **7.0 RECOMMENDATION: APPROVE**

Subject to a 106 Legal Agreement requiring the following:

Financial Contribution towards affordable housing (which has been agreed by the agent)

### 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 The development shall be carried out in strict accordance with the details illustrated on Site Plan As Proposed Drwg no.1460(PL)01B revised 21/1/2020 produced by Buckle Chamberlain Partnership Ltd & Proposed Floor Plans and Elevations\_ Drwg no.1460\_PL\_02B revised

REASON: To ensure adequate safeguards for species of principle importance for conservation and to ensure compliance with LDP policy NE1 and the Environment (Wales) Act 2016.

4 No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

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

5 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.

6 None of the existing trees enclosed by the protective fence along the western boundary on the site shall be felled, lopped or topped ( uprooted or willfully damaged). If any of these trees are removed, or if any die or are severely damaged, they shall be replaced with others of such species, number and size and in a position to be agreed in writing with the Local Planning Authority. Any lopping or topping which may prove necessary shall be carried out in accordance with a scheme previously approved in writing by the Local Planning Authority.

REASON: To secure ecological enhancement and to protect valuable tree or other landscape features on the site in the interest of preserving the character and appearance of the visual amenities of the area in accordance with Policy LDP NE1 and GI1.

7 Notwithstanding the provisions of Article 3, Schedule 2, Part 1 Classes A B C 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 without the prior approval of the Local Planning Authority.

REASON: To protect the residential amenity of the neighbouring properties in accordance with LDP DES 1.

**Application Number:** DM/2019/01041

**Proposal:** Reserved matters application for the erection of 271 dwellings with ancillary works

**Address:** Land Development South Of Crick Road, Portskewett

**Applicant:** Melin Homes

**Plans:** Elevations - Proposed 2356\_(04)\_307\_01 - REV.A, All Drawings/Plans 2356\_(04)\_308\_01 - REV.B, All Drawings/Plans 2356\_(04)\_308\_02 - , All Drawings/Plans 2356\_(04)\_311\_01 - Rev.A, All Drawings/Plans 2356\_(04)\_311\_02 - Rev.A, Landscaping Plan EDP5822\_D003 Rev E Drawings 1-17 - , Elevations - Proposed 16117 (05) 311.01 - REV.A, Other 16117 (05) 112 - REV.E, Other 16117 (05) 118 - REV.C, Parking Layout 16117 (05) 120 - REV.A, Garage Plans 16117 (05) 303 - REV.A, Garage Plans 16117 (05) 304 - REV.B, Elevations - Proposed 16117 (05) 314 - REV.B, All Drawings/Plans 16117 (05) 309.01 - REV.A, All Drawings/Plans 16117 (05) 312 - Rev B, Elevations - Proposed 16117 (05) 317 - REV.B, Garage Plans 16117 (05) 351 - , Parking Layout 16117 (05) 119 - REV.D, Garage Plans 16117 (05) 300 - REV.A, Garage Plans 16117 (05) 354 - , All Drawings/Plans 2356\_(04)\_202 - , All Drawings/Plans 2356\_(04)\_207 - , All Drawings/Plans 2356\_(04)\_210 - , All Drawings/Plans 2356\_(04)\_302\_01 - REV.A, All Drawings/Plans 2356\_(04)\_306\_02 - REV.A, All Drawings/Plans 2356\_(04)\_310\_02 - REV.A, All Drawings/Plans 2356\_(04)\_317\_01 - Rev A, All Drawings/Plans 2356\_(04)\_317\_02 - , All Drawings/Plans EDP5822\_D006 - Rev.B, Other EDP5822\_D010 - Rev.C, Garage Plans 16117 (05) 301 - REV.C, Elevations - Proposed 16117 (05) 313 - REV.B, Elevations - Proposed 16117 (05) 302.02 - , All Drawings/Plans 16117 (05) 306 - REV.A, All Drawings/Plans 16117 (05) 310.01 - REV.A, Elevations - Proposed 16117 (05) 311 - REV.B, Garage Plans 16117 (05) 350 - , All Drawings/Plans 2356\_(04)\_209 - , All Drawings/Plans 2356\_(04)\_211 - , All Drawings/Plans 2356\_(04)\_302\_02 - , All Drawings/Plans 2356\_(04)\_304\_01 - REV.A, All Drawings/Plans 2356\_(04)\_305\_01 - REV.A, All Drawings/Plans 16117 (05) 121 1800 Render boundary wall - (Boundary render), Elevations - Proposed 2356\_(04)\_305\_02 - Rev A, All Drawings/Plans Existing Ground Sections 16117 (05) 102 - , Other EDP5822\_r006 Rev A - Landscape Management Pla, Garage Plans 16117 (05) 353 - , Elevations - Proposed 2356\_(04)\_304\_02 Rev A - , 16117 (05) 117 - , 16117 (05) 115 - , 16117 (05) 116 - , All Proposed Plans 16117 (05) 305 - Rev A, Elevations - Proposed 16117 (05) 307.02 - Rev A, Site Layout 16117(05) 111 - Rev S, Elevations - Proposed 2356\_04\_204 - , All Proposed Plans 2356\_04\_206 - , All Proposed Plans 2356\_04\_208 - , Elevations - Proposed 2356\_04\_307\_01 - Rev A, Elevations - Proposed 16117 (05) 308 - Rev.B, All Drawings/Plans 2356\_(04)\_217 - , Elevations - Proposed 2356\_(04)\_306\_01 - REV.A, Elevations - Proposed 16117 (05) 315 - Rev.B, Floor Plans - Proposed 16117 (05) 353 - , Elevations - Proposed 2356\_(04)\_309\_01 - Rev.A, Elevations - Proposed 2356\_(04)\_310\_01 - Rev.A, Other EDP5822\_r005 Rev B - CEMP, Landscape Planting Plan EDP5822\_d010 Rev C - Hedgerow Translocation, Method Statement EDP5822\_r003 - Hedgerow Translocation, Other EDP5822\_r004 Rev B - GI M'ment Plan, Location Plan 16117(05) 100 - , 16117(05) 113 Rev B - (Sheet 2 of 2), Landscaping Plan EDP5822\_D002 Revision E - (Sheet 1 to 17), Method Statement EDP5822\_R001 Rev C - Arboricultural, Ecology Report Preliminary Ecological Appraisal Addendum by Soltys Brewster dated May 2018 - , Ecology Report Extended Phase 1 habitat and species assessment and bat and bird assessment by Just Mammals dated Au - , Ecology Report Update letter Just Mammals dated May 2016 - , Ecology Report Barn Owl and Hedgerow Assessment by Soltys Brewster dated December 2016 - , Ecology Report Barn Owl Mitigation strategy dated July 2019 - , Ecology Report Hedgerow Translocation Plan dated January 2020 - , Ecology Report Ecological Mitigation Plan - , Ecology Report Technical note Badger Sett, January 2020 - , Method Statement EDP/ 5822/R001/A. Arboricultural Method Statement - , All Drawings/Plans 2356(04)205 -

## **RECOMMENDATION: APPROVE**

Case Officer: Ms. Jo Draper  
Date Valid: 27.08.2019

### **1.0 APPLICATION DETAILS**

1.1 This application for the construction of 269 homes and ancillary works at Crick Road (68 affordable housing) follows the approval of the outline application DM/2018/00696 on 30 March 2019. This was described as:

"Outline application (with all matters reserved except for access) for residential development of up to 291 dwellings, a care home and public open space, landscaping and associated infrastructure work".

This Reserved Matters application is in relation to the residential element only and for the discharge of the following conditions:

Condition 1 (Plans - layout, scale, access, appearance and landscaping);

Condition 6 (Lighting Strategy);

Condition 7 (Barn Owl Mitigation Strategy);

Condition 9 (Tree Protection Report); and

Condition 15 (Landscaping Scheme)

The remaining conditions are to be addressed separately via the submission of separate discharge of condition applications. The other current planning applications are as follows:

DM/2019/01629 (Care Home)

DM/2019/01485 (Drainage)

DM/2019/00846 (Phasing)

The parcel to the west of the residential element on the overall site, identified in the LDP for B1 uses, is proposed to accommodate a care facility. This care home proposal is addressed separately as part of DM/2019/01629, although it forms an integral part of the consideration of this site with regard to how this use works alongside the residential development. The two other current applications relating to drainage and phasing are not ready for determination at this stage as there are outstanding details still to be considered. These matters will therefore not be subject to discussion as part of the two applications for the residential development and care home.

The following issues are therefore under consideration as part of this planning application:

Layout, design, access, appearance, ecology, landscaping, and trees

1.2 The application site is located directly to the north-west of the village of Portskewett and some 1.1 km east of Caldicot Town Centre. The site is identified as a strategic allocation for mixed uses (housing and employment) in the adopted Monmouthshire Local Development Plan (Policy SAH2). The Application Site comprises of a roughly diamond shaped area of land measuring 10.95 hectares in area, located to the south of the B4245 Caldicot to Chepstow Road, and north of

Portskewett. The eastern boundary runs along Crick Road, an unclassified road, while to the west, beyond a disused railway line, is a large industrial unit, occupied by Mitel, as part of a larger area of employment land (Castlegate Business Park) which lies between the settlements of Caldicot and Portskewett. Caldicot Town Centre lies just over 1 kilometre to the west, while the village centre of Portskewett lies 600-900 metres to the south-east.

1.3 The outline planning consent approved one detail which are the two access points. The primary vehicular access is via a priority junction with the B4245 to the north-west of the development site. The secondary vehicular access is via a priority junction with Crick Road to the east of the development site, immediately to the north of the Treetops residential estate. The two approved access points and the retention of original field boundaries have as far as practicable established the form and nature of the housing layout.

1.4 There is a hierarchy of routes proposed. These include the creation of a Greenway, forming an extension of the main village street running alongside retained and new hedgerows. There are secondary streets (which will serve the majority of the housing phases), and a series of mews streets and private drives along with main pedestrian routes. The access from Crick Road serves a secondary road that is deliberately more arduous by design for motorists; the intention is to make this the less attractive vehicular access option for occupiers within this site with the exception of those living in the eastern part of the site.

1.5 The highway provides a route through the site to link Crick Road and the B4245. The scheme has been revised to improve the design of the internal road layout, particularly with regard to the secondary route that runs to the east of the site to ensure safe and convenient movement across the site that is accessible to all members of the community. There is a street hierarchy incorporated within the design of this scheme that seeks to balance the needs of cars, pedestrians and cyclists. Where possible, within each development area the roads will have a design speed of 20 mph or less, negating the need for designated cycle lanes by providing streets that can be safely shared by pedestrians, cyclists and cars. Car parking is integrated into the layout in a variety of ways, including on-street perpendicular and parallel parking, courtyard parking, garages and side parking. Turning heads are proposed to facilitate service and emergency vehicles to enter and egress the site in a forward gear. A small number of private drives are proposed, serving no more than a maximum of 5 dwellings.

1.6 The outline planning consent secured improvements in connections to Portskewett and Caldicot. This has been delivered through the pedestrian footways being created along Crick Road linking the site to the existing residential area to the south and the schools and amenities in Portskewett. The footpath provision alongside the B4245 provides links with Caldicot and the employment areas to the west. The developers have sought to deliver permeability within the site with footpaths that connect areas within the site to these key footpath links outside of the site. There is an additional pedestrian access point proposed onto the B4245 to the west of the site that is to serve the residential properties and care home to the south of the site. There are pedestrian links proposed throughout the site providing short cuts and formalising desire routes to connect with the amenity spaces/ green links and access points around the site. These green links in turn connect beyond the site to the disused railway, B4245 and Crick Road.

1.7 As agreed in the outline approval there is amenity space proposed in three key areas with green routes linking these areas to each other throughout the site. The largest area of amenity land is the parcel of land that abuts Crick Road, maximising the benefits of the mature oak trees that exist on there. There is a two-pronged link from this area to the LEAP that is central to the site; one is a village street and Greenway that runs through the development area adjacent to the main access route. This green corridor varies in size between 8 and 12m, separated from the highway by a combination of retained existing hedgerow, wildflower planting and amenity grassland. There is a second green link that is partly pedestrian only, separated from a private drive that serves just 4 dwellings by a newly planted hedgerow, woodland mix planting and wildflower planting. It is proposed to link the central LEAP via a footpath that runs to the front of the care home and the attenuation basin, the surrounding space around the basin to be planted with grassland, wildflowers and structural planting. This links to the south west of the site that connects to the disused railway line to the west. There is a green link proposed that connects the

east and south east of the site with this greenway/village street. This runs adjacent to a retained hedgerow further bolstered by structural planting, amenity grassland and wildflower planting.

1.8 As agreed, a LEAP is proposed centrally within the site. The LEAP is proposed to be informally bound by hedgerows, trees, structural plating, footpaths and change of materials including block paving. All equipment including a balance beam, horizontal triangular net, chain path, climbing wall and horizontal bar is proposed to be positioned on a resin bound safety surface. The area includes a number of benches and litter bins. There will be a synthetic turf with free drainage and depending on fall heights on the play equipment there will be provision of additional shock pads sandwiched between the carpet system.

1.9 The majority of perimeter trees (including the four mature oak trees to the north of the site) and hedgerows are retained and integrated within the proposed development. In accordance with the approved strategy, verges beside existing and new hedgerows are proposed to be sown with flower mix and plugs to ensure an attractive and biodiversity rich natural environment. The attenuation pond is proposed to be a dry basin. As detailed within the accompanying Ecological Mitigation Strategy Plan the most appropriate sections of the hedgerows, to be removed, are proposed to be translocated on site. The new hedgerow mix proposed encompasses all species identified at outline/strategy stage. In full accordance with the recommendations identified in the approved Interim Works Report, a protection zone of 50m has been implemented between the two Oaks supporting the nest and roost and the nearest proposed residential units. The mitigation area, notably the 50m buffer zone is proposed to comprise of rough, tussocky grass as per the recommendation of the ecological survey. Woodland planting and a 1.2m high post and wire fence would prevent human activity within 20m-30m of the nest. A timber gate is proposed for maintenance access into this area. An informal footpath (mown grass) is to be located around the perimeter of the mitigation area to direct walkers away from the Oak trees. A community orchard is proposed along the site's eastern boundary, directly north of the mature oak trees. In accordance with the outline strategy, native structural planting is proposed to the west of the proposed orchard and to the south of the mature oaks, providing a buffer along the site access. All species agreed at outline have been incorporated into the detailed design.

1.10 The siting and layout of the dwellings have been considered (with additional revisions undertaken to drive further improvement) to minimise the impact of the development upon the surrounding properties. There is specific regard to the siting of properties in relation to the south and east boundary to ensure that they do not adversely affect the amenity or privacy currently enjoyed by the occupiers of properties along Tree Tops and Arthurs Close. The privacy distances from units 1-39, provide a minimum 10.5m separating distance to common boundaries and 21m between first floor windows. The developer has sought to achieve minimum separation distances within the development itself. There are a small number of dwellings that have adjusted on the site layout plan to make the angle between windows more acute. Where the privacy viewpoint is tight to the common boundary there are trees proposed to private gardens along the boundaries to provide a visual separation.

1.11 The house type elevations have been subject to revisions during the course of this application. The variety of house types proposed have been reduced in number and changes have been made to simplify the design with a view to making the dwellings a more bespoke to this site. The design is traditional with eight different house types proposed for the private housing finished in either a red clay multi-facing brick or a through coloured render to the walls, both with either imitation roof slates or concrete interlocking terracotta tiles. The same finishes and design are consistent with the range of Affordable Housing proposed for the site.

The following finishes are proposed for the render options:

- Fibre cement roof slate
- Through-coloured render (colours defined as off-white, light blue, sand and dusky pink)
- Colour uPVC Windows (colour tbc)
- uPVC fascia and soffits
- Black rainwater goods
- Blue engineering brick below dpc
- Grey reconstituted stone sills



- GRP chimneys

The brick option is the same with the exception of brick replacing render and there are bath stone/buff reconstituted stone sills.

The design features have been altered to reflect a more uniform design with consistent features throughout the site including the affordable units. This has involved retaining the traditional proportions and design of the properties (e.g. banding removed to the bottom of houses, brick headers added, a more traditional porch overhang design). The boundary materials to the front are defined where possible with hedgerows, the side boundaries in the public domain feature a 1.8m high masonry wall finished in similar materials to the house it adjoins (so it will be either a facing brick or a through-coloured render wall). The rear and side boundaries not in the public domain are finished in a 1.8m high close boarded fence.

The mix of open market house types are as follows:

2	1 bed apartments (Fog)
2	2 bed apartments
51	2 bed dwellings
68	3 bed dwellings
78	4 bed dwellings
Total 201	

1.12 The proposals feature 68 Affordable Housing Units that have been pepper potted throughout the site. This meets the Council's Affordable Housing requirement of 25% that was secured through the outline planning permission. The proposed residential accommodation comprises a mixture of one, two and three bedroom properties. The schedule of accommodation is as follows:

12	1 Bed Flats,
27	2 Bed Houses,
22	3 Bed Houses,
7	2 Bed Bungalows

1.13 The developer had provided an updated summary in support of the Reserved Matters Submission. The key points from this Dementia Friendly Urban Design is summarised below:

- i) It identified that Dementia-friendly neighbourhoods are places that are familiar, legible, distinctive, accessible, comfortable and safe and that improvements at a neighbourhood scale are an opportunity to enhance independent lives for people affected by dementia.
- ii) The Design of the care element is distinctly different in both scale, architectural style and material finishes which identify clearly as a building of a different use.
- iii) Architectural features and street furniture are in designs familiar to or easily understood by older people. Architectural design includes traditional roofscape, massing, and key features including bays, porches, canopies and chimneys that are recognisable and comfortable.
- iv) The village greenway and main street is recognisable by the mature landscape character set by the retained hedgerow which sits within a 9-12m green landscaped route along its length. In addition the streetscape along the village greenway are of a predominantly rendered finish contrasting to the other street types summarised below. There is a hierarchy of street types, such as main streets, side streets, alleyways and passages.
- v) The secondary shared surface street forms a continuous route from the care scheme to the ecology area adjacent to the secondary entrance. Characterised by hedge lined front gardens with occasional irregular street trees the architectural finish is predominantly brick until a change in finish is used to support wayfinding.
- vi) Deviations in the street alignment give it a more sinuous character than the linear main street/village greenway with the streetscape opening up at regular intervals to form pockets on informal open space. These pocket spaces, with street furniture placed to support people pausing, are placed at junctions where alternative routes are available or to mark changes in direction.
- vii) The material finish of the street around these pocket spaces is also changed from brick to render - a marked contrast - to support wayfinding. The colour of the finish is less significant than the obvious change in texture as the ability to perceive colours can diminish over time for dementia sufferers.

viii) With the exception of the principal street the greenway, which follows the line of the existing retained hedgerows, the original illustrative masterplan shows how the majority of the site can be developed with a series of well-connected short streets at the lower end of the street hierarchy where they can be narrower.

ix) Latent cues are positioned where visual access ends, especially at decision points, such as junctions and turnings. Along the secondary street the streetscape opens up at regular intervals to form pockets on informal open space. These pocket spaces, with street furniture placed to support people pausing, are placed at junctions where alternative routes are available or to mark changes in direction. The material finish of the street around these pocket spaces is also changed from brick to render a marked contrast to support wayfinding. The colour of the finish is less significant than the obvious change in texture as the ability to perceive colours can diminish over time for dementia sufferers. This all contributes to latent cues for wayfinding.

x) Built form is used to support the legibility of the street character as set out above. A cross the site a mixture of detached, semi-detached and short terraces form the streetscape and support the differing character of the street types. Around the central open space the scale is increased to 2.5 storey to mark the significance of this space.

xi) There is a variety of landmarks including historic and civic buildings, distinctive structures and places of activity. Key built landmarks include:

The distinct character and form of the care element

Strong architectural character of the main street

Contrasting character of the secondary street and the pocket open spaces

xii) Key GI landmarks form a significant part of the distinctive character of the neighbourhood:

The Greenway

The central formal POS with LEAP

The informal POS around the Oak tree

The secondary open space and attenuation feature along the southern boundary

The informal green spaces that break up the more linear secondary street route along the Eastern boundary

xiii) The landscape has been designed to have distinctiveness, legibility and familiarity in line with the Dementia-friendly urban design strategy. In particular, an informal circular walk has been introduced within the development starting and ending near the entrance of the care facility. Strategic points along this route (adjacent to the LEAP, adjacent to unit 128 and along the frontage of units 83-84) seating areas have been proposed to give an opportunity to stop and rest.

## 2.0 RELEVANT PLANNING HISTORY (if any)

Reference Number	Description	Decision	Decision Date
DM/2018/00696	Outline application (with all matters reserved except for access) for residential development of up to 291 dwellings, a care home and public open space, landscaping and associated infrastructure works		Approved 30.03.2019
DM/2019/00846	Discharge of condition no. 4 of outline planning consent DM/2018/00696.	Pending Consideration	

DM/2019/01485	Discharge of conditions 5 and 11 of planning consent DM/2018/00696 (drainage strategy)	Pending Consideration
DM/2019/01629	Application for reserved matters pursuant to DM/2018/00696 relating to Layout, Scale, Appearance of Buildings, Means of Access (where not already approved) and Landscaping for the construction of a care home and associated works	Pending Consideration, also on this agenda

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

#### **Strategic Policies**

S3 LDP Strategic Housing Sites  
S4 LDP Affordable Housing Provision  
S13 LDP Landscape, Green Infrastructure and the Natural Environment  
S16 LDP Transport  
S17 LDP Place Making and Design  
S3 LDP Strategic Housing Sites  
SAH2 LDP Crick Road, Portskewett

#### **Development Management Policies**

CRF2 LDP Outdoor Recreation/Public Open Space/Allotment Standards and Provision  
DES1 LDP General Design Considerations  
EP1 LDP Amenity and Environmental Protection  
GI1 LDP Green Infrastructure  
NE1 LDP Nature Conservation and Development  
MV1 LDP Proposed Developments and Highway Considerations  
MV2 LDP Sustainable Transport Access  
LC5 LDP Protection and Enhancement of Landscape Character  
SD2 LDP Sustainable Construction and Energy Efficiency  
SD4 LDP Sustainable Drainage

### **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

**Portskewett Community Council** : Approve

**Caldicot Town Council** : Development noted

**Glamorgan Gwent Archaeological Trust (GGAT)**: Approve subject to a pre-condition requiring a secured agreement for a written scheme of historic environment mitigation to be submitted and approved by the Local Planning Authority.

**MCC Highways**: The application is for reserved matters for the erection of 269 dwellings with ancillary works.

- The general development of the site and its impact on the local highway network has been considered and approved at the outline planning stage.
- The internal layout of the site, subject to this reserved matters application, was extensively considered by the Highways Authority through ongoing collaboration with the applicant and their agents to achieve a suitable estate road design.
- Having assessed the revised details submitted as part of this application, we would confirm that the layout now meets the requirements of the Highway Authority.
- In light of the above, we have no highway grounds to sustain an objection to the application subject to relevant conditions being attached to the planning approval.

**Natural Resources Wales**: Comments to date relates to drainage (there is a requirement for further technical information) which is not being considered at this point.

**Welsh Water**: Comments relate to foul drainage and in particular planning application (DM/2019/01485) which is being considered separately. No objection

**MCC Green Infrastructure Officer**: From a Landscape and GI perspective the submitted details relating to the residential development external environment as detailed in the covering letter detailing planning application and reserved matters drawings, plans and information dated 15.01.2020 are now substantially acceptable subject to the provision of :-

- o Updated landscaping plan inclusive of non-strategic landscaping
- o Schedule of landscape maintenance
- o Site development layout inclusive of dementia friendly routes
- o A plan showing land management responsibilities eg adopted, private, management company which will link to the GI management plan

Subsequent submitted amendments to plans in response to further comments have also been reviewed and assessed at the time of this response inclusive of:-

- o Site Development Layout 1-500 16117 (05) 111 Rev Q dated 23.01.2020 which needs to be updated to reflect revised landscape plans. The current plan is missing detail and should not be accepted
- o We have concerns that the existing boundary hedge between the site and residencies in Tree Tops will not have adequate access provision or management prescriptions and would therefore require confirmation in writing that the GI management plan will address an ongoing solution to the hedge aftercare as part of the 20yr post development GI management. To be addressed in Condition 8.

The improvements since the approved outline application which had by definition less detail have been substantial inclusive of improved street layouts, improved GI green corridor connectivity both N/S and E/W through the site and the inclusion of dementia friendly street design as described in the 'Dementia friendly urban design for Crick road, Portskewett' summary report 21.01.2020 .

Boundary improvements to the north of the site inclusive of new hedgerow, protected barn owl habitat and the acceptable layout of the proposed community orchard are welcome. The species mixes and densities, grass and wildflower mix, planting details and management prescriptions proposed for public open spaces as per plans 1-17 are acceptable

The design and greenway connectivity has improved with the significantly improved W/E connectivity through plots 173-157 and changed road hierarchy and alignments increasing GI

provisions on the SE secondary route, GI link from plot 89-53 and GI improvements in the proximity of plots 152-127. The principle approach into the site from the Chepstow road is much improved in terms of GI connectivity and aesthetic appearance which is welcome however based on current information the areas where there can still be improvements include

- o Parking courts
- o Sight lines between close properties eg 135/143, 74/81 and 69/66 which we understand will be addressed in subsequent landscape plans and will be considered as strategic planting
- o Potential linkages from the eastern attention area, POS to the southern boundary path of the car home

The landscape treatment to the southern pumping station is acceptable based on recent sketch plans edp5822-sk003.

**MCC Ecology:** Ecological information used to assess the impact of the application includes:

Extended Phase 1 habitat and species assessment and bat and bird assessment by Just Mammals dated August 2014

Update letter - Just Mammals dated May 2016

Barn Owl and Hedgerow Assessment by Soltys Brewster dated December 2016

Preliminary Ecological Appraisal - Addendum by Soltys Brewster dated May 2018

Barn Owl Mitigation strategy dated July 2019 TO BE APPROVED via a separate planning condition.

Hedgerow Translocation Plan dated January 2020 TO BE APPROVED as part of the reserved matters (RM)

Ecological Mitigation Plan TO BE APPROVED as part of RM

Technical note - Badger Sett, December 2019 TO be APPROVED subject to agreed update

Ecological surveys have been undertaken at the site since 2014 and are ongoing to give an adequate baseline for the Local Planning Authority to make a sound decision on the principle of development at the outline stage and the detail of the site in the reserved matters application and future discharge of conditions.

Priority Habitat - Hedgerows

Lengths of hedgerow that have to be removed to facilitate the infrastructure of the development will be translocated and supplemented with new planting (Hedgerow translocation plan and Ecological Mitigation Plan). Large trees and existing vegetation at the peripheries of the site will be protected during construction via detail of a Construction Environmental Management Plan covered by condition 10 of the outline application DM/2019/00696.

Barn Owl

Barn owl has been considered by safeguarding the existing roosting site by restricting the proximity of development and fencing off the existing nest site from public space users (Barn Owl Mitigation strategy dated July 2019). Provision of an offsite compensation site has also been made including improving foraging an area and will remain within the control of the Local Planning Authority. This shall also be considered under planning condition 7 of the outline application DM/2019/00696.

Bats

Emphasis for conservation of this group of species is via hedgerow retention and additional landscape planting. Lighting detail will also be critical and shall be considered via planning condition 6 of the outline application DM/2019/00696. Further survey of offsite trees will be undertaken in relation to the installation of surface water infrastructure and is controlled via the drainage condition (condition 5 DM/2019/01485).

## Badgers

As previously identified, a badger sett occurs close to the development infrastructure. Tunnels/underground chambers may be partially destroyed by the proposals. A Technical Note - Badger Sett details measures to protect badgers during the course of the works. We welcome the inclusion of temporary sett closure during works to mitigate the risk to badgers. No replacement artificial sett will be required, due to the type of sett (likely to be a subsidiary sett). The Landscape Plans (Sheets 11 & 14) illustrate vegetation (Native Structural Planting) which shall provide screening between the development and the sett. Further considerations will be needed under the discharge condition application for drainage (condition 5 DM/2019/01485).

In previous comments we stated that we required the following information to be provided as a badger mitigation strategy:

**MCC Tree Officer** : With reference to Condition 9 of Outline Application DM/2018/00696 I am satisfied that the tree protection information is satisfactory and that the Condition may now be discharged. A simple tree protection condition could be appended to both 2019/01041 and 2019/01629 upon approval of the scheme:

**MCC Affordable Housing Officer**: No objection subject to revised plans being submitted to reflect tenure neutral delivery we have requested.

There is no issue with the amended mix, we should be receiving:

12 X 1 bedroom flat

27 X 2 bedroom house

22 X 3 bedroom house

7 X 2 bedroom bungalow

Based on previous conversations the placement of the bungalows looks to be acceptable, they have been dispersed through the site which was the preferred option of Social Care.

## 5.2 Neighbour Notification

There have been 33 representations received to date from different people, the comments are summarised below:

Close to adjoining properties

Conflict with Local Plan

Inadequate access

Inadequate parking provision

Increased danger of flooding

Increase in traffic

Increase of pollution

Loss of privacy

Over development

Strain on existing community facilities

Traffic or Highways

Inadequate public transport provisions

Loss of light

More open space needed on development

Noise nuisance

Block of 4 affordable houses overlooking neighbour's property

Residential Amenity

The social housing has been relocated to behind neighbour's property

Social housing allocation should not be next to current properties in the village

This planning needs an outside review as the council and Melin homes are not looking at the comments/objections

Affect local ecology Information

missing from plans

Not enough info given on application

Out of keeping with character of area particularly along Treetops, characterised by detached dwelling not 4 terraced properties as proposed

Potentially contaminated land

Caldicot is at bursting point. Air quality, traffic congestion, local services horrendously overwhelmed... Not needed

Where are all these extra families going to go to school, and doctors

Concern regarding lack of communication from Council

Letters should go to all Portskewett tax payers

Why are constantly having to object to what is basically the same plans

A more eco-friendly use should go on the site such as Solar panels so animals and wildlife can still use the land.

This whole application needs to go to an authority outside of the council to review it

The site is over developed, not in keeping and raises lots of genuine concerns

74 social 1/2 bed housing on a development whereby there is hardly any social housing through the VILLAGE of Portskewett- unacceptable. Apartments unacceptable and not in keeping.

No increased schooling facilities. Local school already had to take 44 in this year in reception class. Likewise no other infrastructure being put in place to absorb additional houses.

The application by the vendor and the submitted paperwork by council show different amounts of houses; one is an application for 291 the other 271 - which is it? These plans need to be withdrawn and resubmitted with the correct detail

Considering the M4 relief road was rejected on environmental grounds. Building hundreds of houses is also

Stop building unnecessary houses in this area.

There's not even any burial plots left in the village churchyard and Caldicot cemetery is nearly at capacity because there was never meant to be this many people here

Lack of police to combat the increasing crime rate that comes with the increase in population

All that is happening is people from Bristol are moving here and commuting to work putting even more stress on the hideously over crowded M4

Ruining a beautiful area

For the acreage of the site the maximum number of dwellings to meet DES Criterion 1 is 216, of which no more than 54 should be affordable homes. This proposal therefore breaches the LDP as it was approved by the Welsh Government. The distribution of social housing is disproportionate in the SE of the development compared to the rest of the site

Access road is narrow, footpath put in to allow access to the school, village, shop and church and the very limited public transport will further narrow it and is not safe

The verges outside Treetops have been tended for many years by the householders and will be considered theirs, therefore that land cannot be used for a pathway, the road is barely passable by 2 cars now so taking away some to form a footpath will make it even worse

Cumulative impact of this development alongside that in Sudbrook cannot be assessed as Sudbrook has not been completed yet

The B4245 is so busy it is dangerous, often congested

Crick Road will become even more dangerous both on foot and in a vehicle. Cars exceeding speed limit

The junctions at each end of this undulating road are dangerous and another junction joining in the middle, close to the single-file pinch point where there will be more vehicles waiting and also

Treetops, will further add to the danger

The increased traffic will also be detrimental to the air quality our children will have to breathe especially as there will be more waiting cars with engines idling. Supported by research. A less dense development should be considered

Proposing to build a bungalow outside neighbour's house, differs to the other houses around the perimeter in that our back garden is at the side of our house meaning that the back of our house is very close the perimeter of the field. Building built in that area is potentially going to impact on our privacy and light

There are no plans for the pumping station to be built directly outside neighbour's garden. Please can we have some details possibly some images so we know what to expect

Proximity of 4 two-storey social housing to existing neighbouring properties

The development will adversely impact my right to privacy, with 6 dwellings overlooking neighbouring property

There is no adequate plan for maintenance of the protected hedgerow. It is not acceptable to leave this as the border to be maintained by homeowners

Object to the amount of social housing in this plan. MCC policy is 25% of total and 73 social houses exceeds this figure by five so must be reduced accordingly.

The concentration of social housing highlighted in pink on your plans is too dense in one area particularly on the Treetops' boundary; stick them in the main roadside instead of being

inconsiderate to existing residents and devaluing their properties

These houses like those being built in Sudbrook need to be of the same brick and in keeping with adjacent properties in the village

Using MCC projections of car usage that would put an extra 1 Million car journeys per year on Crick Road. This needs revisiting

After a lengthy protest, this was subject to an Inspector's decision circa 2013/4 giving permission for planning to be made. I was to understand that the Inspector's decision was final and no appeal was allowable? Inspector made it clear that only 25% of properties should be accessed via Crick road and no connecting road was to run through the site to Crick road. This has been exceeded on this plan and the number should be reduced from 73 to 68 in order to comply.

MCC planned this site as low level industrial, refused Redrow houses as they wanted bungalows so cannot now allow 2/3 storey buildings

Maintenance track for the hedge between Treetops and this site - where is it this as it's not shown on the amendments

Impact on view

Contrary to previous promises that any proposed properties along the hedge line would be single storey

Neighbour's property in Treetops backs onto the proposed development. The plan shows our property as having a shaped conservatory (single storey). This was replaced several years ago with a double storey extension comprising a sitting room and master bedroom. The plan as submitted would breach our right to privacy

Multi-coloured painted facades are totally out of keeping will degrade quickly and require regular maintenance or become eyesores and have a negative impact on the village

There is no hedge maintenance proposal for the protected hedge between Treetops and the site and no means to access it for maintenance. This contradicts the maintenance programme as part of the plan. How will the developers ensure that this protected hedgerow is properly preserved?

There are still ongoing issues with foul water and drainage

Traffic getting on and off Crick Road to the B425. Villagers use Crick Road as a cut through due to new housing in Sudbrook. Should block Crick Road to one way only

Do not appear to have taken into the consideration of the impact on the road

system out of Portskewett into Chepstow. Pwllmeyric Hill is already congested at peak times

Once the pumping station is in place with its parameter fence difficult to maintain the hedge reassurance needed that whoever has responsibility of maintaining the pumping station is also going to have responsibility for maintaining the hedge (on their side, neighbour maintains their side but cannot reach the other side so the hedge can grow larger than our house. This is rectified when the farmer comes with the tractor and cuts it down

There are 277 documents and 14 days given to read and commit on said

bundles. I have read the amended items, the houses are different to the initial plans, the site layouts been changed; in fact very little of the last proposal exists and so I object

Company is boasting of having the go ahead and building well be started in September

A new sewage pumping station on land that drops away and where in the winter the land and surrounding fields flood

The lack of policing and planned access roads would need extreme measures to accommodate another 600 cars entering and exiting the development and village

The area has seen mass flooding which the other evening on week commencing 6th January where the rain was so bad that the Treetops junction was flooded and the water was coming over the kerb....however according to the relevant bodies the area doesn't flood. Caldicot castle under water in surrounding field for the last 4 months or so, hardly acceptable to put more strain on the area.

The proposed development takes no account of valid previous objections raised. The proposal has too high a density and is totally out of the character of the adjacent Treetops development

The revised matter application refers to new ecology information - you are removing an existing hedgerow and take no account of the barn owl that uses this land as hunting ground. The local buzzards also use this land as hunting ground. You note the existence of a badger set and the badger uses this land as hunting ground. There are bats present as I can verify by seeing them around my property - how is there no reference to the presence of bats in your ecology report

The proposal to reduce the width of the highway to provide a safe cycle and walking route (as required by WAG) is dangerous. The proposed removal of the Armco barrier protecting the railway bridge is totally against good highway practice and design. Your proposal to replace the Armco with a Trief kerb is dangerous as Trief kerbs cannot replace Armco. The proposed reduction of highway width, on this bend is quite frankly utter madness and I project there will be a serious accident as this road is used by heavy goods vehicles every day.



## 6.0 EVALUATION

### 6.1 Development Plan context & the Principle of Development

This is an allocated development site in the adopted LDP. The principle of development is therefore established. In the Deposit Local Development Plan the site was identified as a mixed use allocation for 250 dwellings together with 2 hectares of employment land in the western portion of the site. At the Hearing Sessions for the LDP in May 2013 it became apparent that the Welsh Government and other interested parties considered that the housing allocations were not sufficient and as a result the LDP Inspector, following an exercise where the County Council advertised 'Amended and Additional sites', agreed to increase the housing element to ensure that the housing land supply on adoption of the plan was sufficient. As such, 1 hectare of the employment allocation was removed in order to increase the residential capacity of the site by 35 dwellings. On adoption of the LDP, the Site was allocated under Policy SAH2 for a mixed use development of around 285 dwellings and 1 hectare of B1 land.

The outline consent for 291 houses served to cement the principles of the two access points and the strategic landscaping as well as securing off site highway works through legal agreements. This has framed the layout of the site that alongside design, access, appearance, ecology, landscaping, and trees is subject to consideration as part of this Reserved Matters Application. The total number of residential units has decreased from the original outline figure of 291 to the most recent final total of 269. The agent has provided the following supporting information to explain the drop in the total number of units being delivered.

"With reference to the reduction in the number of units proposed at outline stage (291) and the subsequent RM application (269). As rightfully noted, the outline proposal that was submitted was proposed to be for 'residential development of up to 291' dwellings. At outline stage, Melin Homes were in the process of working up their own house type package; the outline illustrative masterplan was therefore completed using house types with different dimensions. Retrofitting Melin's house types into the layout has naturally reduced the number of units. The housing mix has been derived following market and sale research by Melin Homes.

Completing the detailed design layout has naturally reduced the number of units on site due to the following constraints:

- o The provision of a 9m (minimum) and maximum 12m Greenway throughout the site has naturally reduced the net developable area including the provision of an extended/ substantial Green link to the front of units 53-89 & 102-137;
- o The proposal comprises a number of bungalows in line with the Council's Housing Officer/Social Care department requirement; bungalows are land hungry and naturally decrease density;
- o The location of the Badger Sett came to light post outline consent when considering the off-site drainage route. This has resulted in a further ecological constraint; and
- o Revising the layout in line with the advice of highway officers has resulted in a reduced number of units.

The changes that have resulted in a drop in density of the site have been driven by positive improvements, embracing Green Infrastructure that forms the north-south axis of the site with the Greenway. The ecological implications of the badger sett has led to greater protected open space whilst the highway requirements result in safer, more accessible links to work with the hierarchy of streets which is integral to the design of this scheme. As regards the proposed bungalows, whilst Affordable Housing works with the social care element of the Care Home, this is a house type that is in great demand but is not often delivered due to it being land hungry and it not getting the same rate of return as a standard two-storey dwelling.

The result is a site that in principle has not compromised on its delivery of GI, an appropriate stock of Affordable Housing, appropriate ecological mitigation and a highway network that delivers a safe pedestrian and vehicular network within the site.

#### 6.1.1 Good Design/ Place making

The Supporting information provided with the application states that:

"Two Character Areas have been established by virtue of the outline consent, these include the Village Street/Greenway and the neighbourhood core. The Village street/Greenway comprises a patchwork of traditional materials and detailing adds richness to the streetscape. The neighbourhood core is simpler in form with a wider use of brick and render to external walls."

The site layout shows landmark buildings sited along key views to create architectural interest, the vistas are framed with landscaping that leads to single and group of buildings sited to create interest and definition within the streetscene. An example of these landmark buildings includes those positioned around the boundary of the central LEAP, which is an important focal point within the site. There has clearly been consideration of placement, landscaping and in key areas, for example Units 1-5, have been treated with particular care given their prominence at the site entrance point when arriving via Crick Road. Properties positioned at key corners have been given due consideration and dual frontages have been provided to ensure a degree of prominence and surveillance. Clear attempt has been made to ensure that car parking does not visually dominate the streetscape or frontage, with soft landscaping proposed to screen and soften the visual impact of vehicles parked along or in front of a building line.

The house designs are traditional in terms of form and design; there are additional measures proposed to enable this site to read more legibly across the site. The range of house types have been reduced in number with a smaller mix of house types in both open market and affordable units. While these are different in sizes, the proportions and form are all very similar and this, coupled with the key design features like fenestration, porch treatments and brick headers, unify and bring this site together. There is a sense of uniformity across the site. It is the layout and relationship with each element combined with the landscaping, boundaries, open spaces and footpaths that help to create a strong sense of place. The mix of housing in the street scene coupled with siting provides a range of roof heights and a varying building line that reflects the character area it is within (e.g. the Greenway has a straighter, more formal building line). Secondary streets, particularly along the eastern boundary, vary and undulate in line with the respective road design that curves to deliver a different character area. This, allied to a strong landscaping scheme and network of open spaces and links throughout the site, delivers a strong design and a sense of place throughout the site.

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

The developers have sought to deliver permeability within the site and encourage interaction and (non-car) movement by delivering footpaths that connect areas within the site to key footpath links outside of the site that lead on to key destination points, namely Caldicot and Portskewett. There are generous green corridors incorporated as a landscape backbone, both enhancing biodiversity and delivering permeability throughout the site, linking with existing GI opportunities beyond the site boundary.

External GI opportunities include links to the following assets via the disused railway line:

Caldicot Castle Country Park;  
National Cycle Network no 4;  
Caerwent Roman Town;  
Welsh Coastal Path, and  
the wider footpath network

The wider opportunities presented here combined with the internal provision within the site of linked open spaces, pockets of social areas and safe routes around the site contribute significantly to the health and well-being of the future occupiers of the site.

The neighbouring properties that are potentially impacted by this development are located adjacent to the site to the south-east and partly along the south-western boundary. There is an existing established hedgerow along these boundaries. The neighbours have raised concerns that this hedgerow forms a private boundary and therefore is likely to be undermined and eroded by individual householders in the future, thus compromising an important privacy buffer. Whilst this has been included within the gardens of neighbouring properties, there is protection offered through planning conditions imposed on the outline planning consent (DM/2018/00696). This seeks to ensure that the hedgerow is retained at a minimum height of 1.8m and if severely damaged or it dies it has to be replaced. Secondly, the provision of any other boundary material along these boundaries is also subject to the control of the local planning authority (LPA) as normal permitted development rights to erect a new boundary material in this position have been removed. This will offer resistance to the erosion of this buffer between existing and proposed new dwellings and as a minimum will protect half of what is a substantial hedgerow (as the ownership boundaries sever the hedge in the middle, thus the existing occupiers have control of the inside half of this hedge).

In addition, the siting and layout of the proposed dwellings minimise the impact of the development upon the surrounding properties. Specifically this relates to the position of the properties that occupy the southern boundary to ensure they do not adversely affect the amenity or privacy currently enjoyed by the occupiers of properties along Treetops and Arthurs Close. This is achieved through the provision of a minimum of 10m between the proposed rear elevations (units 1-34) and the boundary, which separates both curtilages. This, together with the retained hedgerow boundary will help to mitigate against any potentially adverse impact involving the neighbouring properties.

Recent revisions to the layout have driven further improvements to address neighbour concerns:

(i) Plot 9 has been moved and handed to ensure the privacy distances take into account the two storey extension undertaken by the existing neighbour at 53 Treetops.

(ii) Plots 11-14, while achieving the minimum privacy distance to the common boundary, have been moved forward to provide a larger separating distance to relieve any potential overbearing impact resulting from two pairs of semi-detached properties that back onto the neighbour at 54 Treetops.

(iii) Plots 20 -23 have been moved forward to ensure the privacy distances are fully complied with, this in combination with the existing mature high hedgerow that forms the common boundary will ensure the development does not have an adverse impact upon existing neighbouring occupiers.

(iv) Plots 36-39 on previous layouts involved two bungalows, MCC social care have established that this is too far away to meet their requirements. A row of 4 terraced properties has been located here instead and moved as far away as possible from the common boundary with 8 Arthurs Court to prevent any over-bearing impact upon the neighbouring property.

(v) The pumping station is situated adjacent to the site boundary and concern has been raised that the neighbour is unable to establish impact without seeing plans of the station. This is subject to a condition for submission as a separate planning application (neighbours will be consulted on this) although what is agreed is a green/black weld-mesh boundary treatment to enclose the pumping station with a native species hedgerow buffer, and with a further 1.5m service strip in between the pumping station and the mesh fence.

Minimum separation distances are achieved within the development itself, ensuring that the amenity and privacy of prospective residents is also prioritised. Dwellings have been grouped to ensure that they conform from a scale and massing perspective, thus ensuring that there is no unacceptable relationships from an overbearing or overshadowing position.

Further landscaping has been proposed to mitigate angled views into amenity spaces and overall the new dwellings meet the requirements in terms of privacy distances to windows and private amenity spaces.

### 6.1.3 The Welsh Language

Interpretation boards agreed in relation to the barn owl and open space to the north will be bilingual. (This will be secured through the GI Management Plan that will come in as a separate discharge of planning condition application).

### 6.1.4 Sustainable Management of Natural Resources

The site has been designed with very few north facing gardens. Where they do occupy there is plenty of space beyond (back to back gardens) to benefit from direct sunlight.

## **6.2 Active and Social Places**

The site layout is set around a framework of community spaces and links. Green Infrastructure (GI) has been integral in the site design with the provision of open spaces, green routes, and walks interspersed with benches, interpretation and play areas. The design provides opportunities through the spaces, links and highway network for both occupiers and care home residents to mix and interact. The layout facilitates access to opportunities off the site and connection to key areas, be it roadside or along the disused railway line; this works directly with off-site highway works agreed within the outline consent. There are pedestrian links proposed throughout the site providing short cuts and formalising desire routes to connect with the amenity spaces and green links within the site. This encourages occupiers to walk or cycle to destinations within the site and beyond. It also helps to address existing shortcomings, namely the link between Portskewett/Crick and Caldicot.

This site provides the bridge that links these areas together, so that existing residents in Portskewett now

have options to access Caldicot on foot or by cycle via this site and likewise Caldicot to Portskewett.

Secure by Design principles have been implemented to reduce opportunities for crime and to create neighbourhoods where people can feel safe. There is a clear distinction between private and public areas through use of a variation of highway widths and materials, landscaping and boundary treatments. Public areas are overlooked with properties orientated appropriately. Footpaths are overlooked by adjacent properties, thus ensuring that public spaces have surveillance and people are made to feel safe. The site layout encourages interaction and non-car movement. The dwelling layout whilst characterised by neighbourhood areas, are not inward facing, so that the site always looks out onto the public domain; the zones within the site integrate well with other though the links and spaces created.

Practically, the developers have stated that sufficient space is included within the garages and curtilage areas of the proposed dwellings to accommodate cycle storage.

#### 6.2.2 Access / Highway Safety

The highway provides a route through the site to connect Crick Road and the B4245. The scheme has been revised to improve the design of the internal road layout to ensure safe and convenient movement across the site that is accessible to all members of the community. There is a street hierarchy incorporated within the design of this scheme that seeks to balance the needs of cars, pedestrians and cyclists. The Council's Highway Engineers have confirmed that the site meets the requirements and they are satisfied with the development as proposed. The Car parking provision proposed is in accordance with the Monmouthshire Parking Standards SPG (2013).

### **6.4 Distinctive & Natural Places**

The design of the site positively embraces the care home aspect of this development, as the layout demonstrates a commitment to advance a permeable relationship between residential development and the proposed care facility. The layout has been designed using dementia friendly design principles set out in 'Neighbourhoods for Life: Designing dementia-friendly outdoor environments', namely distinctiveness, familiarity and legibility.

The layout has been designed with features that are familiar, the functions of places and buildings are obvious. The care element is distinct from the residential. There is a clear and legible street hierarchy. Blocks are small and laid out on an irregular grid based on an adapted perimeter block pattern with the exception of the Greenway/Village Street that is distinct in that it follows the line of the original hedgerow. The roads are short and fairly narrow and are well connected and gently winding with open-ended bends to enable visual continuity.

The site is certainly distinctive, the building form is varied in how it relates to its immediate environs but the simplicity and uniformity in the design elements help the site to come together visually. Also, thought has been given to the external finishing materials of dwellings and boundaries which help to define placing on the site.

There are key GI landmarks incorporated which form part of a variety of welcoming open spaces, including squares, parks and playgrounds that make this site distinct.

The approach to distinctiveness and creation of natural places is represented in the informal circular walk proposed starting and ending near the entrance of the care facility. The circular walk is 'signposted' by a single species of tree (*Cercidiphyllum japonicum*) providing not only a visual cue but an aural one also. At strategic points along this circular walk seating areas have been proposed to give an opportunity to stop and rest. This brings together the GI and there are other links throughout the site that give the opportunity to experience key areas of open space.

The development has delivered a site that is clearly distinctive, embracing and developing the natural assets on the site to become an integral part of the overall scheme.

#### 6.4.1 Landscape/ Visual Impact/ Green Infrastructure

Within the site there have been significant improvements in the design of this site with improved street layouts and GI green corridor connectivity both along the north-south and east-west axis that frames the site. There has been significant improvement in the overall visual impact of the site resulting from the inclusion of dementia friendly street design. The approved landscape

strategy sought to build on the retention of boundary and internal hedgerows where possible and the translocation of those to be displaced by the layout. This is reinforced by the planting of significant lengths of new, native hedgerows along internal routes. In accordance with the approved strategy, verges besides existing and new hedgerows are proposed to be sown with flower mix and plugs to ensure an attractive and biodiversity rich natural environment.

There are clear viewpoints that can be achieved of the site from B4245 and the Crick Road. Boundary improvements to the north of the site inclusive of new hedgerow, protected barn owl habitat and the layout of the proposed community orchard serves to soften viewpoints from viewpoints outside the site. The site is designed with the denser areas of the site located towards the south within a more distant viewpoint. The houses however are simple with a maximum of 2.5 storeys in the central areas of the site and framed within the existing and proposed landscape of the site, this works within the context of the site and the surrounding established development.

The principle approach into the site from the B4245 and that from Crick Road is much improved in terms of GI connectivity and aesthetic appearance. The landscape and visual impact of the proposed development is acceptable as it responds well within the surrounding area and embraces the natural landscape features that characterise this site.

#### 6.4.2 Biodiversity

As indicated in the consultation responses, MCC Ecology is satisfied with the development as proposed.

#### 6.4.3 Flooding

This is not an issue in the case; the site is not in a flood plain.

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

This is not subject to consideration as part of this application and is subject to a separate application relating to drainage (surface water and foul).

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

The concerns raised by the neighbouring properties have been addressed above. There are issues that are raised with regard to the principle of the development and the shortage of available services but these were addressed in the outline planning application.

The issues of amenity and overlooking are addressed, whilst the concerns raised regarding numbers, density and shortage of open space are addressed also.

There have been points raised about promises of only single storey properties along the boundary; there is no record of this.

There have been a number of concerns raised relating to affordable housing, concerning numbers and siting.

The proposal has delivered the required 25% in accordance with planning policy. Regarding the objections raised regarding the position of the affordable housing, these units have been 'pepper potted' throughout the site, with no concentration within a given area. With regard to the objection to the general provision on the site, the MCC Housing Officer has stated the following; "it is noteworthy that we have a huge affordable housing need in this area and the number of affordable units will make a real difference to those struggling to access an affordable home. Affordable housing is not just about social rented accommodation it is also about helping first time buyers and those in the private rented sector. The affordable housing provision at Crick Road will be allocated to those requiring a social rent home as well offering opportunities for intermediate rent and low cost homeownership, helping create a balanced and sustainable community".

Access, Junctions, Highways:

The access and road improvements are not considered in this application, having been addressed fully in the outline application. The MCC Highway Engineer, however, has addressed the concerns raised.

- Inadequate parking provision

The levels of parking are in accordance with the Council's Adopted Parking Standards.

- Very limited public transport will further narrow the highway and is not safe. The verges outside Treetops have been tended for many years by the householders and will be considered theirs; therefore that land cannot be used for a pathway, the road is barely passable by 2 cars now so taking away some to form a footpath will make it even worse.  
The verge is a highway verge and forms part of the publicly maintained highway. The footway will be provided within the existing verge; any reduction in carriageway width will not materially affect the flow of traffic and create harm or nuisance

- Lack of public transport –  
The site is in close proximity to bus stops and bus services

- The B4245 is so busy it is dangerous, often congested  
Incorrect, data and statistics do not indicate that there is a specific road safety issue on the B4245 fronting the development. The transport assessment has analysed the impact of the development on the immediate highway network taking into account both the increased traffic generated by the development and committed development in the area such as Sudbrook Paper Mill, Sudbrook,, Rockfield Farm, Undy and no significant increase in traffic movements is predicted; however improvements to Crick Road to provide pedestrian links and control vehicle speeds are proposed.

-The junctions at each end of this undulating road are dangerous and another junction joining in the middle, close to the single-file pinch point where there will be more vehicles waiting and also Treetops, will further add to the danger  
As above, the Transport Assessment thoroughly reviewed the capacity and operation of the junctions

- Using MCC projections of car usage that would put an extra 1 Million car journeys per year on Crick Road.  
The Transport Assessment thoroughly reviewed the capacity of the adjoining highway network

- Traffic getting on and off Crick Road to the B425. Villagers use Crick Road as a cut through due to new housing in Sudbrook. Should block Crick Road to one way only  
As above the Transport Assessment thoroughly reviewed the capacity and operation of the junctions

- Do not appear to have taken into the consideration of the impact on the road system out of Portskewett into Chepstow, Pwllmeyric Hill is already congested at peak times  
The Transport assessment thoroughly reviewed the capacity of the adjoining highway network in the context of the scale, size and location of the development

-The proposal to reduce the width of the highway to provide a safe cycle and walking route ( as required by WAG) is dangerous. The proposed removal of the Armco barrier protecting the railway bridge is totally against good highway practice and design. Your proposal to replace the Armco with a Trief kerb is dangerous as Trief kerbs cannot replace Armco. The proposed reduction of highway width, on this bend is quite frankly utter madness and I project there will be a serious accident as this road is used by heavy goods vehicles every day.  
Incorrect; the proposal will be subject to detailed highway analysis and design and appropriate technical and road safety audits will be carried out at various stages. The B4245 at the site location is subject to a 30mph speed limit and will be further promoted by the introduction of suitable improvements on the B4245 fronting the development.

In respect of the concern raised by neighbours over hedgerow maintenance along the eastern boundary and adjacent to the pumping station, the developer has confirmed that this will be covered by a maintenance company who will be responsible subject to the specification given in the GI Management Plan (subject to a separate discharge of condition application). The lack of details for the pumping station is noted and the neighbour will be consulted when this detail is submitted as a discharge of condition. It is noteworthy that such developments are normally low key and are characterised by two small units above ground level. This element is to be landscaped, softening the visual impact of this development.

## **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

There have been significant improvements undertaken in the design and layout of this site, with improved street layouts, highway network and GI green corridor connectivity both along the north-south and east-west axis that frames the site. There have been significant improvements in the overall visual impact of the site resulting from the inclusion of dementia friendly street design. The site has been driven by GI principles. Key points such as connected multi-functional green space, incorporating a community growing area, retention of protected habitats, opportunities for formal and informal play, connection to and opportunities to access key walking routes. The result of the changes has been a drop in the density of the site that has been driven by positive improvements to the layout. The site achieves all of the objectives in terms of affordable housing provision and works alongside the care home provision in a mutually beneficial way. The outcome is a site development proposal that has not compromised on its delivery of GI, an appropriate stock of Affordable Housing, appropriate ecological mitigation and a highway network that delivers a safe pedestrian and vehicular network within the site. The site is recommended for approval accordingly.

## 7.0 RECOMMENDATION: APPROVE

### Conditions

1. 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.

2. No development shall commence until an Estate Street Phasing and Completion Plan has been submitted to and approved in writing by the Local Planning Authority. The Estate Street Phasing and Completion Plan shall set out the development phases and the standards that estate streets serving each phase of the development will be completed. The development shall be carried out in accordance the approved phasing and completion plan.

REASON: To ensure that the estate streets serving the development are completed and thereafter maintained to an acceptable standard in the interest of residential amenity and highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the development and to safeguard the visual amenities of the locality and users of the highway.

3. No development shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the local planning authority. (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and Maintenance Company has been established).

REASON: In the interests of highway safety

4. No development shall take place until the applicant or his agent or successor in title has secured the agreement of a written scheme of historic environment mitigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. Thereafter, the programme of works shall 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 in accordance with Planning Policy Wales (Edition 10, December 2018).

5. Tree protection arrangements shall be in strict accordance and timetabled as per the recommendations laid down in the Arboricultural Method Statement EDP/ 5822/R001/A.

REASON: To ensure the safe, long-term retention of valuable green infrastructure assets in accordance with Council Policy S13 - Landscape, Green Infrastructure and the Natural Environment.

6. 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.

7. None of the existing trees, shrubs and hedges on the site identified as being retained and/or implemented as a result of the approved landscape scheme shall be felled, lopped or topped (excluding regular trimming of hedges) uprooted or wilfully damaged. If any of these trees, shrubs or hedges are removed, or if any die or are severely damaged, they shall be replaced with others of such species, number and size and in a position to be agreed in writing with the Local Planning Authority. Any lopping or topping which may prove necessary shall be carried out in accordance with scheme previously approved in writing by the Local Planning Authority.

REASON: To protect valuable tree or other landscape features on the site in the interest of preserving the character and appearance of the visual amenities of the area in accordance with Policy LDP G11.

## **INFORMATIVES**

1. It should be brought to the attention of the applicant that in the event of a new or altered vehicular access being formed, the requirements of Section 184 of the Highways Act 1980 must be acknowledged and satisfied. In this respect the applicant shall apply for permission pursuant to Section 184 of the Highways Act 1980 prior to commencement of access works via MCC Highways.





This page is intentionally left blank

**Application Number:** DM/2019/01480

**Proposal:** Change of use of land to accommodate two park homes and up to four touring caravans - Traveller needs (private family site only)

**Address:** Land Adjacent Sunnybank, A48 Crick to Parkwall Roundabout, Crick, Monmouthshire

**Applicant:** Mr. Martin Flynn

**Plans:** Location Plan - , Site Layout - , All Proposed Plans Utility and shower - , All Proposed Plans 3 bed unit - , All Proposed Plans 2 bed unit

## **RECOMMENDATION: Approve**

Case Officer: Mrs. Helen Hinton  
Date Valid: 03.12.2019

**This application is presented to Planning Committee due to the number of public objections and a call in request from the Ward Member to allow for assessment with regards to policy and highway safety**

### **1.0 APPLICATION DETAILS**

1.1 The application seeks full planning permission for the change of use of land to accommodate two park homes and up to four touring caravans – for Traveller needs (private family site only). The details submitted indicate that the park homes would be used by the applicant and his young family occupying the three bedroom unit and his elder son and young family accommodating the two bedroom unit. The touring pitches would be for use by travelling members of the wider family visiting the area and would not be open to the general travelling community.

1.2 The land the subject of the application has a frontage with the A48 of approximately 72m and a depth of approximately 42m.

1.3 In October 2019, planning permission was granted for the change of use of the land for the keeping of horses and erection of stables (application DM/2019/01149 refers). As part of that application an area of fenced hardstanding to accommodate the stables and a hard surfaced turn out area was approved in the northern part of the site.

1.4 Also as part of this current application the approved stables would be used to provide shower rooms, toilets and day room facilities, with the park homes provided to the east of the approved building. The intervening space between the approved building and the park homes would be used to accommodate the touring caravans.

1.5 With regards to the park homes, unit one would comprise a three bedroom unit measuring 13.5m wide 6m deep with a maximum height of 3.8m. This would be positioned parallel to the eastern boundary of the site. Unit two would comprise a two bedroom unit measuring 11m wide and 3.6m deep with a maximum height of 3.6m positioned next to the end elevation of the wash room building, adjacent to the northern boundary. Both units would contain various openings in the elevations. As both structures are less than 20m wide and long and 6.8m deep wide they are compliant with the definition of a mobile home as defined by the Mobile Homes Act 1983.

1.6 In accordance with the approved details the wash room facilities building would be positioned at the western end of the yard adjacent to the existing embankment and would measure 12.6m wide, 4.2m deep with a lean to roof with a maximum height of 3m falling to 2.5m. A detached building to be used as utility room, measuring 4.2m wide, 4.2m deep with a lean-to roof with a maximum height of 3m falling to 2.5m would be provided to the south of the main building. Externally the buildings would be finished with concrete block walls and a sheeted roof. Three doors would be provided in the southern elevation with three windows proposed in the northern (rear) elevation.

1.7 As specified above, the intervening space between the wash room and utility building and the park homes would be used for the accommodation of up to four touring caravans for visiting members of the family. It is of the applicant's opinion that the space would be capable of accommodating four 5.5m x 2.3m touring caravans. Following discussions the applicant has indicated that on-site parking would be provided adjacent to the driveway and to the south-west of the enclosed area.

1.8 A cesspit /septic tank would be provided on the land to the south-west of the enclosed area.

1.9 The site layout plan submitted indicates that a 2m high mesh security fence would be provided along the southern boundary of the site, adjacent to the A48, with a 2m high closed boarded fence provided along the southern boundary of the hardcore area. A hedge is also indicated as being provided adjacent to the western part of the close boarded fence.

1.10 The remainder of the land, to the south-east of the enclosed hardstanding would be re-sown with grass seed and used as an area of amenity space.

1.11 The applicant has actively participated in the last and most recent Gypsy, Traveller Accommodation Assessment. Details of the applicant's personal circumstances and subsequent need is set out in the documents submitted in support of the application.

#### Site appraisal

1.12 The application site comprises a modest parcel of land positioned to the north of the A48, to the east of M48 and to the west of a residential property known as Sunnybank. The land is positioned on a gradient falling from north to south and is defined by an embankment covered with trees and vegetation to the north and along part of the western boundary and a mature hedge to the east. At the time of inspection the area had been cleared of vegetation and a post and rail fence along the southern boundary erected on top of a small earth bund. Access is gained via an existing driveway leading from the A48 in the south-western corner of the plot.

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

<b>Reference Number</b>	<b>Description</b>	<b>Decision</b>	<b>Decision Date</b>
DM/2019/01149	Change of use of land for the keeping of horses and erection of stables.	Approved	08.10.2019
DM/2019/01480	Change of use of land to accommodate two park homes and up to 4 touring caravans- Traveller needs (private family site only).	Pending Determination	

## **3.0 LOCAL DEVELOPMENT PLAN POLICIES**

### **Strategic Policies**

S1 LDP The Spatial Distribution of New 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**

MV1 LDP Proposed Developments and Highway Considerations  
DES1 LDP General Design Considerations  
H1 LDP Residential Development in Main Towns, Severnside Settlements and Rural Secondary Settlements  
H3 LDP Residential Development in Minor Villages  
H8 LDP Gypsy, Traveller and Travelling Showpeople Sites  
SD3 LDP Flood Risk  
SD4 LDP Sustainable Drainage  
LC1 LDP New Built Development in the Open Countryside  
LC5 LDP Protection and Enhancement of Landscape Character  
GI1 LDP Green Infrastructure  
NE1 LDP Nature Conservation and Development  
EP1 LDP Amenity and Environmental Protection

### **Other Policy Considerations**

Monmouthshire County Council Gypsy and Traveller Accommodation Assessment 2016-2021  
Welsh Government Circular 005/2018 Planning for Gypsy, Traveller and Showpeople Sites June 2018  
Welsh Government Enabling Gypsies, Roma and Travellers plan June 2018

## **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

#### **Planning Policy**

The policy framework against which the proposal should be assessed is set out in the Adopted Monmouthshire Local Development Plan, PPW (Edition 10, December 2018) and WAG Circular 005/2018 Planning for Gypsy Traveller and Showpeople Sites.

#### LDP Policies

The proposed application site is a parcel of land on the edge of Crick village, in the open countryside located some distance outside the development boundary of the nearest established

settlement of Caerwent and Caldicot. Under Policy S1, Crick is identified as a minor village and therefore lacks a development boundary.

The development would represent new build development in the open countryside and as such would be contrary to Strategic Policy S1 of the LDP (Spatial Distribution of New Housing Provision). This policy advises that new residential development in the open countryside is only justified for the purposes of agricultural/forestry, rural enterprise dwellings or one planet development. This approach is supported by national planning policy as set out in PPW (paragraphs 4.7.8/9.3.6).

Policy LC1 which relates specifically to new built development in the open countryside is also applicable. The policy contains a presumption against new build development in the open countryside although it does identify a number of exceptional circumstances involving new built development that might be acceptable (subject to policies S10, RE3, RE4, RE5, RE6, T2 and T3). It is considered that these exceptional circumstances would not apply to the proposal and as a consequence it would be contrary to this policy.

Given the site's location in open countryside, consideration should also be given to LDP policies LC5 Protection and Enhancement of Landscape Character, NE1 Nature Conservation and Development and GI1 Green Infrastructure and the associated GI SPG.

The LDP does not provide a specific site allocation for gypsies and travellers. It does, however, contain a criteria based policy H8 relating to the development of gypsy and traveller sites. This provides the framework for assessing proposals and should be considered accordingly.

The following LDP Policies are also of relevance and should be taken into account:

S13 - Landscape, Green Infrastructure and the Natural Environment

DES1 - General Design Considerations

EP1 - Amenity and Environmental Protection

MV1 - Proposed Developments and Highway Considerations

In the context of these policies the site is not considered to be a suitable sustainable location for a permanent gypsy site. The proposal is for development in the open countryside and is some distance from the nearest established settlement. The closest essential services and facilities are located in Caldicot and are not easily accessible in a sustainable manner, although it is noted that Crick does benefit from public transport connections. Accessing such services would likely to be by car, contrary to local and national policy on sustainability. Circular 005/22018, however, does recognise that the consideration of sustainable access to local facilities can be relaxed in the assessment of rural site provision.

#### Circular 005/2018

Welsh Government guidance on planning for Gypsy and Traveller caravan sites is provided in WG Circular 005/2018. In identifying sites for Gypsy and Traveller caravans, the Circular advises local planning authorities to consider locations in or near existing settlement with access to local services such as schools, health services and shops (para 36). The Circular identifies the issue of site sustainability as being important for the health and well-being of Gypsies and Travellers in terms of environmental issues and for the maintenance /support of family and social networks. It advises that this should be considered not only in terms of transport mode, pedestrian access, safety and distances from services but that consideration should also be given to a range of other issues, including:

- Promotion of peaceful and integrated co-existence between the site and the local community;
- Wider benefits of easier access to GP and health services;
- Access to utilities;
- Children attending school on a regular basis;

The Circular provides further advice in relation to rural sites which is applicable to the proposed application. It advises that rural settings may be acceptable in principle subject to planning or other constraints where there is a lack of suitable sustainable locations within or adjacent to existing

settlements. In assessing the suitability of rural sites it advises LPAs to be 'realistic about the availability, or likely availability, of alternatives to the car in accessing local services' (para 39). While it does not advise the over rigid application of national and local policies that seek a reduction in car borne travel given that they could be used to effectively block proposals for gypsy/traveller sites in a rural location, site sustainability is a factor which should be taken into account.

Paragraph 40 of the Circular sets out other considerations, in addition to the development plan, which may be taken into account in the determination of planning applications for Gypsy/Traveller sites. These include 'the impact on the surrounding area, existing level of provision and need for sites in the area, availability of alternative accommodation for the applicants and their specific requirements'.

**Mathern Community Council** - Recommend the application be refused.

We have structured our comments round the criteria set for considering such sites as noted in policy H8 (Policy for Gypsy and Traveller sites).

"a) Would enable the established need to be met at a location that is accessible to schools, shops and health care, by public transport, on foot or by cycle"

Assuming a need has been established in this location, the site is well connected to local amenities and transport routes.

"b) Have a safe and convenient access to the highway network and will not cause traffic congestion or safety problems"

We do not believe that safe and convenient access to the site can be afforded and that extended vehicles accessing and egressing the site will pose safety problems.

Large and long vehicles will have to slow down completely to access the site and will similarly have to leave the site at very low speed, entering or exiting onto a 60mph stretch of road, potentially crossing the line of traffic.

Due to the scale of the development proposed on such a small site and based upon the layout drawings contained in the application there is no available, allocated area on site to turn long vehicles to ensure that they can enter and leave the site in forward gear. This may force vehicles to have to reverse onto the main road with obvious severe safety implications.

It should be noted that a number of years ago a fatal accident occurred just up the hill from this site, in the 60mph zone, where a motorcycle collided with a tractor and trailer. The tractor and trailer at that time were turning across the flow of traffic.

On the basis of the above we believe that safe access both on and off the site is not possible for extended vehicles.

"c) Are of a suitable size to allow for the planned number of caravans, amenity blocks, play area (for children on sites housing multiple families), the access road and include sufficient space for the parking and safe circulation of all vehicles associated with occupiers within the curtilage of the site"

The information supplied with the application notes the location of the Park House units and amenity blocks. These are located on the relatively flat plateau area of the site. As the site overall falls sharply to the A48, the area above the proposed Park Homes is not developable and the grass area noted to the lower section of the site is very steep and not suitable for housing 4 visiting caravan pitches. At wet times of the year this grassed area of land would not be accessible by vehicles as it becomes very wet and would just cut up. Caravans would not be able to be levelled or accessed on this site without hardstanding and terracing works.

The site overall is not large enough to house the proposed two Park Homes, two amenity blocks, 4 traveller pitches plus the necessary vehicle parking and circulation/turning areas. On this basis we believe that the proposal represents a complete overdevelopment of the site posing associated health and safety and visual amenity issues.

"d) Do not occupy a prominent location and are consistent with the LDP policies for protecting and enhancing character and distinctiveness of the landscape and environment. Where necessary the proposal will include mitigating measures to reduce the impact, and assimilate the proposal into its surroundings e.g. screening and landscaping"

The current land use is agricultural/stabling. The reference in the application to the use of the site as a quarry was not a permitted/authorised land use.

The site is in a very prominent position at the entrance to (or exit from) the village of Crick. It commands an elevated position clearly visible from the A48. The proposed development would not be in keeping with the vernacular of houses within the village, many of which are of a significant age and heritage. The mix of modern Park Homes, masonry utility blocks and caravans would significantly impact the visual amenity of the village especially in such a rural setting in a prominent location

The proposed buildings and caravans are out of context and would have a significant impact on the character and distinctiveness of the village of Crick.

"e) Avoid areas at high risk of flooding and proximity to uses with potential sources of pollution or emissions"

The land is not at risk of flooding but the lower grassed area of the site does experience significant water run off from the upper sections of the site, restricting its use in wet periods.

"f). Are of an appropriate scale to their location and do not have an unacceptable impact on the amenities of neighbouring land uses"

As noted under headings c) and d) above this Council believe that there will be a significant visual impact on the village in general and neighbouring properties. This Council believes the proposal represents an overdevelopment of the site and poses a safety risk to road users.

"g) Are served, or can be served, by adequate on site services for water supply, power, drainage, sewer disposal, and waste disposal (storage and collection), and for travelling show people that there is a level area for outdoor storage and maintenance of equipment"

We are not aware of any services issues regarding the site.

We would note that on the basis of the information contained within the application, there is not any level area allocated for the outdoor storage and maintenance of equipment. Again any such area could have a detrimental effect on the visual impact of the site if provided. There are similarly no level, accessible areas identified for visiting caravans.

Should Monmouthshire County Council have a commitment to meet the accommodation needs of the Gypsy and Traveller community, a more suitable and appropriate site should be sought.

**Environmental Health** - If the site has planning permission approved for permanent residential mobile homes they will need to obtain a site licence under the Mobile Homes (Wales) Act 2013 from the Environmental Health department.

**Housing Strategy and Policy Officer** - The applicants have participated in the adopted and most recent Gypsy Traveller Accommodation Assessment (GTAA) which is currently under review.

The adopted GTAA found evidence of need for 8 sites within the authority with none currently indicated or allocated as part of the Local Development Plan. As part of this process, the applicant was identified as being in housing as a result of a cultural aversion to conventional housing.



The Council are currently reviewing the GTAA. At this time the projections indicate an increase in demand in the Authority. The applicant has again participated in the study and although housed in a dwelling, has been identified as being in housing need as a result of ongoing cultural aversion.

SEWBREC Search Results - priority species have been identified within 48m of the site.

## 5.2 Neighbour Notification

The application has been advertised by direct neighbour notification and the erection of a site notice. 21 letters of representation have been received and are summarised as follows:

### **Support**

- Proposal would be an improvement to the local area.
- Park homes would make a change from looking at a bare piece of land.

### **Objections**

- Conflict with local plan
- Inadequate access
- Inadequate parking provision
- Increase in traffic
- Increase of pollution
- Information missing from plans/ not enough information given
- Out of keeping with character of area
- Close to adjoining properties
- Strain on existing community facilities
- Increased danger of flooding
- Noise nuisance
- Potentially contaminated land
- General dislike of proposal

### **Application**

- Under Policy H8 Gypsy Traveller and Travelling Showpeople Sites a more suitable location should be found.

### **Site and Design**

- No information relating to dimensions of the site and Park Homes / Amenity Block / Tourers.
- Insufficient space for the Tourers and associated vehicles.
- The elevated position with caravans and concrete amenity block and the lower mesh fence will be out of keeping with the visual harmony of the locality.
- Development out of keeping with surrounding dwellings.
- The proposed 2m high mesh security fence would have greater impact than stables proposal.
- Not in keeping with other buildings in the village, the exterior finish of buildings should be stone faced or rendered.
- There are a number of buildings adjacent to the A48 in Crick (near the proposed site) that are listed, including The Archery, St Nyvern's Chapel and The Old Toll House. As such and in keeping, natural stone building material is commonplace in the immediate area.
- There are no local amenities to support this development - the village has no shop, garage, or any other amenity which could be accessed by temporary or permanent residents on the site.

### **Highway Safety**

- Access to and from the highway is a serious concern for long towed vehicles given the speeds along this stretch of road. There has been a previous fatality on this stretch of road.
- The site lacks a safe and suitable access (visibility from and of
- Concern about monitoring of travellers using the site, both in number and relationship to applicant.

## Utilities

- Water pressure in the Crick area regularly fluctuates. Creating additional demand by supplying the proposed site is likely to exacerbate the situation.
- There is no mains drainage in this area of Crick and nearby properties all have septic tanks. My understanding is that local properties are currently classified as being within the 'red zone' as there have already been water pollution incidents impacting the Crick brook.
- Concern regarding sewage and drainage soak away given the density of the development.
- The plans do not show services - other than foul sewage which is marked for both Cess Pit/ Septic tank. It is likely that a cess-pit is the most appropriate (less likely to lead to ground water contamination). If power is by generator then noise and air pollution is a consideration.

## Ecology

- Until recently, the site was part of a contiguous species rich scrubland (as can clearly be seen in google maps) which was cleared of trees, shrubs and native hedges during an ecologically sensitive period. Under: Biodiversity and Geological Conservation the land sits 25m north and 50m west of National Forestry designated woodland (ref: magic.defra.gov.uk) an ecological survey should have been submitted prior to the area being cleared, to ensure that there was no species adversely affected.
- There will be an increase in pollution and an adverse effect on the ecology of the area.
- After clearance land modelling has created terracing. The new terracing changes original ground levels and is not retained (likely to subside) - therefore piling is inevitable, to ensure the stability for the proposed structures and vehicle parking.

## Other

- SUDs should be considered for all development and hard surfaces.

### 5.3 Other Representations

#### **Shirenewton Community Council**

Council questions the suitability of this site, its size and its access. The speed limit on the A48 at this point is derestricted two lanes with double white lines so there is the question of safety on this stretch of road due to caravans slowing for access to the site, and the hazard of possibly parking on the carriageway under the M48 bridge before gaining access.

This Council recommends that a Highways report be sought. Also that as Mon CC has a commitment to meet the accommodation needs of the Gypsy and Traveller community, that a more suitable location be offered.

#### **Caerwent Community Council**

The appearance of the site will be out of keeping with the character of Crick's small village which has several listed buildings. You will primarily see from the pavement/road high security mesh fencing and boarded fencing with a small section of hedging which will look quite industrial.

The application details that the 3 metre high shower block is constructed of concrete block with insulated roof. Other buildings in Crick have had to either be stone clad or rendered - no external finish is detailed in the plan for this.

Query if there is sufficient space on the proposed area for the mobile caravans, parking and movement of all of the vehicles (as well as service/delivery vehicles)

Nothing on the site plan to address (surface water) drainage issues that arose as a condition on the original planning application for stables DM/2019/01149.

The park homes and the permanent buildings will still require drainage and there is no clear indication of how grey water will be collected and disposed of.

Concern regarding highway safety as caravans enter and leave the site on stretch of road with

speed limits of 50 or 60 mph. There has been a previous fatality on this stretch of road. Recommend a Highways inspection and report.

Under 'Policy H8 Gypsy Traveller and Travelling Showpeople Sites' a more suitable location should be found.

#### 5.4 Local Member Representations

The Ward Member was notified of the application on 21st November 2019. Following consideration the Member has requested the application be presented to Committee to allow for considerations with regards to planning policy and highway safety.

### **6.0 EVALUATION**

6.0.1 A survey in March 2009 from the Equality and Human Rights Commission (EHRC) highlighted the urgent need to provide lasting solutions to Gypsy and Traveller accommodation under-provision. It notes that the majority of the 300,000 Gypsies and Travellers in the UK are conventionally housed; a further 17,900 caravans are recorded in England and Wales but about a quarter are not on authorised sites. Previously, local authorities had a duty to provide sites for Gypsies and Travellers but this was repealed in 1994, a situation which apparently led to a rise in unauthorised encampments.

6.0.2 The requirements of the Housing Act 2004 and (in Wales) a Circular in 2018 ("Planning for Gypsy, Traveller and Showpeople Sites") requires LPAs to undertake an initial assessment of needs followed by the selection of sites if that is required. The planning system is largely land-use based, but the consideration of Gypsy caravan sites requires a wider perspective to be taken - an approach reflected in appeal decisions and case law which has identified the need to maintain the lifestyle of a section of the community as a factor in decision making, along with the right to a proper education. The courts have held that a balancing exercise must be undertaken weighing the harm arising to the public interest against the rights and personal circumstances of the appellants, with the availability of accommodation provision also being a material consideration.

6.0.3 Circular 05/2018 sets out guidance on the planning aspects of finding sustainable sites for 'Gypsies and Travellers' who are defined in the Circular as:

- "(a) persons of nomadic habit of life whatever their race or origin, including
- (i) Persons who, on grounds only of their own or their family's or dependant's educational or health needs or old age have ceased to travel temporarily or permanently, and
  - (ii) Members of an organised group of travelling show people or circus people (whether or not travelling together as such) and
- (b) All other persons with a cultural tradition of nomadism or of living in a mobile home."

6.0.4 Paragraph 12, of Circular 005/2018 identifies that some Gypsies and Travellers may wish to find and buy their own sites to develop and manage them themselves (rather than having sites provided and run by the Local Authority). This appears to be the case in this instance. The applicant owns this land and wishes to develop it himself to provide two permanent units (although still compliant with the definition of a caravan under the Mobile Homes Act 1983) and four touring pitch sites.

6.0.5 Paragraph 10 states: a lack of appropriate sites and insufficient provision exists within local authority areas, has a significant detrimental impact on the lives of Gypsies and Travellers. The Housing (Wales) Act 2014 places a legal duty upon local authorities to ensure that the accommodation needs of Gypsies and Travellers are properly assessed and the identified need for pitches is met. Under the latest GTTA it has been identified that Monmouthshire has a need to provide 8 pitches with increasing need projected as part of the GTAA review.

6.0.6 Although aimed at the identification of sites through the LDP process, the advice in paragraph 37 of the Circular is relevant in general terms in identifying aspects of site sustainability in terms of issues including:

- Opportunities for growth within family units;
- Access to health and education services
- Access to utilities including waste recovery and disposal

- Safe play area
- Regard for areas designated as being of international, national and local importance for biodiversity and landscape.

6.0.7 Although it can often be the case that urban sites might be considered more sustainable, paragraph 39 of the Circular states sites in the countryside, away from settlements can be considered if there is a lack of suitable sustainable locations within or adjacent to existing settlements and advises against the over-rigid application of development plan policies seeking to reduce car-borne travel.

6.0.8 Paragraph 58 of the Circular refers to the statutory duty of local planning authorities to determine planning applications in accordance with the development plan unless material considerations indicate otherwise. It continues to say that other considerations for Gypsy and Traveller site applications will usually include the impact on the surrounding area, the existing level of provision and need for sites which is evidenced as part of the GTAA for the area. Consideration also need to be given to the availability (or lack of) alternative accommodation for the applicants and their specific personal circumstances. Ensuing paragraphs set out general advice aimed at encouraging a dialogue.

### Evidence of Need

6.0.9 The Adopted Gypsy and Traveller Accommodation Assessment (GTAA) for 2016-2021 identifies that Monmouthshire has a higher number of Gypsy and Traveller households living in the County than had been previously identified through the 2011 census, with an estimated unmet need for eight pitches, based on overcrowding, unauthorised occupation and likelihood of cultural aversion to conventional housing. However, there is no need for a transit site due to the low number of unauthorised encampments in the County. At this time the Council has no allocated or suitable sites available for the accommodation of Gypsy/ Traveller/ Showpeople, with an aspiration within much of the Gypsy, Traveller community for private site provision.

6.0.10 The GTAA currently under review predicts an increase in demand.

6.0.11 In this case, the applicants were involved in the Council's previous and most recent Gypsy and Traveller Assessment and identified that they require a site within the County. Although currently housed in a two storey dwelling in Caldicot, the applicant was identified as being in housing need as part of the adopted and pending GTAA as a result of cultural aversion to conventional housing.

6.0.12 As part of the current proposal and following discussions the applicant has provided information relating to the family's needs for this site and which has been confirmed as part of the GTAA. The applicant has advised the family's current accommodation is contrary to their cultural beliefs and traditional way of life, which is in turn is having a detrimental impact on his and his family's health and well being. Although the applicant is currently unable to travel as a result of health issues, the family have expressed as desire to travel again in the future. As a result of the travelling status of the wider family there is a desire to provide a number of touring pitches on the application site to allow the family to gather together at certain times,

6.0.13 Circular 005/2018 makes it clear that LPA's should use the Accommodation Assessments when determining planning applications for Gypsy Sites including Private Sites.

## **6.1 Strategic & Spatial Choices**

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

Paragraph 58 of Circular 005/2018 refers to the statutory duty of local planning authorities to determine planning applications in accordance with the development plan unless material considerations indicate otherwise. It says that other considerations for Gypsy and Traveller site applications will usually include the impact on the surrounding area, the existing level of provision and need for sites in the area, the availability (or lack of) alternative accommodation for the applicants and their specific personal circumstances.

Although located in close proximity to the village of Crick, the site is located outside of any settlement development limit as shown on the Proposals Map of the LDP. This means the site is

regarded as being in the open countryside where there is a general presumption against development unless the proposal accords with national planning policy or specific policies in the Monmouthshire County Council Local Development Plan (LDP).

Policy S1 of the LDP only allows for new residential development in exceptional circumstances, these being conversions, sub-division and dwellings necessary for rural enterprise. No such justification has been put forward for this application. Policy S1 reflects government guidance that new dwellings in the open countryside should not normally be allowed. The policy refers to new residential development which this application for two new residential units in the open countryside would be considered against.

Policy LC1 states that there is a presumption against new build development in the open countryside unless justified under national policy for rural enterprise, agricultural purposes, recreation or tourism purposes. In this case no justification has been put forward that the site is needed for any of these specific purposes so that the development is considered to be new built development in the open countryside without justification and therefore contrary to Policy LC1. However, the site does benefit from planning permission for the development of a stable block, store, hardstanding and various enclosure details, granted as part of application DM/2019/01149. The previous application was approved following consideration in relation to the requirements of Policy RE6. The consent is extant and could be developed subject to compliance with the associated conditions.

As stated above LPAs are required to assess the accommodation needs of Gypsies as part of the LDP process and should include policies for the provision of Gypsy sites. The Council commissioned a Gypsy and Travellers Needs and Sites Study in 2009 to inform the LDP. The Study found that Monmouthshire had a very low Gypsy and Traveller population with only one authorised private site containing one caravan. Since then permission has been granted on appeal for two Gypsy pitches on Maerdy Farm, near Usk. As a result of a lack of need no specific Gypsy sites were allocated in the LDP however, it was considered that there was a need to guide future applications for Gypsy sites. Subsequently Policy H8 of the LDP provided a framework against which proposals for Gypsy, Traveller and Travelling Showpeople sites will be assessed.

#### "Policy H8 - Gypsy, Traveller and Travelling Showpeople Sites

Where a need is identified for transit or permanent pitches/ plots for the accommodation needs of Gypsies, Travellers and Travelling Showpeople, they will be permitted provided they:

- a) Would enable the established need to be met at a location that is accessible to schools, shops and health care, by public transport, on foot or by cycle;
- b) Have a safe and convenient access to the highway network and will not cause traffic congestion or safety problems;
- c) Are of a suitable size to allow for the planned number of caravans, amenity blocks, a play area (for children on sites housing multiple families), the access road and include sufficient space for the parking and safe circulation of all vehicles associated with occupiers within the site curtilage;
- d) Do not occupy a prominent location and are consistent with LDP policies for protecting and enhancing character and distinctiveness of the landscape and environment. Where necessary the proposal will include mitigating measures to reduce the impact, and assimilate the proposal into its surroundings e.g. screening and landscaping;
- e) Avoid areas at high risk of flooding and proximity to uses with potential sources of pollution or emissions;
- f) Are of an appropriate scale to their location and do not have an unacceptable impact on the amenities of neighbouring land uses;
- g) Are served, or can be served, by adequate on-site services for water supply, power, drainage, sewage disposal and waste disposal (storage and collection), and for Travelling Showpeople that there is a level area for outdoor storage and maintenance of equipment.

Proposals for the use of land for emergency pitches to meet proven need for use by Gypsies and Travellers will provide basic facilities, meet criteria b, d, e and f of this policy, and the location should be within reasonable travelling distance of a settlement with services and community facilities, including health and education."

Whilst located well beyond any defined settlement development boundary the site is positioned to the east of the settlement of Crick. Policy S1 sets out this settlement hierarchy where new housing will be provided while Policy H3 specifically considers housing development within minor villages:

"In Minor Villages planning permission will be granted for minor infill of no more than 1 or 2 dwellings resulting from the filling in of a small gap between existing dwellings, or residential redevelopment, or conversion to residential or sub-division of large dwellings, subject to detailed planning considerations, including no unacceptable adverse impact on village form and character and surrounding landscape, and other policies of the LDP that seek to protect existing retail, employment and community uses.

Exceptionally planning permission may be granted for up to 4 dwellings on an infill site that demonstrably fits in with village form (including not resulting in the loss of an open space that forms an important gap or open area) and is not prominent in the landscape."

This site is outside of the principle envelope of the village and would therefore be resisted for the development of open market housing under Policy H3. Notwithstanding this, the position of the site between the M48 bridge and a dwelling to the east of the site as well as its close proximity to the village means that the site does not appear as prime open countryside.

Whilst the GTAA has identified that there is a need for provision within the County, at this time the Council do not have any allocated sites within the LDP. Therefore there are no viable alternative locations available for immediate occupation, other than private provision as proposed.

Although Crick lacks services, the site is within 1.5km Caldicot, where there is a primary school, shops and health care facilities which are currently used by the applicant and his family. The applicant has expressed a desire to maintain their children's education within the existing school. Whilst not readily accessible by foot, access to larger conurbations and services could be gained via public transport and by cycling with the emphasis of paragraph 39 of Circular 005/2018 being against the over-rigid application of development plan policies seeking to reduce car-borne travel. Given the results of the GTAA with regard to need, the lack of Council provision, the identified need of the applicant and the development allowances for Crick village granted by way of Policy H3 (as opposed to areas of prime open countryside) on balance it is considered that subject to the application satisfying a number of key material considerations, the principle of development is acceptable.

#### 6.1.2 Good Design/ Place making

Criterion c) of Policy H8 specifies that sites should be of a suitable size to allow for the planned number of caravans, amenity blocks, a play area (for children on sites housing multiple families), access and include sufficient space for the parking and safe circulation of all vehicles associated with occupiers within the site curtilage.

The scale of the site relative to the level of use and the visual impact of potential overdevelopment has raised significant concerns for the community councils and members of the public. The applicant has provided a plan indicating, in their opinion, that the site can accommodate all the aspects of the application, although this would result in vehicles being parked on other parts of the site when all touring pitches are in use. Whilst Officers do echo concerns that the full use of the site would appear cramped, the use of the central/ touring caravan area would be intermittent and as such would not have a permanent impact. Being mindful of the single storey nature of all the structures on site, the fluctuating levels of use with regard to the touring units, the site's context with raised levels of screening provided to the north and west and increased screening and mitigation that could be provided, it is considered that the impact generated would not be so significant to the overall character and appearance of the area to warrant refusal of the application.

Documents issued by Welsh Government provide guidance with regards to the standards, sizes and facilities to be provided as part of Council provided sites. Following consideration of this document by the Housing Strategy and Policy Officer it has been determined that the requirements are not applicable to private developments such as this proposal.

Following consultation, the Council Environmental Health Officer has confirmed that the granting of permanent residential units on the site will require the applicant to obtain a site licence under the Mobile Homes (Wales) Act 2013. This may have further implications on the number of touring pitches that can be provided at the site. However, such matters are regulated and controlled by legislation beyond the remit of planning legislation and can be

sought independently from the current planning application. There is no requirement as part of the planning process for the applicant to provide evidence of a site licence prior to the determination of the planning application.

As part of the public consultation response, the community councils and a number of objectors have identified that the external finish of the development as a whole would be out of keeping with the area and that render or stoned elevations should be required to be more in keeping with the buildings in the village.

The plans submitted detail that the park homes would be finished with painted, sheeted elevations on the two bed and rendered type panels on the three bed. The utility block would be finished with concrete block walls with a sheeted roof above. Whilst there is no potential to alter the external appearance of the park homes, the walls of the utility building could be clad with timber to provide a more finished look. Although the external elevations of the residential properties in the area are predominantly stoned or rendered it is felt that adding such materials to the utility block would add to its visual presence and prominence. However, it is considered that the use of a secondary material such as timber panelling would improve its visual appearance and help identify the building as an ancillary and secondary structure. The provision of cladding on the external face of the building could be secured by condition.

The site layout plan submitted indicates the development of a 2m high mesh fence along the southern boundary of the site. The applicant has specified that this is needed to keep the site secure and to prevent children climbing onto the pavement. Members of the public have raised concerns that this in association with the close boarded fence in the centre of the site would create an unacceptable level of enclosure and form the appearance of an industrial site. These concerns are echoed by Officers. Whilst the need to provide security and screening for privacy of site users is recognised, it is considered that the provision of additional soft landscaping and hedging along the site boundaries would help soften the visual impact of the development and assimilate the development with the wider countryside context. These details could be secured by condition on any grant of consent.

On the basis of the above and subject to the imposition of conditions, the application is considered compliant with the requirements of policies S13, S17, DES1 and criteria c) of Policy H8 of the LDP.

### 6.1.3 Impact on Amenity/ Promoting Healthier Places

Criterion f) of Policy H8 specified that developments should be of an appropriate scale to their location and not have an unacceptable impact on the amenities of neighbouring land uses.

Impact with regards to neighbouring amenity is a concern for the local community councils. As specified above the application site is located to the east of the main village of Crick and is positioned between the bridge of the M48 to the west and Sunnybank Bungalow to the east. Although the proposed three-bedroom unit would be positioned parallel with the eastern boundary with Sunnybank, the principal outlook would be over the yard area to the west. Based on the plans submitted the proposal would maintain a 32m distance between the three-bedroom unit and the bungalow and approximately 10m between the proposed unit and the existing static caravan in the front garden of Sunnybank to the south-east of the site. While the proposed development would allow for increased overlooking of the garden of Sunnybank, given the single storey nature of the proposed park home, it is considered that the impact generated could be appropriately mitigated by the provision of supplementary planting along the eastern boundary and the provision of fencing on the development site between the proposed park home and the hedge.

Although an objector has raised concerns with regards to noise generation arising as result of the use and potential generator, given the ambient noise level arising from the M48 and the A48, it is considered that the occupation of the site would not generate such an increase in noise level to warrant refusal of the application. Following consultation the applicant has advised that they intend to provide mains electricity to the site for the park homes and provide hook-ups for the touring caravans, which would help reduce dependency and noise from generators etc.

On the basis of the above, the application is considered compliant with the requirements of policies S17, EP1 and criterion f) of Policy H8 of the LDP.

## 6.2 Active and Social Places

### 6.2.1 Access / Highway Safety

Criterion b) of LDP Policy H8 requires developments to have a safe and convenient access to the highway network and not cause traffic congestion or safety problems.

Access to the site would be gained via the existing driveway in the south-eastern corner which is shared with the former Border Waste site. The site layout plan submitted indicates the provision of a driveway to allow all vehicles accessing the site to pull off the road prior to opening the gates and entering the land.

Highway safety and use of the access is also a significant concern for the community councils and objectors who have raised concerns that the access is largely concealed from approaching traffic and that the use proposed could result in conflict between towed vehicles accessing the site and vehicles on the A48 which is immediately adjacent to the 60mph speed limit sign.

Following consultation the Council's Highways Team have raised no objection to the proposal and provided the following comments:

"The applicant has provided supporting drawings that generally depict the layout of the proposal but are considered to be lacking in information to clearly demonstrate how the site will be laid out. The applicant has not provided details of the numbers and layout of the required level of parking associated with the proposal, the applicant has not indicated how the proposed touring caravan will be sited, no turning area has been indicated for the turning of cars and towed touring caravans etc.

The development will be accessed indirectly off the A48 via an existing substantial drive that currently serves a former quarry, the existing access off the A48 is located just within the 50mph speed limit and has adequate visibility for the classification and speed of the road. Although the applicant has not provided any supporting information the highway authority has reviewed the casualty records for the area and only 3 reportable incidents in the vicinity of the access have been recorded in the last 20 years and none since 2009, none of the accidents were attributable to turning manoeuvres associated with the existing quarry access.

The highway authority has considered the proposed change of use and although have concerns with the layout and management of the site, which can be addressed by amendments or conditions, offer no objections to the proposal in principle. The development would not generate traffic manoeuvres that would be detrimental to highway safety or capacity on the local network.

The highway authority would request that if the planning authority are minded to approve the application then suitably worded conditions are provided to control the safe operation of the access, the layout and number of parking spaces, a minimum of 5 car parking spaces based on the council's adopted parking standards, 1 space per bedroom parking for 4 touring caravans and visitors and a turning area suitable to accommodate the turning of towed touring caravans."

It is acknowledged that the national speed limit sign for the A48 is positioned immediately adjacent to the top site of the current access. This results in drivers increasing in speed as they approach and pass the sign. Whilst the implications of this and slow moving vehicles exiting the site upon the safety of the access have been raised by members of the public, it is noted that the access does benefit from sufficient sight stopping distance for the national speed limit. As with all junctions it is the responsibility of the individual accessing the carriage to ensure the highway is suitably clear before undertaking any manoeuvre.

Whilst further concerns have been raised by the public with regards to the safety implications arising as a result of the access being adjacent to the bridge of the M48 and the resulting shadow this generates, concealing the entrance during the darkest times of day it must be acknowledged that the access is existing and could be used by without the need for further planning permission. Furthermore, vehicles accessing the site would be well lit and therefore visible during darker hours.

Although the development proposed would increase the number of vehicle movements generated, relative to the existing arrangement and extant consent it must be



acknowledged that the touring caravan pitches would be used on an intermittent basis by transiting members of the wider family. It is considered that the scale of the development proposed (two permanent residential units), the resulting trip generation, the visibility available from the access and the illumination that would be provided from the headlights of vehicles using the access, would prevent the proposal from being so detrimental to the overall highway safety and free flow of traffic in the area to warrant refusal of the application.

With regards to on site parking and turning, it is noted that when not in use by caravans, the proposed yard area could be used for the parking of permanent residents' vehicles. When the touring pitches are in use, it is considered that the bell-mouth of the junction and driveway in the south-western corner and the wider site could be used to provide parking and on site turning. However, in association with the Highway Officer comments, it is acknowledged that this is currently missing from the application submission. Details and requirements to provide such facilities can be secured by condition prior to the beneficial use of the touring pitches.

It is considered that the site benefits from sufficient visibility leading onto the A48. In addition, the proposal would not generate a number of vehicle movements significantly detrimental to highway safety and sufficient provision can be secured to ensure that vehicles can enter and leave the site in a forward gear. It is therefore considered that the proposal would not be so detrimental to the overall highway safety and free flow of traffic in the area to warrant refusal of the proposal. The submission is considered compliant with the requirements of policies S16, MV1 and criterion b) of Policy H8 of the LDP.

### **6.3 Distinctive & Natural Places**

#### **6.3.1 Landscape/ Visual Impact**

Criterion d) of LDP Policy H8 specifies that site should not occupy a prominent location and be consistent with LDP policies for protecting and enhancing character and distinctiveness of the landscape and environment. Where necessary the proposal will include mitigating measures to reduce the impact, and assimilate the proposal into its surroundings e.g. screening and landscaping.

Although the site is largely undeveloped it is adjacent to the M48 bridge and the residential property known as Sunnybank. Objections with regards to visual impact have been raised by the local community councils and members of the public. Whilst the use of the site at maximum capacity would have an impact on the landscape and visual amenity of the area, this impact would be variable given the intermittent use of the site by the travelling members of the family. On the whole, it is considered that the development would be read in the landscape relative to the existing buildings and more urban infrastructure that exists as opposed to open countryside.

Whilst the development and use of the site as proposed would be apparent from the A48 immediately adjacent to the southern boundary and from the garden of Sunnybank to the east, it is considered that the relatively low lying position of the site and proposals, relative to the rising land and trees to the rear which would remain at a higher level would help screen the development when viewed from any wider public vantage points. It is also considered that the development of the site would reduce pressure to develop or encroach into the wider and more undeveloped areas of the open countryside.

Whilst the plans submitted indicate the installation of a hedge adjacent to part of the central fence, it is felt that the provision of additional soft landscaping along the full southern boundary between the pavement edge and the proposed mesh fence should also be secured. In addition, planting should be provided along the southern side of the centrally positioned fence and along the eastern boundary. This screen planting can be secured by condition and would help soften the visual impact of the site when viewed from the A48, assimilate the development into the landscape and prevent it from being so visually incongruous to warrant refusal of the application. The application is therefore considered compliant with the requirements of policies S13, S17, DES1, EP1 and criterion d) of Policy H8 of the LDP.

#### **6.3.2 Green Infrastructure and Biodiversity**

of an Ecological appraisal. The application site has previously been the subject of tipping and was cleared of vegetation prior to the submission of the previous application for stables and change of use of the land.

Although the site was previously densely overgrown it does not form part of any ecological designation and the Council do not hold any records with regards to its ecological or biodiversity value prior to the clearing being undertaken. The Council are therefore unable to determine the impact such works may have had. Although the development would change the ecological composition and attributes of the site, the potential to provide additional hedgerows and green infrastructure of an appropriate species and mix and an area of managed and maintained grassland by way of condition, would provide biodiversity enhancements in compliance with the requirements of policies LC1, RE6 and NE1 of the LDP.

### 6.3.3 Flooding

Based on the Development Advice Maps associated with Technical Advice Note (TAN) 15: Development and Flood Risk the site is outside of any allocated flood zone and is therefore unlikely to flood. The application is therefore considered compliant with the requirements of LDP policies S12, SD3 and criterion e) of Policy H8

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

Criterion g) of LDP Policy H8 specifies in order to be approved, sites should be or can be served, by adequate on-site services for water supply, power, drainage, sewage disposal and waste disposal (storage and collection).

As part of the public consultation response concerns have been raised with regards to disposal of foul and grey water from the site and potential pollution arising from a soakaway in an area which is already identified as being under pressure from pollution. Based on the plans submitted the applicant has indicated that all services would drain into a cesspit or septic tank on site. Although cesspits require frequent emptying by a licensed waste disposal contractor, it would be possible to accommodate one on site. This would reduce opportunities for increased leachate contamination of local watercourses to the benefit of the ecology and biodiversity value of the area.

Following discussions with utility providers the applicant has advised that they are able to secure water and power to the site.

With regards to waste storage, it is considered that the utility building indicated would provide sufficient storage capacity with the council operating weekly and fortnightly kerb side collections within the area.

As the applicants consider themselves to be Travellers rather than Showpeople there is no requirement to provide further level areas for outdoor storage and maintenance of equipment.

As part of the public consultation process, concerns have been raised with regards to surface water drainage. As from 7th January 2019, all construction works with drainage implications, of 100m<sup>2</sup> or more 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 requirement to obtain SAB consent is regulated by other legislation outside of the planning process and the consents can be sought independently from each other.

On the basis of the above, the application is considered compliant with policies S12, SD4 and criterion g) of Policy H8 of the LDP.

### 6.3.5 De-risking (contamination issues)

Whilst a member of the public has raised concerns that as a result of a former use the land

could be the subject of contamination, another contends that the land was not used in association with the adjacent Border Waste site and should be considered greenfield land. Whilst Officers have witnessed evidence of tipping and spoil within the existing embankments this appeared to be inert waste such as scalplings/ road planings.

As the Council hold no records with regards to previous land contamination there is insufficient evidence or justification to request a land contamination study of the site.

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

Following consultation Crick, Caerwent and Shirenewton Community Councils have raised objections to the development. The application has also been the subject of public objections which are responded to below.

A number of the objections received have already been addressed in the preceding sections of this report and therefore shall not be repeated.

Whilst it is acknowledged that the documents submitted in support of the application are lacking in detail, it is considered sufficient information has been submitted to allow for the consideration and determination of the application.

Whilst concerns have been raised with regard to land re-modelling and landslip potential, matters in relation to land stability would normally be reviewed by the Surveyors and Engineers within Building Control. This application and matter have been forwarded to that department for consideration.

Should the site be used by a number of touring caravans in excess of the application description, action could be taken by the Council's Planning Enforcement Department. Whilst the use of the site by non family members would be impossible for the Council to regulate or control, given that the site would form the applicants primary family residence, it is considered unlikely that they would allow the site to be used by persons with whom they have no direct link.

Whilst the current application seeks full planning permission, further consents will need to be sought from the Sustainable Drainage Approving Body, and the relevant Environmental Health and Licensing departments prior to the beneficial occupation of the site. Details regarding such matters could be added as an informative note to any grant of planning permission.

#### **6.5 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.

#### **6.6 Conclusion**

Although located in an area of open countryside, given the close proximity of the site relative to Crick, the identified need for provision as part of the Council's GTAA, the lack of Council site provision, the applicant's specific housing need and the family's human rights, relative to the emphasis provided as part of circular 005/2018, the principle of developing the site for the use proposed is considered acceptable.

While concerns have been raised with the regards to the visual impact of the development and its potential overdevelopment, given the context of the site, the irregular use of the touring pitches and the proposed mitigation, screening and material alterations that could be secured by condition, it is considered that the development would not have such a detrimental impact on the overall character and appearance of the area or the residential amenity of those living closest to the site to warrant refusal of the application.

Whilst the concerns regarding the highway safety are acknowledged, following consideration of the proposal by the Council's Highway Engineer, it is considered that the site benefits from

sufficient site stopping distances for the national speed limit and that the increased vehicle movements associated can be acceptably and sufficiently accommodated within the adjacent highway network.

It is considered that matters relating to foul drainage can be appropriately dealt on site and as part of any subsequent Building Regulations application with issues relating to surface water disposal being reviewed and assessed as part of the Sustainable Urban Drainage System process which is regulated by legislation outside of the planning process. Following consultation, the applicant has advised that they are able to secure appropriate utilities for the site such as electricity and water.

While the site should have been the subject of a preliminary Ecological Appraisal, in view that it was cleared prior to the submission of this and the previous application, as well the fact that it does not form part of any ecological designation, it would be unreasonable to request ecological studies of the site. Although the development would change the ecological composition and attributes of the site, the potential to provide additional hedgerows and green infrastructure of an appropriate species and mix and an area of managed and maintained grassland, by way of condition would provide biodiversity enhancements.

On the basis of the above, the application is considered compliant with the requirements of relevant local and national planning legislation 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 Notwithstanding the details of the approved plan prior to the installation of the parkhomes on site, an amended soft landscaping scheme shall be submitted indicating the provision of additional and enhanced boundary hedges along the southern boundary of the site adjacent to the A48; to the south of the proposed fence within the centre of the site and along the eastern boundary of the plot.

REASON: In the interests of the visual amenity of the application site in accordance with LDP policies S13, S17, DES1, EP1, NE1 and GI1.

4 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.

5 Prior to the first beneficial use of the utility block, details of timber cladding to be added to all external elevations of the building shall be submitted to and approved in writing by the

Local Planning Authority. The works shall be completed within 3 months of the first beneficial use of the building.

REASON: In the interests of the character, appearance and visual amenity of the application site and wider area, in accordance with LDP policies S17, DES1 and EP1.

6 Prior to the first beneficial use of the touring pitches, an amended site layout plan shall be submitted indicating the provision of areas of off street parking for not less than 5 cars and parking of 4 touring caravans and visitors and on site turning facilities to allow all vehicles (including any tanker lorry to service the cesspit/septic tank) to enter and leave the site in a forward gear. The development shall only proceed in accordance with the approved plans and shall be maintained as such thereafter.

REASON: In the interests of the highway safety and free flow of traffic in accordance with LDP policies S16 and MV1.

7 Notwithstanding the details of the approved plans, gates if provided will be set back 15 metres from the edge of carriageway and open inwards to accommodate the size and type of vehicles.

REASON: In the interests of the highway safety and free flow of traffic, in compliance with LDP policies S16 and MV1.

This page is intentionally left blank

**Application Number:** DM/2019/01629

**Proposal:** Application for reserved matters pursuant to DM/2018/00696 relating to Layout, Scale, Appearance of Buildings, Means of Access (where not already approved) and Landscaping for the construction of a care home and associated works

**Address:** Land Development South Of Crick Road, Crick Road, Portskewett

**Applicant:** Monmouthshire County Council

**Plans:** Location Plan PEN-ZZ-ZZ-DR-A-0001-S3-P3 - , Elevations - Proposed PEN-ZZ-ZZ-DR-A-2020-S3-P3 - , Other 3640-PEN-ZZ-00-DR-A-1001-S3-P5 - (Revised Plans), Site Plan 3640-PEN-ZZ-ZZ-DR-A-0003-S3-P6 - (Revised Plans), All Drawings/Plans 3640-PEN-ZZ-ZZ-DR-A-1101-S3-P5 - (Revised Plans), Elevations - Proposed 3640-PEN-ZZ-ZZ-DR-A-2000-S3-P5 - (Revised Plans), Elevations - Proposed 3640-PEN-ZZ-ZZ-DR-A-2001-S3-P5 - (Revised Plans), Proposed Roof Plan Roof Plan 3640-PEN-ZZ-ZZ-DR-A-1101 Rev P5 - , Landscaping Plan EDP5822\_d003 Rev E - Sheet 8 of 17, Landscaping Plan EDP5822\_d003 Rev E - Sheet 11 of 17, Ecology Report Extended Phase 1 habitat and species assessment and bat and bird assessment by Just Mammals dated Au - , Ecology Report Update letter Just Mammals dated May 2016 - , Ecology Report Barn Owl and Hedgerow Assessment by Soltys Brewster dated December 2016 - , Ecology Report Preliminary Ecological Appraisal Addendum by Soltys Brewster dated May 2018 - , Ecology Report Barn Owl Mitigation strategy dated July 2019 - , Ecology Report Hedgerow Translocation Plan dated January 2020 - , Ecology Report Ecological Mitigation Plan - , Ecology Report Technical note Badger Sett, January 2020 - ,

## **RECOMMENDATION: APPROVE**

Case Officer: Ms. Jo Draper  
Date Valid: 10.10.2019

**This application is presented to Planning Committee because it is an application made by the County Council and as the application has been subject to five or more objections**

### **1.0 APPLICATION DETAILS**

1. 1 This application is for the construction of a care home and associated works and follows the approval of the following outline application DM/2018/00696 on 30 March 2019:  
'Outline application (with all matters reserved except for access) for residential development of up to 291 dwellings, a care home and public open space, landscaping and associated infrastructure work'

This Reserved Matters application is in relation to the care home element only and for the discharge of the following conditions;

Condition 1 (Plans - layout, scale, access, appearance and landscaping);

Condition 6 (Lighting Strategy);

Condition 7 (Barn Owl Mitigation Strategy);

Condition 9 (Tree Protection Report); and

Condition 15 (Landscaping Scheme)

The remaining conditions are to be addressed separately via the submission of separate discharge of condition applications. The other current planning applications are as follows:

DM/2019/01041 (Residential development for 269 houses)

DM/2019/01485 (Drainage)

1.2 The application site relates to the parcel in the western part of the site, identified in the Local Development Plan for B1 uses. The outline planning consent secured the use of this site as a care home. This care home proposal is being considered separately to the residential development (DM/2019/01041), although the residential development forms an integral part of the consideration of this site with regard to how these two developments work alongside each other. The two other current applications relating to drainage and phasing are not ready for determination at this stage as there are outstanding details still to be considered. These matters will therefore not be subject to discussion as part of these two planning applications for the care home and the housing element.

The following issues are therefore under consideration as part of this planning application:

Layout, design, access, appearance, ecology, landscaping(external) and trees.

The internal landscaping relating to the enclosed garden is subject to a separate discharge of condition application.

1.3 The proposals comprise of a single storey, 32-bed care home, the design ethos which has shaped this proposal is based on the creation of a dementia friendly environment. The care home has been designed around a central communal garden/courtyard area with a U shaped building. Within the courtyard is a gathering space, in the form of a standalone single storey structure. This building differs in form with a slightly steeper pitch and a higher ridgeline than that of the main care home.

1.4 The design of the care facility is centred on the creation of four individual 'houses', and whilst individual they adjoin each other in the creation of the 'U' shaped building. Each 'house' comprises of eight en-suite bedrooms, assisted bathroom, communal kitchen, dining area, snug, cwtch, lounge and garden room. There are also ancillary rooms in the form of store rooms, linen stores and W/C. There are two central staff complexes accommodating the staff room, staff sleep-in room and associated en-suite, staff changing room and a laundry room. There are further ancillary rooms proposed including a cleaner station, tank room and ICT room. A communal nature/sensory room is proposed within the footprint on the main care home whilst each house is served by four individual, secure, gardens that lead onto the central communal garden. In line with the design ethos to create four houses, each house has been designed to accommodate pitched roofs with domestic proportions, whilst the staff complexes and ancillary rooms along with the communal sensory room have been designed with flat roofs, and connect the dwellings as ancillary elements to the main building.

1.5 There are both outward and inward facing windows serving this building; it is enclosed through design with the building connecting at the narrow point to the south and the northern wider end provides the gateway in with enclosing boundary materials. There are integrated solar panels to be provided on the outside facing roofs on the west, east and south elevations but only the south and east elevation is in the public domain. These will be on every roof with the exception of 'House 1' on the east elevation closest to the frontage and main access into the site.

The proposed external materials comprise of the following:

Walls:

Red multi-stock brick in stretcher bond with bucket handle mortar joints

65mm Pennant grey reconstituted stone sills to windows in brickwork

Natural Timber cladding to vertical half lap profile

Jamb formers to match cladding

Powder coated aluminium trims sills and heads

Black stained timber cladding in vertical half lap profile

Roof :

Natural slate pitched roof with powder coated aluminium fascia and verge trim in mid grey

Single ply membrane roofs

Natural Timber cladding to soffits

Aluminium flush-joint circular downpipes and aluminium extruded half round - black



#### Windows and Doors:

Timber and aluminium composite units with fenestration patterns as indicated. Colour to be confirmed.

1.6 The gathering space is a building that forms a community building within the site. It is the dominant feature and is contemporary in design. The high pitched roof stands taller than the adjoining complex of care home houses that enclose the site. The building is centrally located and would be enclosed within the site with only part of the roof visible from a distance over the more domestically-scaled buildings of the care home units. The dimensions of this building measure:

Length (Inc. front & back overhangs): 15.9m

Width (Brick Plinth): 8.9m

External Ground Level to Eaves: 3.3m

External Ground Level to Ridge: 7.7m

The external materials comprise of the following:

#### Walls:

Plinth: Red multi-stock brick in stretcher bond with bucket handle mortar joints.

Narrow profile black stained timber cladding in vertical half-lap profile (unfinished narrow profile timber cladding to gable ends).

Jamb formers to match cladding.

Powder coated aluminium trims, sills and heads.

Unfinished timber cladding. Narrow profile FSC Sweet Chestnut in horizontal halflap profile.

Jamb formers to match cladding. Aluminium trims, sills and heads.

Every other cladding board to cross face of upper gable windows (inward opening windows).

#### Roofs:

Metal profiled sheet roofing (exposed at roof ends).

Powder coated aluminium fascia.

Unfinished timber narrow profile FSC Sweet Chestnut soffit.

Aluminium flush-joint circular downpipes and aluminium extruded half round profile gutters, colour to match fascia. Downpipes to terminate in ground (not shoe to gully). Colour of all roof elements: Black.

#### Windows and doors:

Timber and aluminium composite units with fenestration patterns as indicated. Colour to be confirmed.

1.6 A small, external plant room and shed is proposed to the west of the care home and would be situated adjacent to an area proposed for allotments; this will be enclosed by galvanised and decorative metal railings to ensure the safety of residents.

1.7 In accordance with the parameters of the approved outline application, the hedgerow which currently forms the site's eastern boundary is proposed to be retained to form part of the GI strategy and the green corridor.

1.8 The supporting information submitted with the application states the following:

"External materials comprise a mixture of red brick, natural timber cladding and black stained timber which are proposed to sit beneath a natural slate pitched roof. Timber and aluminium composite windows are proposed alongside dark grey rooflights. Each house door and accompanying window surround will be identified clearly from the internal courtyard using different colours. The proposed material palette has been carefully selected to ensure a high quality design, which takes the form of an agricultural building to sit comfortably within its context."

"Inspired by local vernacular architecture, the scale and simple forms of the care home invoke a sense of familiarity, barn-like structures that 'belong' in the landscape. With an inherent warmth and tradition, the timber cladding and slate roofs continue this theme".

"A central access point is proposed into the courtyard and wider care facility from a northerly direction, via a double gated access providing vehicular access and a single gate to accommodate pedestrian movements in and out of the site. The access gates are positioned either side of a 2250mm brick wall with brick end capping which prevents free movement of access in and out of the site."

"Parking for the facility is proposed to the north of the site, beyond the external walls of the care home. The spaces proposed sit alongside and are accessed via the highway proposed under the residential reserved matters application. Car parking is proposed in accordance with the Council's Car Parking Standards SPG which requires 1 space per resident staff; 1 space per 3 non-resident staff; and 1 space per 4 beds to accommodate for visitors. 32 car parking spaces are proposed in total, 8 of which are proposed for visitors, the remaining 24 will be allocated for staff. Sixteen of the car parking spaces proposed are tandem in design; which can be broken down into two groups of 8 spaces. These parking blocks will be occupied by 8 members of the team who will be arriving and leaving at roughly the same time, essentially allocated based on shift patterns. This parking arrangement will be managed by the care home, as is the case with similar facilities within Monmouthshire, all of which operate successfully."

## 2.0 RELEVANT PLANNING HISTORY (if any)

Reference Number	Description	Decision	Decision Date
DM/2018/00696	Outline application (with all matters reserved except for access) for residential development of up to 291 dwellings, a care home and public open space, landscaping and associated infrastructure works		Approved 30.03.2019
DM/2019/00846	Discharge of condition no. 4 of outline planning consent DM/2018/00696.	Pending Consideration	
DM/2019/01041	Reserved matters application for the erection of 271 dwellings with ancillary works.	Pending Determination	
DM/2019/01485	Discharge of conditions 5 and 11 of planning consent DM/2018/00696 (drainage strategy)	Pending Consideration	

## 3.0 LOCAL DEVELOPMENT PLAN POLICIES

### Strategic Policies

- S3 LDP Strategic Housing Sites
- S4 LDP Affordable Housing Provision

S13 LDP Landscape, Green Infrastructure and the Natural Environment  
S16 LDP Transport  
S17 LDP Place Making and Design  
SAH2 LDP Crick Road, Portskewett

## **Development Management Policies**

CRF2 LDP Outdoor Recreation/Public Open Space/Allotment Standards and Provision  
DES1 LDP General Design Considerations  
EP1 LDP Amenity and Environmental Protection  
GI1 LDP Green Infrastructure  
NE1 LDP Nature Conservation and Development  
MV1 LDP Proposed Developments and Highway Considerations  
MV2 LDP Sustainable Transport Access  
LC5 LDP Protection and Enhancement of Landscape Character  
SD2 LDP Sustainable Construction and Energy Efficiency  
SD4 LDP Sustainable Drainage

## **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:** Approve

**Portskewett Community Council:** response awaited.

**Welsh Water:** No objection

**Gwent Glamorgan Archaeological Trust:** No objection subject to a pre-condition being imposed requiring a written scheme of historic environmental mitigation

**MCC Highways:** the application is for reserved matters for the erection of a care home on the Crick Road development site.

The general development of the site and its impact on the local highway network has been considered and approved at the outline planning stage.

The internal layout of the site, subject to this reserved matters application, was extensively considered by the Highways Authority through ongoing collaboration with the applicant and their agents to achieve a suitable estate road design to serve the site.

Having assessed the revised details submitted as part of this application, we would confirm that the layout now meets the requirements of the Highway Authority.

In light of the above, we have no highway grounds to sustain an objection to the application.

**MCC Ecology:** Ecological information used to assess the impact of the application includes:

Extended Phase 1 habitat and species assessment and bat and bird assessment by Just Mammals dated August 2014

Update letter - Just Mammals dated May 2016

Barn Owl and Hedgerow Assessment by Soltys Brewster dated December 2016

Preliminary Ecological Appraisal - Addendum by Soltys Brewster dated May 2018

Barn Owl Mitigation strategy dated July 2019 to be approved via a separate planning condition.

Hedgerow Translocation Plan dated January 2020 to be approved as part of the reserved matters (RM)

Ecological Mitigation Plan TO BE APPROVED as part of RM

Technical note - Badger Sett, January 2020 TO be approved as part of RM

#### Ecological Considerations

Ecological surveys have been undertaken at the site since 2014 and are ongoing to give an adequate baseline for the Local Planning Authority to make a sound decision on the principle of development at the outline stage and the detail of the site in the reserved matters application and future discharge of conditions.

#### Priority Habitat - Hedgerows

Lengths of hedgerow that have to be removed to facilitate the infrastructure of the development will be translocated and supplemented with new planting (Hedgerow translocation plan and Ecological Mitigation Plan). Large trees and existing vegetation at the peripheries of the site will be protected during construction via detail of a Construction Environmental Management Plan covered by condition 10 of the outline application DM/2019/00696.

#### Bats

Emphasis for conservation of this group of species is via hedgerow retention and additional landscape planting. Lighting detail will also be critical and shall be considered via planning condition 6 of the outline application DM/2019/00696. Further survey of offsite trees will be undertaken in relation to the installation of surface water infrastructure and is controlled via the drainage condition (condition 5 DM/2019/01485).

#### Badgers

As previously identified, a badger sett occurs close to the development infrastructure. Tunnels/ underground chambers may be partially destroyed by the proposals. A Technical Note - Badger Sett details measures to protect badgers during the course of the works. We welcome the inclusion of temporary sett closure during works to mitigate the risk to badgers. No replacement artificial sett will be required, due to the type of sett (likely to be a subsidiary sett). The Landscape Plans (Sheets 11 & 14) illustrate vegetation (Native Structural Planting) which shall provide screening between the development and the sett. Further considerations will be needed under the discharge condition application for drainage (condition 5 DM/2019/01485).

**MCC Green Infrastructure Officer:** DM/2019/01629: Landscaping for the construction of a care home and associated works.

There is currently insufficient information regarding the care home internal and to a degree the external landscaping and connectivity. Current plans relating to DM/2019/01041 include an amenity grass area surround and some landscaping to the entrance area which has been indicated on landscape plan sheets.

The peripheral path within the grounds of the care home is welcomed and we would seek additional information regarding opportunities to provide links to the eastern attention area public open space and dementia friendly routes.

Subject to the provision of the above information and clarification the condition relating to the landscape could be discharged.

There is currently no GI management plan submitted for either DM/2019/01041 or DM/2019/01629 which we understand will follow once the scheme is finalised. Any subsequent plans will need to

be informed by revised GI masterplans, landscape strategy, landscape proposals for POS and specifications, SuDS, dementia friendly route prescription, ecological plans, reports, management prescriptions and details. If submitted as two separate plans, both plans will need to be informed by each other (preference would be a plan for the whole site, residential and care home, with clear and defined areas of responsibility)

We understand the information is due shortly at the time of writing.

**MCC Tree Officer:** With reference to Condition 9 of Outline Application DM/2018/00696 I am satisfied that the tree protection information is satisfactory and that the Condition may now be discharged. A simple tree protection condition could be appended to both 2019/01041 and 2019/01629 upon approval of the scheme:

**Natural Resources Wales:** Objected on grounds of lack of information relating to surface water drainage; however, this is subject to consideration as part of another planning application DM/2019/01485.

## 5.2 Neighbour Notification

To date there have been 15 neighbour objections raising the following issues:

- Inadequate parking provision
- Inadequate public transport provisions
- Increase danger of flooding
- Increase in traffic
- Increase of pollution
- Loss of privacy
- Strain on existing community facilities
- Traffic or Highways
- Close to adjoining properties
- Development too high
- General dislike of proposal
- Inadequate access
- Inadequate public transport provisions
- Out of keeping with character of area
- Over development
- Residential Amenity
- Ecology
- Conflict with local plan
- Increased danger of flooding
- This site was subject to opposition and was finally granted planning permission under the LDP by the WG planning inspector.
- In that report it was made clear that the industrial development was for B2 industrial usage. A care home does not fall into this category as it is C2 and is clearly stated in the Town and Country Planning laws that a care home cannot be considered as an industrial category.
- MCC are ignoring the guidelines laid down after a 40 day consultation with the inspector. I feel there is only one recourse of action and that is to take this matter to the government offices that ruled in the first place
- such development, along with that of the Old Paper Mills site, will overburden local amenities and put too great a strain on the road system
- Issue raised regarding the boundary adjacent to the Treetops boundary
- Given the phasing plan, it would be better for residents of Portskewett, and particularly Tree Tops for the first phase to be away from Crick Road thereby minimising disruption especially as the demand for such housing by Monmouthshire residents has yet properly to be established
- These plans will destroy Portskewett as a village, no school places, no doctors appointments, high volume of traffic and pollution any right minded person would

see the area simply can't cope with this large development

- This will result in residents and electors with the only option of leaving the area
- No school places, over development and change of land use.
- Underhanded application from the start by their own council disguising as Asbri/ Melin Homes, what is also owned by the council
- Another application allowed on separate planning applications in an attempt to dwindle down the objections
- Not enough off road parking, (cannot count garages as primarily used in this day and age as storage). Parking layout (stacking of cars within single width driveway) is a poor method of off road parking and only discourages off road parking due to residents having to shuffle cars in order of commuting times, which in turn creates close proximity pollution
- Potential local flooding to Caldicot due to increased surface water runoff into Neddern Brook
- huge swathes of green belt and prime agricultural land in South and East Monmouthshire disappear to give way to enormous housing estates without sympathetic planning is a travesty Small villages are being swamped with large estates without proper infrastructure and Portskewett is a case in point. The plan still does not show a definitive access point on Crick Road which is very narrow and unsuitable for high volumes of traffic
- The development will mean more traffic, more pollution, more out commuting and more hold ups.

## **6.1 EVALUATION**

### **6.2 Strategic & Spatial Choices**

#### 6.1.1 Development Plan Context and the Principle of Development

This is an allocated development site in the adopted LDP. In the Deposit Local Development Plan the site was identified as a mixed use allocation for 250 dwellings together with 2 hectares of employment land in the western portion of the site. At the Hearing Sessions for the LDP in May 2013 it became apparent that the Welsh Government and other interested parties considered that the housing allocations were not sufficient and as a result the LDP Inspector, following an exercise where the County Council advertised 'Amended and Additional sites', agreed to increase the housing element to ensure that the housing land supply on adoption of the plan was sufficient. As such, 1 hectare of the employment allocation was removed in order to increase the residential capacity of the site by 35 dwellings. On adoption of the LDP, the site was allocated under Policy SAH2 for a mixed use development of around 285 dwellings and 1 hectare of B1 use land.

The outline consent served to cement the principle of a care home being delivered on this site, as well as determining the two access points, strategic landscaping as well as securing off site highway works through legal agreements. This has framed the layout of the site and in this case identified where the care home is to be located in relation to the access, landscaping and so on. This application seeks to address the detailed design of the scheme alongside access (internally into the care home), ecology, landscaping, and trees. These are all the issues subject to consideration as part of this Reserved Matters submission.

#### 6.1.2 Good Design/ Place making

The proposed care home is more contemporary than the traditional dwellings that characterise the residential element of the overall proposal but sits comfortably within the street scene due to the domestic scale and proportions of the built form. The design reads from the outside as a linked group of contemporary single storey dwellings that are different in their contemporary design and use of materials but provide an added layer of interest within the main Greenway/Village street that forms

the central part of the whole site. Architecturally, the site delivers a very attractive form of development blending contemporary design with traditional proportions and form. The development is broken up by the varying building lines and rooflines. Thus, while the care facility is large as a single unit, it would not be overbearing within the street scene.

The proposed landscaping around the outside of the care home has a number of roles. The retained hedgerow to the east forms the common boundary between the care home and the wider residential area. This, coupled with tree planting that runs adjacent to the hedgerow, separates the pedestrian walkway in the public domain from the care home and protects the privacy of the residents of the care home. This landscaping belt is a continuation in the pattern of landscaping running for the length of this highway. Visually this serves to soften the development considerably and allows it to integrate well into the wider site.

It is only the entrance point that indicates some form of enclosure (together with the absence of external doors). However, this is not obvious as the fenestration, which is prevalent on the outside elevation, delivers a sense of permeability in the site and the landscaping will serve to soften the impact of this being an enclosed living complex.

### 6.1.3 Impact on Amenity/ Promoting Healthier Places

The proposed layout in terms of its siting been carefully considered to minimise the impact of the development upon the properties proposed to be positioned opposite the site's northern and eastern boundary. There is a significant separation space and due to the single storey form and scale of development there is no overlooking or overbearing impact from any part of this development. The landscaping belt that runs along the eastern boundary protects the amenity of the residents.

The well-being aspect of this site is particularly important, as its function is for the care of people in poor health. It is interesting to note in the supporting information with the application that the site has been inspired by a new approach to dementia-care, a model of individual 'houses' of 8 residents each, centred around a beautifully designed dementia-friendly courtyard garden.

Architecture and design are fundamental to the care provided, an architecture of possibilities for the residents and by way of a holistic culture change, allows the staff to seamlessly become fellow members of the household. The scheme is centred on all things familiar, from the mundane to the creative; aiding memory in day-to-day living; reinforcing personal identity, independence and 'active lives'. This ethos has been continued to the outside of the site and has been a driver in making positive improvements to the layout and design of the wider site with connectivity, open space and gathering areas integral to the scheme within a site that is distinctive, familiar and legible.

## **6.2 Active and Social Places**

The care home has been designed with each house having access to their own individual garden that leads on again into an open shared community garden; this encourages engagement with others and active living that comes with maintenance and upkeep of these shared spaces and allotments. The gathering space is a community hub building that is a 'destination' as such for residents to visit and attend.

Interaction and activity is a key factor that continues beyond the site boundaries into the residential element of the site, exemplified by the positioning of the main play area in direct view of the care home. The provision of the site layout is driven by the need to meet the design requirements of a dementia friendly site with sensory circular pedestrian routes, open spaces and gathering spaces that encourage residents, employees and visitors to the care home to be active and social, both within the site

and beyond.

#### 6.2.2 Access / Highway Safety

The Council's Highway Department has confirmed that the proposal is acceptable subject to relevant conditions being imposed. The proposal meets the requirements in terms of car parking provision.

#### 6.2.4 Community Facilities

This is delivered as an integral part of the site with the allotments, community garden and gathering space.

### **6.4 Distinctive & Natural Places**

The Care Home element is distinct from its surroundings due to its more contemporary design and use of materials. The use of natural external materials on the build together with a strong landscape design (that helps define the main route through the site) enables the site to integrate well into its surrounding area. Indeed local distinctiveness and natural environment is prevalent within the site on a large scale in the design of the form and scale of the build (domestic form with a nod to an agricultural and rural building). The natural environment frames the inside courtyard and boundary treatments and spaces and is prevalent in the detailing as the design goes beyond the norm, for example providing different colours on the doors to deliver what is both a distinctive and natural place.

#### 6.4.1 Landscape/ Visual Impact

The application site is a clear focal point that sits on the main highway that connects the rest of the site to the disused railway and attenuation pond. It is also in touching distance of the central open space that forms the hub of the site.

The site, whilst visible, responds well to its surroundings. The site is architecturally of a very high quality and looks outwards with its windows and front entrance creating an active frontage. It is a permeable development that does not turn its back on the rest of the site. The landscape helps to provide consistency and integration whilst delivering a level of privacy where amenity is not affected. The visual and landscape impact of the proposal is positive. The proposed development contributes positively to the street scene.

#### 6.4.4 Green Infrastructure

The site has incorporated GI principles. Key points such as connected multi-functional green space, incorporation of community growing, retention of protected habitats are an important part of this site. The landscape and visual impact of this scheme when viewed from key receptors from within the site comply with relevant planning policy (LDP Strategic Policy S13 relating to Landscape, Green Infrastructure and the Natural Environment; Policy LC5 relating to the protection and enhancement of landscape and Policy GI1 relating Green Infrastructure).

#### 6.4.5 Biodiversity

As indicated in the consultation responses MCC Ecology is satisfied with the development as proposed.

#### 6.4.6 Flooding

This is not an issue in the case as the site is not in a flood plain.



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

This is not subject to consideration as part of this application and is subject to a separate application relating to surface water and foul drainage.

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

The neighbour objections that have been posted replicate many of the comments made in relation to the residential element of the overall development and focus on matters that are not relevant to this proposal that should focus on the layout and design of the care home.

However, concern has been raised regarding the principle of the employment provision being taken up by a care home. This principle was established in the outline planning permission (DM/2018/00696). For the purpose of reference, the issue of a care home being the employment use is addressed in Paragraph 5.1.2 of the Committee Report for the outline planning consent, this states the following:

..... "Criterion (b) of SAH2 requires that in addition to the standard requirements a Section 106 be signed that includes provision for 1 hectare of serviced land for industrial and business development (Class B1). The application proposes that 0.73ha of the site be given over to a care home. It recognises that this use is not a 'traditional' employment generating use in planning policy terms (i.e. not B1, B2 or B8), but maintains that a care home does provide employment. It notes that the proposed care facility will result in employment generation of approximately 40-60 full time equivalents, which, for the size of the site, would exceed many traditional B Class "employment" uses. The amount and type of employment land proposed is clearly of a different type and less than the policy requirement of 1ha set out in Policy SAH2. It is acknowledged, however, that the take up of employment land in the south of the County has been at a slower level than expected and a care home will provide both employment and an important local facility. The LDP still has 40 hectares of undeveloped employment land, much of which is in the south of the county. The Council's Estates Section states that this particular site has been marketed for a considerable period but with no interest for employment development".

### **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 WCFG Act). In reaching this recommendation, the ways of working set out at section 5 of the WCFG 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 WCFG Act.

### **6.7 Conclusion**

The supporting information submitted with the application states that the proposal has sought to "shape the physical environment to counter the impairments that come with dementia. The architecture is also that of opportunity, facilitating improvements in the practices and approaches of the team, and changing the way that those with dementia are able to interact and experience the world they inhabit". The result is a development that meets the functional requirements of access, car parking, ecology, landscape and provision of green infrastructure. However, it goes beyond this; the architectural design of the buildings, ancillary buildings, enclosed community space and outside spaces enable it to become a distinctive and integral part of the site in built form within the street setting, but also in how residents on the site and beyond can integrate with each other as part of a wider community.

## **7.0 RECOMMENDATION: APPROVE**

### **Conditions:**

1. 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.

2. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping relating to the internal communal garden and courtyard, 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 GI1.

3. No development shall take place until the applicant or his agent or successor in title has secured the agreement of a written scheme of historic environment mitigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. Thereafter, the programme of works shall 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 in accordance with Planning Policy Wales (Edition 10, December 2018).

4. 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.

5. Tree protection arrangements shall be in strict accordance and timetabled as per the recommendations laid down in the Arboricultural Method Statement EDP/ 5822/R001/A.

REASON: To ensure the safe, long-term retention of valuable green infrastructure assets in accordance with Council Policy S13 - Landscape, Green Infrastructure and the Natural Environment.

6. None of the existing trees, shrubs and hedges on the site identified as being retained and/or implemented as a result of the approved landscape scheme shall be felled, lopped or topped (excluding regular trimming of hedges) uprooted or wilfully damaged. If any of these trees, shrubs or hedges are removed, or if any die or are severely damaged, they shall be replaced with others of such species, number and size and in a position to be agreed in writing with the Local Planning Authority. Any lopping or topping which may prove necessary shall be carried out in accordance with a scheme previously approved in writing by the Local Planning Authority.

REASON: To protect valuable tree or other landscape features on the site in the interest of preserving the character and appearance of the visual amenities of the area in accordance with Policy LDP GI1.

New Appeals 21.11.2019 to 27.01.2020

Local Ref	Appeal Site Address	Development	Reason for appeal	Appeal type	Date lodged
DM/2019/01855	Ty Cedrwydd Sor Brook To Llandegveth Llandegveth Newport Monmouthshire NP18 1HX	Erection of timber pergola with adjacent brick built BBQ and bread oven.	Appeal against non-validation	Written Representations	22.11.2019
DM/2019/01439	Barn Conversion At 33 Kymin Road The Kymin Monmouth Monmouthshire NP25 3SE	Removal of Condition 3 from previous application DC/2012/01074.	Appeal against refusal	Written Representations	10.12.2019
DM/2019/00226	The Lodge The Mount Mount Way Chepstow Monmouthshire NP16 5LR	Proposed new build 3 bedroom detached dwelling	Appeal against refusal	Written Representations	09.01.2020
DM/2019/01613	10 Yew Tree Wood Bayfield Chepstow Monmouthshire NP16 6AZ	Proposed Single Storey Side and rear extension. Proposed Raised timber deck and new rear access gate.	Appeal against refusal	Written Representations	16.01.2020

This page is intentionally left blank