

DC/2017/00950

ERECTION OF A TERRACE OF 3 NO. RURAL EXCEPTION DWELLINGS, NEW ACCESS AND CAR PARKING AREA, NEW FIELD GATE/ACCESS AND ASSOCIATED WORKS

LAND OPPOSITE OLD SCHOOL HOUSE, FORGE ROAD, TINTERN

RECOMMENDATION: APPROVE

Case Officer: Nia Morrison

Date Registered: 10/08/2017

1.0 APPLICATION DETAILS

- 1.1 The proposed development is for a small terrace of three dwellings to be considered as a rural exception site for affordable dwellings in the locality of Tintern where there is an identified need for affordable homes. The site is located within the 'Minor Village' of Tintern (which does not have a development boundary) and within the Wye Valley Area of Outstanding Natural Beauty (AONB) as well as Tintern's Conservation Area. The site is approximately 120m west of the junction with the main road through Tintern (the A466). The site is 130m south-west of the Scheduled Ancient Monument (SAM) Lower or Abbey Wireworks, Tintern (MM266) and 152m east of the site is Tintern Abbey, Precinct Wall (MM157) SAM. There is a Public Right Of Way (PROW) No. 381 that runs parallel to the south boundary of the site along the adjacent highway.
- 1.2 The site comprises a roughly rectangular shaped parcel of agricultural grassland measuring approximately 36m across the frontage by 22m deep. The site is currently bounded by mature hedgerows and adjoins the highway on its southern boundary. To the east of the site is The Royal George Hotel and opposite the site is the former school now converted into a single dwelling. To the immediate west of the site is again agricultural land and beyond that residential properties and the Wireworks public carpark. The site falls in level towards the north; approximately 30m north of the site is the Angiddy River a tributary of the River Wye (the latter is a Special Area of Conservation (SAC)). Due to its raised level the application site is outside the established floodplain of the Angiddy River or the River Wye.
- 1.3 The proposed terrace is to provide 2 No. two bedroom properties and 1 No. three bedroom property. The third dwelling is designed to be slightly larger to provide a three bedroom property. The dwellings are to front the highway with private rear gardens and shared off road parking to the west of the terrace. To the rear of the site a crib lock retaining wall would be built to support the land from the lower level floodplain to the north of the site. A field gate access is also proposed to the west of the parking area to provide access to the retained land.

2.0 RELEVANT PLANNING HISTORY

None

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S1 – Spatial Distribution of New Housing Provision

S4 – Affordable Housing

S12 – Efficient resource Use and Flood Risk

S13 – Landscape, Green Infrastructure and the Natural Environment
S16 – Transport
S17 – Place Making and Design

Development Management Policies

H7 – Affordable housing rural exceptions
DES1 – General Design Considerations
EP1 – Amenity and Environmental Protection
HE1 – Development in conservation areas
NE1 – Nature Conservation and Development
GI1 – Green Infrastructure Provision
LC4 – Wye Valley AONB
LC5 – Protection and Enhancement of Landscape Character
MV1 – Development and Highway Considerations
SD3 – Flood risk
SD4 - Sustainable drainage

4.0 REPRESENTATIONS

4.1 Consultations Replies

4.1.1 **Tintern Community Council** – Recommends Approval

4.1.2 **MCC Planning Policy** - The proposal does not amount to ‘minor infill’ as set out in Policy H3 relating to residential development in Minor Villages. There is, therefore, non-compliance with Policy H3. Policy H7, however, relates to affordable housing rural exception sites, noting favourable consideration will be given to the siting of small affordable housing sites adjoining the rural secondary settlements, main villages and minor villages. The proposal’s location in Tintern meets Policy H7 in principle. Policy H7 also provides a number of detailed criteria that must be met. Criterion (a) relates to the scheme meeting genuine local need; it is understood there is a genuine need in the Tintern area. Criterion (b) is satisfied as Monmouthshire Housing Association is the applicant and will manage the affordable housing site. Criterion (c) concerns detailed planning considerations relating to village form, landscape and access.

The site is located in the Wye Valley Area of Outstanding Beauty, and Policy LC4 consequently must be considered along with Policy NE1 relating to Nature Conservation and Development and GI1 relating to Green Infrastructure. The site is also located within the Tintern Conservation Area; Policy HE1 must therefore be referred to. The site is located outside the area of Zone C2 floodplain and there is consequently no conflict with development management Policy SD3 relating to Flood Risk. It is noted a drainage strategy has been provided with the application, Policy SD4 is of relevance in this respect.

Policies DES1 and EP1 should also be considered relating to general development considerations along with Policy MV1 in relation to proposed development and highway considerations.

4.1.3 **MCC Highways Officer** - No objections to the proposal but opposed to a typical junction; we would expect the access to be of a footway vehicular crossing standard in order to maintain pedestrian priority.

4.1.4 **MCC Conservation, Landscape and Green Infrastructure Officer** – No objection in principle but requests changes to some of the detailed design elements in order to enhance the appearance of the dwellings within the conservation area and also within

its AONB countryside setting. Also requires further clarification on materials and design details which can be conditioned. Amendment requests are:

- Drainage strategy to incorporate land to the north
- Roof materials to be of natural slate
- No close boarded fencing to be visible from highway
- Proposed stone wall to tie in within existing boundary treatments.

4.1.5 **MCC Tree Officer** - The trees, including a semi-mature Ash which are proposed to be removed appear to be low quality and given the amount of tree cover in the area, their loss will have a negligible impact on the landscape. However, the application does not contain any arboricultural information to inform the likely impact of the development on retained trees. There are several mature Cypress trees on the edge of a car park along the eastern boundary and several broadleaved trees on the western boundary. Whilst the Cypress are now outgrown and out of keeping with the conservation area they appear to be outside the site boundary. The construction of the houses and a retaining wall in close proximity to trees is likely to have an adverse impact on roots.

We will require additional information to demonstrate how these trees will be protected from harm during development. The applicant is therefore required to submit an Arboricultural Method Statement.

4.1.6 **MCC Ecology Officer** – Satisfied that if an appropriate Construction Environmental Management Plan is submitted prior to works commencing on site there should be no negative impacts on biodiversity as a result of the proposed development.

4.1.8 **MCC Affordable Housing Officer** - Fully supportive of the proposal. There is a need for affordable housing in Tintern

4.1.9 **MCC Building Control Officer** – Makes the following comments:

- A Section 80 Notice of Demolition to be submitted 6 weeks prior to the date of intended demolition.
- The dwellings will be subject to Regulation 37A, Automatic Fire Suppression system to BS9251:2014 are to be installed in each dwelling.
- A geotechnical site investigation to be submitted with a Building Regulations application identifying the foundation/substructure design due to the presence of trees etc. A Radon report is also required.
- Necessary consents should be obtained from Welsh Water in relation to Adoption and connections to the Foul drainage system. Details required for the surface water disposal from dwellings and hard landscaping.

4.1.10 **Dwr Cymru Welsh Water (DCWW)** – Requests condition for drainage strategy to be approved prior to works commencing. Draws attention to a public sewer that crosses the application site.

4.1.11 **AONB Officer** – No response to date.

4.1.12 **Cadw Officer** - No objections on historic assets - All views between the scheduled monuments and the proposed development are blocked by buildings and vegetation. Consequently the proposed development will cause no damage to the settings of the scheduled monuments.

4.1.13 **Glamorgan Gwent Archaeological Trust** - Requests a programme of archaeological work (for a watching brief)

4.2 Neighbour Representations

Five letters of objection have been received with the following concerns summarised below:

Principle of the development

- Not suitable on greenfield site when there are other suitable brownfield sites in the village
- Not a sustainable location - Tintern has limited services
- No requirement for smaller housing stock in the village given that there is an entire estate of lower cost housing off the Trellech Road.
- More social housing could be provided by purchasing within the existing housing stock or developing current derelict buildings in the village.

Flooding

- Flood risk due to surface water runoff from the steep hill opposite and the Angiddy River at the rear of the site – within 20m
- Statements regarding storm water drainage and floor risk within the planning submission are incorrect - imperative that a full hydrological and hydrogeological investigation is completed
- Flooding has occurred in the past to neighbouring properties including Old School House which is set above the level of the site. Building housing on this area will put the new houses at risk but will also increase the risk to existing residents.
- Proposal will result in an increase of surface water runoff
- The proximity to the Angiddy River is not safe (concern about children's safety).

Design

- Terraced properties not in keeping with other properties within the village – they look too modern
- Low cost modern buildings incongruous with the historical setting
- Proposed houses are to be quite high and obtrusive and would be better to have a lower pitch on the roof and also put at the left hand end of the site with the car park at the right hand end (eastern end) where access would be more secure.

Highway Safety & Parking

- Proposal will result in parking on Forge Road - a detriment to highway safety as this is a narrow road.
- The pavement should be extended down to the A466 to allow a chance of safe passage to pedestrians.

Archaeology

- Site is of historic and archaeological importance

Ecology

- Angiddy river important for migratory trout
- Likelihood of Otters and Badgers at the site
- Site potential to become a rich mixed floodplain meadow land
- Wildlife preservation should be responsibly considered
- How will the Japanese Knotweed be controlled?

Trees

- Concern about the impact of development on existing tree roots within the site

Other issues

- No direct consultation
- Lack of community engagement prior to formal submission

One letter of support has also been received with the following comments:

This small terrace is exactly what is needed in Tintern The scale and design is right for the setting, the houses are a reasonable size and each has a small private garden. There is a crying need for accommodation of this type in Tintern if we are not to lose the younger families who are the lifeblood of rural villages.

5.0 EVALUATION

5.1 Principle of Development

5.1.1 The site is located within the minor village of Tintern and the proposal is for affordable housing as a rural exception site. Policy H7 of the Monmouthshire LDP sets out that favourable consideration will be given to the siting of small affordable housing proposals in minor villages providing that:

- (a) *The scheme would meet a genuine need*
- (b) *Arrangements are in place to ensure affordable housing will be secured*
- (c) *There would be no adverse impact on village form and character and surrounding landscape or create additional access problems*

It is confirmed by the Council's Affordable Housing Officer that there is an urgent and genuine need for affordable housing in Tintern. Monmouthshire Housing Association is the applicant and will be managing the site. Criteria a) and b) are therefore met. Criterion c) will be assessed in the ensuing sections.

5.2. Site layout, design and landscape impact

5.2.1 The proposed development comprises of a small, three dwelling terrace fronting the highway which during pre-application discussions was felt to be the most appropriate layout for the site, as opposed to detached suburban type properties set back from the highway. The dwellings are tall, approximately 8.5m high but well-proportioned with a traditional steep roof pitch and window openings and features in keeping with conservation area design and in scale with the site and surroundings. Although materials are not as high end as would often be required within a conservation area and AONB setting, it is considered that the dwellings are affordable and are required to be viable. In this instance a balance is needed, relaxing external materials standards to a composite slate (as opposed to a natural one) and uPVC windows – colour to be agreed via a condition) as opposed to timber fenestration. A rough cast render for the walls is agreed to be an appropriate, simple finish to the dwellings.

5.2.2 In terms of proposed enclosures and landscaping, the proposed dwarf wall to the front of the dwelling is positive and in-keeping with Tintern's Conservation Area. Close boarded fencing is proposed as this is required to meet Welsh Government Design Quality Requirements (DQR) for security; however this is mainly to the rear of the site set back from the street scene and thus is relatively discreet. Every effort has been made to screen the close boarded fencing that could be viewed from the street scene.

5.2.3 It is proposed to retain as many trees as possible that bound the edges of the site. Although there will be a loss of a limited number of trees to facilitate the proposal, it has been assessed by the Council's tree Officer that this loss will have a negligible impact upon the surrounding landscape. A condition will ensure that further arboricultural information is submitted to ensure the mature Cypress trees on the eastern boundary and broadleaved trees on the western boundary are protected during the site works. The protection of existing mature tree boundaries, existing hedgerow and also proposed

landscaping to compensate for the trees and hedgerow loss will help to integrate the site into its Wye Valley AONB surroundings. A further detailed landscaping management plan will be required to ensure additional planting and management of the site is undertaken as proposed. This will be conditioned.

5.2.4 Overall it is considered the proposed scheme provides a sensitive, small-scale proposal that has considered its site context and is appropriate in scale and design, respecting its historic and landscape setting. Although visually there will be a change in character to the area, the proposal is considered to be in keeping with Tintern's Conservation Area and the need to find a suitable site within Tintern's settlement, which is in strong need of additional affordable housing stock, is considered to offset the loss of open space within the Wye Valley in this specific circumstance.

5.3 Flood risk and Drainage

5.3.1 In terms of flood risk there has been concern raised by those in the locality regarding the flood risk from the nearby Angiddy River and surface water run-off from the higher land opposite the site. The site however due to its raised level is outside the established flood zone set by Natural Resources Wales.

5.3.2 Foul sewerage is proposed to connect to the mains system where there is a connection point off Forge Road and Welsh Water do not object to this connection. In terms of managing surface water run-off a separate storm sewer system is proposed and proposed hardstanding surfaces would be permeable paving; a further detailed drainage scheme will be required to be submitted and agreed with Council Engineers prior to any superstructure works commencing. It is considered in this instance the drainage of the site can be managed and should not exacerbate problems for existing residents in the locality.

5.4 Access and Parking

5.4.1 Shared vehicular access to serve the development is proposed to connect directly onto Forge Road to the west of the terrace. The Council's Highway Officer has no objections to the plan and requested the design of the crossing is altered to a footway crossing to maintain pedestrian priority. The access has since been amended to indicate this.

5.4.2 In terms of parking, it is proposed to provide two spaces per property and thus there would be six off road parking spaces in total. Although that is a shortfall of one space for the three bedroom dwelling, this is considered acceptable by Highway Officers on the basis that the houses are to be affordable dwellings. This relaxation in parking requirements has also helped to ensure the hardstanding area remains an appropriate size in relation to the development.

5.5 Biodiversity Considerations

5.5.1 The site is in close proximity to the Rive Wye SAC and a Habitats Regulations Assessment (HRA) has been undertaken by the Council's ecologists to consider the Test of Likely Significant Effects (TOLSE). The HRA concluded that the potential effects can be controlled with a planning condition requiring a Construction Environmental Management Plan (CEMP) to reduce construction disturbance and potential physical damage and therefore there are not residual significant effects to the River Wye SAC.

5.5.2 The CEMP will also provide a management plan to ensure the protection of protected species such as Otter and Migratory fish and the safe disposal of the Japanese Knot

weed identified on the site. No works are to commence until the CEMP is agreed in writing with the LPA prior to any works commencing.

5.6 Residential Amenity

5.6.1 In terms of the impact of the proposal upon the privacy of surrounding nearby properties the main impact will be upon the dwelling known as, Old School House, directly opposite the site. Although the proposal will be directly facing Old School House it is considered that there is an adequate separation distance of approximately 15m between the windows given that the windows are to the less private front elevation of the dwellings and there is a public highway between the sites. No issues are anticipated towards the neighbouring properties to the east (Royal George Hotel) and west of the site (Fir Grove) due to mature trees that form a screen along the boundaries and an adequate separation distance.

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

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

5.8 Section 106 Heads of Terms

5.8.1 The provision of the 100% affordable housing will be secured under a Section 106 legal agreement.

6.0 RECOMMENDATION: APPROVE subject to a s106 agreement to ensure the housing remains affordable

Conditions:

1	This development shall be begun within 5 years from the date of this permission.
2	The development shall be carried out in accordance with the list of approved plans set out in the table below.
	<u>Pre-commencement conditions</u>
3 Highways	No development shall commence on site until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The development shall be operated in accordance with the approved CTMP.
4 Trees	No development shall commence until an Arboricultural Method Statement is submitted to and approved in writing with the LPA. Thereafter the scheme shall be implemented in accordance with the approved details.
5 Archaeology	No development shall take place until the applicant, or their agents or successors in title, has secured agreement for a written scheme of historic environment mitigation which has been submitted by the applicant and approved by the local planning authority. Thereafter, the programme of work

	will be fully carried out in accordance with the requirements and standards of the written scheme.
6 Ecology	<p>No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following:</p> <ol style="list-style-type: none"> 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. 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) Use of protective fences, exclusion barriers and warning signs. <p>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.</p> <p>Reason: To safeguard the biodiversity interest of the watercourse in accordance with LDP policy NE1 and the Environment (Wales) Act 2016.</p>
	<u>Pre-superstructure works conditions</u>
7 Drainage	No superstructure works shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul, surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.
8 Highways	No superstructure works shall commence on site until a detailed surface water management scheme has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of any of the dwellings, hereby approved.
9 Materials	No superstructure works shall commence on site until details and samples of the materials to be used for the external walls, roof, windows and rainwater goods have been submitted to and approved in writing by the LPA. Development shall be carried out in accordance with the approved details.
10 Materials	No superstructure works shall commence on site until details of materials and construction technique for the 900mm high stone boundary wall have been submitted to and approved by the LPA. The development shall be carried out in accordance with the approved details before any of the dwellings, hereby approved, have been brought into use.
11 Materials	No superstructure works shall commence on site until details of the materials for the shared space/private road have been submitted to and approved by the LPA. Development shall be carried out in accordance with the approved details before any of the dwellings, hereby approved, have been brought into use.

12 Landscaping	No superstructure works shall commence on site a full landscaping planting scheme and management plan is submitted to and approved in writing with the LPA. The development shall be carried out in accordance with the approved details.
	<u>Compliance conditions</u>
13 Landscaping	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.
14 Ecology	Works shall be carried out in accordance with the methods described in the submitted report: " <i>Land Opposite Old School, Tintern Chepstow. Ecological Assessment. Produced by Pure Ecology, dated July 2016</i> " Reason: Safeguarding of priority habitats and species during construction works LDP policy NE1 and the Section 7 of the Environment Act (Wales) 2016.
15 Ecology	Notwithstanding the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no lighting or lighting fixtures shall be installed across the scheme until an appropriate lighting scheme has been submitted to the Local Planning Authority and approved in writing. The strategy shall include lighting type, positioning and specification. The scheme shall be agreed in writing with the LPA and implemented in full. Reason: To safeguard foraging and commuting routes in accordance with Environment (Wales) Act 2016 and Conservation of Habitats and Species Regulations 2010

Informatives:

Bats -. Please note that Bats are protected under The Conservation of Habitats and Species (as amended) Regulations 2010 and the Wildlife and Countryside Act 1981 (as amended). This protection includes bats and places used as bat roosts, whether a bat is present at the time or not. If bats are found during the course of works, all works must cease and the Natural Resources Wales contacted immediately.

NESTING BIRDS – Please note that all birds are protected by the Wildlife and Countryside Act 1981 (as amended). The protection also covers their nests and eggs. To avoid breaking the law, do not carry out work on trees, hedgerows or buildings where birds are nesting. The nesting season for most bird species is between March and September.

Street Naming/Numbering - 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. 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.

Public Sewer - The proposed development site is crossed by a public sewer. The applicant may need to apply for any connection to the public sewer under S106 of the Water Industry Act 1991. For further information the applicant is advised to contact Welsh Water on 0800 917 2652

Wales & West Utilities - Wales & West Utilities have detected pipes in the application site that may be affected and at risk. Please contact Scott Johnson on 02920 278912 to discuss requirements before works start on site.