

DC/2017/00829

PROPOSED NEW DWELLING

20 CROSSWAY, ROGIET

RECOMMENDATION: APPROVE

Case Officer: Kate Young

Date Registered: 18/07/2017

1.0 APPLICATION DETAILS

1.1 This application, for a two story dwelling, was approved by Members of Planning Committee in December 2017 subject to the applicant entering into a section 106 legal agreement to provide a financial contribution of £9,982 for affordable housing in the local area. The previous report is attached below. Following Committee, the Council's Legal Services team were instructed to draft up the Section 106 Agreement and the applicant's legal representatives notified.

2.0 Representations from the applicant's agent.

"I am concerned at the effect of your Social Housing (SH) Contribution policy on the deliverance of your Housing policies. In effect the tax of a SH contribution is precluding the bringing forward to the market of small infill sites throughout the County. We are aware of one site where the client decided not to construct a dwelling, but to retain the land as garden directly as a result of the SH contribution requirements.

Any SH contribution policy should be fair to all applicants, and where a Viability calculation shows a loss, the Authority should not be seeking a SH contribution in spite of the figures. The lack of economies of scale on small, individual plots, where house prices are not high, will in almost every case result in a nil SH contribution. This is the case here, where the amended new house calculation below shows a loss of £4,438. It is probable that the property would be bought by a small local builder, treating his "profit" as his wage for the project, only thus making it viable. The client has already had one offer where the purchaser backed out after accurately costing the work. Alternatively, it may be bought by a self-builder who would live in the house.

I have obtained up to date Valuations from the Agent. Where there is a range of values, I have in all cases taken the lowest figures to be consistent, given that the higher figures would be on asking figures, not necessarily actual purchase figures.

I also requested values for the existing building, which is an integral part of the project and therefore these costs must be included. No 20 would require repair etc., expenditure of about £40k including VAT, to achieve a value as a mid terrace of £190k. Its present value would be £165k, giving an effective reduction in value of £15k, which must be added to the dwelling shortfall of £4,438, giving a total Project shortfall of £19,438. This shortfall is even worse if the ACG figures are included, the shortfall would be £37,456

I would be grateful if your Authority would reconsider this application in the light of the above financial information."

3.0 Response from MCC's Senior Housing Strategy & Policy Officer

'I have had a look at the viability appraisal for the above site. Running the figures through the Development Appraisal Toolkit (DAT) gives a Residual Value (RV) of £5,000, therefore, the site is unviable.

I have disallowed the £50,000 purchase price for the land as this is garden land that the applicant didn't have to buy. I have also reduced the profit to the 22% that is in the DAT.'

4.0 Planning Officer Comments

4.1 The viability report submitted by the applicant is attached as Appendix B. These figures indicate that it is not viable for this development of a small single dwelling to make any financial contribution towards affordable housing. MCC's Senior Strategy & Policy Officer (Housing) agrees with this assessment.

4.2 The planning application is now presented to Members with a recommendation for approval as per the previous report but without a contribution for affordable housing.

RECOMMENDATION: APPROVE SUBJECT TO THE CONDITIONS OUTLINED IN THE PREVIOUS REPORT.

Previous Report (December 2017)

1.0 APPLICATION DETAILS

1.1 Number 20 Crossway, is a two story detached dwelling with a detached garage to the side. The current application seeks the demolition of the garage and the flat roofed outbuilding and the erection of an attached two storey separate dwelling. Provision would be made at the front of the site for five off road parking spaces. The finishing materials for the new dwelling would be to match those of the existing dwelling.

1.2 The site lies within the Rogiet Village Development Boundary.

1.3 A Bat Survey was submitted as part of the application.

2.0 RELEVANT PLANNING HISTORY

None Found

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S1 – Special Distribution of New Housing Provision

S4 – Affordable Housing Provision

S13 - Landscaping, Green Infrastructure and the Natural Environment

S17 – Place Making and Design

S16 - Transport

Development Management Policies

H2: Residential Development in Main Villages

EP1: Amenity and Environmental Protection

NE1: Nature Conservation and Development

DES1: General Design Considerations

MV1: Proposed Development and highway considerations

4.0 REPRESENTATIONS

4.1 Consultations Replies

Rogiet Community Council – no reply to date.

MCC Highways - The proposal should be refused in the interests of highway safety.

Crossway is too narrow and not constructed to accommodate the levels of current car ownership and vehicular use giving rise to significant parking stress and associated issues. The depth of frontage to No. 20 and the proposal is not sufficient to accommodate the provision of a standard parking space, the minimum depth required is 4.8 metres (MFS), and this is not achievable and will result in vehicles obstructing the footway.

The applicant therefore cannot demonstrate that appropriate off street parking provision can be provided. In addition it should be noted that the creation of any new off street parking although removing cars from the roadside actually adds to the on-going parking stress by removing any available on street parking for others. In this case this would mean that all available parking outside No. 20 and the proposal. Residents opposite will be unable to park on street as they will obstruct the access and egress from the proposed parking bays due to the width of Crossway.

MCC Housing Officer - It is a basic principle of Local Development Plan Policy S4 that all residential developments (including at the scale of a single dwelling) should make a contribution to the provision of affordable housing in the local planning area. As this site falls below the threshold at which affordable housing is required on site, the calculation of the financial contribution that will be required is set out in the table below (not supplied here).

The calculator does not assess whether or not the scheme can afford the policy compliant amount of affordable housing. Should there be issues of viability a full viability assessment would need to be undertaken.

Dwr Cymru - Welsh Water - We have reviewed the information submitted as part of this application and note that the application form suggests that surface water will drain to a public mains sewer. All our records indicate the public sewers in the area are foul only and therefore surface water should not be conveyed to these assets. The current drainage arrangement of number 20 is unclear and therefore we suggest that an assessment is undertaken to explore utilising sustainable drainage methods to dispose of surface water. In light of the above, we request that if you are minded to grant planning permission conditions are imposed requiring that surface water does not drain into the public sewer

MCC Biodiversity - The agent Liddell Associates has prepared some photographs and information, it is noted that this is not completed by a licensed ecologist and furthermore the photographs of the building are poor, the first two photographs are of neighbouring properties and there are none of the exterior of actual main building's roof.

In order to support their assessment we will need to see photographs of the front and rear elevations showing the roof itself and the soffits. Also please can you provide your assessment in the form of the Part B checklist, I would agree that the landscape quality in this area is low but we will need confirmation in the form of sufficient photographs and Part B to enable us to provide formal comment on the proposal.

4.2 Neighbour Notification

Letters from two addresses received.

Out of character with the design and character of this pair of semi's

Adverse impact on the visual appearance of the area

Overspill car parking would end up on the road to the detriment of highway safety

Unneighbourly form of development

Adverse impact on the amenity of surrounding properties

Overbearing Impact

The occupiers of the property opposite lease their drive to Western Power and therefore cannot park on their drive and have instead to park on the road; this is difficult as the occupier is disabled

Double parking reduces the carriageway width making negotiating the road difficult.

Many children use the road and the adjacent pavement. Cars may mount the pavement to get past and this may lead to an accident occurring.

Overlooking and loss of privacy for the property opposite.

5.0 EVALUATION

5.1 Principle of the proposed development

5.1.1 Number 20 Crossways is within the Rogiet Development Boundary. LDP policies S1 and H1 presume in favour of new residential development within development boundaries subject to detailed planning considerations. The site is in the centre of an established residential area. Once the existing garage and outbuilding have been demolished there would be a plot width of 7 metres to accommodate the new dwelling. The depth of the plot is over 37 metres. There is sufficient land available to accommodate a new dwelling of a similar size to the existing dwellings in the area and also to allow for a 1 metre gap between the proposed new dwelling and the side boundary with number 22. The plot is of sufficient size to accommodate a new dwelling together with the necessary off road parking and sufficient amenity space for both the existing and the proposed occupiers. The principle of a new dwelling in this location is acceptable and accords with the objectives of policy S1 and H1 of the adopted LDP.

5.2 Design

5.2.1 The proposal would add a new dwelling to a pair of semi-detached dwellings thus changing these into a terrace of three properties. While the majority of housing in this area is two storey semi-detached dwellings there are some examples of small terraces. The proposed dwelling is in keeping with the character of the adjoining property and other properties in the area, in terms of size, form and detailing. The finishing materials and fenestration detailing of the proposed dwelling would match those of the existing dwelling. This infill development respects the character of the area and the street scene. The new dwelling would contribute to a sense of place while being compatible with the surrounding land uses. The proposal does respect the existing form, scale, siting, massing and materials of the neighbouring properties. It also makes the most efficient use of land while maintaining the character and density of the surrounding housing development. The proposal is therefore compatible with the criteria b), c), g) and i) of LDP Policy DES1.

5.3 Residential Amenity

5.3.1 The main property to be affected by this proposal is no 22 Crossways, which is on the eastern boundary of the proposed plot. No 22 has a driveway to the side, two ground floor windows on the side elevation and a rear extension. There is also a single garage set further back in the plot. The fact that there is a 4.8 metre driveway to the side of no 22 and that the two small windows of the side elevation do not serve a habitable room means that the proposed two story dwelling would not have a significant negative impact on the adjoining property in respect of being overbearing. In addition, the proposed new dwelling would be set 1.2 metres from the common boundary resulting in there being at least 5 metres between the two

properties. The proposal would not result in overdevelopment and would not have a significant adverse impact on the amenity or outlook of the occupiers of no. 22. There would be no windows on the side elevation of the proposed house and therefore there would be no issue with reduced privacy. At present the existing house at no. 20 has two windows on the side elevation, both serving the hall and landing, these windows would be lost leaving the landing and stairs with no natural daylight. Given that these are not habitable rooms the situation is acceptable. The property opposite is no 11. The proposed new dwelling would face onto the driveway of that property resulting in no direct overlooking or loss of outlook. There is a road between no 11 and the proposed new dwelling. The siting of the new dwelling would maintain reasonable levels of privacy and amenity for the occupiers of neighbouring properties. The development does have regard to the privacy, amenity and health of the occupiers of neighbouring properties and therefore accords with Policy EP1 and criterion d) of Policy DES1 of the LDP.

5.4 Parking Provision

5.4.1 The adopted Monmouthshire Parking Standards require a minimum of one parking space per bedroom, up to a maximum of three, for each dwelling. The existing property at 20 Crossway has three bedrooms while the proposed dwelling would have two bedrooms. Therefore, five off street parking spaces are required; this has been provided at the front of the two properties. The standard size of a parking bay is 4.8 metres by 2.6 metres. Officers have measured the land available at the front of the proposed and existing dwelling and found it to be in excess of 4.8 metres in depth. Therefore, it is possible to park five cars at the front of the property without obstructing the footway. The proposal does meet the adopted parking standards.

5.4.2 The neighbours have stated that by opening up the whole frontage of the plot it will reduce the amount of on-street parking in front of the property. The road is narrow in this location and is only wide enough to park a car on one side of the road, in this case cars will still be able to park in front of no.11. It is known that the narrow roads in this area contribute to parking stress but by providing policy compliant parking provision within the site, the proposal will not be adding to this stress.

5.5 Affordable Housing

5.5.1 As the proposal is for new residential development within Severnside there is a requirement for a financial contribution for affordable housing. Policy S4 states that within Severnside settlements, development sites with a capacity for 5 or more dwellings will have to make 25% of the total dwellings on the site affordable. Development sites with a capacity below this threshold will make a financial contribution towards the provision of affordable housing with Monmouthshire. This is explained further in the Supplementary Planning Guidance relating to Policy S4 (Affordable Housing provision) of the LDP which outlines that new residential development will be required to make a financial contribution towards affordable housing within the County. In this case the contribution would amount to £9,982 and this will be secured through a section 106 legal agreement.

5.6 Drainage

5.6.1 The application indicates that foul sewerage will be disposed of by mains sewer which is the preferred method in a sewered area and that surface water will also discharge into the mains. Welsh Water will not permit surface water to enter mains sewers and policy requires that alternative forms of sustainable drainage are sought. The applicants have now indicated by letter that surface water would discharge via soakaways. There is sufficient land available in the rear garden of the proposed dwelling to accommodate soakaways. This can be secured by condition.

5.7 Biodiversity

5.7.1 The proposal involves demolition of a corrugated metal sheeted detached garage and a single storey, single skin flat-roofed extension, neither of which have a loft space. The existing dwelling is well maintained with tightly fitting uPVC fascia, soffits and verges. It does have cavity walls but there are no apparent openings or cracks in the wall or the mortar. There is no internal roof lining but there is electric light to the loft. The property is located within a high density residential area with street lights outside. There is a row of trees along the motorway verge approximately 160 metres north of the dwelling. It would appear that there is little potential for a bat roost in the main house, the garage or the flat roofed extension. An informative can be put on the decision notice if this application is approved, referring to the need to protect bats.

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

5.8.1 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.

5.9 Conclusion

5.9.1 The proposed site lies within the Rogiet Development Boundary where the principle of new residential development is acceptable subject to detailed planning considerations. The proposal accords with strategic policies S1 and S4 of the LDP as well as policies EP1 and DES1. The proposal does not compromise residential amenity for existing occupiers and is in keeping with the character of the area. It will not compromise the street scene. The proposal is acceptable in policy terms and having regard to all material considerations.

6.0 RECOMMENDATION: Approve subject to a section 106 agreement requiring a financial contribution of £9,982 towards affordable housing in the local area.

Conditions

1. Five years in which to commence development.
2. Development shall be carried out in accordance with approved plans listed.
3. 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.

Informatives

- Please note that Bats are protected under The Conservation of Habitats and Species (Amendment) Regulations 2012 and the Wildlife and Countryside Act 1981 (as amended). This protection includes bats and places used as bat roosts, whether a bat is present at the time or not. If bats are found during the course of works, all works must cease and Natural Resources Wales contacted immediately. Natural Resources Wales (NRW) (0300 065 3000).
- All birds are protected by the Wildlife and Countryside Act 1981. 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 birds is between March and September

- Due to the minor nature of the proposed development (including any demolition) and the location of the proposed development, it is considered that the proposals did not need to be screened under the Environmental Impact Assessment Regulations.