

Application Number: DC/2018/00001

Proposal: Erection of five new dwellings and associated curtilages and parking and new access.

Address: Glanusk Farm, Kemeys Road, Llanfair Kilgeddin, Monmouthshire, NP7 9BE

Applicant: Mr & Mrs Govier

Plans: SITE LOCATION PLAN SAH11(X) - , Site Plan SITE 1-200 PLANNING REV A - , Site Plan REVISED SITE PLAN WITH PROPOSED DITCHES - ,

RECOMMENDATION: APPROVE

Case Officer: Ms Kate Bingham

Date Valid: 02.01.2018

1.0 APPLICATION DETAILS

1.1 This application is for the construction of 5 dwellings on land at Glanusk Farm, Llanfair Kilgeddin. The site is allocated for around 5 dwellings in Policy SAH11 of the LDP, the specific site reference is SAH11(x). Policy S4 relates to Affordable Housing Provision and states that in Main Villages there is a requirement for at least 60% of the dwellings to be affordable. The proposal relates to 3 affordable dwellings and 2 market dwellings and therefore complies in principle with both S4 and SAH11.

The application is outline only with all matters reserved.

2.0 RELEVANT PLANNING HISTORY (if any)

Reference Number	Description	Decision	Decision Date
DM/2018/00540	Check planning permission is valid and work carried out (to date). Consult with Building Control.	Invalid Application	
DC/2018/00001	Erection of five new dwellings and associated curtilages and parking and new access.	Pending Determination	

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S1 LDP The Spatial Distribution of New Housing Provision
S13 LDP Landscape, Green Infrastructure and the Natural Environment
S17 LDP Place Making and Design
S4 LDP Affordable Housing Provision
SAH11 LDP Main Villages

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
LC1 LDP New Built Development in the Open Countryside
LC5 LDP Protection and Enhancement of Landscape Character
MV1 LDP Proposed Developments and Highway Considerations
NE1 LDP Nature Conservation and Development

4.0 REPRESENTATIONS

4.1 Consultation Replies

Llanover Community Council - Recommend refusal.

The revised plans do not change the Council's position on this application. In particular, the revised plans to deal with the surface water drainage are not acceptable.

Previous comments:

Although this site was approved as a development site in the LDP this was because there was a Primary School in the village. This is no longer the case. The application is flawed because it refers to the need to do work on land outside the site and no notice appears to have been served on the owner of that land.

The application lacks essential detail as pointed out in other objections. In particular, it is not shown how the parking area currently provided at the end of Gethin Place for Nos.13,14 and 15, which is proposed to be used as part of the access to the development, will be replaced. It is difficult to see how it can be replaced elsewhere without adversely affecting access to existing properties in Gethin Place.

Also, there are no details of the provision of services, access, disposal of foul and surface water etc. There is a considerable drainage problem in the village, which affects Gethin Place, as has been recently identified in a Welsh Government (WG) Study, the resolution of which will be dependent on a successful application to WG for funding. The problem is caused by springs which in times of heavy rainfall cause water to erupt to the North West of the site. The natural pathway of this water cuts through the site and enters the road through Gethin Place joining surface water flooding on the R53. All this flooding is too much for the existing road drains. When the flow of water is impeded it finds a new course round properties to the North West of Gethin Place thus causing damage to these properties.

Dwr Cymru- Welsh Water - No objection subject to drainage scheme to be approved prior to commencement of development to include assessment of the potential to dispose surface and land water by sustainable means. Note that the development site was allocated in the Local Development Plan and we raised no concerns.

MCC Highways - Holding Objection. The additional parking for 13-15 Gethin Place cannot be positioned on existing or proposed publically maintained highway, the highway authority are not able to control or manage individual property parking. Such provision should be in the ownership or control of the residents or landlord.

It is noted that the applicant has considered the effect on the local surface water drainage by the submission of proposed intercepting ditches abutting the proposal and existing properties in Gethin Place. It is assumed that this has been submitted following consultation with the Council's Flood Risk Manager, these proposals are welcomed and the views of the Council's Flood Risk Manager are required but as indicated previously the surface water generated by the development should be managed sustainably and in accordance with the Recommended non-statutory standards for sustainable drainage (SuDS) in Wales and Technical Advice Note 15 Development and Flood Risk. Therefore as indicated I am not in a position to recommend approval of the application as it stands, however upon receipt of confirmation of the proposed surface water management for the site I would be willing to remove the holding objection and provide appropriate conditions to control the development.

4.2 Local Member

Local Member Cllr Sara Jones - Raises the following concerns (some of which have been addressed in amended plans submitted by the applicant):

The area below the application site has ongoing issues with flooding. These issues have the potential to be exacerbated by the development and negatively impact on neighbouring properties. These flooding issues are long standing and well documented; I would suggest a discussion with Highways (Andrew Welsh) and flooding (Ross Price) who are well versed in the issues here. The application does not show how the surface water drainage will be dealt with. It is also unclear what the proposals for sewerage and foul water disposal will be.

The application does not take into account the narrow access to the site along Gethin Place, which is without footpath. I am concerned that the current infrastructure, as it stands, will not be sufficient for the properties it currently serves, field access and the five new properties. It is likely to impact particularly on those properties in Gethin Place that do not have off street parking.

The scale of the development is lacking in detail, there should be written dimensions at critical locations, a site layout and there is a lack of information on how this will impact on neighbouring properties. Given the lack of detail it is impossible to say what the impact of the development will be for privacy, and potential for neighbouring properties to be overlooked.

In addition, and whilst these might be matters for a later planning stage, the application does not allude to the construction impact - it also does not reflect on the work required outside of the red line boundary and how this will be carried out and the permissions needed to be sought. At a further stage it would be worth considering green space provision for the children and families in the area.

4.3 Neighbour Notification

Fourteen representations. Object to the application on the following grounds:

Drainage

- The proposed new ditches in themselves will not resolve the issues for the following reasons:
 1. The replacement of the agricultural field with houses and roads will only increase the amount of water to be dispersed as the water that currently soaks into the field looks for an outlet.
 2. Open ditches are only effective if well maintained. Part of the surface water flooding problems elsewhere in the village result from inadequate maintenance of existing ditches.
 3. The proposed ditches would appear to only take the surface water from the land owned by the applicant onto the adjacent field to the west of Gethin Place thus increasing the flood risk to the six properties [# 2,4,6,8,10 and 12] on this side.
 4. The only other escape route for the water from the adjacent field is onto the R53 where it would join the flows down St Mary's Hill into the village.
- Work on the surface water flood alleviation should be required before outline consent is granted.

Other

- The village status under the LDP needs reassessment. In light of changes in Llanvair Kilgeddin since 2014.
- The Monmouthshire Council in its LDP submissions made the response, "The village is marginal in terms of its sustainability, having a small population size, limited facilities and poor access to public transport".
- The closure of the village school and loss of village field indicates that the status of the village of Llanvair Kilgeddin has changed and warrants a review, as the village no longer has the assets on which the LDP decision was made.
- There is no bus service except once a week Grassroutes bus.
- No evidence that sewers are currently fit for purpose.
- The roads are narrow without a pavement so not safe.
- The use of this road by construction traffic during the works will have a detrimental effect on the general safety of road users and pedestrians in the area.

- There is no detail with regards to an underground high voltage electricity cable that crosses the site.
- No mention of landscaping in the application.
- No details of how the highway will be managed to allow access to the development.
- Redevelopment of the school site is preferable to this proposal.
- There is little information on the drawing and the scheme does not take into account neighbouring properties, in respect of overlooking and significant loss of privacy.
- The developer should be providing public open space to replace that adjacent to the school.
- There are priority and protected species, and designated sites and important habitats near the proposed development, even though the proposal states otherwise. There are clear pathways of impact to the River Usk SAC that need addressing.
- Question the need for the new houses.

5.0 EVALUATION

5.1 Principle of the proposed development

5.1.1 The site is allocated for around 5 dwellings in Policy SAH11 of the LDP. Policy S4 relates to Affordable Housing Provision and states that in Main Villages there is a requirement for at least 60% of the dwellings to be affordable. This proposal relates to 3 affordable dwellings and 2 market dwellings and therefore complies in principle with both S4 and SAH11. This allocation remains in place despite the closure of the Church in Wales primary school in the village.

5.1.2 Policy S7 - Infrastructure Provision indicates that in negotiating Section 106 agreements in such circumstances priority will be given to the affordable housing required by Policy S4, 'unless there is an overwhelming need for the available contribution, in whole or in part, to be allocated for some other necessary purposes'. In this instance, it should be ensured through a Section 106 agreement that the market housing is not constructed without the required provision of affordable housing.

5.1.3 General policies DES1 and EP1 relating to General Design Considerations and Amenity and Environmental Protection respectively must also be taken into consideration.

5.1.4 Policy MV1 relating to proposed development and highway considerations will also be of relevance.

5.2 Visual Impact

5.2.1 At the time of the site's allocation it was recognised that the site as drawn has no 'defensible' boundary as it is part of a larger field. The development would have to be suitably landscaped providing adequate screening where appropriate. Policy LC5 refers to the Protection and Enhancement of Landscape Character. At the detailed (reserved matters) stage the development would have to take into consideration the aims of this policy along with Policy NE1 in relation to Nature Conservation and Development and Policy GI1 relating to Green Infrastructure (GI). This development is not considered, however, to be one to which the detailed requirements of the GI Supplementary Planning Guidance apply (such as the provision of a GI Opportunities Plan, for instance), given the small scale character of the development and the need to give priority to the provision of affordable housing.

5.3 Drainage and Flooding

5.3.1 It was also noted at the time of the allocation of the site that part of the eastern area of the site had been identified as being affected by surface water flooding but at the 'less susceptible' level according to the mapping layers produced by the Environment Agency (now encompassed within Natural Resources Wales). However, since that time the Council has been working on a flood alleviation study in Llanfair Kilgeddin which has assessed the flooding mechanisms and flood risk within the village. The study has identified that surface water flood risk affecting Gethin Place is actually greater than that shown on Natural Resource Wales' flood maps.

5.3.2 A Project Appraisal Report has been submitted to and approved by Welsh Government and MCC have just been awarded grant funding to progress the detailed design of the preferred option this financial year. This preferred option was discussed with the land owner of the field to the north of Gethin Place and his representatives. The preferred option at this location consists of a cut off ditch to the north and western boundary of Gethin Place. Overland flows would be intercepted by this ditch and then conveyed southwards beneath the lane at the bottom of St Mary's Hill to the unnamed watercourse further to the south. The implementation of the preferred option described above is subject to further consultations with a number of land owners, approval of the detailed design and a future funding application to Welsh Government for the construction phase.

5.3.3 At the meetings above, options for the proposed development to discharge surface water into the proposed flood alleviation scheme ditch, should it be constructed, were discussed. Hypothetically speaking, should the two schemes go ahead, the flood alleviation scheme ditch would be constructed as described and the proposed ditch around the boundary of the proposed development could be installed and connected to the flood scheme ditch (subject to detailed design/consents etc.). However, as the proposed housing development is reliant on the flood alleviation scheme going ahead, a Grampian condition (i.e. a planning condition that prevents the start of a development until off-site works have been completed on land not controlled by the applicants) is recommended to be imposed on the outline planning consent preventing any development prior to an agreed drainage scheme which demonstrates the proposed development will not be at risk from overland surface water flows from adjacent land, and that the site will be sustainably drained in accordance with MCC's existing policies (Policies SD3 - Flood Risk and SD4 - Sustainable Drainage), Welsh Government's 'Recommended non-statutory standards for sustainable (SuDs) in Wales' and 'TAN 15: Development and Flood Risk'.

5.4 Highway Safety

5.4.1 Access is proposed via Gethin Place which is an existing narrow estate road without a footway on either side, designed and built when car ownership levels were considerably lower than they are today. As a result, on street parking is experienced.

5.4.2 The proposed development provides off-street parking which meets the Monmouthshire Parking Standards for all of the new properties. The layout of the access also ensures that the existing space on the public highway used by nos. 13-15 Gethin Place for parking will still be available together with an additional two spaces off the proposed new access road. The on road parking situation for existing dwellings on Gethin Place will not change as a result of the development which has its own private parking provision. As such, it would be unreasonable to refuse the application on the grounds of lack of parking.

5.4.3 It is considered that due to the small scale of the development, the proposed new dwellings will not lead to an unacceptable increase in traffic using the cul-de-sac and that no additional on street parking will be generated as a result of the new houses. It should also be noted that the impact of the proposal on the immediate highway network is further influenced by the reduction in traffic movements following the closure of the local Church in Wales primary school.

5.5 Residential Amenity

5.5.1 The proposed new dwellings have been laid out so as to avoid direct overlooking between them and the existing bungalows at nos. 13-15 Gethin Place. Furthermore there are distances of at least 21m between elevations in all cases. The detailed fenestration and internal layouts will be considered at Reserved Matters stage.

5.6 Response to the Representations of the Community/Town Council

5.6.1 The issues raised by the Community Council have been addressed above.

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.

6.0 RECOMMENDATION: APPROVE subject to a 106 Legal Agreement requiring the following:

S106 Heads of Terms

The market housing shall not be constructed without the required provision of 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 Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

REASON: The application is in outline only.

2 (a) Application for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

b) The development hereby approved must be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: In order to comply with Section 92 of the Town and Country Planning Act 1990.

3 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.

4 No development shall commence until a flood alleviation scheme for surface water run-off has been implemented in accordance with details that have been approved by the Local Planning Authority prior to those works being carried out.

REASON: To prevent surface water flooding.