

Application Number: DM/2018/00858

Proposal: Four bedroom detached property, with integral garage.

Address: 100 Hereford Road Monmouth Monmouthshire NP25 3HH

Applicant: Mr Adrian Palmer

Plans: Elevations - Proposed P3/1606/39004 - , Site Plan 2127 LP01 - , Floor Plans - Existing FFT 1606 39004 - , Ground Plan GFT 1606 39004 - , Site Layout REV A P4 1606 39004 - B, Street Scene REV A P5 1606 39004

RECOMMENDATION: Approve

Case Officer: Mr David Wong

Date Valid: 22.05.2018

1.0 APPLICATION DETAILS

1.1 Planning Committee previously considered this application on 3rd July 2018. After discussions about the merits of the application, Members approved the proposed development subject to the applicant signing a section 106 Legal Agreement requiring a commuted sum of £26,068.00 for a contribution towards affordable housing provision in the locality.

1.2 The application was re-presented to the Planning Committee on 2nd October 2018 as the applicant has provided information to confirm that it would not be viable for the development to be constructed with the financial contribution sought. The information submitted by the applicant has been scrutinised by the Council's Senior Housing Strategy & Policy Officer who has concluded that this particular site is not able to provide a financial contribution towards affordable housing. On the 2nd October 2018 the Planning Committee deferred a decision on the application until the figures in relation to the viability of the scheme were scrutinised by the Committee Members. This sensitive viability information in relation to the application has been forwarded to members to consider. In terms of a timeline of this site there is an extant outline planning consent on the site under application DC/2016/00519 (16/02/2017) where a S106 legal agreement was signed for an affordable housing contribution of £26,068.00. This application was submitted and the legal agreement signed by the previous owner of the site. The applicant for this application (DM/2018/00858) purchased the site and has submitted this full planning application and after fully considering the build costs of the development is unable to provide an affordable housing contribution given the viability of the scheme. This has been evidenced by the applicant and verified by the Councils Affordable Housing Officer.

1.3 It is a basic principle of Local Development Plan Policy S4 that all residential developments (including at the scale of a single dwelling) should contribute to the provision of affordable housing in the local planning area however; this is subject to the viability of each individual scheme. Given that a full viability appraisal of the development has concluded that a financial requirement it is not viable for this particular site it is recommended that the application is approved (subject to the conditions outlined in the report below) without any requirement for a financial affordable housing contribution.

1.4 The previous report presented to the Committee meeting held on 3rd July 2018 is below.

1.0 APPLICATION DETAILS

1.1 The application seeks full planning consent for the construction of a new dwelling within the residential curtilage of Eldorado, 100 Hereford Road, Monmouth. The principle of the proposal has already been assessed and approved under the outline planning permission DC/2016/00519. This is a full planning application as this proposal comprises a new access arrangement; it is useful to note that the height and depth of the proposal is different from the outline permission – hence the full application.

1.2 The proposed dwelling would still be sited to the north of Eldorado and it would have a footprint measuring around 130m², which is within the parameters of the outline permission. The proposed eaves height is 4m and the overall ridge height is 8.5m, which is 500mm higher than the outline approval. Also, the overall depth of this proposal is approximately 13.5m as compared to 10m under the outline approval.

1.3 The appearance of this proposed dwelling is contemporary. In addition, it is now proposed to widen the existing access so that each of the dwellings, i.e. the existing dwelling and the proposed dwelling, will have its own individual access. It is useful to note that the outline permission was to utilise the existing access to the site to be shared between the two dwellings.

2.0 RELEVANT PLANNING HISTORY

DM/2018/00858 Four bedroom detached property, with integral garage. Pending Determination

M05959 Outline Planning Application For Detached Two Storey Dwelling And Vehicle Access Improvements Etc.
Refused 31.07.2001

M05523 Outline Planning Application for Detached Two Storey Dwelling In Proposed Building Plot.
Refused 16.03.2001

DC/2016/00519 Building plot for single detached residential dwelling.
Approved 16.02.2017

DC/2018/00112 Single detached residential development. (DC/2016/00519).
DM/2018/00858 Four bedroom detached property, with integral garage.
Pending Determination

M05523 Outline Planning Application for Detached Two Storey Dwelling in Proposed Building Plot.
Refused 16.03.2001

DC/2016/00519 Building plot for single detached residential dwelling.
Approved 16.02.2017

DC/2007/00745 Extensions & refurbishment of existing single family house with new double garage & summer house.
Approved 09.08.2007

DC/1979/00324 Extension; Approved 02.07.1979

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S1 LDP 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

4.0 REPRESENTATIONS

4.1 Consultation Replies

Monmouth Town Council: No objection to a property being built at the location but requested a smaller footprint and the build is out of character for the area.

Glamorgan Gwent Archaeological Trust: There is an archaeological constraint; standard conditions requested.

4.2 Neighbour Notification

One comment received:

- 1 - On the application document the proposed address for the property is 100A Hereford Road this conflicts with our address which is also 100A.
- 2 - When the site is cleared of tree stumps and hedging this work must not de-stabilise the foundations of our retaining wall and fence posts which line the full length of the north side of the development site.
- 3 - There is also a stretch of land owned by us between the proposed north boundary wall and our retaining wall which acts as a pathway for the maintenance of the retaining wall and fencing, and also provides access to our back garden. This is currently identified by our boundary tape to signify the width of the pathway.

5.0 EVALUATION

5.1 Principle of the proposed development

5.1.1 The principle of constructing a dwelling within the residential curtilage of 100 Hereford Road has already been considered and approved by Committee under the outline approval DC/2016/00519. It is useful to reiterate that the proposed site lies within Monmouth's development boundary as designated within LDP Policy S1. Policy H1 considers that residential development is permitted within settlement development boundaries subject to detailed planning considerations.

5.2 Design

5.2.1 The proposed site is a small gap between dwellings, the newly built dwelling within the ground of 102 Hereford Road and the host dwelling (known as Eldorado, 100 Hereford Road). The overall width of the proposal is similar to that approved under the outline approval, being approximately 10m. The overall height of the proposal is 500mm higher than the outline approval. However, these changes are marginal. Also, it is considered that the bulk of the

proposal would sit comfortably between the neighbouring properties, maintaining the hierarchy along Hereford Road. This would be because of the topography as the site is on a slope.

5.2.2 In terms of design, the appearance of this dwelling is modern in style. There is a good mix of dwellings with various design along this part of Hereford Road. The dwellings immediately opposite the road are more traditional in design than those dwellings alongside the application site. Also, there are dwellings of more modern design off Hereford Road e.g. Highfield Close. Therefore, this element is considered to be acceptable and would not be out of place within this part of Monmouth.

5.3 Highway Safety

5.3.1 Under the previous outline approval, it was proposed to utilise and share the existing access for the proposal and the host dwelling. This application is now proposed to widen the existing access so that each dwelling has its own access. Having consulted the Council's Highways Department, they advised that the width of the current proposed access point is significantly wider than that considered in the outline proposal. Highways want to see the width of the access reduced to approximately 4.5m maximum and a demonstration that vehicles are able to park and manoeuvre within the site to enter and exit in a forward gear.

5.3.2 In addition, Highways would like to see that the car parking provision for each property is in accordance with the Monmouthshire Parking Standards - one space per bedroom per dwelling with a maximum of three spaces per dwelling. It should be noted that integral garage parking will not count towards the overall car parking provision based on permitted development rights to convert integral garages to additional living space. It is considered that there is ample space at the forecourt area of the proposal to provide for turning and the three on-site parking spaces.

5.3.3 The applicant agrees to reduce the width of the proposed access; a retaining wall will be erected to restrict the width of the access point to approximately 4.5m. In addition, there will be at least three parking spaces within the proposed parking bay as demonstrated on the latest site layout (Site Layout Version B). These changes were then presented to the Highways Department and have been accepted. A condition will be imposed to ensure that the retaining wall remains in place in perpetuity.

5.4 Residential Amenity

5.4.1 There will be a first floor bedroom window on the side elevation of bedroom 2, facing towards the host dwelling, 100 Hereford Road. It is considered that due to the angle of this window in relation to the host dwelling, it would largely be obscured by the remaining part of the proposed dwelling. Therefore, it is unlikely to cause a significant loss of privacy to the neighbouring property.

5.5 Response to the Representations of the Town Council

5.5.1 The Monmouth Town Council has no objection to a property being built at the location but requested a smaller footprint. They also considered that the proposal is out of character for the area. It is useful to note that under the outline approval, the footprint approved parameters were 140m² to 160m² and the footprint of this proposal is approximately 120m². Therefore, this footprint of the proposal is smaller than the outline approval. The proposal is not considered to be an over development of the site and sits comfortably on the plot.

5.5.2 In terms of design, the proposal is contemporary and as stated above there is a good mix of dwellings with various designs and sizes along this part of Hereford Road. Therefore, it is not considered that this modern design is, of itself, sufficient reason to justify refusal. In addition, the submitted street scene drawing shows that the bulk, height and width of this

proposal would sit comfortably in between the existing neighbouring properties. Therefore, this element is considered to be acceptable.

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' wellbeing objectives set out in section 8 of the WBFG Act.

5.7 Affordable Housing Financial Contribution

5.7.1 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. Based on the previously approved outline permission, it is required to secure a sum of £26,068.00 and the applicant has confirmed in writing that this request is acceptable.

5.8 Archaeology

5.8.1 The proposed development is in an area of known Roman and medieval activity, and whilst no structures or features are known to exist in the development area, it remains a possibility that during requisite ground works, buried archaeological remains may be encountered. Therefore, relevant conditions are requested.

5.9 Other issues raised

5.9.1 A neighbour commented that on the application document the proposed address for the property is 100A Hereford Road; this conflicts with his address which is also 100A. They also would like to make known that when the site is cleared of tree stumps and hedging this work must not de-stabilise the foundations of his retaining wall and fence posts which line the full length of the north side of the development site. Finally, they commented that there is also a stretch of land owned by them between the proposed north boundary wall and their retaining wall which acts as a pathway for the maintenance of the retaining wall and fencing, and also provides access to our back garden. This is currently identified by their boundary tape to signify the width of the pathway. Having reviewed these comments, it is considered that these are not material considerations.

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

A commuted sum of £26,068.00 is required for the Affordable Housing Financial Contribution.

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 Before the approved development is first occupied the access shall be constructed in accordance with the approved plan.

REASON: To ensure the access is constructed in the interests of highway safety.

4 The developer shall ensure that a suitably qualified archaeologist is present during the undertaking of any ground disturbing works in the development area, so that an archaeological watching brief can be conducted. The archaeological watching brief shall be undertaken to the standards of the Institute of Field Archaeologists. The Local Planning Authority shall be informed, in writing, at least two weeks prior to the commencement of the development of the name of the said archaeologist and no work shall begin until the Local Planning Authority has confirmed, in writing, that the proposed archaeologist is suitable. A copy of the watching brief report shall be submitted to the Local Planning Authority within two months of the fieldwork being completed by the archaeologist.

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.

5 No development shall take place until a scheme of foul drainage and surface water drainage has been submitted to, and approved by, the Local Planning Authority and the approved scheme shall be completed before the building is first occupied.

REASON: To ensure satisfactory facilities are available for disposal of foul and surface water.

6 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority details of the proposed retaining wall along the western elevation (front) of the site. The hereby approved retaining wall shall be built in accordance with the approved details and maintained thus thereafter in perpetuity.

REASON: To safeguard the visual amenities of the area.

INFORMATIVES 1 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.

2 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).

3 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

4 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.