

Application Number: DM/2018/01283

Proposal: Development of 2no. residential dwellings and associated works.

Address: Infill Plot 1 And 2 At Garden Of Hillcrest Lansdown Road Abergavenny Monmouthshire

Applicant: Jan Milsom

Plans: Location Plan PL01 - , Tree Survey - Rev. C, Site Plan PL02 - Rev. A, Landscaping Plan 18/649/03 - Rev. C, Landscaping Plan 18/649/04 - , Landscaping Plan 18/649/05 - , Other Materials Schedule - , Floor Plans - Proposed PL05 - Rev. A, Elevations - Proposed PL06 - Rev. A, Floor Plans - Proposed PL03 - Rev. A, Elevations - Proposed PL04 - Rev. 4,

RECOMMENDATION:

Case Officer: Ms Lowri Hughson-Smith
Date Valid: 21.08.2018

1.0 APPLICATION DETAILS

1.1 This application relates to a parcel of land adjacent to no.14 Lansdown Road and seeks full planning permission for 2no. detached dwellings, new access point and associated works.

Background

1.2 The site was previously part of the garden of no. 14 Lansdown Road and was subject to an outline planning application submitted in January 2017 for the development of 2no. detached dwellings with all matters reserved except access (application reference number: DC/2016/01050). The principle of an access was supported by the Highways Authority at the time of the application subject to additional information in terms of turning within the site. The outline application was approved 28th June 2017 subject to 6no. conditions including a condition relating to reserved matters including access to enable full details to be secured.

1.3 The site layout plan submitted at outline stage was indicative but demonstrated a potential layout including Plot A fronting Lansdown Road, to the north east of the site, and Plot B to the rear of the plot, side on with the principal elevation facing south west.

1.4 The scope of the outline permission permitted the following minimum and maximum parameters relating to each plot:

Plot A

- Width: 12m to 12.5m
- Length: 21m to 22m
- Height 8.5m to 9m

Plot B

- Width: 12.5m to 13m
- Length: 15 to 15.5m
- Height: 8.5m to 9m

1.5 The outline application received no objections from local residents or statutory consultees. The Civic Society supported one unit but objected to two units on the basis that it was overdevelopment.

1.6 The application was approved via delegated powers in June 2018.

1.7 A reserved matters application pursuant to the outline was submitted in August 2018. The dimensions of the proposed dwellings, however, were not in accordance with the outline parameters and it was not procedurally possible to consider the application as a reserved matter to the outline permission. The application was therefore revised to a full application and this report relates to the full application.

Proposed Development

1.8 The proposal subject to this application is for 2no. plots laid out in a similar manner to the indicative layout relating to the outline permission. Plot A is located to the front of the site, closer to Lansdown Road, albeit set back from the public highway by just over 14m and remaining in line with the established building line of the street. Plot B is side-on to Plot A, set approximately to 13.3m south of Plot A with the principal elevation facing south east.

1.9 The proposed plots have the following dimensions:

Plot A

- Width: 6m
- Length: 18m
- Height: 7.9m

Plot B

- Width: 15.4m
- Length: 6.6m
- Height: 7.92m

1.10 Each proposed dwelling has a generous plot: Plot A has a 230m² private rear garden and Plot B has a garden in excess of 308m². Three parking spaces are provided per plot and turning areas for cars are shown to be possible in relation to each plot.

1.11 The recycling/bin store is located immediately south of the access point.

1.12 The proposed dwellings are simply designed and have the following material palettes:

- Ridge roof tile (black);
 - Natural Slate roof tile;
 - Chimney Pots (roll tops 300mm, terracotta);
 - Rainwater goods (marley, half round, basalt grey);
 - Fascias (painted timber, grey)
- Walls include a mix of:
- lbstock, red, textured;
 - lbstock, red, smooth;
 - Pointing, cement, light grey;
 - Render, k-rend, scraped texture, buttermilk;
- Joinery include:
- Windows, hardwood, grey olive
 - Doors, hardwood, grey olive
 - Garage doors, hardwood, reed olive

1.13 Access is proposed via a shared driveway off Lansdown Road to the east of the boundary at this location. A loss of a section of wall along Lansdown Road will be required in order to facilitate the access point and required vision splay of 2.4m by 43m.

1.14 The application also includes a comprehensive planting plan indicating retained trees and additional planting proposed.

Negotiations with Applicant to Arrive at Final Proposals

1.15 There have been lengthy negotiations with the applicant with regards to the proposal and a brief commentary of the changes secured through the application process are discussed below.

1.16 Initially, the proposal included two much larger dwellings and it was considered they were out of keeping with the area in terms of height. Other aspects of the originally submitted proposal were also considered to have a harmful impact in planning terms and in need of improvements to ensure a higher quality scheme is delivered. These concerns were identified to the applicant as follows:

- The height of the properties;
- Level of tree loss;
- Parking provision for Plot A was 1 space short of the requirements;
- Positioning of the Plots; and
- Extent of additional planning proposed.

1.17 Negotiations were undertaken with the applicant and the scheme as originally submitted was amended addressing the comments made by the officer including:

- Reduction in height of buildings by 1.8m;
- Retention of highest quality trees and higher quality replacement planting;
- Additional parking space to Plot A; and
- Repositioning of both plots to achieve acceptable separation distances from the existing dwellings.

1.18 The scheme as amended is the subject of this report and upon which the recommendation has been based.

2.0 RELEVANT PLANNING HISTORY (if any)

Reference Number	Description	Decision	Decision Date
DC/2016/01050	2 no. residential infill building plots (outline)	Approved	28.06.2017

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

Development Management Policies

- H1 LDP Residential Development in Main Towns, Severnside Settlements and Rural Secondary Settlements
- DES1 LDP General Design Considerations
- EP1 LDP Amenity and Environmental Protection
- NE1 LDP Nature Conservation and Development
- MV1 LDP Proposed Developments and Highway Considerations
- GI1 LDP Green Infrastructure

4.0 REPRESENTATIONS

4.1 Consultation Replies

Local Member - The ward member requested the application be presented to full committee. He also raised the following objections:

- Insufficient advertisement was carried out with the application;
- The size and scale of the proposals are unacceptable;
- The proposals will have an adverse impact on the character and townscape of the area;
- The proposal will result in an adverse impact on the amenity of other properties along Lansdown Road and Highfield Crescent;
- Removal of the trees would be harmful to the character of Lansdown Road; and
- The proposals will have an adverse impact on the ecological features on site.

Abergavenny Town Council - recommends refusal on the grounds that the development as proposed is out of proportion with the existing properties in this area and is therefore contrary to LDP policy DES1 b). c) d) and g). The development will also have an adverse impact on the mature trees leading to loss of frontage trees that currently contribute to the character of the road.

MCC Highways - No objection in principle. The principle of a joint point of access is supported. The parking numbers and turning within the site is supported.

MCC Biodiversity - No objections subject to a condition that was imposed within the outline permission being applied to any new permission.

MCC Housing Officer - Financial contribution of £57,134 towards affordable housing in the area required. To be secured via a Section 106 Agreement.

MCC Tree Officer - The Tree Officer confirms the tree removal and replacement planting proposals are satisfactory. The existing trees are predominantly deciduous tree species with some well-maintained evergreen hedges e.g. Leyland Cypress and Cherry Laurel. The current landscaping at the site is considered to detract from the visual appeal of the street scene rather than complementing it.

The proposal is to replace the low quality trees and shrubs with a mixture of laurel hedging, a Birch tree and a Red Spire. The proposals are considered to improve the visual appearance of the area.

MCC Environmental Health - No objection.

Abergavenny and District Civic Society - The Abergavenny and District Civic Society object to the application on the basis that 2no. dwellings fail to fit onto the site in an acceptable manner. Concerns were also raised in respect of the loss of trees and the safeguarding to be put in place for retained trees. The design of the houses (as originally submitted) was considered 'somewhat strange' but not unacceptable having regards for the mixed character of the area.

4.2 Neighbour Notification

A total of 6 no. neighbour objections were received raising objections to the proposals. The objections can be summarised as follows:

- Neighbour consultations was not carried out correctly;
- Inaccuracies contained in application form relating to discussions with neighbours;
- Application form not filled in correctly;
- Detrimental impact on the streetscene;
- Impact of the two new dwellings on the character of the area which is suitable for Conservation Area status;
- One dwelling is more appropriate than two;
- Removal of the trees on site is unacceptable/result in a negative impact on the streetscene;
- Detrimental impact on the townscape/negative visual impact of the development;
- The development has an adverse impact on the historic nature of the streetscene;
- The development is overdevelopment/results in town cramming;

- The development will result in loss of light/overshadowing;
- The development will result in loss of privacy of neighbouring properties including rear gardens along Lansdown Road and Highfield Crescent;
- Adverse impact on ecology features;
- Insufficient parking/increased pressure for on-street parking;
- Increased in traffic would impact highway safety;
- The access point is insufficient width;
- The plans encroach on adjacent property;
- Development against national and local planning policy;
- Adverse impact in terms of water supply, sewerage and drainage;
- There is development elsewhere in Abergavenny and therefore this development is not required;
- Branches from trees on site falling onto adjacent property;
- Increased noise, odour and pollution as result of the development;
- The site is not wholly within the applicant's ownership and therefore the plans proposed are inaccurate;
- Loss of view;
- To approve the application would be inconsistent with planning precedent and case law;
- Landowners rely on law to provide them with security when purchasing property; and
- If the proposals went ahead, construction should be controlled.

5.0 EVALUATION

5.1 Principle of the proposed development

5.1.1 The site is located in Abergavenny and, in accordance with Policy H1 of the Local Development Plan (hereafter LDP) wherein new residential development is acceptable in principle.

5.1.2 Notwithstanding this, the site benefits from an extant outline planning permission for 2no. dwellings and the applicant could, if he so wished, submit reserved matters in accordance with the outline permission. This application is made in full since it is not possible to consider it under the outline permission since the dimensions of the proposed dwellings are smaller than approved at outline stage.

5.1.3 Given the location of the site within a defined settlement defined in the LDP and the existence of an extant consent, the principle of residential development is acceptable subject to material planning considerations. The material planning considerations in relation to this application are considered to be as follows and are discussed in detail below:

- o Impact on Character of the Area:
- o Visual Impact;
- o Residential Amenity;
- o Landscaping;
- o Highway Considerations;
- o Biodiversity Considerations; and
- o Affordable Housing

5.1.4 Prior to concluding the report, objections raised by the Local Councillor and local residents will be addressed.

5.2 Impact on Character of the Area

5.2.1 The character of Lansdown Road varies along its length with denser development to the north at the roundabout junction with Hillcrest Road and south in the vicinity of Lansdown Drive. The central section of Lansdown Road, where the site is located, is less dense with large dwellings set in generous plots aside from Saxonbury House, which is adjacent to no. 14 Lansdown, and has

been enlarged extensively to the rear of the property. The building line in the locale is varied, however, and all properties are set back from the public highway and the street benefits from extensive landscaping along its length. It is acknowledged that the pattern of development together with the landscaping is an important characteristic of the area which should be protected in accordance with Policy DES1 of the LDP.

5.2.2 In terms of protecting the character of the area the proposed density and layout are critical. The application site measures 0.17ha and the proposal for 2no. dwellings equates to a density of 11 dwellings per hectare. The density falls well below the requirement of Policy DES1 criterion j), which requires 30 dwelling per hectare in order to ensure the efficient use of land. Whilst there are examples of denser development in the vicinity, for example Saxonbury House, it is considered reasonable to allow a reduced density given the spaciousness of the urban grain of the area surrounding the site. Furthermore, the principle of two dwellings has been established through the grant of outline permission DC/2016/01050. The development, is considered to accord with criterion l) of Policy DES1 and the density proposed ensures the character of the area is maintained.

5.2.3 In addition, to protect local character, the proposed layout offsets the dwellings from the public highway by approximately 14m in line with no. 14 and no. 10 Lansdown Road, thus respecting the pattern of development in the locality. Additionally, the existing stone wall to the front of the site will be retained save for a section of approximately 3.2m to be removed to facilitate an access point (as discussed further below). Set behind the existing wall will be an area of landscaping to ensure the 'leafy and green' character of Lansdown Road is maintained, and further details relating to the landscaping are included below.

5.2.4 The proposed development is considered to balance successfully the need to promote an efficient use of land whilst also protecting the character of the area. It is concluded that the proposals fully accord with Policy DES1 of the LDP and maintain the distinctive character of Lansdown Road.

5.3 Visual Impact

5.3.1 Whilst Lansdown Road has a distinct character in terms of the pattern of development and landscaping, there is no prevailing dwelling type or style. Given the variation of design in the vicinity, there is capacity in the streetscene for a degree of flexibility in terms of scale, form, massing and design of the proposed dwellings.

5.3.2 The proposed dwellings are large, wide fronted, two storey dwellings. The scale, form, and massing of the proposed dwellings are in keeping with the adjacent dwellings and will not appear incongruous in the streetscene. This conclusion is further consolidated by the careful positioning of Plot A along the building line of the adjacent dwellings, as discussed above, which successfully integrates the proposed dwelling into the streetscene.

5.3.3 Plot B is located to the rear of Plot A and located side-on and, therefore, will not form part of any streetscene or be widely visible from Lansdown Road. The development at Saxonbury House is an existing example that demonstrates that development to the rear of plots along Lansdown Road are not perceivable from the principal streetscene. The visual impact of Plot B will be minimal and will not result in an unacceptable form of development.

5.3.4 In terms of appearance, the proposed dwellings are traditionally designed including features such as chimneys and projecting front gables. The finishing materials include high specification products including traditional slate roof tiles and timber windows which ensure a quality final development and complements the wider character of the area. The materials palette proposed will be conditioned to secure the high quality finish proposed.

5.3.5 The proposed layout, which as discussed above is considered to respect the character of the area, together with the detailed house types, has been assessed and it is concluded the proposed dwellings will sit comfortably in the streetscene and not appear out of keeping or harm the overall visual appeal of Lansdown Road. There is not considered to be a harmful visual impact as a result of the development and the proposals are deemed acceptable in accordance with Policy DES1 of the LDP.

5.4 Residential Amenity

5.4.1 Policy EP1 requires new development to ensure the amenity of existing properties are protected. Given the location of the application site, bounded by existing properties on all sides, the protection of neighbouring amenity is an important consideration to the acceptability of the development. The existing properties which are likely to be most affected are:

- No. 14 Lansdown
- No. 10 Lansdown Road;
- No. 11 Lansdown Road; and
- 49-53 Highfield Crescent

No. 14 Lansdown

5.4.2 No. 14 Lansdown Road is a detached property to the north west of the application site.

5.4.3 Plot A will have a side-on relationship with No. 14 Lansdown Road, offset from the property by approximately 10m. The separation distance is considered sufficient in the context of a side-to-side relationship to ensure the development will not have an overbearing or dominating impact. Furthermore, the side elevations of Plot A do not include windows and therefore potential overlooking is minimal and the privacy of the adjacent property will be maintained.

5.4.4 Plot B is located in the vicinity of the garden area of no. 14. A separation distance of 11.7m from the common boundary is proposed and over 27m from the rear of the property. The separation distance achieved together with the boundary enclosures are considered acceptable and not uncommon in an urban area or indeed along Lansdown Road. The proposals are deemed acceptable in terms of the impact on no. 14 Lansdown Road.

No. 10 Lansdown Road

5.4.5 No. 10 Lansdown Road is a detached property to the south east of the application site.

5.4.6 Plot A will have a side on relationship with No. 10 Lansdown Road, offset from the common boundary by approximately 8m, separated by the proposed access road into the site. The separation distance is considered acceptable in terms of a side-to-side relationship and will not result in an overbearing or dominating impact. Furthermore, as mentioned above, the side elevations of Plot A are blank so therefore, potential overlooking is minimised and the privacy of the adjacent property will be maintained.

5.4.7 Plot B is located in the vicinity of the garden area of no. 10 and a separation distance of 12.3m from the common boundary is proposed and approximately 22m from the rear of the property. The separation distance achieved together with the existing boundary enclosures are considered acceptable to protect the amenity of no. 10 and the associated rear garden, similarly to the conclusion made in respect of no. 14 Lansdown Road above.

No. 11 Lansdown Road

5.4.8 No. 11 Lansdown Road is located on the opposite side of the road from the proposed development over 45m away from the front elevation of Plot A. The separation distance is ample and it can be concluded the proposal will not adversely impact no. 11 Lansdown Road.

No. 49-53 Highfield Crescent

5.4.9 Plot B is the most closely related to no. 49-53 Highfield Crescent and is positioned side-on approximately 11m from the rear boundary of these properties and 18m from the rear elevations. Given the side elevation of Plot B is blank and the ample separation distances proposed, the amenity of the dwellings along Highfield Crescent will not be adversely affected.

5.4.10 Relevant to the amenity of all surrounding properties is the comprehensive landscaping scheme which has been submitted which includes the retention of existing hedgerows and some trees. The scheme also provides for the planting of additional hedgerows and trees along all

boundaries to provide further screening enhancing privacy for surrounding properties and future occupiers.

Amenity of Future Occupiers

5.4.11 The proposal has also been assessed to ensure the amenity of future occupiers is acceptable. As discussed above, the relationship of the proposed dwellings and existing properties promotes a high level of residential amenity. Internally, the layout ensures there is acceptable amenity standards between Plot A and B. Plot A has a substantial garden which is offset from the side elevation of Plot B by over 13m. The separation distance achieved is sufficient and it is concluded the amenity of the proposed plots is acceptable.

5.4.12 The impact on existing neighbours and future occupiers has been assessed in detail and deemed acceptable and in accordance with Policy EP1 of the LDP.

5.5 Landscaping

5.5.1 As discussed briefly above, the proposed scheme is accompanied by a comprehensive landscaping scheme which proposes to remove some trees and hedgerows and provide additional planting.

5.5.2 The tree loss will include 5no. category B, 6no. category C trees and approximately 9no. category U trees. Category U and C trees do not represent a constraint to development and the loss of these trees is deemed acceptable. The loss of the Category B trees is unfortunate; however, the layout as proposed could not be achieved without the tree loss proposed. On balance, securing a layout that respects the character of the area and protects neighbour amenity was a weighted consideration, which determined that the tree loss was unavoidable. The proposed layout does, however, secure the category A tree in the south eastern corner of the site.

5.5.3 To mitigate for the tree loss proposed, the applicant has submitted a landscaping plan which proposes to plant 10no. trees and proposes to plant new hedgerows along all boundaries and internally to separate Plot A and B.

5.5.4 Since the landscaping is considered integral to the character of Lansdown Road, the application was discussed with the Council's Landscape Officer (despite this being below the threshold for consultation). The Landscape Officer requested the double staggered hedgerows with an increased height along H1 and H2 and also requested the proposed trees are semi-mature. The applicant agreed to the proposed changes and these are reflected in the latest landscaping plan that will be secured via a condition.

5.5.5 The proposed landscaping scheme ensures the character of the site is maintained, the most important trees are retained and provides sufficient mitigation planting. The proposal in this regard is deemed acceptable and in accordance with Policy G11.

5.6 Highway Considerations

5.6.1 The proposed development will provide two additional dwellings to be accessed via a new, shared driveway located to the south east of the site frontage via Lansdown Road. The proposed traffic generation will be minimal and have a negligible impact on the existing road network, and is therefore considered acceptable.

5.6.2 The proposed access achieves the required visibility splay of 2.4m by 43m in accordance with Manual for Streets to ensure a safe access point. The access road alignment provides a distinctive shared access lane providing access into clearly defined plots. Each plot has sufficient turning space within its limits ensuring occupiers can access/exit each in a forward gear without any reliance on shared space for turning. This layout ensures minimal conflict between occupiers accessing and existing the site and is deemed acceptable from a highway perspective.

5.6.3 In terms of parking, each dwelling has 3no. spaces which are the required amount for the house sizes proposed and accords with the Parking Standards Supplementary Planning Guidance.

5.6.4 The proposed access arrangement is acceptable and the resultant impact on the highway network is considered to be negligible. The proposals accord with LDP Policy MV1.

5.7 Biodiversity Considerations

5.7.1 The previous outline application was supported by an ecology report which found potential for reptiles within areas of the garden due for development. Recommendations contained within the ecology report were conditioned to the outline permission. The Council's Ecologist has reviewed the current full application and has advised the original ecology survey and its findings are still relevant. She concludes the proposal is acceptable providing the conditions secured on the outline permission are attached to any new permission. The relevant conditions are proposed as detailed later in this report.

5.7.2 The development is not considered to result in negative impacts on biodiversity as such the proposals accord with LDP policy NE1 and deemed acceptable.

5.8 Affordable Housing

5/8/1 Local Development Plan Policy S4 requires 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 £57,134. This has been agreed by the applicant and will be subject to a legal agreement.

5.9 Response to the Representations of the Local Councillor/Local Residents

5.9.1 For completeness, the objections raised by neighbours have been dealt with below in turn.

Neighbour consultations were not carried out correctly;

5.9.2 The consultation and any re-consultation were carried out in accordance with the legislative requirements.

Inaccuracies contained in application form relating to discussions with neighbours;

5.9.3 In the initially submitted application form, the applicant indicated there had been pre-application discussions on the application form which neighbours disputed as incorrect. This is not relevant to the determination of the application and pre-application discussions are not mandatory for a minor application.

Application form not filled in correctly

5.9.4 The application form as submitted is correct.

Detrimental impact on the street scene;

Impact of the two new dwellings on the character of the area which is suitable for Conservation Area status;

***Detrimental impact on the townscape/negative visual impact of the development; and
The development has an adverse impact on the historic nature of the street scene;***

5.9.5 This has been dealt with above under the sub-heading 'Impact on Character of Area'. The site is not located within a Conservation Area and there are no intentions to adjust the conservation area at this stage to include Lansdown Road.

One dwelling is more appropriate than two; and

The development overdevelopment/results in town cramming.

5.9.6 The density of the proposal is in accordance with Policy DES1, as discussed above. The layout as proposed demonstrates that acceptable separation distances can be achieved between the two proposed dwellings and existing dwellings adjacent indicating the site is capable of accommodating two properties.

Removal of the trees on site is unacceptable/result in a negative impact on the streetscene

5.9.10 The trees to be removed are low quality and will be replaced by a high quality landscaping scheme which complements the existing streetscene.

***The development will result in loss of light/overshadowing; and
The development will result in loss of privacy of neighbouring properties including rear gardens along Lansdown Road and Highfield Crescent.***

5.9.11 The proposed development will not have an adverse impact on existing neighbours as discussed in detail under sub-heading 'Residential Amenity'.

Adverse impact on ecology features;

5.9.12 The proposals has been assessed by the County Ecologist following the completion of an ecological appraisal. They have concluded the proposal is acceptable subject to appropriate planning conditions.

Insufficient parking/increased pressure for on-street parking;

5.9.13 The proposed parking provision accords with the Council's adopted Parking Standards Supplementary Planning Guidance.

Increased in traffic would impact highway safety;

5.9.14 The development of 2no. dwellings would have a minimal impact on traffic generation as confirmed by the Highway Authority.

The access point is insufficient width;

5.9.15 The access point has been assessed by the Highway Authority and deemed acceptable.

Adverse impact in terms of water supply, sewerage and drainage;

5.9.16 There is no evidence to suggest the development would adversely impact water supply, sewerage and drainage. Given the small scale of development, an adverse impact is not considered likely in this respect.

There is development elsewhere in Abergavenny and therefore this development is not required;

5.9.17 The application site is an infill proposal within a sustainable settlement and therefore its development for residential use is acceptable in principle subject to detailed planning considerations. Following the detailed considerations contained this report, it is concluded the application is acceptable subject to conditions. Given the scale and location of the proposed development, development elsewhere in the town is not considered a relevant consideration to this application.

Increased noise, odour and pollution as result of the development;

5.9.18 Residential development is not a hazardous or a noise-generating use in planning terms and, therefore, would not be unacceptable in this regard.

The site is not wholly within the applicant's ownership and therefore the plans proposed are inaccurate;

The plans encroach on adjacent property;

Branches from trees on site falling onto adjacent property; and

Loss of view;

5.9.19 The above are not material planning considerations.

***To approve the application would be inconsistent with planning precedent and case law;
Development against national and local planning policy;***

5.9.20 For the reasons detailed in this report, the proposal is considered to accord with the relevant planning policies. It is not considered to conflict with case law or local planning policy.

Landowners rely on law to provide them with security when purchasing property;

5.9.21 Planning determinations are required in law to be determined in accordance with the relevant Planning policies. As mentioned above, the proposal is considered to accord with relevant planning policies. Notwithstanding this, the site has had outline permission for 2no. dwellings since June 2017. Therefore, new property purchasers after this time would have been made aware of the fact that there was potential for two dwellings to be developed on the site.

If the proposals went ahead, construction should be controlled.

5.9.22 Given the scale of the proposals, it is not considered necessary or reasonable to request a Construction Management Plan to control the construction phase.

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

5.10.1 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.

6.0 RECOMMENDATION: APPROVE

Subject to a 106 Legal Agreement requiring the following:

S106 Heads of Terms

The financial contribution towards affordable housing provision in the locality that will be required is £57,134

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 Works shall be carried out in strict accordance with the mitigation measures described in Section 5 Recommendations of the submitted report "14 Lansdown Road, Abergavenny, Monmouthshire - Ecological Assessment" dated January 2017 produced by Pure Ecology.

REASON: To ensure the protection of ecological features at the site in accordance with Policy NE1

- 4 The new buildings shall include bat enhancements as described in Section 5.2.1 of the submitted report "14 Lansdown Road, Abergavenny, Monmouthshire - Ecological Assessment" dated January 2017 produced by Pure Ecology.

REASON: To ensure the protection of ecological features at the site in accordance with Policy NE1

- 5 All landscaping proposals as approved in Proposed Planting Plan, drawing number: 18/649/03, Rev. C, Tree Pit Details, drawing number: 18/649/04 and Hedge Planting Details, drawing number: 18/649/05 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.

- 6 The development shall be carried out in full compliance with the Tree Survey, Arboricultural Impact Assessment and Method Statement, Rev. C submitted on 11th October 2018.

REASON: To protect important landscape features within the site.

INFORMATIVES

- 1 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).
- 2 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