

Application Number: DM/2019/00003

Proposal: Conversion and extension of the former school building to create two residential units, new vehicular access on land to the east and the development of two, four bedroom detached dwelling on the land to the north with associated garages and parking.

Address: Former Llanfoist Primary School, Llanellen Road, Llanfoist

Applicant: Mr Ben Thorpe

Plans: Location Plan 00/255/101 - , Site Plan 00/255/102 - Rev A, Site Plan 00/255/103 - Rev C, Landscaping Plan 11/250/104 - Rev B, Floor Plans - Proposed 11/250/105 - Rev A, Elevations - Proposed 11/250/106 - Rev A, Floor Plans - Proposed 11/250/107 - , Elevations - Proposed 11/250/108 - , Elevations - Proposed 11/250/109 - , Floor Plans - Proposed 11/250/010 - , Floor Plans - Proposed 11/250/011 - , Proposed Roof Plan 11/250/012 - , Elevations - Proposed 11/250/013 - , Elevations - Proposed 11/250/114 - , Other 00/255/115 - Visibility Splays, Ecology Report Survey for Great Crested Newts - , Ecology Report Ecological Survey Report - ,

RECOMMENDATION: APPROVE SUBJECT TO S106 AGREEMENT

Case Officer: Ms Kate Bingham
Date Valid: 07.01.2019

This application is presented to Planning Committee as Monmouthshire County Council is the applicant

1.0 APPLICATION DETAILS

1.0 This is a full planning application to convert the former Llanfoist Primary School building into two semi-detached residential dwellings and develop two new detached properties at the rear of the site. The redundant building and adjoining site is owned and managed by Monmouthshire County Council who wish to secure planning approval for residential use.

1.1 The area of the site is approximately 2435m². This land has previously been developed by the former school and contained the school building, playgrounds, toilet building, store building and four prefabricated classroom buildings. To the rear of the site is land designated as Public Open Space.

1.2 The former school building faces Llanellen Road which runs along the south west boundary of the site. The building is now redundant and has been boarded up for security. The site slopes gently downward from its highest point along Llanellen Road and flattens out into the public open space to the north east. The open space is not accessible from Llanellen Road but can be accessed on foot and via vehicle from Woodland Crescent. There is potential to develop a larger access road/path that links the community space with Llanellen Road by utilising the strip of land that is currently inaccessible which runs between the school building and the semi-detached property.

1.3 The proposed site plan shows the conversion of the existing primary school building into two semi-detached dwellings and two new detached houses within the historic boundary of the school site. The former school playground has been contained by stone boundary walls. These walls are to be retained as existing with the exception of a new opening to provide access to a shared

garage and driveway for the semi-detached properties. All stone removed in these areas will be reused to build new or repair existing boundary walls where required.

1.4 The two new detached houses will be accessed by a new road and pavement which runs along the south-east edge of the school site. The road has been designed to include a turning area to enable vehicles to safely manoeuvre in and out in a forward gear. The new detached houses have been positioned so as wherever possible, to avoid impacting on trees and neighbouring properties. The arrangement has also been adjusted in response to pre-application advice which reduced the overall number of new build houses from three to two. The new detached properties will enjoy views over the area designated as Public Open Space and will also offer natural surveillance and supervision of this land to help discourage anti-social behaviour.

2.0 RELEVANT PLANNING HISTORY (if any)

Reference Number	Description	Decision	Decision Date
DC/1997/00422	Erection Of One Demountable Classroom.	Approved	18.07.1997
DC/2000/00112	Erection Of One Demountable Classroom.	Approved	02.03.2000
DC/2013/00656	Convert the redundant primary school building into a single residential dwelling and create two new detached properties to the rear of the site	Withdrawn	10.01.2019

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S1 LDP The Spatial Distribution of New Housing Provision
S4 LDP Affordable Housing Provision
S13 LDP Landscape, Green Infrastructure and the Natural Environment
S16 LDP Transport
S17 LDP Place Making and Design
S12 LDP Efficient Resource Use and Flood Risk

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
GI1 LDP Green Infrastructure
SD2 LDP Sustainable Construction and Energy Efficiency
SD4 LDP Sustainable Drainage
MV1 LDP Proposed Developments and Highway Considerations

4.0 NATIONAL PLANNING POLICY

Planning Policy Wales (PPW) Edition 10

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation. A well-functioning planning system is fundamental for sustainable development and achieving sustainable places.

The planning system should create sustainable places which are attractive, sociable, accessible, active, secure, welcoming, healthy and friendly. Development proposals should create the conditions to bring people together, making them want to live, work and play in areas with a sense of place and well-being, creating prosperity for all.

5.0 REPRESENTATIONS

5.1 Consultation Replies

Llanfoist Fawr Community Council - Recommends approval.

Dwr Cymru-Welsh Water - No objections subject to condition to ensure that surface water does not drain into the public sewer.

MCC Highways - The development proposals submitted for review provide sufficient car parking spaces in line with the requirements of MCC Parking Guidelines SPG for the property types proposed and are acceptable. The proposed vehicular access road, at its junction with Llanellen Road provides a visibility splay of 2.4m x 43m in line with the requirements of Manual for Streets and is acceptable.

It is noted that 2 no. existing telegraph poles and associated overhead cables are located adjacent to the existing school boundary wall. The development proposal is to set back this boundary wall to facilitate the proposed footway across the development frontage. The Applicant should liaise with the relevant statutory undertaker and arrange to relocate these telegraph poles to the rear of the footway to allow clear passage for vehicles and/or pedestrians.

The proposed access road bell mouth, at its junction with Llanellen Road, will remove a length of existing on-street parking by 2 to 3 spaces. However, it is noted that the majority of residential properties, in close proximity to the development, have off-street parking via carports/ hardstandings, etc. The loss of a small number of parking spaces will not be detrimental to the highway network.

No highways grounds for objection, however the Applicant should note the comments above in respect of permeable paving and the existing utilities overhead apparatus.

Given the scale of the development, the close proximity of the numerous adjacent residential dwellings and the narrow nature of Llanellen Road, it is suggested that a Construction Traffic Management Plan is required via condition.

MCC Biodiversity Officer - No objection subject to conditions.

The main building has been identified as a roost of two species of bats (common pipistrelle and Natterer's bats). The development will need to be subject to a licence from Natural Resources Wales before work can commence at the site. As a licence is required, the Local Planning Authority will need to consider the 'Three Tests' for European Protected Species. Please see our internal guidance note on consideration of the 'Three Tests' for licencing and report template. The LPA need to consider tests i and ii; test iii has been considered by NRW.under guidance from Natural Resources Wales (2015), this proposal has been identified as a lower risk case and as such test iii is considered to be met. The proposal is likely to impact on bats and their use of the building, therefore an application to Natural Resources Wales for a European Protected Species

Licence will be required. We are satisfied that with this amendment, provided the report recommendations are implemented, then there should be no negative impacts on bats or nesting birds as a result of the proposed development. If you are minded to grant planning permission for this development then suitable planning conditions are advised below.

Landscaping will also be important in this regard. Landscape plans show the inclusion of hedgerows on the northern boundary of the site to maintain bat foraging routes, however, as these sit within private ownership it is likely that these will become degraded. I have therefore recommended that the proposals include trees instead of hedgerows that we will be able to protect by means of a tree preservation order (amendment made).

MCC Housing Officer - Commuted sum for affordable housing provision required.

5.2 Neighbour Notification

Six representations supporting the conversion of the old school building but objecting to the proposed new dwellings on the following grounds:

- * Take away the privacy of the surrounding houses which has been maintained for a great number of years.
- * Overlook my garden (46 Woodland Crescent) and other properties. It will invade privacy and the building will be close to my fence.
- * Feel there would be much more suitable and alternative sites for the houses to be built without compromising the privacy of current residents.
- * It has always been regrettable that the council did not honour early promises to sell the entire field to the village, which only owns the lower part; this would have been in keeping with policy concerning open space.
- * Historically, the entire field and adjoining strip were designated as an Amenity Open Space of about 3,000m² in the LDP.
- * The current LDP includes many provisions that should protect such areas, in particular Policy CRF3, which 'seeks to protect ... public open space' and 'safeguard' it. Policy DES2 states that its 'primary purpose ... is to protect and, where possible, improve the built environment by retaining the overall amenity value of the existing stock of green space.' Policy S5 also covers the need to protect such open spaces.
- * Section 5.10 in the current LDP states that Llanfoist has 'made a disproportionate contribution to recent housing development ... which the new housing allocations seek to avoid.'
- * Policy CRF3 seeks to safeguard facilities, and indicates that loss of open space will only be permitted if alternative provision is made available, or that there is an excess of such space. This seems to preclude new builds on the field until at least 2021 under a new policy, if this is created.
- * During demolition of the old 'temporary' buildings we observed that a large number of concrete slabs were buried. The rib of former industrial land retained by the boundary wall is made-up mainly from rubble, and this minor demolition work produced significant disturbance from vibration. Any building works should take this into account and minimise actions that will cause vibration or damage to our property or to the retaining wall.
- * The proposed road into the development is right opposite my kitchen window (Tywnglas).
- * If cars were coming out of that road their vision may be impaired by the school wall to the cars coming in the one-way street. If those cars then swerve they would end probably end up crashing my kitchen window.
- * Parking at present moment within this street is an issue and this development would only increase that issue.
- * Work trucks going into the development would struggle to get into the area due to the narrow streets and would create excessive noise for the surrounding houses.
- * The proposed location of the eastern dwelling would be directly overlooking my property and due to the much higher elevation this property would will block my evening sun and would be directly overlooking my garden and lounge and bedroom (2, Clos Hengaer Ysgol).
- * Suggested to alter the layout slightly so that the house and garage are switched positions, this would mirror the house on the other side of the site and there would be no loss of plot size for the new property. This small change would make a huge difference to our privacy and wellbeing and would allow me to support the development.

- * Envisage that the provision of a pedestrian route through the site leading to the public open space will subsequently increase the volume of pedestrian activity through Clos Hengaer Ysgol (private road but with right of way to the public open space) and would take the opportunity to remind the County Council that they are responsible for 50% of the maintenance costs of the road.
- * Believe the land that is being proposed as a roadway between Hebron and the school wall has a clause that it cannot be developed.
- * When Safeway (now Waitrose) was built there was a wildlife haven which had to be relocated onto this site. Now understand that it has already been moved without our knowledge.
- * The buildings proposed behind the current school building will be able to overlook Hebron.

Two comments of support:

- * Having lived in the area for around 8 years while walking up the canal I am glad to see a development on the site which should make the area look a lot more pleasant.
- * As a trainee Architectural Technologist the style and design seem great and with the canal and school nearby it's a great place to put housing.
- * Good to see eyesore of old school being developed.

5.3 Other Representations

Abergavenny and District Civic Society - We support in principle the thoughtful proposals for this site, particularly welcoming:

- The reuse of the existing building
- The use of stone for the extension and walling
- The provision of a frontage footway and a pedestrian link to the public open space
- The bargeboards on the new houses that echo the school building, and the chimney stacks

Clearly detailed consideration needs to be given to the concerns of local objectors.

As the Council owns the property, consideration should also be given to whether it should be entirely or partly devoted to meeting local needs for affordable housing.

5.4_ Local Member Representations

Cllr Howard - No objections to the development in principle and it will be great to see the old school buildings put to good use. However, I note that House A is close to the new semi-detached dwellings on Clos Hengaer and that the window in bedroom 3 in particular may have direct views into habitable rooms and garden of existing residences.

6.0 EVALUATION

6.1 Strategic & Spatial Choices

6.1.1 Principle of Development

The site is within the settlement of Llanfoist where new residential development is acceptable in principle under Local Development Plan (LDP) Strategic Policy S1.

The site also includes areas designated as an Area of Amenity Importance as designated under Policy DES2 of the LDP. The Policy states that:

Development proposals on areas of amenity importance will only be permitted if there is no unacceptable adverse effect on any of the following:

- a) the visual and environmental amenity of the area, including important strategic gaps, vistas, frontages and open spaces;
- b) the relationship of the area of amenity importance to adjacent or linked areas of green infrastructure in terms of its contribution to the character of the locality and / or its ability to relieve the monotony of the built form;

- c) the role of the area as a venue for formal and informal sport, general recreation and as community space, expressed in terms of actual usage and facilities available, as well as its relationship to general open space requirements as set out in policy CRF2;
- d) the cultural amenity of the area, including places and features of archaeological, historic, geological and landscape importance; and
- e) the nature conservation interest of the area, through damage to, or the loss of, important habitats or natural features (Policy NE1 applies)

In regard to criterion (a), it should be noted that there were pre-fabricated units installed to the rear of the school on the land now proposed for the two new houses as temporary accommodation for the school in the 1990's. These structures were utilised for longer than their intended life span and were a blight on the landscape until they were finally removed. The existence of the units defines the historic extent of the public open space which has remained the same following demolition on the buildings.

In relation to criterion (b) the proposed development will include a road and footpath that will link the community space with Llanellen Road by utilising the strip of land that is currently inaccessible which runs between the school building and the semi-detached property.

The space accessible to the public for recreation and sport will be retained as existing in accordance with criterion (c) and criterion (d) does not apply in this case.

The pond that was previously located in the strip of land between Hebron and the old school has already been relocated on the public open space. This will ensure that the pond is accessible to the public whereas previously it was on private land.

6.2 Affordable Housing

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 £112,847. This will be secured via a Unilateral Undertaking/Section 106 legal agreement.

6.1.2 Good Design/ Place making

The proposed new extension to the original school is required to create two semi-detached homes. The relatively modest extension heavily references the materials, features and proportions of the existing building and is therefore in keeping with the character of the existing building. Some new additional windows have been included to provide light and ventilation to the first floor rooms and again, these have been designed to be in-keeping with the style of the existing building. Natural day lighting has also been supplemented by a series of conservation style roof lights to the spaces.

With regards to the proposed new residential properties, the surrounding properties in the village of Llanfoist are varied, and all are recognisable as typical examples of houses of the decade in which they were constructed. Rather than reference the more modern dwellings, the new detached houses have been designed in the style and materiality of the existing school building. This is seen in the arched entrance canopy, the stone base, the decorated barge boards and slate roofs.

6.1.3 Impact on Amenity

The proposed conversion and extension of the existing school building will have a limited impact on neighbouring residential amenity in terms of any loss of privacy, light or overbearing impact and has not received any objections. The neighbouring dwelling to the northwest (School Cottage) has a one and a half storey garage building adjacent to the application site and no notable window openings on the house facing it. To the southeast, the nearest property, Hebron, is separated from

the school building by the proposed new access road and footway and there are no window openings in the side elevation of this property.

In terms of the proposed new dwellings, the closest neighbouring properties are at Clos Hengaer Ysgol. To help minimise overlooking from House A, the window serving bedroom no.3 has been moved from the north east elevation (rear) to the south east (side). This reduces the angle of views between the houses and also into the gardens of these neighbours. No habitable windows are less than 22m of each other.

In terms of views into no. 36 Woodland Crescent, although the window in bedroom no. 3 of House A will be within 6m of the rear boundary of this property, the garden is approximately 31m deep and the house itself is some 37m away from the window. There is therefore plenty of garden area that will be further away from the proposed new house and also privacy distances between windows are acceptable.

There will be no windows on the side elevation of House B that could overlook the neighbouring properties located on Kiln Road.

Consequently, it is considered that the proposed development will not have a significant impact on local residential amenity and is in accordance with Policy EP1 of the LDP.

6.1.5 Sustainable Management of Natural Resources

With consideration to policy S12 of the LDP, the development proposes solar panels on the less prominent facades and garages.

6.2 Active and Social Places

The proposals will create a sustainable long-term use for a redundant building. The new detached houses will also offer a natural surveillance over the public open space which will help deter antisocial behaviour and improve safety of users of this parcel of public open space.

6.2.1 Transport

The village of Llanfoist is relatively well served by public transport and the railway station in nearby Abergavenny is also within walking or cycling distance. The site is accessed off a one-way adopted highway, Llanellen Road, which is connected to a larger distributor road (B4269). There is a bus stop (NE bound and SW bound) on the corner of Woodland Crescent and Llanellen Road, approximately 150m from the site. There is an established bus network that provides convenient access to the wider community.

6.2.2 Access / Highway Safety

Only one point of vehicular access is proposed to provide access, off-street parking and refuse collection to the four dwellings. The scheme utilises an existing strip of land between the existing school and the neighbouring property to the south-east (Hebron) to provide a 4.8m wide access road with a 1.5m pedestrian pavement.

Vehicular access has been detailed in the submission illustrating visibility splays and turning circle dimensions in line with LDP policies S16 and MV1. Visibility splays of 43m sightlines in both directions are essential in both directions onto Llanellen Road and have been accommodated by moving the existing boundary walls to the front boundary of the original school. These will be reconstructed on a like-for-like basis using the original stone. The scheme also proposes a new footpath along the front of the school, linking into the existing highway footway network and improving pedestrian access/safety. The new footpath has been designed to avoid reducing the width of the existing highway.

The layout and turning area has been designed to enable the safe access and egress of larger (service) and light vehicles in a forward gear.

A new footpath is proposed to be created to the front of the site and improved access has been designed to the Public Open Space to the rear.

6.2.3 Recreational Spaces

The LDP encourages the protection and enhancement of community and recreation facilities and community open space. The redundant playing fields associated with the school can be regenerated to provide a valuable amenity for the surrounding community and better access routes will be provided to make the area more inclusive.

6.3 **Productive and Enterprising Places**

This is not directly applicable to this application due to nature and scale of the development.

6.4 **Distinctive & Natural Places**

6.4.1 Landscape Impact and Green Infrastructure

The boundary with the Public Open Space to the rear of the site is proposed as railings with a hedge so that the space is not enclosed by suburban close-board timber fence (as has been used on another boundary). The stone wall to the front of the school has been relocated to improve visibility on the highway but will be reinstated using the original stone and features in the new location. Original stone walls within the site have been retained as far as practical and have heavily influenced the final arrangement.

The footpath link from the site to the Public Open Space is supported under Policy G11 of the adopted Local Development Plan. The new houses are provided with open front gardens and driveways which provide a buffer from the highway but allow clear visibility and overlooking; particularly at the entrance to the new footpath that leads to the Public Open Space.

In terms of soft landscaping, the proposals seek to increase the amount of tree cover along the perimeter and outer edges, particularly along the north-western boundary, which has been identified in the ecology report as being used by foraging bats. Construction work proposed near existing trees has been designed to reduce impact on the root protection areas and permeable paving will be adopted as part of the SuDS strategy. Back gardens are relatively well proportioned and are provided with patio (or patio terraces) giving plenty of room for outdoor amenities and the needs of future occupiers.

6.4.2 Historic Environment

A school has been located on the site predating 1880 although the map suggests that the building we see today was replaced or largely extended between 1880 and 1900. The 1960 map indicates that a large building existed at the rear of the school site but it is not known what the building was used for and there is no evidence of it today. The school building is of note within the village as an example of a good 19th Century building and therefore its retention and restoration is welcomed. The site is not within a designated Conservation Area or Archeologically Sensitive Area and given that the original school building is being retained it is therefore unlikely that the proposed development will have any impact on the historic environment.

6.4.3 Biodiversity

The main building has been identified as a roost of two species of bats (common pipistrelle and Natterer's bats). The development will need to be subject to a licence from Natural Resources Wales before work can commence at the site. As a licence is required, the Local Planning Authority will need to consider the 'Three Tests' for European Protected Species.. The LPA need to consider tests i and ii; test iii will be considered by NRW when considering whether or not to grant a licence.

(i) The derogation is in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.

Comment: The former school building has been empty for some time now and as it is now boarded up, is not contributing towards a sense of the place in the area. If no alternative use is found for the building then it would eventually fall into a state of disrepair with the eventual loss of the bat roosting areas within it. The conversion of the building will provide housing and will increase the value of the land and therefore indirectly improve the wider economy.

(ii) There is no satisfactory alternative

Comment: The conversion of the old school building is necessarily site specific. The 'do nothing' scenario has been considered and rejected as it would leave a dilapidated building which could eventually lead to the loss of the bat roosts.

(iii) The derogation is not detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

Comment: A bat survey was carried out in August 2011. Since then another survey was carried out in summer 2014, due to the original assessment being outdated. This process has now been repeated by Just Mammals, with another refresher bat survey in summer 2017, in order to review the site's ecological features, and consider whether there are any significant changes.

During the 2017 survey a single pipistrelle bat emerged from the edge of the roof structure, at the north-west gable end wall, and light commuting and foraging activity was noted over the site in general. Overall, a reduction in bat activity was recorded across the site.

The following mitigation features are proposed and are noted on the site plan and elevations:

For the new houses: each will have an enclosed bat box high up on the south-east gable wall of each of the houses. The enclosed boxes will benefit from solar gain on the elevation. The boxes are suitable for the crawling Pipistrelle species.

School building roof: it is proposed that the school roof is retained, however if repair works need to take place replaced or repaired, then gaps will be created beneath the ridge tiles to replicate the roost opportunities at the ridge currently exploited by bats.

School building porch area: retain existing roof covering or if repaired/modified this will be done on a like-for-like basis. A new access point will be created on the south-east end to avoid conflict with the entrance to the dwelling.

In general, bat friendly materials will be used throughout. In terms of lighting it is proposed that there is to be no external lighting features or light spill along the north-west boundary to maintain this as a dark corridor. All other lights will have no upward light spill and will be on timers that extinguish within 30 seconds of movement ceasing.

For birds, as mitigation for the loss of nest sites, the installation of three bird boxes at eaves level is proposed. The locations of these are noted on the site plan and elevations. They have been located to avoid doors and windows to reduce issues on noise and droppings.

Great Crested Newts have previously been recorded at and around the site. To provide appropriate access to the new dwellings, a new driveway is provided along the south-east boundary of the site where historically the school's wildlife garden was located. A scoping assessment was carried out at Llanfoist school site in late August 2013 to consider the presence or potential presence of Great Crested Newts or other protected species due to the existing small pond in the former school's wildlife garden. This was followed up with a presence/absence survey for great crested newt (GCN), carried out in spring 2014. Whilst the survey results confirmed a breeding population of palmate newt, no sign of great crested newt (GCN) was found and it is concluded that they are unlikely to be present. In line with best practice to replace like-for-like, a pond of similar dimensions was created in the public open space to the rear of the site in 2015. This is now managed by the Community Council and will continue to be so.

6.4.5 Flooding

The development site is not situated within a flood risk zone.

6.4.6 Water (including foul drainage / SuDS)

The application proposes to discharge generated surface water into sustainable drainage systems (SuDS), which is supported by LDP Policy SD4 and now a requirement. The use of sustainable drainage systems (SuDS) does not involve the discharge of surface water directly/indirectly to the public sewerage system.

6.5 Response to the Representations of Third Parties

6.5.1 The Civic Society suggest that all or some of the housing proposed should be affordable. In this case the amount of dwellings proposed (less than 5) means that Policy S4 of the LDP in relation to affordable housing provision does not require the provision of affordable housing on the site itself. However, a commuted sum of £112,847 has been agreed to be paid towards the provision of new affordable housing elsewhere in the local area.

It was suggested by a neighbour to alter the layout so that the house and garage are switched positions in order to reduce the impact of the development on the properties at Clos Hengaer Ysgol. This was considered by the applicant but it was felt that this would isolate the outside space as the garage would be blocking any direct access and views into the garden. It would mean the only route into the garden would be along the back of the property, behind the garage, and then around the side. It was considered that this arrangement would not therefore provide suitable amenity space, particularly as it is expected that house will be used by a family with, most likely, young children. Mirroring House B's layout was also considered but the large existing tree and root protection area restricts this. However, the windows to the living room have been amended; moving them further away from the neighbouring properties and the window of bedroom 3 has been moved to the side elevation.

Overlooking distances are over 22m that is above the standard distance for when windows are considered not to be intrusive. Furthermore, the angle means that views are obscured and not directly facing any windows. It is also worth noting, that semi-detached houses on Clos Hengaer Ysgol are only 16m away from the neighbouring properties on Woodland Crescent, which is typical for the density within this area.

Issues regarding the designation of the site as Amenity Open Space under Policy DES2 of the LDP have been addressed in paragraph 6.1.1 above.

It was noted by a local resident that Section 5.10 in the current LDP states that Llanfoist has '*made a disproportionate contribution to recent housing development ... which the new housing allocations seek to avoid*'. Small windfall sites such as this are not part of the formal allocation and therefore this section of the LDP is not relevant to this application.

Disturbance from construction traffic will be managed through a Construction Traffic Management Plan which has been suggested as a condition on any consent.

In relation to the proximity of the access to Tywnglas, Highway Officers did not raise any concerns in relation to visibility and therefore it is not anticipated that there will be any danger to this property.

Issues of legal restriction preventing the development of the land that is being proposed as a roadway between Hebron and the school is not a material planning consideration but is a private legal matter between the landowners.

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

6.6.1 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' well-being objectives set out in section 8 of the WBFG Act.

7.0 RECOMMENDATION: APPROVE

Subject to a 106 Legal Agreement requiring the following: Financial contribution toward affordable housing.

S106 Heads of Terms

£55,713 + £57,134 (£112,847 total) to be paid upon occupation of each dwelling.

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 No development, demolition, earth moving shall take place or material or machinery brought onto the site until an Ecological Method Statement has been submitted to and approved in writing by the local planning authority. The Method Statement shall thereafter be implemented in full.

REASON: Safeguarding of protected and priority species during construction works LDP policy NE1 and the Section 7 of the Environment Act (Wales) 2016.

- 4 Prior to installation, a "lighting design strategy for biodiversity" shall be submitted to and approved in writing by the local planning authority. The strategy shall:
 - a) identify those areas/features on site that are particularly sensitive for roosting bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places. All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

REASON: To safeguard roosting and / or foraging/commuting habitat of Species of Conservation Concern in accordance with LDP policies NE1 and EP3.

5 Prior to any works commencing on site, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved by the LPA. This Plan shall include traffic management measures, hours of working, measures to control dust, noise and construction related nuisances and measures to protect adjoining users from the construction works. The development proposal shall be carried out in accordance with the approved CTMP.

REASON: In order to ensure that the development proposal is carried out in a safe and considerate manner in accordance with LDP Policy MV1.

6 No surface water shall be allowed to connect (either directly or indirectly) to the public sewerage system.

REASON: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.

7 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON: To safeguard the landscape amenities of the area and to ensure compliance with LDP Policy G11.

INFORMATIVES

- 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.

- It should be brought to the attention of the applicant that in the event of a new or altered vehicular access being formed, the requirements of Section 184 of the Highways Act 1980 must be acknowledged and satisfied. In this respect the applicant shall apply for permission pursuant to Section 184 of the Highways Act 1980 prior to commencement of access works via MCC Highways.

- Warning: A European protected species (EPS) Licence is required for this development. This planning permission does not provide consent to undertake works that require an EPS licence.

It is an offence to deliberately capture, kill or disturb EPS or to recklessly damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine.

To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at

<https://naturalresources.wales/conservation-biodiversity-and-wildlife/european-protected-species/?lang=en>

Development should not be commenced until the Applicant has been granted a licence by Natural Resources Wales pursuant to Regulation 55 of the Conservation of Habitats and Species Regulations (2017) authorizing the specified activity/development to go ahead.