

Application Number: DM/2019/00800

Proposal: Demolition of existing bungalow and outbuildings and replacement with 2no. detached two storey dwelling houses with altered driveway access from highway

Address: Homestead, Wainfield Lane, Gwehelog, Usk
Applicant: Mr. & Mrs. Newman

Plans: Site Plan 1416[BD]01 - REV D, All Proposed Plans 1416[BD]02 PLOT 1 - REV B, All Proposed Plans 1416[BD]03 PLOT 2 - REV B, Location Plan - , Topographical Survey

RECOMMENDATION: APPROVED SUBJECT TO S106 AGREEMENT

Case Officer: Ms. Kate Bingham
Date Valid: 24.05.2019

This application is presented to Planning Committee due to the number of objections received

1.0 APPLICATION DETAILS

1.1 The site comprises a garden area around the existing bungalow that is predominantly lawn, a limited amount of overgrown shrub borders and some individual shrubs within the garden to the rear of the bungalow. The majority of the existing vegetation is restricted to the boundaries of the site. Extending from the south to east a concrete block wall forms the boundary between the site and the neighbouring property of Ty Cwtch. The concrete block wall is some 1.8m high.

1.2 At the request of planning officers, the proposed development has been amended since it was first submitted. The revision was from two dwellings arranged as one to the front of the plot and one to the rear, to two smaller dwellings sited to the rear of the plot in a line next to each other. This was to ensure that the proposed development accorded with LDP Policy H3 relating to infill dwellings in minor villages.

2.0 RELEVANT PLANNING HISTORY (if any)

Reference Number	Description	Decision	Decision Date
DC/2007/01071	New house & detached garage (revised scheme following permission DC/2006/00303).	Approved	07.12.2007

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

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

Development Management Policies

H3 LDP Residential Development in Minor Villages
LC5 LDP Protection and Enhancement of Landscape Character
DES1 LDP General Design Considerations
EP1 LDP Amenity and Environmental Protection
NE1 LDP Nature Conservation and Development
SD4 LDP Sustainable Drainage

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

Gwehelog Community Council - Objects:

1. The proposed development is an additional development on the lane and not infill. It will make this the third division of a single plot. The plot is only big enough for one house in a rural, countryside setting.
2. Allowing the application will set a precedent for extended development outside the current LDP.
3. Foul drainage remains a significant issue. The potential amount of waste on a small plot will not be managed by a soakaway. The soil in this area will not tolerate the amount of waste that will be produced.
4. The positioning of the plot will not be acceptable - any development should remain on the existing plot or move back, keeping the roof line the same as the other houses on the lane.
5. The proposed development will have a significant impact on traffic along the lane and driveways appear to be directly opposite other properties.

Natural Resources Wales (NRW) - We have no objection to the application as submitted but request that an informative is attached to any planning permission granted advising that a bat licence is required for the works.

MCC Urban Design/ Landscape Officer- The increase in garden to the frontage is welcomed and could provide an opportunity for a suitable landscape scheme based on the concept planting schedule 1416[BD]06 August 2019 and species selection to reduce the impact of the proposed development (dwellings and garage to plot 2) on the village form and character as seen from Wainfield Lane.

Plan 1416[BD]01D indicates the retention of trees to the northern boundary which is welcomed. The retention of boundary hedges are also welcomed. Further tree and planting to eastern, southern and western boundaries to reduce the impact of the northerly property plot 1 ridgeline would be welcomed as viewed from the approach to the village via Wainfield Lane and as viewed from Bank Road and Llancayo Road (this has now been added to the proposal).

MCC Highways - No objection to access and parking arrangement. Concern of adverse impact on highway safety should this application set a precedent for further plot divisions. Recommend condition requiring the provision of the new access prior to development commencing and a Construction Traffic Management Plan.

MCC SAB - the proposed scheme will require a sustainable drainage system designed in accordance with the attached Welsh Government Standards for sustainable drainage. The scheme will require approval by the SuDS Approving Body (SAB) prior to any construction work commencing.

NATS Safeguarding - The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

SEWBRc Search Results - No significant ecological record identified.

5.2 Neighbour Notification

Nine representations received. Object on the following grounds:

The proposal extends the furthestmost line of building beyond the bungalow to be demolished and as such does not constitute true infill.

The two dwellings together are too big for the plot, too close together and out of character with other properties in the lane.

The development would add additional traffic on the lane which has no passing places at the bottom end and an access on to the main road which is potentially dangerous.

Any foul drainage system for the proposed housing development would need to cope with the impact of the full potential occupancy of the 2 x 4 bedroomed houses - which given the number and size of the bedrooms would be at least 16 persons (i.e. 8 persons per property) - and not just the average sized families that would in reality probably reside there. Therefore, it would be interesting to know the applicant's plans for foul drainage given the very limited space that is available on the plot to install the necessary plant and soakaways etc., and, given the well documented history of drainage issues in the area.

It is disappointing to note that despite meeting with MCC Planning on two occasions the Agent/Applicant has once again submitted an application that is contrary to Supplementary Planning Policies H3 and H5 regarding infill and replacement dwellings respectively.

The scale and massing of the application is in line with a housing estate not a country village.

It is not 'in-fill'. The two proposed dwellings are not in the 'building line' and do not 'in-fill' between any properties, therefore in conflict with Policy H3 of the Supplementary Planning Guidance.

It is not a replacement dwelling. The proposed two properties are not on the original bungalow footprint so therefore in breach of Policy H5 of the Supplementary Planning Guidance. The proposal is clearly overdevelopment.

There are no other three storey properties on the lane. This would set a new precedent for further development.

The drawings are misleading. No adjacent properties are shown on the drawings. There is no demonstration of how the proposal relates to existing properties, especially in terms of building line and the proposed heights. Please note, in other recent planning applications along Wainfield Lane,

'Ty Cwtch' has been stated as NOT setting a planning precedent for ridge height in planning applications by MCC. These recent applications also have permitted development with restrictions on ridge heights and increased distances from adjacent boundaries to minimise the visual impact. (Street elevations now submitted with the application).

Pipistrelle bats are roosting at the property. The removal of hedgerow, as proposed in the creation of the new driveway would damage the bats 'route to roost', limiting food source and causing them disorientation for their established routes to feed and roost. This has not been looked at or taken into consideration.

The positioning of the proposed new driveway, the third one for the 'Homestead' plot in less than three years. Usually in a village, driveways are staggered. The relationship to other drives is not shown on the drawings, but it looks as though the new proposal would be directly opposite Meadowside's drive.

The planning precedent this application would set. Allowing this proposal would allow neighbouring garden/land owners to build similar schemes which would cause significant harm to the identity of our small country village. The plans submitted are still not to scale and are therefore misleading.

The revised plans still do not address my major concerns and objections. I had hoped that any new application submitted would have been for one home and not a two house development. Sadly this second attempt to once again gain planning permission for two houses being constructed on this small plot is still overcrowding of the site and is clearly for profit without consideration for the local plan or aesthetics of the area.

The development is 270% bigger than the existing bungalow, and would dominate the horizon being at the highest point of Wainfield Lane, which again is not in keeping with the local plan. Believe the development will impact Meadowside both on loss of privacy and local amenity. Both dwelling houses are considerably higher and each has three storeys, whereas the existing property is a bungalow.

The proposed dwellings are located close to the highest point on Wainfield Lane (and at what is in fact the highest developed part of the east side of the lane, which is higher than the west side) and as such would have a significant negative visual impact from the lane and the surrounding countryside.

Contrary to LDP Policy H6 relating to replacement dwellings in the open countryside.

6.0 EVALUATION

6.1 Strategic & Spatial Choices

6.1.1 Strategic Planning/ Development Plan context/ Principle of Development

Gwehelog is classed as a minor village suitable for infill residential development under Policy H3 of the Local Development Plan (LDP). This policy states that:

In Minor Villages planning permission will be granted for minor infill of no more than 1 or 2 dwellings resulting from the filling in of a small gap between existing dwellings, or residential redevelopment, or conversion to residential or sub-division of large dwellings, subject to detailed planning considerations, including no unacceptable adverse impact on village form and character and surrounding landscape, and other policies of the LDP that seek to protect existing retail, employment and community uses.

In this case replacement of the existing bungalow with plot 1 is acceptable under LDP policy without the requirement to meet the criteria of Policy H6 as this relates to replacement dwellings in the open countryside which this site is not. Once Plot 1 is constructed the area between Ty Cwtch and the replacement dwelling then becomes suitable for infill development under Policy H3 as it would constitute the filling of a small gap between two existing dwellings. On this basis it is considered to be counter-intuitive to require the construction of plot 1 prior to plot 2 as this would lead to unnecessary additional noise and disturbance for neighbouring occupiers during construction. On this basis it is considered that the proposed application would be acceptable in principle.

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 £8,491 which will be secured by a Section 106 legal agreement.

6.1.2 Good Design/ Place making

The existing bungalow is relatively modern and is not a traditional dwelling that is intrinsic to the landscape character of the area. As such its demolition will not harm the appearance of the area.

The proposed replacement dwellings will be traditional two storey houses with natural or man-made riven edged slate roofs, fine texture render and natural cedar/larch clad walls and aluminium or uPVC windows with traditional glazing bar arrangements.

There is a mix of house types on Wainfield Lane with post war detached houses and bungalows and more modern infills. The proposed new houses are considered to be in keeping with the vernacular of the area and the other dwellings within the vicinity of the site.

The proposed layout will see a single central access point leading to a detached garage to the front of Plot 2 and then onto Plot 1. The shape of the plot differs from others along the lane as the boundary is straight along the southern edge but is more like a dog-leg to the north which allows more area to accommodate the two buildings. The two dwellings will follow the building line established by the neighbouring dwelling Ty Cwtch. Street elevations submitted with the application show that the ridge height of the proposed new dwellings will be similar to Ty Cwtch with Plot 2 which is immediately adjacent having the same ridge height and Plot 1 slightly higher. The properties have accommodation in the roof space in the form of a bedroom but are not overtly three storey.

On balance, it is considered that the proposed layout will not appear at odds with the general ribbon pattern of development in the area and will not therefore adversely affect the street scene or character and appearance of the wider area. The proposed development is therefore considered accord with LDP Policy DES1.

6.1.3 Impact on Amenity/ Promoting Healthier Places

There are likely to be views southeast from Plot 2 towards the rear garden area of the property of Ty Cwtch however these views will be limited to a 45 degree angle. There will be no windows on the side elevation of Plot 2 facing this neighbour. A substantial laurel hedge within the Ty Cwtch garden together with the concrete block boundary wall would screen all views from the ground floor of this neighbouring property and vice versa.

Distances between the existing dwelling on the other side of Wainfield Lane and the proposed new dwellings are well over 21 metres and views between will be distant only. The proposed dwellings are set back from the front boundary at distance of over 22m (72ft).

On the basis of the above, it is considered that the proposed new dwellings will not adversely affect local residential amenity and meet the requirements of LDP Policy EP1.

6.2 Active and Social Places

6.2.1 Access / Highway Safety

With regard to highway safety it should be noted that there is only a net increase of one dwelling and it is considered by the Highway Authority that traffic flow on Wainfield Lane will not be adversely affected and would in isolation, not be sufficient reason to sustain a highway objection. However, Highways are concerned that should further plot divisions be allowed as a result of this application then there could be the potential to cause strain on the public highway in terms of traffic flow etc., along the single lane Wainfield Lane. Any additional proposals for sub-division will be the subject of a planning application which can be assessed on its own merits having regard to the cumulative impact of additional traffic.

Parking spaces are provided on the site and this arrangement would avoid cars parking in Wainfield Lane. A turning area is also provided within the site meaning that cars can enter and leave in a forward direction. As such the proposed development meets the requirements of the MCC Parking Standards.

The proposed relocated position of the proposed access provides greater separation between the proposed dwelling on Plot 1 and the boundary with Ty Cwtch and also provides improved visibility. Thus it is considered that the proposed development will not harm highway safety in accordance

with LDP Policy MV1.

6.3 Productive and Enterprising Places

6.3.1 Landscape/ Visual Impact

The village form along Wainfield Lane from the junction of the Monmouth Road to the crossroads junction with Bank Road is in general a ribbon settlement consisting of predominantly individual houses of mixed size, architectural form and age set within their own grounds and driveways leading onto a tree and hedge-lined Wainfield lane.

The settlement of Gwehelog is quite dispersed overall, set within the context of the historic landscape of Gwehelog and Trostrey commons as defined by LANDMAP and in the visual and sensory landscape setting of Gwehelog characterised by wooded hillside and scarp slopes. Both evaluated through LANDMAP as being of High value.

The existing mature boundary hedge screens the view of the new dwellings from the road and all existing boundary hedges and trees are to be retained including the translocation of the hedge to infill the existing site access. Additional planting using native species is also proposed and its implementation and maintenance can be ensured by planning condition.

The frontage of the site along the lane is 34.5m wide and the plot measures over 52m deep front to back. The site area is just under a third of an acre (1,270 sq. m) which is considered to be adequate to accommodate two dwellings and still provide on-site parking, turning areas and large gardens and soft landscaped space. The landscape proposals also seek to contain the two buildings within hedgerow perimeters to emulate the landscape character along Wainfield Lane.

The size and shape of the site allows for an enhanced lane frontage, appropriate to the village form. The site is considered to be of sufficient width to accommodate two dwellings without causing a significant visual impact and no physical impact to the existing vegetation or site context. The density of the residential ribbon development, alongside Wainfield Lane, varies considerably and the density of the proposal is no more than found at Woodgate House, Hafan Dawel, Tan-y-Deri and Ty Derwen.

Taking this into consideration and the fact that National Planning Policy encourages the best and most efficient use of residential land then it is concluded that the proposed development is acceptable in terms of landscape impact.

6.3.2 Biodiversity

Daytime inspection survey (internal and external), with two dusk emergence/activity observations were conducted on the bungalow in August and September 2018. Internal inspection found no live bats, or evidence of bats, but external survey found evidence with fresh bat droppings noted on the exterior wall at the south-eastern end of the bungalow. During the summer observations, a consistently low number of common pipistrelle bats were seen to emerge from the bungalow with the same pattern of behaviour during the two surveys: a single bat emerged at the north-west gable apex area and four bats at south-east gable, low, towards the front (west) slope. Only common pipistrelle bats emerged and no other species was recorded in the observation zone during survey.

When the nature conservation significance of the site is considered against recognised criteria, the nature conservation status of the site is assessed to be medium, due to the presence of what is likely to be a small maternity roost for a low number of common pipistrelle bats. The scale of the impact of the development will affect current roost locations, with a low risk of detrimental impacts to the conservation status at a local level, on the basis that the colony at this site is a small number of animals of a common and widespread species.

As bats are fully protected in British legislation, as well as their places of rest, for the development to proceed, the owner will, in addition to planning consent, need to obtain a European Protected Species licence from Natural Resources Wales prior to commencing any works for demolition of the bungalow, because such works will affect the current bat roost. A scheme of mitigation is proposed and can be conditioned so that the site continues to provide roost opportunities for the protected species currently present.

In consideration of this application, Monmouthshire County Council as Local Planning Authority is required to have regard to the Conservation of Species & Habitat Regulations 2010 (as amended) and to the fact that derogations are only allowed where the three tests set out in Article 16 of the Habitats Directive are met. The three tests have been considered in consultation with NRW and the Council Biodiversity and Ecology Officers as follows:

(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.

The replacement of the existing bungalow will provide additional housing for the local area as well as a financial contribution toward affordable housing. The development would add considerably to the economic value of the land. This would give rise, albeit indirectly, to some local social and economic benefit by further enhancing the fabric of the surrounding area.

(ii) There is no satisfactory alternative

The 'do nothing' scenario has been considered and rejected as it leaves the applicant with an unsuitable property, the condition of which could steadily worsen. This approach would eventually give rise to dereliction, with loss of bat roosting habitats. The application is necessarily site specific.

(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.

Based on the bat report submitted with the application, NRW do not consider that the development is likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range. This is provided the report is included in the 'approved list of plans / documents' condition within the decision notice, should consent for the project be granted.

6.3.3 Water (including foul drainage / SuDS), Air, Soundscape & Light

The proposed development must comply with Welsh Government Legislation regarding sustainable drainage which strictly controls surface water run-off. To achieve compliance with Sustainable Drainage legislation the new dwellings will have rainwater harvesting systems to collect and store rainwater and make use of it to flush toilets and supply washing machines, as well as water gardens. There will be little if any water discharging to the ground and to soakaway. The driveway will be of a permeable surface to avoid run-off. The development will not be allowed to commence unless it can be demonstrated that the proposed drainage meets the requirements of the SuDS legislation.

6.4 Response to the Representations of Third Parties and the Community Council

6.4.1 The issues raised by third parties in relation to compliance with LDP Policies, residential amenity, drainage, bats and highway safety is covered earlier in this report.

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

6.5.1 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:

S106 Heads of Terms

Financial contribution towards the provision of affordable housing in the local area of £8,491

((£120 x 122m2) x 58%).

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 hereby approved other than that associated with the proposed accesses shall commence until the access has been constructed in accordance with the approved plans.

REASON: To ensure the access is constructed in the interests of highway safety and to ensure compliance with LDP Policy MV1.

4 Prior to the commencement of development, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. This plan shall include traffic management measures, hours of work, measures to control dust, noise and construction related nuisances and measures required to protect adjoining users from the construction works. The development shall be carried out in accordance with the approved CTMP.

REASON: To ensure the development is carried out in a safe and considerate manner in accordance with LDP Policies MV1 and EP1.

5 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 GI1.

6 A schedule of landscape maintenance for a minimum period of five years shall be submitted to and approved by the Local Planning Authority and shall include details of the arrangements for its implementation.

REASON: To ensure the provision of amenity afforded by the proper maintenance of existing and / or new landscape features.

INFORMATIVES

0 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.

0 The Naming & Numbering of streets and properties in Monmouthshire is controlled by

Monmouthshire County Council under the Public Health Act 1925 - Sections 17 to 19, the purpose of which is to ensure that any new or converted properties are allocated names or numbers logically and in a consistent manner. To register a new or converted property please view Monmouthshire Street Naming and Numbering Policy and complete the application form which can be viewed on the Street Naming & Numbering page at www.monmouthshire.gov.uk

This facilitates a registered address with the Royal Mail and effective service delivery from both Public and Private Sector bodies and in particular ensures that Emergency Services are able to locate any address to which they may be summoned. It cannot be guaranteed that the name you specify in the planning application documents for the address of the site will be the name that would be formally agreed by the Council's Street Naming and Numbering Officer because it could conflict with the name of a property within the locality of the site that is already in use.

0 Please note that Bats are protected under The Conservation of Habitats and Species (Amendment) Regulations 2017 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).

