

**Application Number:** DM/2019/02079

**Proposal:** Construction of two detached dwellings and external works (relocation plot 12)

**Address:** Land adjacent to former Ifton Manor Farm, Chestnut Drive, Rogiet

**Applicant:**

**Plans:** Tree Survey 2429-PA-10 - (09/12/2019), Location Plan 2429-PA-01 - , Site Layout 2429-PA-03 - , Floor Plans - Proposed 2429-PA-04 - (Type B Plans), Elevations - Proposed 2429-PA-05 - (Type B Elevations), All Drawings/Plans 2429-PA-06 - (Fence), Floor Plans - Proposed (Handed Unit) 2429-PA-07 - (Type B Plans), Elevations - Proposed (Handed Unit) 2429-PA-08 - (Type B Elevations), Site Layout 2429-PA-09 - , Site Layout 2419-PA-03A - , Tree Protection Plan fencing - ,

## **RECOMMENDATION: APPROVE SUBJECT TO S106 AGREEMENT**

Case Officer: Mrs Helen Hinton  
Date Valid: 24.12.2019

### **1.0 APPLICATION DETAILS**

This application was originally reported to the Council's Delegation Panel on the 22nd July 2020. Following consideration of the report (which is provided below for reference) Members resolved to approve the application subject to the applicant entering into a Section 106 agreement to secure a commuted sum to be used for affordable housing.

During the processing of this legal agreement, a public objection has been received. This relates to construction works which have already commenced and raises concerns that the development was not being built in accordance with the proposed plans and was closer than that specified as part of the original report. The objector states that this results in an increased level of overshadowing and overlooking to the detriment of amenity.

During discussions the objector has specified that they were not made aware of the application. Based on the records kept it is noted that a direct neighbour notification was sent to the objector's property and a site notice was erected on the lamppost closest to their dwelling on the 7<sup>th</sup> January 2020. The objector has maintained that the letter was not received.

As a result of the objection, site visits were conducted on 11<sup>th</sup> and 22<sup>nd</sup> December 2020 where measurements were taken between the property under construction and the objector's dwelling. During these inspections it was noted that the dwelling under construction maintains a distance in excess of 21m between habitable room windows and that a close boarded, timber fence 1.8m in height has been erected between the objector's property and the dwellings under construction. However, it was also noted that vegetation within the development site, adjacent to the boundary with the objector, had been removed.

In light of the new objection being received prior to the Section 106 being completed, the application was returned to the Council's Delegation Panel on 13<sup>th</sup> January 2021 for consideration. At that meeting Members resolved that the application should be presented to the Planning Committee for ultimate determination.

It is appreciated that the application site is on raised ground relative to the objector's property. This has the potential to add to the visual mass of the property, reduce the perception of separation distances and change the outlook from the objector's property. However, the distance maintained is

considered compliant with development guidelines and is sufficient to prevent a level of overlooking or loss of privacy so detrimental to warrant refusal of the application. It is noted that as built, the distance of separation is greater than that specified as part of the original planning report.

Although further concerns are raised with regards to the potential devaluation of the objector's property, this is not a material planning consideration.

Whilst the objections raised are acknowledged and it is noted that vegetation between the properties has been removed, it is considered that the distance maintained between habitable room windows in the existing and proposed dwelling and the implementation of a further condition to secure replacement tree planting in compensation for that removed, would be sufficient to prevent the proposal from being significantly detrimental to amenity and is compliant with development guidelines. It is therefore requested that Members resolve to approve the application subject to the conditions specified below:

**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 shall take place until a scheme of foul drainage and surface water drainage has been submitted to, and approved by, the Local Planning Authority and the approved scheme shall be completed before the building(s) is/are first occupied.

REASON: To ensure satisfactory facilities are available for disposal of foul and surface water and to ensure compliance with LDP Policy EP5.

4 (a) Underground services shall be routed clear of the trees to avoid root damage.

(b) Prior to building work commencing on site (including any demolition and refurbishment works), protective fencing shall be erected around each tree at a minimum radius from the trunk of the tree (or outer trees in the case of a group) equal to the canopy spread or half the tree's height, whichever is the greater.

(c) The fencing shall comprise a vertical and horizontal framework of scaffolding supporting a minimum of 20mm exterior ply or other robust man-made boards and shall be maintained for the duration of construction activity on the site. It shall be at least 2.4 metres high and constructed and erected in accordance with the recommendations published in British Standard 5837:1991.

(d) No storage of plant or materials, landfill, excavation, burning of materials cement mix shall be carried out within the protective fencing.

REASON: To protect valuable tree or other landscape features on the site in the interest of preserving the character and appearance of the visual amenities of the area in accordance with LDP Policy G11.

5 No occupation of the proposed dwellings shall take place until car parking and service vehicle provision have been provided in accordance with the approved plan and that area shall not thereafter be used for any purpose other than the parking of vehicles.

REASON: To ensure provision is made for the parking of vehicles and to ensure compliance with LDP Policy MV1.

6 Notwithstanding the provisions of Article 3, Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no gates, fences, walls or other means of enclosure (other than any expressly authorised by this permission) shall be erected or constructed within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a road.

REASON: In the interests of visual amenity and to safeguard the appearance of the area and to ensure compliance with LDP Policy DES1.

7 The windows serving all bathrooms and ensuites shall be obscure glazed to a level equivalent to Pilkington scale of obscurity level 3 and maintained thus thereafter in perpetuity.

REASON: To protect local residential amenity and to ensure compliance with LDP Policies DES1 and EP1.

8 The materials and finishes of the external surfaces of the walls and roof of the development hereby permitted shall be of the same texture, type and colour as those on the external walls of the dwellings being constructed in accordance with planning permission DC/2015/00095 and shall remain as such in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure a satisfactory form of development takes place and to ensure compliance with LDP Policy DES1.

9 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of proposed landscaping, which shall make provision for new trees to be provided in compensation for those removed, and all existing trees and hedgerows on the land, details of any to be retained, together with measures for their protection in the course of the development.

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

10 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.

## **PREVIOUS REPORT to meeting of Delegation Panel held on 22nd July 2020**

**This application is presented to Delegation Panel following the receipt of a public objection**

### **1.0 APPLICATION DETAILS**

#### **1.1 Site Description**

The application site comprises a roughly square shaped parcel of land with an area of approximately 865 sq.m positioned to the south-east of an existing site currently under construction, for the development of twelve dwellings. The site forms part of the former Ifton Manor, within the settlement development limits and community of Rogiet as defined by the proposals maps of the Monmouthshire County Council Local Development Plan.

The site is positioned to north-west of the properties in Yew Tree Rise; to the north-east of 17 Chestnut Drive and to the south of four new build dwellings, known as Cherry Close (approved via application DC/2016/00095). The site was not previously included in any application for development. The land is roughly level with the development site to the north-east. At the time of inspection the land was being used for the storage of building materials and equipment with the northern and western boundaries was enclosed on the y 1.8m high close boarded fences with the remains of a stone wall, brick wall and timber fencing along the southern boundary. The trees immediately adjacent to the western boundary of the site are protected by a Tree Preservation Order.

The site currently under construction was granted approval via application DC/2015/00095 on the 5th June 2019 and has recently been the subject of an application to substitute two on site affordable houses with two open market properties (application DM/2019/01355 refers). The Delegation Panel resolved to approve that application on 19th May 2020, subject to the applicant entering into a deed of variation of the original Section 106 to provide a commuted sum contribution, in compensation for the loss of onsite provision.

## 1.2 Proposal Description

The application seeks full planning permission for the development of two detached, four bedroom dwellings and the repositioning of the dwelling on 12 approved as part of application DC/2015/00095.

The dwellings as proposed would measure 9.4m deep, 7m wide and 8m high. Each property would benefit from three off street parking spaces and an enclosed rear garden. The dwellings would be orientated to face north-east towards the existing development with access gained from the approved estate road, which in turn adjoins with Chestnut Drive to the north-west.

In terms of design and finish the proposed dwellings would match those previously approved and under construction with render elevations, with the exception of the first floor of a front facing gable projection that would be finished with gray cladding, dark grey coloured upvc windows and doors, dark grey roof tiles and black rain water goods.

## 2.0 RELEVANT PLANNING HISTORY (if any)

Reference Number	Description	Decision	Decision Date
DM/2019/00968	Variation of conditions 3 (start date notification), 6 (stone wall), 12 (bat method statement), 14 (Protected species monitoring) 15 (GI Management plan), relating to DC/2015/00095.	Pending Consideration	
DM/2019/00971	Discharge of conditions 4 (foul and surface water drainage), 5 (WSI Historical Enviro mitigation), 7(external materials samples), 9 (highways engineering details), 11 (construction Traffic management) and 17 (finished Floor levels) relating to application DC/2015/00095.	Pending Consideration	

DM/2019/01132	Non material amendments in relation to planning permission DC/2015/00095 (approved drawing 2109/504 has chimney in incorrect position, has no windows to toilet and sanitary rooms and unusual screen to rear room)	Pending Consideration	
DM/2019/01133	Discharge of conditions 6 (stone wall details) 8 (boundary details) and 16 (hard and soft landscaping) of planning permission DC/2015/00095.	Pending Consideration	
DM/2019/01355	Substitution 2 affordable dwellings for two market houses (Original permission DC/2015/00095 - residential development of 12 units with associated development).		29.07.2020
DM/2019/02059	Discharge of conditions 12 (protected species (bats) method statement); 13 (lighting or lighting fixtures); 14(monitored scheme for protected species); 15 (Green Infrastructure Management Plan) and 16 (hard and soft landscape works) of planning consent DC/2015/00095	Pending Consideration	
DM/2019/02079	Construction of two detached dwellings and external works (relocation plot 12).	Pending Determination	
DM/2020/01474	Discharge of conditions 13 (lighting) and 16 (soft landscaping) relating to application DC/2015/00095.		
DC/2015/00095	Residential development (12 Units) with associated development.	Approved	05.06.2019

### 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

#### Development Management Policies

H1 LDP Residential Development in Main Towns, Severnside Settlements and Rural Secondary Settlements  
SD4 LDP Sustainable Drainage

GI1 LDP Green Infrastructure  
NE1 LDP Nature Conservation and Development  
EP1 LDP Amenity and Environmental Protection  
MV1 LDP Proposed Developments and Highway Considerations  
DES1 LDP General Design Considerations

## **Supplementary Planning Guidance**

Affordable Housing Supplementary Planning Guidance, July 2019

### **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**

**Rogiet Community Council** - No response received.

**Highways** - No objection

**Welsh Water** - Conditions recommended regarding the disposal of foul and surface water

**Glamorgan Gwent Archaeological Trust** - Original response- Additional information requested.

**Glamorgan Gwent Archaeological Trust** - Updated response awaited

#### **5.2 Neighbour Notification**

The application has been advertised by direct neighbour notification and the erection of a site notice. One letter of objection has been received and is summarised as follows::

Close to adjoining properties

Increase in traffic

Out of keeping with character of area

Over development

Strain on existing community facilities

The existing highway has been turned into a mess with the recent amount of development.

The small space and green area is becoming incredibly messy and over crowded.

#### **5.3 Local Member Representations**

The Ward Member, Cllr Guppy was notified of the application on 7th January 2020. No objections or representations have been received.

Please note all representations can be read in full on the Council's website:  
<https://planningonline.monmouthshire.gov.uk/online-applications/?lang=EN>

## **6.0 EVALUATION**

### **6.1 Strategic & Spatial Choices**

#### **6.1.1 Principle of Development**

The plot is located within the Development Boundary of Rogiet within which policy S1, and H1 presume in favour of new residential development subject to detailed planning considerations. The site as whole is within walking distance of shops, a primary school, public transport and other local facilities. The site is considered to be a sustainable location for new dwellings and accords with the LDP strategy for new housing development to be concentrated in existing settlements. The principle of a new residential dwelling in this location is acceptable in policy terms.

Policy S4 of the LDP requires that all new housing developments contribute to affordable housing within the County. Single dwellings are required to make a financial contribution for this and the amount will depend on the size and location of the proposed dwelling. In this case the financial contribution required for the two additional dwellings would be £10,542.08 (£5,271.04 per dwelling) that would be secured through a section 106 Legal Agreement.

#### **6.1.2 Good Design/ Place making**

Although the wider residential area contains a variety of property types, designs and external finishes, the estate within which the dwellings would be located does contain a more limited design, form and material palette. Although an objector has raised concerns that the proposal would be out of keeping with the area, the proposed dwellings have been designed to be in keeping with the new estate with the height, design and material matching the approved dwellings currently under construction. Although different in the design and external to the properties in Chestnut Drive and Yew Tree Rise, the proposed dwellings would not be viewed in relation to these existing properties. As such it is considered that the development would be in keeping with those to the east and would not have an adverse impact upon it the character, appearance of the area and wider street scene.

Although the proposal would increase the number of dwellings on site, it is considered that the enlarged area, which was not previously considered as part of the 2015 application, is sufficient in area to accommodate the dwellings, parking and amenity space and prevent the appearance of overdevelopment.

As specified above the trees to the west, which are outside of the existing boundary are protected by a Tree Preservation Order. No alterations to the boundary position are proposed as part of the current application. Based on the plans submitted, no part of the dwellings would be positioned within the root protection zone or underneath the canopy of the trees.

It is considered that the size, scale, design, position and orientation of the dwellings relative to the ongoing development makes the development acceptable in design terms and compliant with the requirements of policy DES1 of the LDP.

#### **6.1.3 Impact on Amenity/ Promoting Healthier Places**

As a result of its position within an established residential area, there are existing properties surrounding the site namely numbers 14-17 Cherry Close to the north, 17 Chestnut Drive to the west and the properties in Yew Tree Rise to the south.

The dwelling proposed for the northern end of the plot would be positioned parallel to but behind the rear elevation of the closest dwelling in Cherry Close and developed adjacent to the rear curtilage boundary. A distance of approximately 7m would be maintained between the corners of the dwellings. Although the proposed dwelling would be close to the existing property, it is considered that the angle between habitable room windows would be sufficiently oblique to prevent any direct overlooking. Although one window would be provided in the northern elevation of the dwelling overlooking the adjacent gardens this would serve a bathroom and would be obscure glazed. Given the position of the proposed dwelling to the south, it does have the potential to generate

overshadowing and loss of light to the rear elevation and garden of the property in Cherry Close. However, given the off-set position, the distances maintained and the long rear garden of the existing dwelling in Cherry Close, it is considered that the impact generated would not be so overbearing or detrimental to warrant refusal of the application on such grounds.

Based on the plans submitted a distance of 19m would be maintained between side elevation of plot 12 and numbers 4-6 Yew Rise and 19m with the rear elevation of plot 12 and 17 Chestnut Drive. Although the distance maintained between the proposed dwellings and number 17 Chestnut Drive is less than that normally sought, in this instance it is considered that the boundary treatments proposed in conjunction with the existing mature trees to the rear of the application site would help protect and preserve residential amenity and help prevent an unacceptable level of overlooking or loss of privacy or increased overshadowing or loss of light.

Whilst one public objection has been received, no objections have been received from those properties closest to the site.

On the whole it is considered that the distances maintained would be sufficient to prevent the proposal from having an overbearing impact on residential amenity. Although the development would alter the outlook from the neighbouring dwellings, it is considered that the arrangement and distances maintained would be sufficient to prevent any significant loss of amenity to the occupiers of the neighbouring properties. The proposal accords with the objectives of policy DES1 and EP1 in this respect.

#### 6.1.4 The Welsh Language

There are no implications for the Welsh Language as a result of this proposal.

#### 6.1.5 Sustainable Management of Natural Resources

This is not relevant in this case as the application site forms part of an approved development and an area that was formerly residential curtilage.

### **6.2 Active and Social Places**

#### 6.2.1 Transport / Housing - sustainable transport issues (Sustainable Transport Hierarchy)

This plot is located within the established residential area of Rogiet. It is approximately 600 metres from a primary school, community facilities and a small shop provided as part of the petrol station. The wider area benefits from a frequent bus service which links to Chepstow bus and train stations. The site is therefore considered to be a sustainable location for new housing development.

#### 6.2.2 Access / Highway Safety

The site layout plan submitted indicates that the dwellings would be accessed via a private driveway leading from the estate road created to serve the other 11 dwellings, which in turn adjoins with Chestnut Drive to the north-west. Each property would benefit from a driveway to the front/ side of each dwelling capable of accommodating three off street parking spaces. Although the development would create three four bedroom properties the adopted MCC Parking Guideline requires that one car parking space be provided for each bedroom up to a maximum of three. It is noted that the main estate highway has been the subject of a successful Section 38 Highways Act agreement and will be adopted by the Council once constructed to appropriate standards.

Following consultation the Council's Highways department have raised no objection.

Although an objector have raised concerns that the development would generate increased traffic it is considered that the highway network has sufficient capacity to accommodate the level of traffic generated by the proposal and the development proposed would not have such a detrimental impact on the overall highway safety and free flow of traffic to warrant refusal of the application.



On the basis of the above, the application is considered to comply with the requirements of policy MV1 of the LDP.

### 6.2.3 Retail & Commercial Centres

This is not relevant to this case.

### 6.2.4 Community Facilities

This is not relevant to this case

### 6.2.5 Recreational Spaces

Each dwelling would benefit from front and rear garden areas on a size commensurate with those approved for the wider estate.

## **6.3 Productive and Enterprising Places**

### 6.3.1 Economic Development

There are no economic development implications arising from the development of a single dwelling on this plot

### 6.3.2 Tourism

The proposal has no negative implications for tourism.

### 6.3.3 The Rural Economy

This is not relevant given the urban location of the site.

### 6.3.4 Transportation Infrastructure

The proposed development will be accessed from a publically adopted but unclassified highway and will not have a detrimental impact on local transportation infrastructure.

### 6.3.5 Telecommunications

The proposal has no negative implications for telecommunications.

### 6.3.6 Energy

The dwellings are likely to be served by mains electricity and gas. Although no renewable energy systems are indicated on the proposed plans they could be installed under Part 40 (Installation of domestic microgeneration equipment) permitted development rights. Being mindful that the site is outside of any Conservation Area or Historical designation, it is considered unreasonable to propose the removal of such allowances.

### 6.3.7 Minerals / Waste

The site is outside of any minerals safeguarding area and is unlikely to generate an unacceptable level of waste arising from the development. The Council operates kerb side collections in the area for the disposal of domestic waste and recycling.

## **6.4 Distinctive & Natural Places**

### 6.4.1 Landscape/ Visual Impact

The proposal is considered in keeping with the prevailing character of the estate within which they would be view with a design, scale, siting and external finish being in keeping with the dwellings under construction. Although different in design and material finish to the existing dwellings in Chestnut Drive and Yew Tree Rise, the properties would not be viewed in the same street scene. On balance it is considered that the proposal would not have an adverse impact on the street scene and wider landscape and is compliant with the requirements of policy DES1 of the LDP.

#### 6.4.2 Coastal Areas

The site is not close to the coast.

#### 6.4.3 Historic Environment

The site falls within an archaeologically sensitive area. Following consultation Glamorgan Gwent Archaeological Trust have requested additional information and reports for the site. These are currently the subject of consultation. An update will be provided to Members once received. Being mindful of the scale of works approved as part of application DC/2015/00095; the previously disturbed nature of the site and the relatively small scale increase proposed by the current application it is considered unlikely that the development would have a significantly detrimental impact on archaeology.

#### 6.4.4 Green Infrastructure

At the time of inspection the site had been cleared of all trees and was being used for the storage of building materials and equipment. Although there are a number of mature trees adjacent to the western boundary of the site which are protected by a TPO, these are outside of the application site. The plans submitted detail that no part of the dwellings would be located within the root protection zone or canopy of the trees with tree protection fencing proposed as part of the application. Although an objector has raised concerns that the proposal would result in the further development of a former green space/ farm holding, relative to the 2015 scheme it is considered that the current proposal would not be so detrimental to the green infrastructure of the area to warrant refusal of the application on such grounds.

Given the scale of the development proposed in an established residential area, it is considered unnecessary to secure further GI. Each plot will however be landscaped and a condition will be imposed requiring that the existing hedge along the parts of the boundary be retained. On the basis of the above the application is considered compliant with policies S13 and GI1 of the LDP.

#### 6.4.5 Biodiversity

In accordance with Welsh Government Guidance, each development must now provide ecological mitigation and enhancements. The plans submitted specify that each dwelling would be benefit from a Schwegler Bat tube and swift box. This provision in conjunction with the ecological mitigation to be provided on the wider site is considered sufficient and compliant with the requirements of policies S13 and NE1 of the LDP.

#### 6.4.6 Flooding

The site is not in a designated flood zone.

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

As of 7th January 2020, all new dwellings are required to have Sustainable Drainage Systems (SuDS) to manage on-site surface water, designed and constructed in accordance with the Welsh Government Standards for Sustainable Drainage. The applicant has been made aware of this requirement and will be seeking consent from the SuDS Approving Body (SAB) approval independently of the planning application.

#### 6.4.8 De-risking (contamination issues)

There are no contamination or radon records for the site.

## **6.5 Response to the Representations of Third Parties and/or Community/Town Council**

Following consultation no response has been received from Rogiet Community Council.

Whilst one householder has raised objections to the proposal these have been addressed above and will not be reiterated.

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

The duty to improve the economic, social, environmental and cultural well-being of Wales has been considered, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). In reaching this recommendation, the ways of working set out at section 5 of the WBFG Act have been taken into account and it is considered that this recommendation is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

## **6.7 Conclusion**

It is considered that the proposed dwellings are of a form, scale and design appropriate for the site and the development would not have an adverse impact on the character and appearance of the area, the residential amenity of those living closest to the site, the highway safety and free flow of traffic or the ecological value of the area.

Subject to the imposition of conditions and the application entering into a Section 106 agreement to provide a commuted sum to be used for the development of affordable housing within the area, the application is considered compliant with the policies of the Monmouthshire County Council Local Development Plan and is recommended for approval subject to conditions and the applicant entering into a Section 106 approval to provide a commuted sum to be used for the development of affordable housing within the County.

## **7.0 RECOMMENDATION: APPROVE**

Subject to a 106 Legal Agreement requiring the following:

An affordable housing commuted sum of £10,542.08

### S106 Heads of Terms

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 shall take place until a scheme of foul drainage and surface water drainage has been submitted to, and approved by, the Local Planning Authority and the approved scheme shall be completed before the building(s) is/are first occupied.

REASON: To ensure satisfactory facilities are available for disposal of foul and surface water and to ensure compliance with LDP Policy EP5.

4 (a) Underground services shall be routed clear of the trees to avoid root damage.

(b) Prior to building work commencing on site (including any demolition and refurbishment works), protective fencing shall be erected around each tree at a minimum radius from the trunk of the tree (or outer trees in the case of a group) equal to the canopy spread or half the tree's height, whichever is the greater.

(c) The fencing shall comprise a vertical and horizontal framework of scaffolding supporting a minimum of 20mm exterior ply or other robust man-made boards and shall be maintained for the duration of construction activity on the site. It shall be at least 2.4 metres high and constructed and erected in accordance with the recommendations published in British Standard 5837:1991.

(d) No storage of plant or materials, landfill, excavation, burning of materials cement mix shall be carried out within the protective fencing.

REASON: To protect valuable tree or other landscape features on the site in the interest of preserving the character and appearance of the visual amenities of the area in accordance with LDP Policy G11.

5 No occupation of the proposed dwellings shall take place until car parking and service vehicle provision have been provided in accordance with the approved plan and that area shall not thereafter be used for any purpose other than the parking of vehicles.

REASON: To ensure provision is made for the parking of vehicles and to ensure compliance with LDP Policy MV1.

6 Notwithstanding the provisions of Article 3, Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no gates, fences, walls or other means of enclosure (other than any expressly authorised by this permission) shall be erected or constructed within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a road.

REASON: In the interests of visual amenity and to safeguard the appearance of the area and to ensure compliance with LDP Policy DES1.

7 The windows serving all bathrooms and ensuites shall be obscure glazed to a level equivalent to Pilkington scale of obscurity level 3 and maintained thus thereafter in perpetuity.

REASON: To protect local residential amenity and to ensure compliance with LDP Policies DES1 and EP1.

8 The materials and finishes of the external surfaces of the walls and roof of the development hereby permitted shall be of the same texture, type and colour as those on the external walls of the dwellings being constructed in accordance with planning permission DC/2015/00095 and shall remain as such in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure a satisfactory form of development takes place and to ensure compliance with LDP Policy DES1.

## **INFORMATIVES**

1 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. Details and application forms can be found at:

[www.monmouthshire.gov.uk/sustainable-drainage-approvingbody-sab](http://www.monmouthshire.gov.uk/sustainable-drainage-approvingbody-sab)