

**Application Number:** DM/2022/00696

**Proposal:** Proposed single storey front extension

**Address:** Arosfa, Llanfair Discoed, Monmouthshire, NP16 6LY

**Applicant:** Mr Duffield

**Plans:** Block Plan Dated 13.07.2022 - , Other Shading - Summer - Page 1, Other Shading - March/Sept - Page 2, Other Shading - December - Page 3, Elevations - Existing - , Other Biodiversity Statement - , Location Plan - , Block Plan With 45 degree rule - , Elevations - Proposed Dated 13.07.2022 - ,

**RECOMMENDATION: Approve**

Case Officer: Mr Ryan Bentley  
Date Valid: 09.05.2022

**This application is presented to Planning Committee at the request of the Local Member**

**1.0 APPLICATION DETAILS**

This application was presented to Committee on the 6<sup>th</sup> September 2022 with a recommendation for approval. This was not accepted by Members who resolved to refuse the application. The application has been deferred to the next available Committee to set out the reasons for refusal. The following reasons for refusal are suggested for consideration in the event that Members consider the current proposal to be unacceptable:

1. The proposed extension to the front elevation of the property is considered to be unacceptable and contrary to criterion c) of the Monmouthshire Local Development Plan (LDP) Policy DES 1, (General Design) by virtue of its scale, location and design which will have an adverse impact on the character of the area.
2. The proposed extension is considered to be contrary to LDP Policy EP1 (Amenity and Environmental Protection) by virtue of its scale and position creating an adverse impact on the amenity of the neighbouring property.
3. The proposed extension is considered to be contrary to LDP Policy H6 (Extensions to Rural Dwellings) by virtue of its scale and location, failing to respect or enhance the appearance of the existing building.

The previous report and recommendation are below.

## PREVIOUS REPORT (September Meeting)

### 1.0 APPLICATION DETAILS

#### 1.1 Site Description

This application relates to a semi-detached two-storey dwelling located in a rural area on the outskirts of the minor village, Llanvair Discoed. The site is located just off the road from Dovecote Barn to A48 and is not located within a Development Boundary. Therefore, the application is subject to Policy H6 of the adopted Local Development Plan (LDP).

#### 1.2 Value Added

The applicant has provided amended plans that detail a bird box is to be fitted within the rear garden. A log pile and rock pile are also proposed within the garden which will provide a home for wildlife. Further details can be found in the supporting biodiversity statement. This would serve as biodiversity enhancement.

The proposed extension has not been amended to date. The drainage on the site has been amended to include a new soakaway within the front garden. Plans have also been submitted to show the potential overshadowing of the adjoining property, Cartref.

#### 1.3 Proposal Description

Planning permission is sought for the erection of a single storey extension to the principal elevation of the dwelling. The site has previously had a two-storey side extension approved in 2013, under application no. DC/2013/00562. The proposed extension will be located 1m from the boundary of the property. The extension will measure 4m in length and will be 3.6m in width. The height to the eaves will be 2.5m and the height to the ridge will be 3.5m. The external walls will be finished in a render to match the existing. The hipped roof on the extension will have composite slate tiles. On the south elevation, there will be bifold doors. There will be a window located on the front (west) elevation. This will be white upvc.

### 2.0 RELEVANT PLANNING HISTORY (if any)

Reference Number	Description	Decision	Decision Date
DM/2022/00696	Proposed single storey front extension.	Pending Consideration	
DC/2005/01402	Ground floor extension to side of existing semi-detached house to provide dining/kitchen facility	Approved	30.05.2006
DC/2013/00562	Two storey extension to side of existing semi-detached dwelling house	Approved	21.10.2013

### 3.0 LOCAL DEVELOPMENT PLAN POLICIES

## **Strategic Policies**

S13 LDP Landscape, Green Infrastructure and the Natural Environment  
S17 LDP Place Making and Design

## **Development Management Policies**

DES1 LDP General Design Considerations  
EP1 LDP Amenity and Environmental Protection  
H6 LDP Extension of Rural Dwellings  
NE1 LDP Nature Conservation and Development

## **4.0 NATIONAL PLANNING POLICY**

### **Future Wales - the national plan 2040**

Future Wales is the national development framework, setting the direction for development in Wales to 2040. It is a development plan with a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities. Future Wales - the national plan 2040 is the national development framework and it is the highest tier plan, setting the direction for development in Wales to 2040. It is a framework which will be built on by Strategic Development Plans at a regional level and Local Development Plans. Planning decisions at every level of the planning system in Wales must be taken in accordance with the development plan as a whole.

### **Planning Policy Wales (PPW) Edition 11**

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 of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation and resultant duties such as the Socio-economic Duty.

A well-functioning planning system is fundamental for sustainable development and achieving sustainable places. PPW promotes action at all levels of the planning process which is conducive to maximising its contribution to the well-being of Wales and its communities.

## **5.0 REPRESENTATIONS**

### 5.1 Consultation Replies

**Caerwent Community Council** - recommends refusal. Commented that this is due to rulings from Welsh Government and from within the Local Development Plan H6 - (Extensions & Rural Dwellings) and also H4 (part d and f) which mentions that extensions should be modest or subordinate to the existing dwelling. This proposal does not conform to these as the development allowance has already been exceeded. There are no other extensions attached to the front elevation of any other dwellings in the local area. This does not conform to the vernacular of the area and is totally out of keeping.

### 5.2 Neighbour Notification

Seven neighbour comments have been received, from four separate households. They have objected for the following reasons:

- Accuracy of the application
- Overdevelopment
- Design and impact on the character of the dwelling and the surrounding area.

- Impact on neighbour amenity - overshadowing and damp
- Drainage
- Impact on biodiversity
- Impact on Green Belt
- Need for an archaeological survey
- If not allowed under permitted development, why should it be allowed under planning control.

In the event of planning being granted could the following conditions be included:

1/ The land adjacent to our houses is joint access. No building material, vehicle or plant should be placed on there. All materials etc to be sited within Arosfa's property. Given the unspoiled beauty of the area one can reasonably anticipate that builders/contractor may take the easy option during construction to use this site as they did in 2013. Further this area contains a right of way for the farmer to his field and needs to be accessible 24-7.

2/ In the event of power being disrupted to us we are provided with generated power to enable my disabled wife to use her mobility aids (e.g. toilet lift).

### 5.3 Local Member Representations

Cllr P Murphy - requests that the application be presented to Committee.

## **6.0 EVALUATION**

### **6.1 Good Design/ Place making**

6.1.1 The dwelling is not considered to be a traditional rural dwelling like a cottage. The building is a typical semi-detached post war property which has been modernised and extended. Nevertheless, the proposed single storey extension, despite being at the front of the building, represents a modest addition to the dwelling that would clearly read as a secondary and subordinate element. The extension would be limited to the ground floor, set lower than the main roof ridge with a modest footprint. The extension incorporates a large section of glazing on the south and west elevations which will provide solar gain to the property and will allow natural light to enter the dwelling.

6.1.2 The semi-detached properties have been altered over the years, with Arosfa having a two-storey extension approved in 2013. Therefore, the properties are no longer considered to mirror one another and the original traditional nature of the buildings has been lost over time. In the surrounding area there are a number of similar semi-detached dwellings. These properties have had a range of alterations to the principal elevation. Whilst it is recognised that these are mostly front porches, they are all different and there is no uniform design. It is noted that this extension will be larger than those on the neighbouring properties but it is not considered to be of an unacceptable size. It is also considered that a sufficient area of amenity space would be retained to offset the structure and prevent the appearance of overdevelopment.

6.1.3 From a visual impact perspective, the dwelling is raised compared to the level of the road. There is an existing 1.8m high fence located on the boundary along the road which reduces the visual impact as it screens a portion of the property when travelling along the road. Therefore, the visual impact of the development on the wider landscape is considered to be negligible.

6.1.4 Planning Policy H6 states that in order to protect the character of the countryside extensions to dwellings outside village boundaries should be modest and respect or enhance the appearance of the existing dwelling. They will be required to:

- a) be subordinate to the existing building; and
- b) where the building is of a traditional nature, to respect its existing form, including the pattern and shape of openings, and materials.

The Supplementary Planning Guidance for Policies H5 and H6 (April 2015) section 3.9 states that where a dwelling that is proposed for extension is of no particular merit or where its original character has been lost through previous unsympathetic alteration and/or extension, the primary consideration in assessing any proposal will be the need to ensure that there is no significant harmful impact on the countryside through the increased size of the resulting building.

It is recognised that the property has previously been increased by 46% when the two-storey extension was approved. The single storey extension to the front represents 15% which will increase the overall volume of the property by 61% from its original state (prior to 2013). As the H6 Supplementary Planning Guidance states, a larger volume will not normally be allowed unless it can be clearly demonstrated either that there will be no harmful intrusive impact in the landscape through the increased size of the dwelling or that there is an enhancement in the appearance of the existing dwelling, subject, in any event, to the increase in volume being no more than 50%. Attention should be drawn to section 3.3 of the H6 SPG that states:

"Any extension that will result in an increase of more than 50% in the volume of a rural dwelling will not normally be considered to comply with Policy H6."

It is noted that the extension will have a cumulative volume increase of over 50%. The guidance notes states that whilst it is not normal for extensions of over 50% to be allowed, there may be scope for development of over 50%. The guidance also sets out, 'Where a dwelling that is proposed for extension is of no particular merit or where its original character has been lost through previous unsympathetic alteration and/or extension, the primary consideration in assessing any proposal will be the need to ensure that there is no significant harmful impact on the countryside through the increased size of the resulting building.' It must also be made clear that this document is to be used as guidance and that Policy H6 states that the extension must be subordinate to the main dwelling. In conclusion, it is considered the design, form, siting and appearance of the works would be subordinate and would not have a detrimental impact on the overall character and appearance of the immediate or wider rural area. Therefore it is considered to meet the relevant criteria of policies DES1 and H6 of the adopted LDP.

## **6.2 Impact on Residential Amenity**

6.2.1 Firstly, with regard to scale, the proposed single storey extension is of a modest form and is located 1m away from the common boundary. Concerns have been raised that the development will cause overshadowing of the adjoining property. The applicant has submitted amended plans that detail the 45 degree rule and the potential for overshadowing. It is noted that the extension will be located to the south of the neighbouring property. As the roof is hipped and the extension is single storey, this reduces the level of overshadowing that is caused by the development. The summer drawing shows that there will be no impact on Cartref. In the spring/autumn, the plans show that there will be a limited amount of shadowing to Cartref. On the winter plan, there is potential for a limited level of overshadowing to Cartref but this will reduce as the day goes on and there is less light in the winter. Due to the nature of the extension and the limited impact on the neighbour, this is considered to be acceptable. The 45 degree rule also clearly shows that no loss of light will be caused to a habitable room. Therefore, the scale of the development is considered to be acceptable.

6.2.2 With regard to privacy, the property is in a rural area and there are no neighbours to the south, east or west of the property. There are no proposed windows on the north elevation which faces the neighbouring property, Cartref. As the extension is also single storey, by nature, it is not considered to cause an unacceptable loss of privacy. It is considered that the proposal would not result in an unacceptable impact upon the living conditions of neighbouring occupiers. The proposal is therefore considered to adhere to the relevant criteria within policies DES1 and EP1 of the adopted LDP.

## **6.3 Biodiversity**

6.3.1 Having regard to PPW 11 and the Dear CPO letter (23/10/19) this application must demonstrate a net benefit for biodiversity. Accordingly, the applicant has updated the submitted drawings that would see a bird box fitted within the rear garden. A log pile and rock pile are also proposed within the garden which will provide a home for wildlife. Further details can be found in the supporting biodiversity statement. It is therefore considered on balance that the proposal accords with Policy NE1 of the adopted LDP.

6.3.2 It is noted that the location of the dwelling is potentially suitable for wildlife but the roof is tight and when conducting the site visit it was confirmed that the roof was in good condition. The proposal

also does not require any alterations to the roof of the main dwelling as it is single storey and lower than the existing eaves. Therefore, on balance, it is considered that a bat survey is not required for the application.

6.3.3 Under the Conservation of Habitats and Species Regulations 2017 it is necessary to consider whether the development should be subject to a Habitat Regulations Assessment. This is in particular reference to the impact of increased concentrations of Phosphates on designated SACs. NRW has set new phosphate standards for the riverine SACs of the Wye and Usk and their catchment areas. Development that may increase the concentration of phosphates levels will be subject to appropriate assessment and HRA.

This application is outside of the SAC catchment and so will not have a detrimental impact on any protected SAC, and as a result no further assessment is required.

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

6.4.1 It is noted that Caerwent Community Council recommends refusal. It should be stated that Policy H4 does not apply to this application as this refers to the conversion/rehabilitation of buildings for residential use. There has been no change of use regarding the building. With regards to the development allowance being exceeded, the report has covered these points in section 6.1.4. With regards to alterations to the front elevation on neighbouring dwellings, this has been covered in section 6.1.2.

6.4.2 Concerns have been raised over the accuracy of the application. This related mainly to the application form and the size of the fence on the common boundary. Following discussion with the agent these concerns have been addressed.

6.4.3 With regard to overdevelopment and design/impact on the local character of the area, this has been covered in section 6.1.4 of the report. Further comments have been received regarding the accuracy of the volume calculations. The volume calculations as submitted are considered to be accurate and take into account the original dwelling volume and the extension in 2013. The attached outbuilding has been included in these figures due to its nature and it being demolished to accommodate the extension in 2013. The inclusion of this in the volume calculations is not considered to be double counting and the volume increase of the resulting development is 61%.

6.4.5 The impact on the neighbour, Cartref, has been addressed in section 6.2 of the report. Further comments have been received mentioning that the shadowing caused by the fence is a red herring as this will be replaced in due course, probably with open chain link. The submitted plans indicate the fence as it currently stands and future boundary treatments between the two dwellings cannot be anticipated. The degree of overshadowing is not considered to be harmful.

6.4.6 With regards to the drainage at the site, the agent has provided amended plans that detail rainwater drainage from the extension will be directed towards a new soakaway in the front garden. This is considered to be acceptable. Further comments have been received regarding the positioning of the soakaway. The plans as submitted are acceptable from a planning perspective. If any issues arise with the location of the soakaway, this will be covered by the Building Control officer.

6.4.7 With regard to the potential impact on biodiversity, specifically bats, this has been addressed in section 6.3.2. The proposed extension is not located near to the existing roof and the potential impact of the development is not considered to require a bat survey.

6.4.8 With regard to the need for an archaeological survey, the site is not located within an archaeologically sensitive area. Therefore, an archaeological survey is not required to support the application.

6.4.9 With regard to the impact on the Green Belt, the application is a householder extension to an existing dwelling. Due to the nature and size of the extension it is not considered to have an unacceptable impact on the Green Belt.

6.4.10 With regards to the comments about permitted development, just because an extension does not conform to permitted development does not mean that it is unacceptable. If the front extension was to be located on the rear elevation of the property then it would be classed as permitted development. As the extension is located forward of the principal elevation it requires planning permission and is subject to the relevant planning policies and considerations. Following evaluation, as the report states, due to the nature and scale of the development, it is considered to be acceptable.

6.4.11 With regards to the requested conditions, the neighbour has highlighted some concerns in relation to the electricity supply and the storage of building materials within a shared access. These are not issues that can be subject to planning control.

## **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.

## **6.6 Conclusion**

6.6.1 For the reasons detailed above in this report, having regard to the relevant policies and all other material considerations the proposed development is considered to be acceptable subject to the conditions set out below.

## **7.0 RECOMMENDATION: APPROVE**

### **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 The net biodiversity enhancement measures shall be installed in accordance with the details shown on the supporting document "Biodiversity Statement" and drawing "Block Plan dated 13.07.2022" within one month of the single storey extension hereby approved being brought into beneficial use and retained as such in perpetuity.

REASON: To provide biodiversity net benefit and ensure compliance with PPW 11, the Environment (Wales) Act 2016 and LDP policy NE1.