

Application Number: DM/2021/00357

Proposal: Provision of 120 dwellings on parcels B and C2

Address: Rockfield Farm, Undy, Monmouthshire, NP26 3EL

Applicant: MHA c/o LRM Planning

RECOMMENDATION: APPROVE

Case Officer: Mr Adam Foote
Date Valid: 15.03.2021

This application is presented to Planning Committee due to the level of objections that have been received from the public consultation

1.0 APPLICATION DETAILS

1.1 Background

The application site forms part of a wider strategic allocation within the Monmouthshire Local Development Plan (LDP) under Policy SAH5 which covers a total of 11 acres for a mixed use employment/residential scheme to include around 270 residential dwellings and 2 hectares of employment land.

Outline planning consent was granted under application ref: DC/2016/00883 subject to a S106 agreement allowing "Master planned development of 13.8 hectares of land for residential use and employment use; up to 266 Proposed residential units and approximately 5575 square metres of B1 floor space". A copy of the completed Section 106 agreement and the full contributions required to be provided is available on the Council's website.

A portion of the overall site to the east of Silurian Road/The Elms has been developed following the grant of planning consent (ref: DM/2018/01606) for "Reserved matters application (pursuant to outline application) for the development of 144 dwellings and associated engineering works". This earlier phase was constructed on parcels A and D of the allocation.

1.2 Site Description

The application site comprises parcels B and C2 of the Rockfield Farm allocation. The site is within the settlement boundary which reflects its allocation under LDP Policy SAH5. This application relates to the central section of the wider allocation to the west of Silurian Road/The Elms. The application site itself consists of undeveloped land lined by hedgerows and hosts a site of interest for nature conservation (SINC), a local designation, which extends through the majority of the site width running west to east. The site is undulating with the general topography of the land decreasing towards the south. The site is bound by the M4 to the north, Silurian Road/The Elms to the east, the existing built form within Undy to the south and the western boundary is contained by the SINC and the remaining employment/industrial allocation.

1.3 Value Added

Various amendments have been achieved since the original submission including an amended layout, biodiversity and green infrastructure enhancements, amendments to the proposed route of the public right of way, the re-distribution of affordable housing, a mix of boundary treatments and enhancements to the areas of public open space.

1.4 Proposal Description

With access having been approved at the Outline stage this application seeks reserved matters (RM) approval for the layout, scale, appearance and landscaping of the proposal. This application relates to the provision of 120 dwellings, as well as associated roads, drainage and other services/infrastructure, green space provision and landscaping. There is a requirement for a buffer zone around the SINC to protect its special biodiversity value and an exclusion zone in the northern section of the allocation relating to the M4.

The properties are proposed as a mix of bungalows, flats and houses. The bungalows are single storey, flats 3-storey and houses 2-storey. The scheme would provide 1, 2, 3 and 4 bedroom offerings with a mix in the housing supply offering terraced, semi-detached and detached properties. All properties would benefit from designated parking and amenity areas. The external finish of the properties will incorporate a range of materials that will be arranged in groups to provide a sense of place throughout the development.

Boundary treatments are proposed as a mix of hedgerows, close-boarded fencing, and masonry walls. Along the proposed route of the PROW that runs through the site a mixture of hedgerow and stone facing walls are proposed, the stone facing walls will correlate with the palette of materials proposed for the houses on this section of the development whilst the hedging will soften the built form and provide additional GI and biodiversity value. The boundaries between dwellings will be demarcated by close board fencing whilst other prominent boundaries will be constructed of masonry walls.

2.0 RELEVANT PLANNING HISTORY (if any)

Reference Number	Description	Decision	Decision Date
DM/2021/00358	Provision of 5575m2 B1 employment space on parcel C1.	Pending Consideration	
DM/2018/01606	Reserved matters application (pursuant to outline application) for the development of 144 dwellings and associated engineering works.	Approved	22.02.2019
DM/2018/01706	Demolition of the farmhouse and outbuilding is required to prepare the site for the next development stage.	Approved	15.11.2018
DM/2019/00239	Reserved matters - conditions 7 (CMP) and 9 (lighting design for Biodiversity) of DM/2018/01606 8 (CMP), 9 (Wintertree Software Inc.), 10 (foul water), and 11 (trees) of DC/2016/00883.	Split Decision	06.01.2020
DM/2019/00431	Discharge of condition 3 (proposed water mains layout) relating to application DM/2018/01606.	Approved	23.05.2019

DM/2020/00387	Discharge of condition 2 (house finishes layout) relating to application DM/2018/01606.	Approved	24.04.2020
DM/2022/00744	Discharge of condition no. 9 (programme of Archaeological work) of outline planning consent DC/2016/00883.	Pending Consideration	
DM/2022/00789	NMA relating to application DM/2018/01606: External wall finish for Plots 95,96,122-124,131-134 & 139-140 changed from the Harborough buff to the Meadow Red brick.	Approved	21.09.2022
DC/2016/00883	Master planned development of 13.8 hectares of land for residential use and employment use; up to 266 Proposed residential units and approximately 5575 square meters of B1 floor space.	Approved	20.03.2018

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S1 LDP The Spatial Distribution of New Housing Provision
S2 LDP Housing Provision
S3 LDP Strategic Housing Sites
S4 LDP Affordable Housing Provision
S5 LDP Community and Recreation Facilities
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
SAH5 LDP Rockfield Farm, Undy

Development Management Policies

H1 LDP Residential Development in Main Towns, Severnside Settlements and Rural Secondary Settlements
CRF2 LDP Outdoor Recreation/Public Open Space/Allotment Standards and Provision
SD2 LDP Sustainable Construction and Energy Efficiency
SD4 LDP Sustainable Drainage
DES1 LDP General Design Considerations
EP1 LDP Amenity and Environmental Protection
NE1 LDP Nature Conservation and Development
GI1 LDP Green Infrastructure
EP3 LDP Lighting
EP5 LDP Foul Sewage Disposal
MV1 LDP Proposed Developments and Highway Considerations
MV2 LDP Sustainable Transport Access
MV3 LDP Public Rights of Way

Supplementary Planning Guidance

Affordable Housing SPG July 2019

Green Infrastructure April 2015

Monmouthshire Parking Standards (January 2013)

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.

Technical Advice Notes

Technical Advice Note (TAN) 2: planning and affordable housing

Technical Advice Note (TAN) 5: Nature Conservation and Planning (2009)

Technical advice Note (TAN) 10: tree preservation orders

Technical advice Note (TAN) 11: Noise

Technical Advice Note (TAN) 12: Design (2016)

Technical Advice note (TAN) 15: development and flood risk (2004)

Other National Policies

The Environment (Wales) Act 2016 places a duty on the Council to maintain and enhance biodiversity, promote the resilience of ecosystems and increase their ability to adapt to events such as the impacts of climate change.

The Active Travel (Wales) Act 2013 makes walking and cycling the preferred option for shorter journeys, particularly everyday journeys, such as to and from a workplace or shops and services.

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.

5.0 REPRESENTATIONS

5.1 Consultation Replies

Magor and Undy Community Council: Recommends refusal.

MCC Highways: Objection.

MCC Biodiversity: No objection.

MCC Landscape/GI: Provisional holding objection.

MCC Drainage: No objection.

DCWW: No objection.

M4 Route engineer: No objection

MCC Public Rights of Way (PROW) Officer: Qualified objection.

5.2 Neighbour Notification

This application was advertised in the local press, by means of direct neighbour notification and via site notices. A number of representations have been received objecting to the proposed development, the main issues are summarised as:

Inadequate access, increased traffic volume, increased pollution, increased noise nuisance, overdevelopment, additional strain on community facilities, adverse impact upon ecological impact/loss of green space, lack of public transport provision, increase to flood risk, adverse impact on neighbouring residents, loss of privacy, the development is out of keeping with the character of the area, general dislike of flats which are deemed unacceptable for this area and too high, loss of view, devaluation of neighbouring properties, the development is not providing enough open space, houses are not needed in this area, the houses are too expensive for locals to buy, inadequate parking provision, lack of facilities for your people in the area, loss of rural feel/character and out of date mapping shown for existing neighbouring properties.

5.3 Local Member Representations

None.

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 Principle of Development

6.1.1 The application site forms part of a strategic allocation as part of the LDP (Policy SAH5) with outline consent already gained under application DC/2016/00883 and therefore the principle of this development has already been established. Only matters of the details reserved for approval which have now been submitted are for consideration. The main considerations with regard to this application are whether the proposed details are in accordance with the approved outline permission, whether the proposed internal road layout and parking areas are acceptable; whether the proposal is visually acceptable in terms of its impact on the character and appearance of the area; whether the proposal is acceptable in terms of ecological interests of the site; and whether the proposal is acceptable in terms of its impact on the residential amenities of the occupiers of nearby dwellings and future residents.

6.1.2 Parcels B and C2 of the allocation were designated for residential development and this application would provide 120 dwellings in combination with the existing 144 dwellings approved on the adjacent parcel, totalling 264 dwellings which is considered to comply with the requirements of the allocation to provide "around 270 dwellings" and the outline consent which was granted

consent for up to 266 dwellings. It has not been possible to provide the two additional dwellings on this site to reach 266 due to the SINC and its required buffer zone and the attenuation ponds that are required to achieve an acceptable drainage scheme on the site.

6.1.3 Part of the site is designated under LDP Policy DES2 as an Area of Amenity Importance, the DES2 land on this part of the site is private land with no public access and no logical boundary. The land does not fulfil an amenity role, it was previously included as a buffer between the edge of the settlement and the indicative Magor/ Undy by-pass link. There is no justification for this buffer to continue to be designated as an Area of Amenity Importance. It is considered, therefore that there is no conflict with Policy DES2 and no concern is raised to the principle of the development.

6.2 Sustainability

6.2.1 The application site is within the settlement boundary as defined on the proposals map of the LDP where there is a presumption in favour of development and the efficient use of land is encouraged. The application site is considered to be a sustainable location in close proximity to local amenities and public transport links.

6.2.2 The site has been designed taking active travel principles into account by providing a series of pedestrian links throughout the site and connecting the site with the wider area.

6.2.3 There is currently no planning policy requiring provision for EV charging to be supplied on residential developments, however the proposal includes provision for the infrastructure for EV charging points to be provided on 84% of plots which will allow for EV charging points to be installed by future occupiers.

6.2.4 There is parking provision provided for each dwelling, some plots have a reduced provision when compared against the MCC Parking Standards. This will be assessed fully in a later section of this report however, the plots that do not accord with the MCC Parking Standards will be provided with on plot cycle storage to encourage active travel. Each of the on plot cycle stores would be designed to Welsh Government Standards.

6.3 Place Making/Good Design

6.3.1 The application site is split over two parcels of land, a smaller area to the north and a larger area in the south; this is largely in response to the location of the SINC that cuts through the site in a west-east direction.

6.3.2 An access road for the northern section of the site is proposed running in a west-east direction linking with Silurian road/The Elms to the east and would link with the employment allocation in the west when this comes forward. The dwellings are proposed to the north of the access road with two junctions proposed to provide access to the majority of the properties in the northern section, plots 89-91, 92-94 (flats) and plot 95 (bungalow) are proposed with direct vehicular access onto the road whereas the remaining plots on the northern section are accessed via secondary roads/private driveways. The most northerly section of the site is the closest to the M4 and this area is proposed to host parking, an attenuation pond, landscaping and a pumping station with planting for screening. By clearly separating the dwellings from the M4 this reduces any impact upon future occupiers and allows for a clear, defined separation from the motorway.

6.3.3 The southern section of the site comprises ten houses accessed directly from and fronting Silurian Road/The Elms; this element has been designed to help integrate the development into the area and creates an active street scene. These properties will face the existing dwellings constructed on the adjacent parcel of land previously developed as part of the wider allocation to the east of Silurian Road/The Elms. The remaining dwellings within the interior of the site are proposed to be accessed via two junctions that join Silurian Road connected by a main loop road that runs through the site. Off this road are a series of lower hierarchy roads giving access to cul-de-sacs and private drives. A series of interconnecting footpaths and pedestrian links are also proposed across the site connecting the areas of open space and linking the development with the adjoining development(s) and wider area. The purpose is to provide a legible and interesting

layout with a high degree of permeability throughout the site and to provide an attractive and interesting layout.

6.3.4 The positions and orientation of the dwellings have been given a high level of thought in relation to how they address the street which they serve and the topography of the land to ensure the site is efficiently used but also to ensure that the ecological focus points are well integrated into the layout. This has led to a co-operative approach with the applicant to revise the scheme as originally submitted, agree a revised proposed route for the PROW and to ensure the TPO tree at the centre of the site and the SINC are both integrated into the design and afforded adequate protection. The layout provides a significant amount of incidental open spaces spread throughout the site which links with the play area on an adjacent site to the south west and provides an opportunity for a continuation of a green corridor on the adjacent allocated employment site. The dwellings adjacent to these areas of open space generally front onto these areas, or when positioned on a corner have an element of overlooking onto the open space.

6.3.5 Details of proposed boundary enclosures have been submitted which include close board fencing to enclose the majority of the private rear amenity areas of dwellings, masonry walls and a stone faced wall and hedgerow to line the proposed route of the public right of way. It is considered that this boundary treatment scheme is acceptable for the development and the proposed materials relate well to their position and function within the development. It is considered appropriate to remove permitted development rights in relation to boundary enclosures to ensure control is retained in the future and to ensure there is no unacceptable impact upon the character of the area or upon highway safety.

6.3.6 Gabion walls are required on a section of the development between the rear garden areas of the dwellings on The Elms and those to the rear. This is required in response to the topography of the land in order for the site to be developed. This will result in a formalised level change however this is not considered to result in any unacceptable visual impact or to be harmful to the living conditions of future occupiers. The need for the gabion walls is necessary on this site and is a reality of building on a slope.

6.3.7 The proposed development would provide a mix of residential accommodation including flats, bungalows, terraced, semi-detached and detached properties ranging from 1 to 4 bedrooms. The palette of materials is proposed as follows: render, facing brick, brick detail and reconstituted stone elevations. All properties are proposed with a uniform concrete roof tile. The palette of materials has been grouped into sections of the site to create a sense of place as one travels throughout the development - for example along the proposed route of the public right of way only reconstituted stone and render will be used for the elevation treatment of the dwellings to create a more natural aesthetic, whereas in the northern section of the site the palette utilises facing brick and rendered elevations. This enables the same house types to be used in different locations and for their elevation treatments to be tailored to address the street scene appropriately and allows the house type to respond to its position and relationship with the public realm, creating interest.

6.3.8 It is considered that the proposed layout, scale and appearance of the proposal will not have a detrimental impact on the character and appearance of the area. It is considered that this proposal meets the stated aims of the allocation for the site and is considered to be an acceptable form of development.

6.4 Biodiversity/Green Infrastructure

6.4.1 The impact of the development as a whole on Ecology and Nature Conservation was assessed as part of the outline out line and it was established that the development could progress subject to conditions.

6.4.2 A main consideration for this application is the impact upon the SINC, concerns were raised by the Council's ecologist in relation to how the development interacted with the SINC in earlier iterations of the proposal with particular concern being raised to the parking provision along the southern boundary of the SINC and the proposed pedestrian access route and seating area along the northern boundary. Both the parking area and the pedestrian route/seating area have been

removed from the most recent submission and replaced with enhanced planting to reinforce the SINC buffer. The Ecologist has now removed any objection to the proposed development and is satisfied with the amendments to the proposal.

6.4.3 Concern has been raised in relation to the footpath that partly extends along the rear boundary of the SINC, this has been added to enable a suitable pedestrian crossing point and is considered to be necessary for permeability throughout the site and in the interests of highway safety, the path is outside of the SINC and its buffer therefore is not considered to be unacceptable and has not warranted an objection from the ecologist. On balance it is considered that the path is necessary and would not result in any unacceptable impact upon the ecological value of the SINC.

6.4.4 Concern has been raised due to the loss of the hedgerow on the eastern boundary of the site, this hedgerow has been severely damaged during the construction of the adjacent parcel of land. It has therefore been agreed that it is better for the houses along this section to front the road to create a more active frontage opposed to the hedge being replanted in this location. Instead, hedgerow planting has been incorporated throughout the site to compensate for this loss. The existing hedgerow on the southern boundary is only partly within the application site therefore is not fully within the control of the applicant, this hedgerow is to be retained and will form part of the rear garden areas of the houses along the southern boundary of the site. When this land is transferred into private ownership there will be no mechanism for this hedge to be retained, therefore instead the applicants have sought to mitigate for any potential loss. The Ecologist has confirmed that the proposed mitigation is suitable to compensate/mitigate for the loss to the hedgerow.

6.4.5 There is a structure on site described as a garage within the surveys submitted in support of the outline consent that was associated with the now demolished Rockfield Farmhouse. The surveys at the time found presence of a bat in the structure, a condition was attached to the outline consent (condition 18) requiring additional survey works to be undertaken prior to the demolition of the garage which would inform the mitigation required. The conditions of the outline are still relevant and therefore this issue has been considered previously and has been dealt with. The applicants have indicated a proposed area for bat mitigation on the plans within the buffer zone for the SINC.

6.5 Landscape

6.5.1 A detailed landscaping scheme has been submitted which has been informed by the approved strategic landscaping scheme for the whole site. The detailed landscaping scheme includes hedgerow planting, tree planting within open spaces and incidental open spaces and along the route of the proposed PROW.

6.5.2 This landscaping scheme is in general compliance with this strategic scheme, however some additional areas of vegetation clearance have been identified particularly along The Elms where the existing hedgerow needed to be removed to accommodate the development. Whilst the Council's Landscape Officer has maintained a provisional holding objection the points raised are considered to be relatively minor. Numerous consultations have been undertaken as part of this development with the scheme being amended to address points raised by the Landscape Officer. Not all of the Landscape Officer's requests have been able to be accommodated as part of this scheme however on balance it is considered that the current scheme is acceptable and would not warrant the refusal of this application.

6.5.3 In response to the Landscape Officer's comments, the red line boundary referred to along The Elms is for the extent of the highway verge, the total allocated area and extent of the outline consent covers a much larger area including the previously developed phase on the adjacent sections of land. In response to the comments relating to landscaping along The Elms, this is restricted at present as this area forms part of the highway verge and is proposed as a means of access only and at present and until the extinguishment is completed this area is not suitable for landscaping. The lack of landscaping along this section with the highway does maintain an open

character which is considered to be positive and allows the development to better integrate with its surroundings, this section of the site is proposed to be grassed therefore contributing to a positive visual impact.

6.5.4 The area referred to along the southern boundary is outside of the application site and therefore cannot be used for landscaping; the hedgerow is shown on the proposed plans to illustrate the situation on site but is outside of the application site.

6.5.5 Comments relating to the visibility splay and footpaths on the southern entrance have been considered by the Council's Highways Department and no objection has been received to this arrangement from a highway safety perspective. The general approach to this development has been to keep as much green space as possible and avoid over engineering the site where it is not necessary - for example providing footpaths that do not serve development. It is considered that additional unnecessary footpaths would detract from areas of open space and not accord with the aims and objectives of the place-making charter, this will be covered in greater details in a later section of this report.

6.5.6 The proposed bench seating areas on the public open space have been provided in response to earlier comments relating to the areas having a dual purpose opposed to them being used solely for SUDs/biodiversity. The additional comments received in the latest request for additional works is not considered to be necessary; these areas are proposed to be informal spaces for use which the developer has agreed to include as part of the submission, however there is no requirement to do so.

6.5.7 The position, extent and height of the gabion walls is required due to the topography of the land. It is not considered that the gabion walls with fences above would have any unacceptable visual impact, nor would it be unacceptable to the living conditions of future occupiers. When building such a development on a slope there will be an inevitable impact in terms of level change and treatment. These gabions are required from an engineering perspective in order to deliver the development.

6.5.8 The Landscape Officer has noted a reduction in the number of planted trees on the site but the reduction is considered to be minor and is in response to amendments to the footpaths being extended around corners to allow safe areas for pedestrians to cross. The hedgerows have been amended to be native species and therefore on balance this is considered to be acceptable.

6.6 Impact on Amenity

6.6.1 The development of the site for residential purposes in comparison to the existing use and arrangement will inevitably have an impact on the residential amenity of those living closest to the site. However, based on the layout and hard and soft landscaping plans submitted, in association with the orientation of the site relative to the adjacent residential developments, the development is considered acceptable having regard to impact on existing neighbours. Distances between the rear of existing and proposed houses would be sufficient so as not to unacceptably impact on privacy, light nor be significantly overbearing. It is however considered necessary to restrict permitted development rights to ensure that any future developments/alterations to dwellings do not result in any unacceptable impact upon the living conditions of neighbouring occupiers.

6.6.2 With regards to the amenity of future residents the plans detail that each dwelling would benefit from an area of private enclosed amenity space and would have easy access to the areas of open space that run through the development linking it with the wider area. Provision for recreation facilities was achieved via the S106 agreement attached to the outline consent.

6.7 Highways

6.7.1 The Local Highway Authority have been consulted on this application and have objected raising the following points (each point will be addressed in turn).

1. Extent of public highway outside plot 64 - As previously stated there is a significant swathe of public highway between the footway and front of the dwelling and at this location it is more likely that the public highway will in the future be incorporated within the plot boundary. To include the area within the respective plot the applicant may formally apply for an extinguishment of the public highway, however there does not appear to be any reference within the revised submission which makes reference to this. It is therefore recommended that a supplementary layout be submitted which takes account of changes to the plot in the event the extinguishment of the public highway is not achieved.

The process for an extinguishment of the public highway that runs along the plots on Silurian Road/The Elms has begun and the Local Highways Authority have confirmed that they have no objection to this section of the highway being extinguished. This can be a lengthy process and one that falls outside the remit of the Town and Country Planning Act. Given that this process has commenced and that there is no objection from the Highways, it is not considered necessary for an amended layout to be submitted. Should the extinguishment fail then the applicant can apply to the Local Planning Authority for a minor amendment to the approved layout. Additionally, it is considered necessary to restrict permitted development (PD) rights on all plots throughout the development in relation to walls/gates/enclosures to ensure that there is no adverse impact upon the amenity/open character of the development. This will assist in ensuring there is no unacceptable impact upon the highway network should an extinguishment fail.

2. Unusual arrangement to have a rear parking court for only two units. There are concerns that this will not be used, and parking will occur at the front of property on the main access road for direct access to units.

Rear parking is proposed for plots 101-106, these are flats on the northern section of the site (not for just two dwellings). It is considered to be acceptable for parking provision to be located at the rear of the building for the residents of the flats. The location of the parking area to the rear ensures the hard surfaced parking area is less visually prominent and allows for a more active frontage from the building(s) which better contributes to a more distinguished sense of place. Additionally, if the flats were located to be set back from the road with the parking area to the front the impact upon the occupiers of plots 118-120 to the rear would be much greater, especially as the flats are 3-storey. It is considered that should on street parking occur to the front of the building and cause an obstruction the Council has sufficient powers to provide parking restrictions in this area.

3. Clear highway connection to adjacent development site required. This is a significant requirement to ensure connectivity to neighbouring sites as per the overall master plan.

The proposed plan has been amended showing the access road up to the site boundary and therefore this point is considered to be satisfied.

4. Footway required on southern side of access road as per main access road on southern parcel. Footways on both side of the carriageway were shown on the approved site master plan as below.

Footpaths on both side of the road are not considered to be necessary in this location as there is no development to the south of the road. It is not considered that there are sufficient grounds to insist upon a foot path being constructed on this section as: it would not serve any development, it would form an incursion into the buffer zone for the SINC and would increase costs on site, reducing overall viability. It is noted that there are footpaths shown on both sides of the highway on the masterplan however this plan is indicative only and no argument has been made that the footpath is needed for highway/pedestrian safety. The footpath does extend around the corner on the junction where the proposed access road meets Silurian Road/The Elms to ensure there is a safe point for pedestrians to cross.

Additionally, Monmouthshire Council are a signatory of the Place Making Charter, which lists (page 70) "Adoption of highways with pavements on one side only" under the "Key factors contributing to good place making". Therefore, the proposed layout is considered to positively contribute towards the place making objectives as supported by the Council.

5. Car parking has been removed from this area however a continuous footway is required as per the overall site masterplan.

This point is much the same as point 4, the original plan as shown on the approved documents of the outline consent is not binding and provides an indicative layout with full details to be agreed at RM stage therefore we are not bound by the details contained within the earlier application. To provide a footpath here which would not serve any development or properties, is not considered to be necessary, again it would erode the buffer zone for the SINC, reduce the amount of green infrastructure on site and result in the applicant incurring more costs reducing the viability of the scheme.

6. A 2m footway required connecting to central footway link through open space and 7. Minimum 1x 2m footway required linking to open space

The development has been designed with a road hierarchy which provides access points from Silurian Road/The Elms and then a primary road that loops through the development, the secondary roads have been designed to be clearly distinguishable from the main road as shared spaces/private drives. Such spaces can contribute towards a sense of place by softening the built form of the highway. Additionally, to insist upon a continuous footpath would significantly reduce the amount of GI on site and impact upon the sustainable urban drainage system.

Monmouthshire Council are a signatory of the Place Making Charter which has 6 key concepts, one of which is "Public Realm; Streets and public spaces are well defined, welcoming, safe and inclusive with a distinct identity. They are designed to be robust and adaptable with landscape, green infrastructure and sustainable drainage well integrated. They are well connected to existing places and promote opportunities for social interaction and a range of activities for all people". Page 70 of the charter lists, "Adopting narrow shared surface streets" within the "Key factors contributing to good place making" section. Therefore, it is considered that a greater emphasis should be put onto the place making objectives and drainage/biodiversity interests.

8. Footway links from private drives link to adoptable link footway/open space area. It should be noted that such links are likely to encourage wider public to access open space area over private land.

This is a note from Highways, not an objection in its own right, the site has been designed to encourage active travel and for maximum pedestrian permeability. It has been discussed with the applicants who have agreed to ensure there is a clause relating to a right of access over this land within the conveyancing documents on the impacted plots. The presence of the footpaths is designed to encourage active travel and it is not considered that there is justification for these to be removed.

9. The submitted car parking schedule has been assessed in accordance with the Monmouthshire Car Parking Standards and a shortfall in parking has been identified at a number of proposed plots. An extract from the parking schedule and plans are shown below. It should be ensured that the identified plots have the appropriate car parking provision in accordance with the MCC Parking Standards.

The MCC Parking Standards were adopted in 2013 and have been superseded by both PPW11 and Future Wales (FW) both of which promote lower levels of car parking and advocate a shift from car led developments. In this case the majority of plots meet the required level of parking provision in accordance with the MCC standards however some plots have one less parking space than the standards require; all plots where the parking provision falls below the amount required by the parking standards are proposed with on plot cycle storage to encourage active travel.

A large number of the plots where the parking provision does not meet the requirements of the standards are 3-bedroom properties with a small bedroom/box room which, in the current climate is likely to be used as an office as recent figures show that up to 50% of people are continuing to

work at home for at least part of the week, therefore providing further justification for a relaxation to the standards which were adopted pre-COVID19.

6.7.2 Below are the extracts from PPW and Future Wales which relate specifically to lower levels of car parking;

4.1.50 "Parking provision should be informed by the local context, including public transport accessibility, urban design principles and the objective of reducing reliance on the private car and supporting a modal shift to walking, cycling and public transport. Planning authorities must support schemes which keep parking levels down, especially off-street parking, when well designed".

4.1.52 "Parking standards should be applied flexibly and allow for the provision of lower levels of parking and the creation of high quality places".

Future Wales

Policy 12 page 83 "Planning authorities must act to reduce levels of car parking in urban areas, including supporting car free developments in accessible locations and developments with car parking spaces that allow them to be converted to other uses over time".

Policy 12 Page 86 "Planning authorities should also challenge perceptions that housing needs to be built with parking on plots, which promotes car-dominated developments, and promote different ways of dealing with cars that encourage a reduction in car use and increase active travel and use of public transport".

No objection is raised in relation to capacity of the road network or to the overall layout of the site from a highway safety perspective. The points raised by Highways have been considered but on balance additional weight has been attributed to other factors, policies and objectives as explained in the rebuttal to each point above.

Welsh Government's M4 Route Engineer has been consulted on this application and raises no objection. The response has reiterated the conditions suggested and attached to the outline planning consent, as these are still relevant it would not be necessary to reattach the same conditions to this RM application.

6.8 Affordable Housing

6.81 When applying the affordable housing policy to this application there is a requirement for 25% of new dwellings to be affordable. The proposal included 32 new affordable homes which exceeds the 25% minimum. The affordable properties are proposed as the following; 15 No. 2P1B Flats, 9 No. 4P2B Houses, 5 No. 5P3B Houses, 1 No. 6P4B Houses and 2 No. 3P2B Bungalows. The proposed mix reflects the need in the area therefore no concern is raised in this respect.

6.9 Flooding

6.9.1 The application site is located within Zone A on the Development Advice Maps that accompany the current TAN15 and is in Zone 1 for flood risk from rivers and the sea on the Flood Maps for Planning that accompany the emerging TAN 15, both zones are acceptable in terms of highly vulnerable/residential development. There is a small area of the site that is shown to be at risk from surface water flooding on the Flood Maps for Planning, the emerging TAN advises that, "12.7 - Natural Resources Wales can advise the planning authority on the risk of flooding from rivers and the sea to the proposed development and elsewhere based on the evidence presented in the Flood Consequences Assessment. The planning authority should also seek advice from the relevant Lead Local Flood Authority (LLFA) on the risk from surface water flooding and other local sources of flooding, including ordinary watercourses. This should enable the planning authority to arrive at a judgement on the acceptability of the flooding consequences". In this instance an FCA has been submitted with this application and has been assessed by the LLFA who raise no objection to the proposed development. A Sustainable Urban Drainage Scheme has been submitted for this site to adequately manage surface water drainage.

6.10 Drainage

6.10.1 The Lead Local Flood Authority (LLFA) have been consulted on this application and raise no objection in regard to the minor area of the site at risk from ground water flooding. Due to the surface area of the development site a SUDs consent is required this is a separate consent that is outside the remit of the Town and Country Planning Act. The applicants have engaged with the SUDs pre-application service and a full application has been submitted for consideration. The Council's drainage officer has advised that there is no objection to this application progressing for planning consent as they are confident that SAB approval is achievable on this site with this proposed layout.

6.11 Public Right of Way

6.11.1 A public right of way (PROW) runs through the site and the current route would severely restrict development on site therefore a realignment is proposed. The PROW has been considered as part of the design and layout of the site in an attempt to integrate it into the development as a key pedestrian route/feature that links the open space with a central pedestrian avenue that travels past a large TPO tree at the centre of the development. The houses that face the PROW and the boundary treatments have been designed with a natural palette of materials in order to contribute to a sense of place. The Council's PROW officer has been consulted on this application and has no concern in relation to the proposed route. The process to realign the PROW has not yet commenced as planning permission is sought initially to ensure the layout as proposed is acceptable.

6.12 Noise

6.12.1 Technical Advice Note (TAN) 11: Noise (1997) sets out the Welsh Government's guidance on how the planning system can be used to minimise the adverse impact of noise without placing unreasonable restrictions on development. The TAN sets out four noise exposure categories (NECs) that sites may fall in, taking account of both day and night time noise levels.

6.12.2 A noise survey was carried out at the outline planning stage, WSP/Parsons Brinkerhoff report 70018501-001 dated July 2016 with an addendum dated January 2017. Noise survey results as part of these previous reports have been used as a basis for predicting noise levels at the proposed dwellings and assessing noise mitigation requirements. A Noise Assessment (dated 6th September 2018) has been submitted as part of the current application. The report takes into consideration potential increases in road traffic following the abolition of the Tolls (December 2018), and of the proposed future M4 relief road scheme. As part of the 2016 application the Council's Environmental Health Officer indicated that the positioning of residential areas in NEC C would be acceptable in principle, provided appropriate façade noise mitigation is devised at design stage to ensure internal noise levels comply with recommendations in BS 8233:2014 (35dB LAeq internal daytime and 30dB LAeq internal at night).

6.12.3 The noise assessment submitted concludes that, "Based on outline planning noise survey (WSP/Parsons Brinkerhoff) - confirming road traffic noise levels across the site - road traffic noise levels have been modelled across the proposed development site for daytime and night-time periods. Predicted noise levels have been assessed against daytime and night-time noise criteria quoted in current planning guidance. Road traffic noise levels are indicated to fall under NEC B across the majority of the site. Standard thermal double glazing and trickle ventilation is indicated sufficient to control road traffic noise intrusion for NEC B.

Based on the noise surveys submitted it is considered that noise levels on site can be managed to an acceptable level and would not have any unacceptable adverse impact upon the living conditions of neighbouring occupiers. The proposed development is considered to comply with the requirements of LDP Policies DES1, EP1 and EP3.

6.14 Response to the Representations of Third Parties and the local Town Council

6.14.1 Magor and Undy Town Council have recommended that the application be refused with the following points summarising their rationale:

Sustainable drainage, SuDS, surface water and sewage, future of footpath 372/23/1, lack of information in respect of a green infrastructure management plan and lack of open space, no up-to-date biodiversity/ecological/hibernacula report, light, noise and air pollution, access to site during and after development works from/to the B4245, lack of information regarding capacity for schools, doctors, dentist, burials and retail.

6.14.2 Response: A SuDS application is required for this development due to its scale; the applicants have engaged with the SAB authority and designed a scheme that has been acceptable to gain SAB consent; this is sufficient to deal with surface water on site and therefore should not have any unacceptable adverse impact regarding surface water off site.

DCWW have been consulted on this application and raise no objection to the proposed development and raise no concern over the capacity of the sewer in this area. The PROW will need to be realigned, this is a separate process that the applicant will need to engage in, there is no requirement for them to do this prior to planning consent being granted, such applications are often submitted following consent being granted to ensure the work/process would not be abortive. The biodiversity/GI management information has been resubmitted and deemed acceptable by the Council's Ecologist and Landscape/GI Officer. Concerns relating to access to and from the site were addressed in the outline planning consent and is therefore not a matter of consideration for this application. The principle of the development has been previously decided and considered acceptable when the outline planning consent was granted.

6.14.3 Response to issues raised in the public consultation.

The principle of the development has previously been established with this land forming part of a strategic allocation for residential development as part of the LDP and with outline planning consent being granted. Issues such as access, traffic flow and impact upon the services in the settlement were covered within the previous outline allocation and are therefore not pertinent to this application. This consent is considered to comply with the requirements of both the original allocation and with the outline consent, the proposed development is considered to make efficient use of the land available whilst avoiding an over-development of the site. The scheme provides sufficient areas of open space and links well to the wider area. Whilst the development will result in a loss of greenfield land this decision has previously been made. Therefore the requirement on this application is to provide mitigation which is proposed via the scheme and can be controlled via conditions. It is noted that the development will result in disruption whilst the build is ongoing, but this is to be expected with any level of development. Controls are available to the Council to ensure this will not be of an unacceptable level. Concern has been raised relating to the impact upon neighbouring residents but this has been taken into consideration and is not considered to be of an unacceptable level due to the scale of the development and its relationship with neighbouring properties. Comments have been received raising concern over the loss of a view and impact upon neighbouring property values. While there is no right to a view, outlook is a material consideration which is considered to be acceptable in this instance. Property values are not a material consideration in the assessment of a planning application. Comments have been received regarding the impact upon the character of the area. This residential development on an allocated site with outline consent for residential development is not considered to be unacceptable in this regard. A general dislike for flats being provided on site has been communicated. Flats are residential properties which are considered to be appropriate within a residential development and will make efficient use of the land providing much needed housing. The flats are proposed at 3-storeys and this is not considered to be excessive for this location or to have any unacceptable adverse visual impact upon the wider landscape. A comment has been received stating that the houses are too expensive for locals to buy; the planning authority does not control the price of the houses. The viability of the site has allowed for affordable housing on site to exceed the minimum 25% as set out in the S106 agreement that accompanied the outline consent. One comment received raised issue with the plans not accurately depicting the built form of neighbouring dwellings in that one property had recently constructed a conservatory; this would not impact upon the overall decision or result in amendments being required.

6.15 Conclusion

It is considered that this proposal complies with both the strategic allocation with the LDP and the subsequent outline planning permission. It is considered that the proposal represents a well-thought out, high quality development which will positively contribute to the area. Notwithstanding the Highway Officer's reservations about aspects of the proposal, it is considered that a refusal on that basis would be difficult to sustain because Highways' objection is not made on the basis of highway safety and the requested amendments conflicts with more recent National Planning policies and place-making objectives. It is therefore recommended that this reserved matters application be granted subject to the conditions set out below. The conditions relating to the outline planning permission and the requirements of the Section 106 Agreement also remain in force and relevant.

7.0 RECOMMENDATION: APPROVE

Conditions:

1 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.

2 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (Or any order revoking and re-enacting that Order with or without modification, no fences, gates or walls, shall be erected other than those expressly authorised by this permission.

REASON: To protect the character and appearance of the proposed development.

3 Notwithstanding the provisions of Schedule 2, Part 1, Class A (sections (h) and (j), B, C and D of The Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking or re-enacting that order with or without modification, no extensions with more than one storey, roof enlargement or alterations and porches shall be erected.

REASON: To protect the character and appearance of the proposed development and the living conditions of neighbouring occupiers.

4 Prior to the installation of any street furniture full details shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details

REASON: In the interest of visual amenity

5 Prior to beneficial occupation of the dwellings, visibility splays of 2.4 x 43M as demonstrated on the approved plans in both directions from the centreline of the access shall be provided from all adoptable side roads and private access and shall be maintained in perpetuity. Any wall/fence within the visibility splays must not exceed 0.9 metres in height above the existing carriageway level and any planting within the visibility splay must not exceed 0.6 metres above the existing carriageway level.

Reason: in the interest of highway safety.

6 Notwithstanding the details of the approved plans, prior to any works taking place above slab level of each dwelling unit, samples of the proposed external finishes shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with those agreed finishes which shall remain as such thereafter unless otherwise approved in writing by the Local Planning Authority. The samples shall be presented on site for the agreement of the Local Planning Authority and those approved shall be retained on site for the duration of the construction works.

REASON: In the interests of the visual amenity of the application site and wider area, in accordance with policy DES1 of the LDP.

7 Noise mitigation measures in the form of building façade constructions and ventilation provisions to the habitable rooms of the scheme shall meet the requirements provided in Environmental Noise Assessment REF: 4833/EBF1_REV2 6 the September 2018 and shall be retained as such in perpetuity. Compliance of such works shall be certified in writing to the Planning Authority by an appropriately qualified acoustic consultant before the first beneficial use of any dwelling commences.

REASON: In the interests of the residential amenity of future occupants of the site, in accordance with the requirements of policy EP1 of the LDP.

8 Prior to any works commencing on the areas the subject of this application, a Construction Management Plan (CMP) in each reserved matters area shall be submitted to and approved in writing by the Local Planning Authority, which shall include traffic management measures, hours of working, measure to control dust, noise and related nuisances and measures to protect adjoining users from construction works. The development shall be carried out in accordance with the approved CMP.

Reason: To ensure the development is carried out in a safe and considerable manner in accordance with the requirements of policy EP1, and DES1 of the LDP.

9 The garages hereby approved shall be retained solely for the parking of private motor vehicles and for no other purpose including any other purpose ancillary to the enjoyment of the dwelling house.

REASON: To ensure there is adequate parking provision to serve the occupiers of the development in accordance with policy MV1 of the LDP.

10 Prior to the construction of the realigned Public Right of Way, samples of the proposed path material shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed finish which shall remain as such thereafter unless otherwise approved in writing by the Local Planning Authority. The samples shall be presented on site for the agreement of the Local Planning Authority and those approved shall be retained on site for the duration of the construction works.

REASON: In the interests of the visual amenity of the application site and wider area, in accordance with policy DES1 of the LDP.

11 Prior to the commencement of development full details of the gabion walls will be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed finish which shall remain as such thereafter unless otherwise approved in writing by the Local Planning Authority.

Reason: in the interest of visual amenity in accordance with Policy DES1 of the LDP.

12 The development shall be carried out in strict accordance with Section 6 (Recommendations and Enhancement) of the approved 'Rockfield Farm, Undy – Construction Environmental Management Plan: Biodiversity, by Soltys Brewster, dated April 2022' report. Evidence of compliance with the plans in the form of georeferenced photographs must be provided to the LPA no more than three months later than the first beneficial use of the extension.

Reason: To ensure safeguards for species of principle importance for conservation and to ensure compliance with LDP policy NE1.

13 Prior to the commencement of works, details of Biodiversity net benefit and enhancement measures must be submitted on plan, identifying location, positioning and specification which provides net benefit. The scheme shall provide for the future management and an implementation timetable. The scheme shall be submitted to and approved in writing by the Local Planning Authority. The development shall only proceed in accordance with the approved plans and shall be retained as such thereafter.

Reason: To provide biodiversity net benefit and ensure compliance with PPW 10, the Environment (Wales) Act 2016 and LDP policy NE1

INFORMATIVES

1 Bats - Please note that Bats are protected under The Conservation of Habitats and Species Regulations 2010 (as amended) 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 (0300 065 3000).

2 Nesting birds - Please note that all birds are protected by the Wildlife and Countryside Act 1981 (as amended). The protection also covers their nests and eggs. To avoid breaking the law, do not carry out work on trees, hedgerows or buildings where birds are nesting. The nesting season for most bird species is between March and September.

3 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.

4 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: <https://www.monmouthshire.gov.uk/sab>

5 Bat boxes are more likely to be used if they are located where bats are known to feed. Ideally, several boxes should be put up facing in different directions on sunny aspects to provide a range of warm conditions. Boxes should be put as high as possible to try and avoid predation from cats on the ground or nearby structures. Bats use dark tree lines or hedgerows for navigation, so putting boxes near these features could help bats find the box. In summary, locate boxes:

- Where bats are known to feed and navigate (close to hedges and tree lines);
- Ideally at least 4m above the ground (where safe installation is possible);
- Away from artificial light sources (to protect them from predation); and
- Sheltered from strong winds and exposed to the sun for part of the day (usually south, south-east or southwest).

Bats need time to find and explore new homes, and it may be several months or even years before boxes have residents – be patient! Once bats find a place they want to live they can return over and over again. Droppings on the landing area, urine stains around the lower parts of the box and chattering noises from inside on warm afternoons and evenings are signs of occupation. Please note, as bats are vulnerable to disturbance and fully protected under UK law, boxes must only be opened by a licensed bat worker.

6 Boxes for tits, sparrows or starlings should be fixed two to four metres up a tree or a wall. -Unless there are trees or buildings which shade the box during the day, face the box between north and east, thus avoiding strong sunlight and the wettest winds. Make sure that the birds have a clear flight path to the nest without any clutter directly in front of the entrance. Tilt the box forward slightly so that any driving rain will hit the roof and bounce clear. Fixing your nestbox with nails may damage the tree. It is better to attach it either with a nylon bolt or with wire around the trunk or branch. Use a piece of hose or section of car tyre around the wire to prevent damage to the tree. Remember that trees grow in girth as well as height, and check the fixing every two or three years. Open-fronted boxes for robins and wrens need to be low down, below 2m, well hidden in vegetation. Those for spotted flycatchers need to be 2-4m high, sheltered by vegetation but with a clear outlook. Woodpecker boxes need to be 3-5m high on a tree trunk with a clear flight path

and away from disturbance. Nestboxes are best put up during the autumn. Many birds will enter nestboxes during the autumn and winter, looking for a suitable place to roost or perhaps to feed. They often use the same boxes for nesting the following spring. Tits will not seriously investigate nesting sites until February or March.