

**Application**

**Number:** DM/2022/01525

**Proposal:** Construction of proposed bungalow with parking on land at rear of 11 Park Close

**Address:** Land rear of 11 Park Close, Abergavenny, NP7 5SU

**Applicant:** Stephen Parry

**Plans:** Location Plan A100 – REV B, Site Layout A101 - REV F, All Proposed Plans A200, 11 PARK CLOSE\_PC\_D01\_REV A, 11 PARK CLOSE\_PC\_D02\_REV A, 11 PARK CLOSE\_PC\_D04\_REV A, 11 PARK CLOSE\_PC\_D05\_REV A

**RECOMMENDATION: Approve****1.0 APPLICATION DETAILS**

1.1 This application was presented to Planning Committee in February 2025. Members considered the report of the application and late correspondence which was presented for refusal for the reason outlined in the report.

1.2 An electronic vote was undertaken. However, due to the closeness of the vote whereby the outcome was within two or fewer votes, paragraph 27.27.6 of Monmouthshire County Council's Constitution was invoked:

*When the outcome is 2 or fewer votes or will require the Chair to consider casting a deciding vote, a roll-call will be carried out in the same style of a recorded vote so the result is beyond question. The number of votes for each option will be noted in the minutes.*

1.3 In noting the detail of the application and the views expressed, it was proposed by County Councillor Su McConnel and seconded by County Councillor Emma Bryn that application DM/2022/01525 be refused for the reason outlined in the report.

For refusal - 6

Against refusal - 7

Abstentions - 1

The proposition was not carried.

1.4 Following discussion, it was agreed that consideration of application DM/2022/01525 be deferred to be re-presented to the next Planning Committee meeting with the original officer recommendation for approval, subject to the amended plan layout showing a turning area illustrating how a vehicle may enter and leave in a forward gear. The applicant subsequently provided an updated site plan showing the parking and turning area.

1.4 Following the deferral of the application, it was also noted that there were outstanding issues in relation to biodiversity and surface water drainage. As such, the applicant has also provided a Green Infrastructure Statement including net benefit for biodiversity and provided surface water drainage calculations and plans (Causeway Technologies). The submission of the amended details necessitated a full re-consultation.

**2.0 REPRESENTATIONS**

## 2.1 Consultation Responses

### **Abergavenny Town Council** – Recommend Refusal.

Abergavenny Town Council have given this application full consideration at their Environment Committee. They are recommending refusal due to insufficient drainage and infiltration provision, and unsuitable biodiversity net benefit, supporting consultee concerns expressed by Monmouthshire County Council's Biodiversity and Flood Risk Engineers/Officers. We note the change in comment from the Highways Officer, and would like to express our concerns over the access rights between the three properties, and potential civil boundary disputes that could arise in the future.

**Heneb** – The development will require archaeological mitigation.

### **MCC Highways** – No objection.

The applicant has provided amended plans between the date of the committee and the publishing of the committee report which refused the application. Our new comments regard this amended detail. Of highway note is that the proposal has been amended with a new parking layout, to which we offer the following comments. The change in layout results in only the new dwelling having parking provision to the rear of the existing dwelling, and therefore the only section of drive that can be considered shared use is now the area adjacent to the public highway, which would be crossed by both no.11 & no.10, and the new dwelling. This overcomes our concern regarding the width of the driveway, as now the drive serves solely as access for the new dwelling.

The new dedicated parking arrangement for the proposed dwelling also provides space for manoeuvring on site, removing the need for objectionable manoeuvres relating to the previous double tandem arrangement, and enabling vehicles to enter/exit onto the public highway in first gear. While no.11 will not meet their parking provision requirement under the MCC Local Parking Standards, it is accepted that the properties in this area were not designed with parking provision and therefore cannot be expected to provide it.

No.11's modern provision of a single space to the front of the dwelling is to be kept, (though moved to the boundary,) and is considered to be acceptable. While these matters represent a marked improvement over the previous layout, we still raise concern over the provision of access rights between three properties/owners and their keeping in perpetuity. However, we are unable to sustain an objection over private legal matters, and therefore we raise these as a concern.

**MCC Biodiversity** - Nothing fundamental has changed since my last comments relating to biodiversity and so my holding objection is maintained. I note that a Green Infrastructure Statement has been submitted since my previous comments but this does not provide the information requested and appears to contain erroneous information by stating that the proposed works are contained on an area of hard landscaping, which is false. If recommending a condition for biodiversity net benefit, that is fine but it should really be evidenced prior to determination that it can be achieved and this hasn't been provided to date (and the GI Statement really should have done so). *NB – see comments in section 3.3 below.*

**MCC SAB 15/7/25** - No objection. The application has now demonstrated a means of surface water drainage (infiltration). We are content to examine the detail of surface water drainage design as part of the SuDS approval process.

### Surface Water Drainage:

The proposed development will require a Sustainable Drainage System (SuDS) designed, constructed and maintained in accordance with the Statutory Standards for SuDS in Wales and

approved by MCC as SuDS Approving Body (SAB).

#### Flooding:

Flood risk maps provided by Natural Resources Wales do not indicate the site to be at particular risk of flooding.

Our database of previous flood events and land drainage investigations records the presence of a small watercourse between Park Close and Llywnu Road. It also records the presence of what appeared to be groundwater in excavations at 1 Park Close. These observations will be taken into account when a future application for SuDS approval is received.

Our database of drainage and flood assets records a drainage network, considered to be an Ordinary Watercourse, between Park Close and Llywnu Road.

Based on the above we have no objection to the proposed development on flooding grounds.

#### **MCC SAB 24/5/25 - Holding Objection.**

The application has not demonstrated a means of surface water discharge (rainwater harvesting, infiltration, watercourse, surface water sewer or combined sewer). The drainage destination needs to be confirmed as there are no surface water or combined sewers in close proximity of the site that could be utilised. The site is therefore reliant on infiltration being possible and the site layout allowing for a soakaway to be 5m from a building and 2m from the boundary. Infiltration testing should be done to BRE365 standards with the test pit being a minimum 1mx0.3m to a depth representative of the soakaway proposed. The test will need to be run 3 times consecutively. If you require further information then contact us at [SAB@monmouthshire.gov.uk](mailto:SAB@monmouthshire.gov.uk) The proposed layout may be impacted in incorporating the SuDS Features including the addition of raingarden planters, filter drains or similar as well as the material construction of the driveway and parking area.

**MCC SAB 18/3/25** - There is no infiltration testing that has been undertaken on the site to support the proposed drainage destination. The infiltration testing will be critical to demonstrating that a soakaway can work. As there is no other potential drainage destination the infiltration would need to be undertaken before we could remove our holding objection. The testing will need to be undertaken to BRE365 requirement with a test hole above the proposed soakaway location with a trial hole 1mx0.3m to 2m deep with testing being undertaken from 1m to 2m.

### 2.2 Neighbour Consultation

11 additional comments received:

The revised plans have in no way addressed biodiversity and surface water concerns, and the amendment to parking does not overcome the access issue.

### **3.0 EVALUTION**

3.1 The Council's Highway Officers have advised that the revised parking arrangements overcome their objections and there are now no grounds to refuse the application on highway safety grounds.

3.2 The applicant has provided detailed surface water information suggesting that the ground is suitable for infiltration drainage.

3.3 An updated Green Infrastructure Plan has been provided and Revision F of the site plan identifies areas of soft landscaping and enhancements for biodiversity in the form of two nestboxes to be located on the existing dwelling. These changes/additions have addressed the holding objection from the Council's Biodiversity Officer and the features for net gain are considered to be proportionate to the scale of development. The development is therefore now considered to meet the requirements of Chapter 6 of PPW12 and LDP Policies NE1 and GI1.

### 3.4 Impact on Residential Amenity

3.4.1 The proposed new access and parking area will abut an existing neighbouring garage, minimising any impact on the enjoyment of the garden of that property (no.10 Park Close).

3.4.2 Overlooking from the proposed new dwelling into adjoining properties will not be possible as the proposal is a bungalow and therefore views will be screened by existing and proposed enclosures. Direct views between the host dwelling and the proposal can be mitigated by a new boundary fence along the boundary with the garden of the existing dwelling. The houses to the north (Avenue Road) have long rear gardens meaning that there is a distance of approx. 27m from these dwellings to the northern boundary of the application site. The property to the south (no.12 Park Close), is screened by the existing boundary treatment and this proposal should not harm that neighbour's privacy or amenity, as the site area is already amenity space that could be actively used and the proposal is single storey, thus reducing any overlooking or loss of privacy.

6.3.3 On the basis of the above it is considered that there will be no loss of residential amenity as a result of the proposal and there would be no conflict with LDP policies EP1 or DES1.

## 4.0 CONCLUSION

4.1 It is considered that the additional detail provided overcomes the previous objections from Highways, SAB and Biodiversity and the application can therefore be supported. 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. There is a need to add a condition to remove permitted development rights for extensions and outbuildings to the proposed dwelling given the proximity of nearby properties and the potential for overlooking of neighbouring properties if a dormer extension was constructed under permitted development rights.

7. Notwithstanding the provisions of Article 3, Schedule 2, Part 1 Classes A B C D E F & H of the Town and Country Planning (General Permitted Development) (Amendment)(Wales) Order 2013 (or any Order revoking and re-enacting that Order with or without modification) no enlargements, improvements or other alterations to the dwellinghouse or any outbuildings shall be erected or constructed.

REASON: In the interests of local residential amenity in accordance with LDP Policies EP1 and DES1.

The previous reports are also below.

### PREVIOUS REPORT(s)

February 2025

**Application Number:** DM/2022/01525

**Proposal:** Construction of proposed bungalow with parking on land at rear of 11 Park Close

**Address:** Land rear of 11 Park Close, Abergavenny, NP7 5SU

**Applicant:** Stephen Parry

**Plans:** Location Plan A100, Site Layout A101 - REV B, All Proposed Plans A200

**RECOMMENDATION: Approve**

## 1.0 APPLICATION DETAILS

- 1.1 This application was presented to Planning Committee on 14<sup>th</sup> January 2025 with a recommendation for approval. Members did not agree with this recommendation and deferred the application for refusal for the following reason:

*The proposed 3m wide access serving three properties, represents a significant departure from the Welsh Common Standards and would lead to a deterioration in highway standards and would adversely affect users of the adjacent public highway contrary to Adopted Local Development Plan Policy MV1.*

- 1.2 Following January's Committee meeting the applicant has provided an updated Site Plan (A101 Rev C) for review, showing a turning area illustrating how a vehicle may enter and leave in a forward gear.

## 2.0 REPRESENTATIONS

### 1.1 Additional Neighbour Comments

- Object to the Previous Committee Report - 1.2 Proposal Description: "The proposed new dwelling is relatively small in scale and not dissimilar to a domestic outbuilding that could be erected under permitted development rights." The plans show a building with a footprint 150% the size of the 3 bed semi in who's garden it is to be built.
- The only logical reason for having a bungalow with a roof space higher than the ground floor height would be to allow easy conversion to a second storey building at a later date.
- The height and size of this build 6.7+m high and floor area of 64m<sup>2</sup> does not respect the privacy of neighbours in adjoining roads.
- Object to the erection of a fence in place of an established hedge which provides habitat and food for a range of birds, bats, insects, and other wildlife.
- Loss of green space.
- A couple of bird boxes on the wall of a building does little to mitigate the losses which will be felt by the local wildlife, should this planning application be approved.
- By ignoring the Highways Department advice, a dangerous precedent is set, whereby other buildings may be allowed in the back gardens of houses with difficult access.
- The proposed building will dominate the surrounding area particularly from the community garden where the view towards the Blorengie will be blocked.
- Amended plan moves the building adding to obstruction of view from public amenity space (Park Crescent).
- The development proposes to be less than 1m from the boundary with 12 Park Crescent. This is contrary to UK building standards for a building of this size and floor space.
- The height of the build (6.718m) will cause overshadowing into neighbours gardens
- This proposal has no discernible sustainability.
- The flood risk assessment is not adequately addressed. Amended plans for proposed driveway & turning area, show area to be tarmacked, which is impermeable & inappropriate where there is no stated provision for water runoff.
- No evidence to state how green infrastructure has been incorporated into the plan. Mandatory, net biodiversity benefits (NBB) are absent.
- Loss of value to my property - with extra household created so close.
- Very close proximity of build - we will no longer be able to enjoy the use of our peaceful outdoor seating and eating area, where bbq/ fire pit, may cause future problems with new occupants.
- Smells/ exhaust fumes - car park planned against our fence, where our edible
- The amended plans only show parking space for 4 vehicles for the 2 properties therefore does not meet its parking requirements under local parking regulations so this must void the application.
- The amendments do nothing to address the Highway Departments insistence of having a 4.5m wide shared access driveway due to safety concerns.
- Access arrangements fail to meet the requirements of the Manual for Streets (Wales) 2019 (MfS).

The shared driveway is 3m whereas MfS recommend a minimum width of 4.1m for access to multiple dwellings.

- Visibility splays at the junction with the public highway are restricted to 15m, due to the proximity of existing dwellings 10 and 11 on a curve, this splay is impeded.
- The turning area is insufficient for vehicles to maneuver safely, risking conflicts between vehicles, cyclists and pedestrians.
- Amended site layout plan (doc A101C) provides 3 rear parking places for 11 and new build, less than MCCs standard for a dwelling of this size exacerbating on street parking in Park Close which is already congested.
- This development will increase nutrient loading (phosphates) into the River Usk (SAC) because Llanfoist Waste Water Plant lacks a phosphate permit and is currently operating close to capacity.

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

## **RECOMMENDATION: Approved Subject to S106 agreement**

Case Officer: Kate Bingham  
Date Valid: 26.10.2022

**This application is presented to Planning Committee as there is an outstanding objection from a Statutory Consultee (Highways)**

### **1.0 APPLICATION DETAILS**

#### 1.1 Site Description

This application relates to a site close to the town centre of Abergavenny, north-east of Bailey Park.

#### 1.2 Proposal Description

It is proposed to provide one new single-storey dwelling in the rear garden of the existing two storey semi-detached house. Access will be shared with the existing dwelling.

The property is not listed and the site is not within the Conservation Area. The site is within the Nutrient Sensitive Catchment Area of the River Usk Special Area of Conservation (SAC).

### **2.0 RELEVANT PLANNING HISTORY (if any)**

<b>Reference Number</b>	<b>Description</b>	<b>Decision</b>	<b>Decision Date</b>
DM/2022/01525	Construction of proposed bungalow with parking on land at rear of 11 Park Close.	Pending Determination	
DC/1993/00420	Carport Extension To Front.	Refused	07.07.1993

### **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  
DES1 LDP General Design Considerations  
EP1 LDP Amenity and Environmental Protection  
EP5 LDP Foul Sewage Disposal  
GI1 LDP Green Infrastructure  
NE1 LDP Nature Conservation and Development  
MV1 LDP Proposed Developments and Highway Considerations

### **Supplementary Planning Guidance**

Infill Development SPG November 2019  
Affordable Housing SPG July 2019

## **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 12**

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

**Abergavenny Town Council** - No comments received.

**Dwr Cymru Welsh Water (DCWW)** - No objections.

We have reviewed the information submitted as part of this application and note that the intention is to drain foul water to the public sewer to which we offer no objection in principle. We also note that surface water will be disposed of via sustainable means and welcome this approach.



We can confirm that our Llanfoist Wastewater Treatment Works in which the proposed development would eventually drain, is able to meet the interim backstop permit of 5 mg/l with sufficient headroom capacity.

**Natural Resources Wales (NRW)** - Refer to Interim Guidance on development within Nutrient Sensitive Areas (Version 4).

**MCC Highways** - Under the Welsh Common Standards, a shared private drive must be at least 4.5m wide which the site cannot provide. Therefore, as the access arrangements do not meet minimum standards, we must object.

**MCC Biodiversity** - No objections subject to conditions.

SEWBRc Search Results - No significant ecological record identified.

### 5.2 Neighbour Notification

One objection received:

The proposed bungalow is an overdevelopment of a residential area. These houses and our neighbouring ones were designed with space between buildings and this should not be compromised.

### 5.3 Other Representations

None.

### 5.4 Local Member Representations

No comments received.

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

## **6.1 EVALUATION**

### **6.2 Principle of Development**

6.2.1 The site is located within the settlement boundary of Abergavenny, which is defined as a Main Town in the Local Development Plan (LDP). Policy H1 supports residential development in these areas in principle, subject to detailed material planning considerations.

6.2.2 Being located on a corner, the site benefits from an existing large rear garden which can accommodate the proposed dwelling together with parking provision and still retain an adequate amount of private amenity space for both the existing and proposed dwellings.

### **6.2 Good Design / Place Making**

6.2.2 Monmouthshire's adopted Infill Supplementary Planning Guidance highlights that Infill development should make a positive contribution to the creation of distinctive communities, places and spaces as well as responding to the context and character of the area. The proposed dwelling will be single-storey and simple in design having a basic rectangular floor plan with a pitched roof. External materials are proposed as grey concrete roof tiles, red facing brick with buff stone cills, Marley Eternit cladding (porch), white fascia and soffits with black rainwater goods and white upvc windows. These materials reflect those used on the surrounding buildings, the

host dwelling being red brick on the lower half with a concrete tiled roof and white upvc windows.

6.2.3 The proposed bungalow would cover an area of approx. 75m<sup>2</sup> on a site of 530m<sup>2</sup> equating to just over 14%. There will be further loss of garden area as a result of the parking and turning area but nonetheless, there would still be a garden area of 76m<sup>2</sup> remaining for the existing dwelling and over 100m<sup>2</sup> for the proposed new dwelling. Due to the siting of the proposed new dwelling at the rear of the site, the impact of the development on the street scene and wider landscape will be minimal.

6.2.4 On the basis of the above, it is considered that the proposed development is in keeping with the character and appearance of the surrounding area and will have no adverse impact on local visual amenity. As such there is no conflict with LDP Policy DES1.

### **6.3 Impact on Residential Amenity**

6.3.1 The proposed new access and parking area will abut an existing neighbouring garage, minimising any impact on the enjoyment of the garden of that property.

6.3.2 Overlooking from the proposed new dwelling into overlooking properties will not be possible as the proposal is a bungalow and therefore views will be blocked by existing and proposed enclosures. Window to window distances between the existing and proposed dwellings would be between 15m and 20m, the shorter view being a bathroom window and 20m being a kitchen area. Direct views would be further disrupted by a new boundary fence along the boundary with the garden of the existing dwelling. The houses to the north (Avenue Road) have long rear gardens meaning that there is a distance of approx. 27m from these dwellings to the northern boundary of the application site.

6.3.3 On the basis of the above it is considered that there will be no loss of residential amenity as a result of the proposal and there would be no conflict with LDP policies EP1 or DES1.

### **6.4 Highways and parking**

6.4.1 The application proposes the construction of a new property within the grounds of No. 11 and related works and access arrangements. The site is located on the corner of the unclassified highway, Park Close, a dense residential area.

6.4.2 The site meets its parking requirements under the local parking regulations by providing No.11 with three spaces and the proposed dwelling with 2 spaces (one per bedroom).

6.4.3 The proposed access arrangement creates a private shared drive shared by no. 11 and the proposed dwelling, (with an access agreement with the neighbouring No.10). The Council's Highway Engineers have advised that under the Welsh Common Standards, a shared private drive must be at least 4.5m wide. In this case the site can only provide a 3m wide driveway and therefore as the access arrangements do not meet minimum standards, Highways have objected to the development.

6.4.4 While the width of the drive is below the Welsh Common Standards, a 3m wide drive is nonetheless adequate for a private car and not an unusual arrangement in this area with other dwellings to the rear of existing properties being served by comparable driveways. For example DC/2016/00714 allowed two dwellings to the rear of Park Crescent off a 3m driveway. Larger vehicles serving the proposed new dwelling such as delivery vans, are likely to stop on Park Close itself, not the driveway; the site is within a cul-de-sac where on-street parking is unrestricted and traffic movements are generally reduced and at slower speeds. As such, the proposed driveway arrangement is unlikely to harm local highway safety and it is considered that it would be unreasonable to refuse the application on this basis.

## **6.5 Biodiversity**

6.5.1 It is understood that an area of scrub habitat is located where the proposed bungalow and landscaped garden are proposed. Precautionary measures should be adopted during any vegetation clearance.

6.5.2 Planning Policy Wales (PPW) 12 sets out that "planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means that development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity" (para 6.4.5 refers). This policy and subsequent policies in Chapter 6 of PPW 12 respond to the Section 6 Duty of the Environment (Wales) Act 2016.

6.5.3 It is noted that two nest boxes are proposed to be installed on the north-western elevation of the existing building. It is considered that these will provide adequate mitigation for the loss of nesting habitat as a result of the development.

6.5.4 As a result of the proposals, the site will become more difficult to access for hedgehogs due to the number of fences and built structures. In order to mitigate for this, hedgehog gaps within the new close-boarded fencing should be provided to allow hedgehogs to have continued access throughout the site – 13cm x 13cm gaps at ground level are sufficient to allow access for hedgehogs. This should be a condition of any consent should Members approve the application.

6.5.5 Under regulation 63 of 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.

6.5.6 Based on the Test of Likely Significant Effect, the project is unlikely to have a Significant Effect on the phosphate sensitive River SAC and a full Appropriate Assessment is not required.

## **6.6 Green Infrastructure (GI)**

6.6.1 Chapter 6 of Planning Policy Wales (PPW) 12 highlights that a Green Infrastructure (GI) statement should be submitted with all planning applications and will be proportionate to the scale and nature of the development. The statement which will need to be informed by a GI assessment of the site will describe how green infrastructure will be incorporated into the proposal and how the step wise approach to protecting biodiversity, habitats and GI onsite will be managed. A step wise approach considers what impacts may occur as a result of development activity to any identified biodiversity, habitats and green infrastructure assets and networks that may be present on or bounding a site. The approach then seeks to manage any harm that may occur by (a) avoiding (b) minimising (c) Mitigating / Restoring.

6.6.2 The existing site is landscaped domestic garden with areas of shrub to the far rear.

6.6.3 The GI Statement is proportionate to the scale of this proposal and sets out the measures to be employed to secure GI. Soft landscaping will be carried out around the building that will adopt native species and will improve the GI in this immediate area.

## **6.7 Affordable Housing**

6.7.1 It is a basic principle of LDP Policy S4 that all residential developments should contribute to the provision of affordable housing in the local planning authority area, irrespective of whether

the size of the development falls below the threshold for on-site provision.

6.7.2 As this proposed development falls below the threshold (1 - 4 units) at which affordable housing is required on site, a financial contribution towards off site affordable housing in the Abergavenny Housing Market Area will be required instead. This is calculated as: Internal Floor Area (m<sup>2</sup>) x £120 x 58%. This will be secured via a S106 agreement. This has been agreed by the applicant.

## **6.8 Flooding**

The site is not within a flood plain.

## **6.9 Surface Water Drainage**

As the built area will be 100m<sup>2</sup> or more, the development will require a Sustainable Drainage Systems (SuDS) to manage on-site surface water. These SuDS must be designed and constructed in accordance with the Welsh Government Standards for Sustainable Drainage and will be subject to separate SAB consent but the site area and ground conditions indicate that there is a suitable destination for surface water via a SuDS.

## **6.8 Archaeology**

6.8.1 The application area is within the Archaeologically Sensitive Area of Abergavenny, situated close to the line of the Roman road, leading from the fort at Abergavenny to the town at Kenchester. It is known that large cemeteries containing both inhumations and cremations were situated alongside the west of this road, and the application area is equidistant between two areas where cremations including cremation burials in urns were found, as well as flagons, glazed beakers and metal brooches. It is therefore possible that such features may be located inside the application area, and the development therefore will require mitigation.

6.8.2 As such, it is recommended that a condition, requiring the applicant to submit a detailed programme of investigation for the archaeological resource, should be attached to any consent granted by Members.

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

6.11.1 In terms of over-development of the site, the proposed new dwelling is relatively small in scale and not dissimilar to a domestic outbuilding that could be erected under Permitted Development Rights. Both the existing and proposed dwellings will also have adequate areas of private amenity space.

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

6.12.1 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.

## **6.13 Conclusion**

6.13.1 The site is located within the settlement boundary of Abergavenny within which, Policy H1 supports development in these areas in principle.

6.13.2 The proposed development is in keeping with the character and appearance of the surrounding area and will have no adverse impact on local visual amenity.

6.13.3 There will be no loss of residential amenity as a result of the development.

6.13.4 Although the proposed access is 1.5m narrower than the Welsh Common Standards, taking into consideration the specific context of this application site, it would be unreasonable to refuse the application on the grounds of highway safety. A 3m wide driveway for two properties should be adequate.

6.13.5 The proposal is unlikely to have a Significant Effect on the phosphate sensitive River Usk SAC.

## **7.0 RECOMMENDATION: APPROVE**

Subject to a 106 Legal Agreement requiring the following:

### S106 Heads of Terms

Financial contribution towards the provision of affordable housing within the local area to be paid upon occupation.

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 the applicant, or their agents or successors in title, has secured agreement for a written scheme of historic environment mitigation which has been submitted by the applicant and approved by the local planning authority. Thereafter, the programme of work will be fully carried out in accordance with the requirements and standards of the written scheme.

REASON: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource.

4 Prior to the commencement of development full and comprehensive details of soft and hard landscape works shall be submitted to and approved in writing by the Local Planning Authority. Details shall include:

- o Detailed scaled plans, showing existing and proposed levels
- o Proposed and existing utilities/services above and below ground.
- o Soft landscape details for landscaping to include planting plans, specifications including species, size, density, number and location, cultivation and other operations associated with planting, rain gardens and seeding establishment.
- o Details of hedgehog gaps within the new close board fencing.

REASON: In the interests of visual and landscape amenity; in accordance with Policies DES1 & LC1/5 of the Local Development Plan.

5 All planting, seeding or turfing comprised in the approved details of landscaping shall be

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

REASON: To safeguard the landscape amenities of the area and to ensure compliance with LDP Policy GI1.

6 The mitigation and enhancements for biodiversity shown on approved drwg no. A101 Rev B shall be provided prior to the first beneficial use of the development hereby approved and shall be maintained as such thereafter.

Evidence of compliance with the plan in the form of georeferenced photographs must be provided to the Local Planning Authority no more than three months later than the first beneficial use of the development.

REASON: In the interests of the ecological and biodiversity value of the site and to ensure compliance with PPW 12, the Environment (Wales) Act 2016 and LDP policies S13 and NE1.

### **Informatives**

1 Due to the minor nature of the proposed development (including any demolition) and the location of the proposed development, it is considered that the proposals did not need to be screened under the Environmental Impact Assessment Regulations.

2 As of 7th January 2019, all construction work in Wales with drainage implications, of 100m<sup>2</sup> or more, is now required to have Sustainable Drainage Systems (SuDS) to manage on-site surface water (whether they require planning permission or not). These SuDS must be designed and constructed in accordance with the Welsh Government Standards for Sustainable Drainage.

The SuDS Approving Body (SAB) is a service delivered by the Local Authority to ensure that drainage proposals for all new developments of at least 2 properties OR over 100m<sup>2</sup> of construction area are fit for purpose, designed and built in accordance with the National Standards for Sustainable Drainage published by Welsh Ministers.

If you are in any doubt as to whether you require SAB approval, please contact:

SAB@monmouthshire.gov.uk

For advice regarding the application process and general enquiries - 01495 768306

For technical advice regarding your SuDS design and meeting the National Standards - 01633 644730

3 All birds are protected by the Wildlife and Countryside Act 1981. 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 birds is between March and September.

4 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](http://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.