

**Application
Number:**
DM/2024/0
1513

Proposal: This is an existing double garage with flat over, approved under application number DM/2021/01503. The application seeks to change the use of the flat to an air b&b. There will be no construction or alteration to the internal layout as approved. The bnb will let out to a 1 car family, couple or party of max 3 people. The building had building regulation approval upon completion of construction in 2023.

Address: Rosewood, A48 Chepstow Garden Centre to Pwllmeyric Hill,
Pwllmeyric, Monmouthshire, NP16 6LA

Applicant: Julie Haward

Plans: All Drawings/Plans 1030-AMT-103 - As Constructed, Location Plan 1030-AMT-190 - , Elevations - Proposed 1014 101 Rev D - , Green Infrastructure Appraisal/Statement - , Landscaping Plan Planting Plan - PP0004, Landscaping Plan Tree Planting Plan - PP003,

RECOMMENDATION: Approve

Case Officer: Kate Young
Date Valid: 10.02.2025

This application is presented to Planning Committee at the request of the local member, Councillor Brown

1.0 APPLICATION DETAILS

1.1 Site Description

Rosewood is a detached, two-storey dwelling accessed via a section of private drive to the north of the A48. The site is within the settlement boundary as identified by the Monmouthshire Local Development Plan (LDP) and is within a residential area. The site is adjacent to a limestone safeguarding area, a main village site as allocated by the LDP and a Cadw Registered Area. There is a group TPO which covers three pine trees on the site (TPO REF; MDC:3/G5). There is a public footpath running to the south of the site.

In November 2022 Planning permission was granted for alterations to the dwelling which included a detached double garage with a flat above. That garage has now been built. It measures approximately 8.1m by 7.8m, it is finished in white render and has a dormer window on the front elevation.

1.2 Proposal Description

This current full application seeks the change of use of the first floor flat into holiday let accommodation. The proposal does not involve any alterations to the building and the garage on the ground floor would be retained. The existing vehicular access will be utilised. The flat is located within the roof space of the garage and has an internal floor area of approximately 7 metres by 4.4 metres. It comprises of one open-plan room (living, dining, bedroom and kitchen) and a separate bathroom.

2.0 RELEVANT PLANNING HISTORY (if any)

Reference Number	Description	Decision	Decision Date
DM/2021/01503	2 Storey rear extension	Approved 04.11.2022	
DM/2021/02072	Removal of three Pine trees	Refused	03.02.2022
DM/2022/01736	Removal of Three Pine Trees close to the property, directly within the ownership boundary. Mitigation of the felled trees shown in the sites landscape plans		Approved 24.01.2023
DM/2023/00005	Discharge of condition 5 (schedule of biodiversity enhancement measures) for planning Decision DM/2021/01503.		Approved 05.10.2023
DM/2023/00231	Discharge of condition 8 relating to planning application DM/2021/01503: Plan showing Approved drainage scheme - JPCEJH-2021-001A.		Approved 14.03.2023

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S11 LDP Visitor Economy

S13 LDP Landscape, Green Infrastructure and the Natural Environment

S16 LDP Transport

S17 LDP Place Making and Design

Development Management Policies

GI1 LDP Green Infrastructure
NE1 LDP Nature Conservation and Development
EP1 LDP Amenity and Environmental Protection
EP3 LDP Lighting
MV1 LDP Proposed Developments and Highway Considerations
DES1 LDP General Design Considerations

Supplementary Planning Guidance

Domestic Garages SPG (January 2013):
<http://www.monmouthshire.gov.uk/app/uploads/2015/07/Domestic-Garage-SPG-Jan-2013.pdf>

Monmouthshire Parking Standards (January 2013)
<http://www.monmouthshire.gov.uk/app/uploads/2015/07/Mon-CC-Parking-Standards-SPG-Jan-2013.pdf>

Sustainable Tourism Accommodation Supplementary Planning Guidance
November 2017

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

Mathern Community Council – Objects.

We are in support of local residents' concerns over the current state of the private driveway and the increased traffic this will encourage. We would request that this application be referred to committee for decision.

Dwr Cymru-Welsh Water - Comments below:

We have reviewed the information submitted as part of the application and note that the intention is for surface water to be disposed of via the main sewer. We recognise that the assessment of

this method of disposal is the responsibility of the Lead Local Flood Authority / SAB, however, the public sewerage system in the immediate area is a foul only line. We refer to Planning Policy Wales which acknowledges that legislation prohibits the discharge of surface water to foul sewers. Given that this is a change of use application, we request, to ensure there is no increase in surface water entering our assets a condition and advisory note is included in any subsequent grant of planning consent.

MCC Tree Officer - No objection.

MCC Highways - No objection.

MCC Public Rights of Way – No objection.

Office for Nuclear Regulation - No objection.

5.2 Neighbour Notification

Letters of objection from two addresses, raising the following areas of concern:

- Increased stress on the existing private access off the A48,
- The access also serves as a PRoW and there is no provision for pedestrian/vehicle separation along the access,
- The current access serves five dwellings which is the limit for this type of access. This is not ancillary accommodation so should be considered a separate dwelling.

5.3 Other Representations

None Received

5.4 Local Member Representations

Councillor Brown

I am concerned about the sharing of the poor access to and from the A48 Pwllmeyric which is in a dangerous location not far from a bend and already serves 5 dwellings and the extra traffic that the air b and b will generate with those staying in the flat above the garage. Highways have not objected but have not commented on the pedestrians who also use this access for the PROW or the number of properties already sharing the access. The application states that the flat will be let out to a one car family, couple or maximum of 3 people. However, this would be extremely difficult to ensure that this happened, and could result in additional visitor cars, together with the main residence having its own parking requirements. It is not possible to see how much parking space is available for this property due to its closed gates. It needs to be treated as a separate dwelling. Policy MV3 - Public Rights of Way is relevant.

Policy MV1 - Proposed Development and Highway Considerations is relevant.

I object to this application as neighbours believe it is beyond the capacity of the dangerous and poor access/egress and the highways report does not appear to have taken all of these factors into consideration including the number of properties that already share this access, the pedestrian PROW which leads from this access, the access being used as a turning circle, the dangers of the busy A48 being close to a junction and near a bend so that it fails to provide safe and easy access and this being equivalent to a separate dwelling and refer this application to the planning committee for their consideration.

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

The site is located within the Pwllmeyric Development Boundary and planning permission has already been granted for a small ancillary flat above the garage. This application is seeking the change of use of the ancillary flat into a holiday let facility. The LDP defines sustainable tourism as tourism that is 'economically viable, generates local benefits, is welcomed by and helps support local communities, reduces global environmental impacts and protects/enhances the local environment'.

Sustainable tourism is defined in the European Charter for Sustainable Tourism as 'Any form of development, management or tourist activity which ensures the long-term protection and preservation of natural, cultural and social resources and contributes in a positive and equitable manner to the economic development and well-being of individuals living, working or staying in protected areas.'

In this case it is proposed to convert the existing flat into a short stay holiday let. The flat is very small and could be only let out to one group of tourists at a time. Policy T2 of the LDP is not applicable as the application site is within the settlement's development boundary. It is the general amenity policies that apply. There is no intention to use the holiday let as separate long-term residential accommodation. There is a public footpath running beside the site, that can give access to the hamlet of Mounton and the countryside beyond.

The visitors are likely to remain within the vicinity of the site and use local services and facilities, thereby generating benefits for the local economy, such as the public house in Mathern and the shops in Chepstow. There would be no alterations to the building so that the landscape character of the area would be preserved. The building is existing and therefore accords with some of the sustainability objectives as no new structure would have to be built. If the flat was no longer required for the holiday let use it could revert to an ancillary annex with no harm to the environment. The proposal is therefore broadly in accordance with the objectives of Policy T2 of the LDP and would provide a form of sustainable tourism.

6.2 Sustainability

There is a bus route running through the village of Pwllmeyric which runs to Chepstow and Newport which could service the proposed holiday let, although it is likely that users of the holiday accommodation would drive to reach the site. It is recognised that tourism can never be completely sustainable in the countryside, as the tourists would need to travel to the site and this is inevitably by private car. In relative terms, the site is reasonably sustainable being close to public transport and active travel networks.

6.3 Good Design

The proposed change of use will not result in any physical alterations to the building or the external area it therefore the proposed change of use complies with the requirements of LDP Policy DES1.

6.4 Green Infrastructure and Biodiversity

When approval was granted for the erection of the garage, biodiversity enhancements were provided in the form of raised ridge tiles for bats, bat boxes and bird boxes on the roof and the gable of the garage.

6.5 Footpath

Public Footpath 42 in the community of Mathern runs adjacent to the site of the proposed development but is not affected by this proposal.

The Public Rights of way officer has offered no objection to the proposed change of use.

6.6 Impact on Amenity

Policy EP1 requires all development proposals to have regard to the privacy, amenity and health of occupiers of neighbouring properties. In this case the key issues are the effect of the proposed development on the living conditions of the occupiers of neighbouring dwellings, having particular regard to noise, disturbance and privacy.

Officers have considered whether the proposal, which would involve a regular turnover of occupants that would increase the comings and goings of people unconnected to the existing dwelling, would result in unacceptable associated noise and disturbance from people staying in the holiday let.

The context of the existing building is that it is set to the south of the host dwelling and is not immediately flanked on its boundaries by neighbouring dwellings. The building is more than 30 metres from the nearest residential property. There is a thick conifer hedge between the flat and the nearest property, Springfield. Therefore, officers acknowledge that there may be some increase in the level of noise and disturbance from guests using the outside space and vehicles accessing the holiday let. However, this will not be so significant to justify refusal of the application. The proposed holiday let would not cause an unacceptable harm to local amenity, health or the character of the area, and therefore accords with the objectives of Policy EP1 of the LDP. No external alterations, including window openings/alterations are proposed and the change of use would not give rise to any additional issues of loss of privacy or overlooking. As such it would not fail to maintain reasonable levels of privacy and amenity of occupiers of neighbouring properties and as such accords with criterion (d) of Policy DES1 of the LDP.

6.7 Transport

6.7.1 Sustainable Transport Hierarchy

PPW refers to the Sustainable Transport Hierarchy where walking and cycling are the highest priority and public transport second with private motor vehicles being the least desirable. In this case the proposed holiday let site can be accessed by a bus service that runs through the village and provides a link to local train stations, particularly Chepstow's. It is recognised that tourism can never be completely sustainable outside of urban settlements, but in relative terms, this site is sustainable in relation to the wider County.

6.7.2 Active Travel

There is a network of public rights of way that can be accessed directly from the site which run towards the village of Mathern, Mounton and the countryside beyond.

6.7.3 Access / Highway Safety

The site is accessed via a private shared driveway that joins the public highway along the classified A48. The site is located off a private lane and there are no requirements for any new or altered vehicular and/or pedestrian access to/from the public highway, no new public roads are to be provided within the site, no new public rights of way are to be provided within or adjacent to the site. Whilst there will be a slight increase in vehicle movements to and from the application site it is accepted that holiday lets tend to be seasonal and are not overly used on an all year-round basis; thus, vehicle trips to and from the site will be relatively infrequent. In addition, due to the nature of the development the traffic generated is very likely to fall outside peak time AM and PM traffic flows and is not considered to have any detrimental impact on highway safety.

Therefore, despite the multiple accesses along this section of private drive, the Highway Authority would be unable to sustain an objection to the use of a holiday let and raise no objection to the proposal

6.7.4 Parking

The existing parking/hardstanding area is sufficient in size and layout to accommodate the required parking space in line with MCC Parking Guidelines and allows vehicles to manoeuvre within the development and exit onto the public highway in a forward gear. The site can provide parking for the holiday let without impacting parking for the main building. The proposal accords with the objectives of Policy MV1 of the LDP.

6.8 Historic Environment

Mounton House Park is within relatively close proximity of the development site but due to the separation distances and screening around the site it is not considered that there would be any unacceptable impact upon the setting of nearby historic assets.

6.9 Biodiversity

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" This policy and subsequent policies in Chapter 6 of PPW 11 respond to the Section 6 Duty of the Environment (Wales) Act 2016. In this case, it is proposed to include the following enhancements:

- Raised Ridge Tiles on the garage to allow for bat entry Bat box on gable end of garage
- Bird Box on gable end of garage
- Sparrow terrace on gable end of garage
- Native tree planting along the southern boundary of the site
- Native planting to the east and west of the garage

These are shown on the following drawings:

- Elevation and Sections 101 Rev D
- Three Planting Plan PP004
Planting Plan PP003

The level of biodiversity enhancement submitted with the application is sufficient to meet the requirements of Policy NE1 of the LDP. A GI Statement was included as part of the application and found to be satisfactory.

6.10 Flooding

The site is not in any flood zone identified in the Flood Map for Planning and the Flood Risk Assessment Wales (FRAW).

6.11 Drainage

6.11.1 Foul Drainage

The foul water connects to an existing main sewer. There will be no change to this arrangement because of this proposed change of use. Welsh Water have not objected to the application.

6.11.2 Surface Water Drainage

At the time the garage and extension to the house were constructed SAB approval was granted. There will be no alterations to the surface water as a result of this change of use. Welsh Water

have requested a standard condition that no surface from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system. In this case there will be no increase in the footprint of the building and no increase in impermeable surfaces.

6.12 Response to the Representations of Third Parties and/or Community Council

The Local Member has concerns over the inadequate access off the A48 which serves four other dwellings as well as Rosewood and is concerned that the increase in traffic generated by the holiday let would exacerbate the danger from use of this access especially as people use the area to access the post box. As explained by the Highway Authority in their response to this application for a change of use, the increase in traffic generated by a holiday use is very small as a proportion of vehicles using the access and the vehicle movements tend to be outside of the peak times. It is likely that the visitors to the holiday let would arrive in one car, especially given the very small size of the accommodation. If, however, they did occasionally arrive in more than one car, it would be no more significant than the effect of having visitors visiting the main house. The Councillor is also concerned about the impact of the increase in vehicle movements on pedestrians using the Public Right of Way. Again, the increase in vehicular movements will be very small and it will be only a slight increase above those movements generated by the main house. Neither the Highway Authority nor the Public Rights of Way officers have objected to the application. The Local Member has stated that this application should be considered as a new separate dwelling rather than a holiday let and believes that the proposal results in more than five dwellings being accessed off a shared driveway, contrary to the advice given in the Common Standards. In this case the flat exists and has a floor area of approximately 30m², it is too small to be considered as a separate residential dwelling. Conditions will be imposed to ensure that the flat is retained as a holiday let or an annex (no such condition was imposed on the previous approval for the ancillary flat).

Mathern Community Council support the local residents' concerns over the current state of the private driveway and the increased traffic this will encourage. Letters of objection have been received from two addresses both of which are concerned over the increase in traffic and the impact on the public right of way. Their access from the A48 exists and there are no proposals to alter it. The access already serves five residential dwellings and the increase in traffic resulting from the change of use would be minimal as explained by the Highway Authority who offer no objection to the application. Residents have argued that the holiday let should be considered as a separate residential dwelling however, as explained above, this is not the case.

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

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

6.14 Conclusion

The site is located within the Pwllmeyric Development Boundary and planning permission has already been granted for an ancillary flat above the garage. This application is seeking the change of use of the ancillary flat into a holiday let facility. There would be no physical alterations to the building so the main issue in this case is the principle of a change of use from ancillary residential accommodation to tourism use. The Council's policies and the advice from the Welsh Government both support sustainable tourism.

The flat is more than 30 metres from the nearest residential property. There is a thick conifer hedge between the flat and the nearest property, Springfield. There may be a very slight increase in the level of noise and disturbance especially from vehicles accessing the holiday let, but this will not be so significant as to justify refusal of the application. The proposed holiday let will not

cause unacceptable harm to local amenity, health or the character of the area, and therefore accords with the objectives of Policy EP1 of the LDP.

The site is located off a private lane and there are no requirements for any new or altered vehicular and/or pedestrian access to/from the public highway. Whilst there will be a slight increase in vehicle movements to and from the application site it is accepted that holiday lets tend to be seasonal and are not overly used on an all year-round basis, therefore vehicle trips to and from the site will be relatively infrequent. In addition, due to the nature of the development the traffic generated is very likely to fall outside peak time AM and PM traffic flows, and is not considered to have any detrimental impact on highway safety.

There is adequate parking provision within the site for both the host dwelling and the proposal. The slight increase in traffic will not significantly impact on users of the PROW and the Rights of Way Officer has offered no objection.

A Green Infrastructure Statement has been submitted and additional biodiversity enhancements are being provided in accordance with policy NE1. There will be no alterations to the foul or surface water arrangements.

The application is considered policy compliant in all respects and presented to Committee with a recommendation of approval subject to conditions limiting the use of the building a holiday let or annex to the main dwelling.

7.0 RECOMMENDATION: APPROVE

Conditions:

- 1 This development shall be begun within 5 years from the date of this permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990.

- 2 The development shall be carried out in accordance with the list of approved plans set out in the table below.

REASON: To ensure the development is carried out in accordance with the approved drawings, for the avoidance of doubt.

- 3 No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

REASON: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

- 4 Notwithstanding the provisions of Part 3 of Schedule 2 Class I of The Town and Country Planning (General Permitted Development Order) (Amendment) (Wales) Order 2022 (or any Order revoking and re-enacting that Order with or without modification) the development hereby approved shall be used for use Class C6 or as an annex to the main house only and for no other use whatsoever. No change of use to either C3, C5, a mixed use of either C3/C5, C5/C6 or C3/C6 is permitted.

REASON: The provision of residential accommodation (Use Classes C3, C5, C3/5 or C5/C6) would not be acceptable in this location.

5 The biodiversity net benefit features for ecology referred to on the planting Plan PP003. The Tree Planting Plan PP004 and the Elevations and Sections 101 Rev D, shall be implemented in full and shall be retained as such in perpetuity.

REASON: To provide biodiversity net benefit and ensure compliance with PPW 12, the Environment (Wales) Act Bio enhancements

6 The development shall be occupied as holiday accommodation or as an annex to the main dwelling only and shall not be occupied as a person's sole or main place of residence or by any persons exceeding a period of 28 days in any calendar year

REASON: The provision of permanent residential accommodation would not be acceptable in the open countryside.

7 An up to date register containing details of the names, main home address, dates of arrival and departure of occupants using the holiday accommodation shall be made available for inspection by the Local Planning Authority upon request.

REASON: To ensure the accommodation is used as holiday let accommodation only.