

**Application Number:** DM/2021/01781

**Proposal:** Proposed new build 3-bedroom detached dwelling with off street parking

**Address:** Robyrna, Berthon Road, Little Mill, Monmouthshire

**Applicant:** Mark Craxford

**Plans:** All Drawings/Plans PROPOSED GROUND FLOOR PLAN SITE BLOCK PLAN 1745[PL]03 - , Location Plan SITE LOCATION PLAN 1745[PL]01 - , All Drawings/Plans PROPOSED ELEVATIONS TOPOGRAPHICAL SURVEY DRAWING 2 - , Other DRAINAGE STRATEGY LAYOUT - ,

**RECOMMENDATION: Approve**

Case Officer: Ms Jo Draper  
Date Valid: 22.10.2024

**This application is presented to Planning Committee due to neighbour objections**

## **1.0 APPLICATION DETAILS**

### 1.1 Site Description

The application site forms part of the rear garden of the existing property Robyrna. The existing property is a recently extended semi-detached property that sits on the junction between Berthon Road and Brynhyfryd Close. Robyrna faces Berthon Road, although the vehicular access was originally at the end of the garden where there is an existing detached single garage, the vehicle access taken from Brynhyfryd Close.

The western boundary with Brynhyfryd Close is an established hedgerow. The north boundary is formed by the single garage, there is a mix of boundary materials forming the existing common boundary with the adjoining property Freshfield.

There is a change in levels as the existing dwelling sits at a higher level to Berthon Road. The ground level rises from south to north. The application site has already been severed from the existing dwelling Robyrna, demarcated with a new close boarded boundary fence that forms the common boundary between the severed dwelling and the proposed plot.

The surrounding area is characterised by semi-detached dwellings on Brynhyfryd Close with a mix of terraced properties and detached properties on Berthon Road.

### 1.2 Value Added

Amendments submitted to address concerns raised with original proposal. Siting, window design, access and car parking have been changed.

### 1.3 Proposal Description

The application has been subject to significant amendments during this application. The original proposal sub-divided the site lengthways, running broadly north-south with the proposed new dwelling to run immediately alongside the severed dwelling fronting onto Berthon Road.

Amended plans were submitted, which sub-divides the existing plot across in an east-west direction. It is proposed to utilise the existing access at the end of the garden onto the hardstanding to serve the new dwelling, this leads to a proposed new single garage, alongside two tandem car parking spaces. Whilst a new access along Brynhyfryd Close is proposed to serve the severed dwelling with car parking spaces for three cars.

The footprint of the proposed dwelling is slightly staggered, the south west elevation facing Brynhyfryd Close is 8.4m, the north east elevation is slightly shorter stepped in and measures 7.6m, the depth of the dwelling measures 7.6m, there is a small lean-to on the north west elevation that runs along the side of the dwelling for 3.7m and projects out by 1.6m. The eaves height is 4.7m and ridge height is 7.5m. The proposed single garage measures 3m width and 6m depth and height to the flat roof is 2.8m.

The footprint of the dwelling has been set an angle, with the amenity space to the south of the site. There are no rear first floor habitable windows on the north east elevation facing Freshfield (the adjoining semi-detached property to Robyrna) the only first floor window is a bathroom window. The main aspect faces forward towards Brynhyfryd Close. There are first floor habitable windows on the south east elevation, the window serving bedroom 2 is an oriel window that has been angled so the outlook is one way, the main glazed unit faces west towards Brynhyfryd Close, a narrow pane which is obscure glazed faces east towards the garden of the neighbouring property.

There are no details of new boundaries proposed, other than retention of existing; part of the hedgerow has been removed to provide access to the severed property. The remaining section along the highway boundary framing the front garden of the new dwelling is retained hedgerow. The common boundary with the severed dwelling is already demarcated with a 2m high close boarded fence. the rear common boundary with the neighbouring property is unchanged, whilst the new garage forms the new boundary to the north.

External materials comprise:

1. Blue black cement fibre slates with angular ridge tiles
2. Black Upvc rainwater goods and fascias
3. Red clay facing brick plinth and band course
4. Painted render finish
5. Reconstituted stone heads and sub cills
6. Colour coated aluminium windows and doors

Ecological enhancement has been proposed with the provision of a bat and bird box.

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

<b>Reference Number</b>	<b>Description</b>	<b>Decision</b>	<b>Decision Date</b>
DM/2021/01780	Proposed alterations with 1st floor extension to side.	Approved	03.02.2022
DM/2021/01781	Proposed new build 3 bedroom detached dwelling with off street parking.	Pending Determination	

## **3.0 LOCAL DEVELOPMENT PLAN POLICIES**

### **Strategic Policies**

S4 LDP Affordable Housing Provision  
 S1 LDP The Spatial Distribution of New Housing Provision  
 S13 LDP Landscape, Green Infrastructure and the Natural Environment  
 S17 LDP Place Making and Design  
 S6 LDP Retail Hierarchy

### **Development Management Policies**

H1 LDP Residential Development in Main Towns, Severnside Settlements and Rural Secondary Settlements  
LC5 LDP Protection and Enhancement of Landscape Character  
MV1 LDP Proposed Developments and Highway Considerations  
DES1 LDP General Design Considerations  
EP1 LDP Amenity and Environmental Protection  
NE1 LDP Nature Conservation and Development  
GI1 LDP Green Infrastructure

## **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

#### **Llanbadoc Community Council: Objects.**

Llanbadoc Community Council retracts its approval of the previous design application and does not support the new application for a detached 3-bedroom property fronting on to Brynhyfryd Close.

All development should be of a high-quality sustainable design and respect the local character and distinctiveness of Monmouthshire's built, historic and natural environment. Development proposals will be required to:

(i) Ensure a safe, secure, pleasant and convenient environment that is accessible to all members of the community, supports the principles of community safety and encourages walking and cycling.

There is only one pathway on one side of Brynhyfryd Close, this would be compromised by a poor visibility-splay caused by the new vehicle entrance being sited too close to the existing junction with Berthon Road.

The applicant has already removed a section of hedgerow to access the garden of Robyrna from Brynhyfryd Close and it would appear put some drainage into what would become the parking area for this property, the entrance of which is too close to the junction of Berthon Road for safety.

(ii) Contribute towards sense of place whilst ensuring that the amount of development and its intensity is compatible with existing uses;

We consider the amended plans to be overdeveloped for the site. There is already a new fence line which separates the garden of Robyrna from the proposed site. The new proposal sites a three-bedroom property to the rear of the site at an angle off Brynhyfryd Close. The site slopes to the south. It is not in line or adjacent and does not coalesce to any other property in Brynhyfryd Close.

(iii) Respect the existing form, scale, siting, massing, materials and layout of its setting and any neighbouring quality buildings.

The proposed property is not sited in line with any existing properties. The footprint shown is too large for the site area. The incline of the site is not adequate for the property

(iv) Maintain reasonable levels of privacy and amenity of occupiers of neighbouring properties, where applicable.

The outlook from the rear of the existing property Robyrna would be compromised as their garden is being removed. This property is in the same ownership as the new proposal so we would not expect to see any comments in this regard.

(v) Respect built and natural views and panoramas where they include historical features and / or attractive or distinctive built environment or landscape.

Not applicable, this proposal is infill in a residential area.

(vi) Use building techniques, decoration, styles and lighting to enhance the appearance of the proposal having regard to texture, colour, pattern, durability and craftsmanship in the use of materials.

It is not clear from the new proposal what building techniques are to be used. There is no covering statement available. We would expect a new property of this nature to be climate responsive and of a resource efficient design.

(vii) incorporate and, where possible enhance existing features that are of historical, visual or nature conservation value and use the vernacular tradition where appropriate.

Not applicable, existing hedge to be retained

(viii) Include landscape proposals for new buildings and land uses in order that they integrate into their surroundings, considering the appearance of the existing landscape and its intrinsic character, as defined through the LANDMAP process.

The new proposal takes up nearly the whole of the land available and would have no outlook at all.

(ix) Landscaping should consider, and where appropriate retain, existing trees and hedgerows.

The existing hedge which it is proposed to be retained at the front of the new property is in a different ownership to the site. This may well be overbearing to the front of the proposed dwelling and could cause a neighbour dispute.

(x) Make the most efficient use of land compatible with the above criteria, including that the minimum net density of residential development should be 30 dwellings per hectare, subject to criterion I) below.

The Community Council were broadly in favour of the previous 2-bedroom design application fronting onto Berthon Road in line with the existing property but these new proposals are not in keeping with the existing properties and are in our opinion overdevelopment of a small site. We acknowledge there would be provision for further off-road parking but the proposal of a dropped

kerb so close to the existing junction would be detrimental to the safety of other road users and pedestrians, contrary to Policies MV1 and EP1 11.

(xi) Achieve climate responsive and resource efficient design. Consideration should be given to location, orientation, density, layout, built form and landscaping and to energy efficiency and the use of renewable energy, including materials and technology.

No updated information of this nature is given for the new proposal which appears to be out of line in both orientation and density to size of the plot.

(xii) foster inclusive design.

The new design does not appear to consider the concerns that are related to the development of Brynhyfryd Close, which have been documented by local residents. There is no provision for off-road parking for any of the existing properties who are obliged to park on Brynhyfryd Close. A proposal of this nature will only exacerbate the parking issue and the dropped kerb and new entrance for the existing property Robyrna will compromise an already narrow entrance to the existing properties and would almost certainly be a negative health and safety issue for all residents and visitors both on foot and in vehicles. Again, contrary to Policies MV1 and EP1.

(xiii) Ensure that existing residential areas characterized by high standards of privacy and spaciousness are protected from overdevelopment and insensitive or inappropriate infilling.

This new proposal is clearly overdevelopment, insensitive and inappropriate infilling.

**Natural Resources Wales (NRW):** No objection.

We have no objection to the proposed development as submitted and provide the following advice. We note the application site is within the catchment of the River Usk Special Area of Conservation (SAC). In line with our Advice to Planning Authorities for Planning Applications Affecting Nutrient Sensitive River Special Areas of Conservation (28 June 2024), under the Habitats Regulations, Planning Authorities must consider the impact of proposed developments on water quality within SAC river catchments. However, recognising the proposal intends to connect to the public foul sewer, which meets the screening criteria set out in our Advice, we are satisfied that there is unlikely to be a source of additional nutrients and/or a pathway for impacts. As such, in our opinion, it would be reasonable for your Authority to screen out this proposal as not likely to have a significant effect on the River Usk SAC in relation to nutrient inputs. The above advice is based on the comments from DCWW that the "WwTW has a phosphorus consent limit of 5 mg/l and is currently compliant with this consent limit " and that the additional flows generated by the proposal can be accommodated within the public sewerage system.

**Dwr Cymru - Welsh Water:** No objection subject to a condition.

We note that since our previous correspondence that a revised drawing/drainage strategy has been submitted that acknowledges our previous comments that outlines the application site is located in a foul only drainage network where the discharging of surface water into the public sewer would not be permitted. Therefore, the proposal has put forward discharging surface water via soakaways which is a welcomed approach. In light of this, as per our previous comments we request that a condition that prevents surface water from either directly or indirectly entering the public sewer network 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. In regard to foul water we have considered the impact of domestic foul flows generated by the proposed development and maintain the view that flows can be accommodated within the public sewerage system. There is no storm discharge limit included on the environmental permit (as reviewed by NRW as part of their Review of Permits exercise) for Little Mill WwTW, and as such we are not required to measure FPF (Flow Pass Forward). Therefore, we have no additional comments to make following our response dated 15.10.2024 (reference PLA0082839).

**MCC Biodiversity** : No objection subject to conditions.

The proposed dwelling is in the residential curtilage of an existing dwelling; the development will not affect protected or priority species or habitats and is not within a zone of influence to have an impact on protected sites. The biodiversity officer has no objection to the proposal.

Bird and bat boxes have been shown on the elevations of the building to provide net benefit for biodiversity. This is appropriate for the location. If you are minded to grant this permission they should be secured with a condition.

**MCC Surface Water Drainage:** No objection.

**MCC Landscape:** No objection subject to conditions.

The recent application DM/2021/01781 and the submitted documentation with regard to a proposed new build two-bedroom detached dwelling with off street parking has been reviewed from a Landscape, urban design and GI perspective. There is no objection to the application from a landscape and GI perspective. The provision of rainwater gardens is welcome to assist with surface water management. The proposal, from a landscape and GI perspective, will not have a significant detrimental impact on the character and appearance of the wider landscape, localised streetscape and provisions of Planning Policy Wales (Edition 12) and Policies S13, and DES1 of the Monmouthshire County Council Adopted Development Plan 2011-2021.

**MCC Highways:** No objection.

The application has been entirely redesigned by the rearrangement of the plots. Our previous concerns regarding Brynhyfryd Close still stand due to the existing lack of off-street parking, however, the new proposal now includes full parking provision for both the existing and proposed dwellings:

Three parking spaces and an area to manoeuvre for Robyrna via a new access point.

Two tandem spaces and a detached garage for the proposed dwelling

As both properties are now able to meet their parking requirements under the MCC Local Parking Standards, and given Robyrna did not previously have any formalised parking, this represents a reduction in on-street parking stress for the close. The addition of a single dwelling is not considered to represent a significant highway concern in terms of capacity or safety. We have no grounds for an objection.

## 5.2 Neighbour Notification

Seven representations have been received, points raised are summarised below:

Access into and out of the property. There are 2/3 vehicles always parked in the location of where this entrance is going, making it very difficult for everyone to get past, 90% of the time neighbour has to mount the kerb.

The whole area in question is overgrown and in a state of despair this new dwelling will improve the area.

The building works may cause a few issues with noise and parking.

Concern due to access, entry and egress from this proposed build, the amount of potential additional cars and the many safety issues this will cause for all residents and children.

Result in overcrowding and unsafe conditions - adding another property with potentially three additional vehicles will cause increasing strain on an already overcrowded close.

There is only one public path in and out of the close and it needs to be kept free.

Proposal will result in large work vehicles taking up the street/ blocking entrance and exit (as we all witnessed in previous build in the front property), materials for the property etc., in such a confined space.

The proposed house should be considered as part of Brynhyfryd Close rather than Berthon Road. Lack of space for another property and the negative impact on the space and the views from the rest of the houses in the close.

The amended scheme is clearly an overdevelopment of Robyrna which is insensitive to the current property, residents of Brynhyfryd Close along with the future residents/family at Robyrna in order to inappropriately infilling/ "shoehorn" a detached property into a very small/compact garden.

A number of vehicles park on the hill to the close, due to lack of off road parking. Residents and children within the close use the footpath in order to get and leave home on a daily basis. With the proposed new vehicle entrance for Robyrna, this is too close to the entrance of Brynhyfryd Close/Berthon Road. This is a safety concern for both pedestrians and vehicles entering the Close.

When the previous extension to Robyrna was undertaken, there were numerous issues with trade vehicles blocking access to the close and numerous vehicles mounting the pavement on a daily basis.

With reference to the proposed garage and parking spaces within the application, left hand side of the garage adjoins/butt up to land which is owned by two residents within the close - so consideration would need be given being on their private property with the demolishing of the existing garage. In addition, the garage and parking spaces should have already been completed by the owner - as this was approved within a previous application for Robyrna (DM/2021/01780), this has not been completed.

Overspill of parking onto the main road (A472 ) in a very dangerous location of a bend. There is no other parking available. The A472 being very narrow does incur heavy traffic flow and It is also compounded by large articulated HGVs reversing as they find that they cannot negotiate the nearby railway bridge due to height restriction often reversing into the close.

The site is presently serviced by old sewage facilities that have been in the past criticised as not being able to service any additional infrastructure.

Impact on nesting birds and wildlife that live in the area.

When the present owner of Robyrna used machinery for the removal of trees and hedges from the garden to plan for this new dwelling, it posed a logistical issue for people leaving the close to navigate around the plant machines and safety of pedestrians and vehicles was compromised. This will impact natural light to neighbour's property i.e. house, garden and outside leisure area. Junction onto Berthon Road has poor visibility. An additional dwelling would create additional traffic pulling out of an already unsafe junction.

Create noise and disturbance for neighbours.

Too dense - impact on amenity.

Due to limited space at Brynhyfryd visitors often try to use the Car Park at the Village Hall. When an event is held they are turned away as all spaces are required. This is a private facility it is not designed to support external development.

### 5.3 Other Representations

No further comments are received

### 5.4 Local Member Representations

Understands that the application is to be considered by Committee.

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 application site is located within the Little Mill settlement boundary therefore the principle of new residential development is acceptable. The proposal also forms an infill site as it faces the highway and is bound on one side by existing dwellings, with a highway and dwelling on the other side. The application also triggers an affordable housing contribution. The proposal is acceptable in principle subject to detailed considerations that are addressed below.

### **6.2 Sustainability**

The design maximises sunlight with ground floor habitable windows facing south leading onto the amenity space to the south.

### 6.2.1 Good Design

The application site is in a prominent location as it sits elevated to the highway with a potential adverse impact on the street scene. The dwelling has been set back from the highway, this stands alone along this section of the highway so there are no building lines to work to. The house is partly angled facing towards the T junction on Brynhyfryd Close; this coupled with the retention of the hedgerow along the front boundary will partly soften the massing of this built form when viewed from the highway.

The dwelling has a traditional form and design, the main roof is hipped, with a projecting gable, there are traditional features with the eaves overhang, the fenestration is simple and follows a simple size hierarchy between the ground and first floor. There are some contemporary design features with the provision of an oriel window to minimise overlooking and colour-coated aluminium windows and doors.

There are a mix of house types in the area; the immediate houses on Brynhyfryd Close are semi-detached properties with a mix of brick, render and brown concrete tiles, the severed dwelling is an older more traditional predominantly brick-faced dwelling with a grey slate roof, while a detached bungalow sits opposite the junction on Berthon Road finished in render and brown tiles. There is a clear mix of house types in this area and therefore the introduction of a detached dwelling with a slate roof, render finish with brick detailing and colour-coated aluminium windows will not appear out of context in this area.

The frontage of the development is partly softened with the retention of part of the existing hedgerow. This, coupled with the provision of soft landscaping involving the planting of hedgerow and additional trees in a managed landscape scheme, will help to assimilate the development into the surrounding area. Landscape conditions are required to cover this.

Regarding scale of the dwelling, the proposed eaves and ridge height is 4.7m and 7.5m respectively, this is not significantly different to the height on the severed dwelling which measures approximately 4.6m eaves and 7.4m ridge. The ground does rise from the severed property to the application site so it is important that the finishing ground levels are controlled, subject to this condition the proposed will not appear unduly high in this context.

The scale of the plot has been raised as a concern with the neighbours, with reference to the development being inappropriate and too large for the plot. The surrounding neighbouring plot sizes like the house types in this area are varied. The plot size of the severed dwelling and the new dwelling is not dissimilar to other plots within the immediate area, and as a result does not appear incongruous within this context.

There remains more than sufficient separating space between the severed dwelling and the new dwelling. Part of Brynhyfryd Close separates the side of the proposed garage from the closest neighbouring property to the north with more than sufficient separating space. This, coupled with the change in site levels with the neighbouring properties (that are situated at a higher level to this application site), ensures the proposal sits comfortably in the overall street setting, and does not appear out of place in this context when viewed from surrounding vantage points. It would not appear as 'over development' or 'shoe horned' in. The design, scale and form of the proposed dwelling respond to the site characteristics and comply with the relevant design policies that apply.

### 6.2.3 Green Infrastructure

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) Mitigate / Restore.



The proposed development would necessitate the removal of amenity grassland and some hedgerow to facilitate access to the severed dwelling, although the partial mixed hedgerow boundary to the rear is being retained alongside the existing hedgerow along the front boundary. A retention condition to secure this planting is proposed, alongside conditions to secure a landscaping scheme with a maintenance schedule to ensure that the small amount of GI that would be lost is replaced and enhanced with a comprehensive landscaping scheme. The proposal complies with relevant planning policy in this case.

### **6.3 Landscape**

The block plan indicates the retention of hedges on site apart from the removal of the small section of hedgerow to facilitate access to the severed dwelling. Additional landscaping will need to be secured through the bolstering of boundaries that will help to assimilate the development into the surrounding area softening the proposal from wider vantage points.

Planning conditions are required to secure the retention and implementation of this landscaping and subject to this the development complies with relevant planning policy.

### **6.4 Biodiversity**

6.4.2 PPW 12 sets out that the planning system has a key role to play in helping to reverse the decline in biodiversity and increase the resilience of ecosystems, at various scales, by ensuring appropriate mechanisms are in place to both protect against loss and to secure enhancement. It is clear that planning system should ensure that overall there is a net benefit for biodiversity and ecosystem resilience, resulting in enhanced wellbeing.

6.4.3 MCC Ecology have confirmed that the proposed dwelling is in the residential curtilage of an existing dwelling; the development will not affect protected or priority species or habitats and is not within a zone of influence to have an impact on protected sites. The Biodiversity Officer has no objection to the proposal.

Bird and bat boxes have been shown on the elevations of the building to provide net benefit for biodiversity. This approach is appropriate for the location. This is to be secured by planning condition. The proposal complies with relevant planning policy.

6.4.4 Under the Conservation of Habitats and Species Regulations 2017 it is necessary to consider whether the development should be subject to a Habitat Regulations Assessment. This is in particular reference to the impact of increased concentrations of Phosphates on designated SAC's. NRW has set new phosphate standards for the riverine SAC's 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.

6.4.5 This application has been screened and will not have a detrimental impact on a protected SAC.

### **6.5 Impact on Amenity**

The proposed dwelling is bound by two properties, Robyrna and Freshfield. Robyrna, the severed dwelling is broadly to the south of the application site, whilst the proposed house backs onto the rear garden of the neighbouring property Freshfield. These are the dwellings that are potentially impacted by this proposal.

(The dwellings to the west and north are separated by the highway Brynhyfryd Close and changes in site levels. There are no adverse impacts upon these properties)

In the case of the severed dwelling, the house has been angled so that the proposed house does not sit immediately within the rear aspect of Robyrna, a small part of the rear elevation will come into this immediate viewing space, but this will be only a small part of the built form, separated by a distance of over 20m from the rear bedroom window of Robyrna (taken as a straight line from the first floor window to the closest point of the proposed dwelling). There is no over-dominating impact that arises in this case. There are two first floor habitable windows proposed on the south-

east elevation; the window serving bedroom one (due to the positioning of the dwelling to the side only) immediately overlooks the access and car parking area to the side of Robyrna which is visible from the wider public domain. The window serving bedroom two is an oriel window that is directed with the main viewpoint acutely angled to the south-east across the same parking area that bedroom one overlooks; the other direction is towards the garden of Freshfield, this narrow pane is obscure glazed with no viewpoint being achieved. There is no overlooking arising from this window.

There is potentially an issue from the first floor bedroom window of Robyrna overlooking into the private amenity space of the proposed new dwelling; the separating distance is approximately 10m to the boundary fence, this is a satisfactory separating distance that does not compromise the neighbour amenity of future occupiers of the proposed dwelling and accords with the Council's infill supplementary planning guidance.

The proposed dwelling backs onto the common boundary with the rear garden of Freshfield. There are no first floor overlooking windows in the proposed dwelling. The only potential issue is from an over dominating impact. As the proposed dwelling is angled away from the common boundary, the proposed footprint sits in closest proximity at 1.6m from the boundary, which is the furthest point away from the neighbouring property and 5m at the closest point. However, this is still set approximately 13m down the garden away from the back of the neighbour's house; there is also intervening vegetation, but this will need to be strengthened (subject to a landscaping scheme). Given that the dwelling is approximately 7.3m in width with a hipped roof that reduces the mass of the built form, combined with the siting further along the garden (away from the immediate amenity space at the rear of Freshfield) and together with a strong boundary treatment (subject to landscaping conditions) the proposal would not have a significant adverse impact upon neighbour amenity in this case.

Finally, concern has been raised by neighbours regarding impact on light. The siting of the dwelling to the north of the severed dwelling prevents there from being any impact on sunlight, whilst the change in levels enables the future occupiers to enjoy direct sunlight from the proposed patio/amenity area. The difference in levels and separating distance prevents there from being any neighbour impact on sunlight or daylight.

There is no adverse impact upon residential amenity, and the proposal complies with relevant planning policy.

## **6.6 Transport**

### **6.6.3 Access / Highway Safety**

Vehicular access to the site will be served by the existing driveway entrance serving the severed dwelling.

The severed property Robyrna is served by a new access from Brynhyfryd Close with a proposed driveway that provides three car parking spaces to the side of the property.

The application has been entirely redesigned by the rearrangement of the plots. This addressed the existing lack of off-street parking. The new proposal now includes full parking provision for both the existing and proposed dwellings. There would be three parking spaces and an area to manoeuvre for Robyrna via a new access point. There would be two tandem spaces and a detached garage for the proposed dwelling.

Highways have confirmed that as both properties are now able to meet their parking requirements under the MCC Local Parking Standards, and given Robyrna did not previously have any formalised parking, this represents a reduction in on-street parking stress for the close and therefore an improvement to the existing situation. It is concluded that the addition of a single dwelling is not considered to represent a significant highway concern in terms of capacity or safety.

Neighbours have raised concern regarding construction traffic, with main issues relating to access and unloading of materials. A pre-commencement condition requiring the submission of Construction Traffic Management Plan is recommended to be imposed to cover this issue. The proposal is considered to comply with relevant planning policy.

## **6.7 Affordable Housing**

If the capacity of the development site is below the threshold of five dwellings then a financial contribution towards affordable housing in the local planning authority area will be required. Applications relating to infill developments should also refer to the Infill Development Supplementary Planning Guidance. The required Commuted Sum (CS) Rate financial contribution is calculated by using the rates below for each area of Monmouthshire and the internal floor space of the dwelling(s) in m<sup>2</sup>. The figure of 58% is the proportion that the landowner/developer would fund were the units to be delivered on site.

Floor area is 60 square metres. CSM is £120

Formula: Financial Contribution = Internal Floor Area (m<sup>2</sup>) x CS Rate x 58% Commuted Sum Rates Rural =

$60 \times 120 \times 0.58 = £4,176$

This needs to be secured as part of a legal agreement.

## **6.8 Flooding**

There are no flooding implications regarding this proposal.

## **6.9 Drainage**

### **6.9.1 Foul Drainage**

The application proposes to connect to mains drains. Welsh Water has confirmed that there is sufficient hydraulic capacity in the public sewerage network for the domestic foul flows only from the development. NRW have confirmed that this proposal is not likely to have a significant effect on the River Usk SAC in relation to nutrient inputs. The proposal has been screened out and is acceptable.

### **6.9.2 Surface Water Drainage**

The proposal will require SAB approval, although for the purposes of this application, a means of surface water discharge has been demonstrated. The application includes a detailed surface water drainage strategy concluding that surface water can be discharged by infiltration. Notwithstanding the above, a condition preventing surface water discharging to the public sewerage network is required.

## **6.10 Planning Obligations**

This would entail an Affordable Housing contribution of £4,176.

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

6.11.1 There have been neighbour objections submitted. The issue of privacy and light has been addressed under Para 6.5 'Impact upon Amenity'.

The concerns raised by neighbours regarding access and parking is covered under section 6.6. Issues regarding noise disturbance during construction would be mitigated by the Construction Traffic Management Plan condition.

The address reference to Berthon Road as opposed to Brynhyfryd Close has been questioned. The application reference is Robyrna which is the severed dwelling and this address is Berthon Road. The consultation process and assessment has been taken on where the dwelling is sited which is in the rear garden of the severed property with access from Brynhyfryd Close.

Full consultation via a site notice and notification by letters to adjoining neighbours has been undertaken.

There is concern raised with ownership boundaries as the existing garage to be demolished abuts land in private ownership. This is a legal matter and not addressed as part of this application.

## **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 design, scale and form of the dwelling work with the site constraints. The proposed dwelling sits comfortably on the plot with a satisfactory amenity area proposed for both the new dwelling and the severed property. The new design is well considered with carefully blended materials that creates a modest and well-designed addition to this area without competing with the severed dwelling and representing an over-development in this case. The detailed issues of access, parking, amenity and drainage, amongst other issues, are all addressed and are acceptable. The proposed development, subject to appropriate conditions being imposed, complies with planning policy and is recommended for approval accordingly.

## **7.0 RECOMMENDATION: APPROVE**

Subject to a 106 Legal Agreement requiring the following:

### S106 Heads of Terms

Affordable housing contribution of £4,176.

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 Prior to the commencement of development full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. Details shall include:  
Soft landscape details shall include: means of protection, planting plan, specifications including species, size, density and number, cultivation and other operations associated with planting and seeding establishment.  
REASON: In the interests of visual and landscape amenity; in accordance with Policies DES1 & LC1/5 of the Local Development Plan

4 Ecological enhancements shall be provided as shown on the approved plan "Proposed Elevation. Proposed New Dwelling at Robyrna. Buckle Chamberlain Partnership. 1745[PL]03". Evidence of implementation of measures to achieve net benefit for biodiversity must be provided to the LPA no more than three months later than the first beneficial use of the development. Ecological enhancements shall be retained, managed and replaced as necessary to provide net benefit in perpetuity.  
REASON: To maintain and enhance ecology on the site as required by the Environment (Wales) Act 2016, Planning Policy Wales and LDP Policy NE1

5 A schedule of landscape maintenance for a minimum period of five years shall be submitted to and approved by the Local Planning Authority prior to works commencing and shall include details of the arrangements for its implementation. 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 building(s) 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 ensure the provision of amenity afforded by the proper maintenance of existing and / or new landscape features.

6 Prior to any works commencing on site a Construction Traffic Management Plan (CTMP) shall be submitted to and approved by the local planning authority, the CTMP shall take into account the specific environmental and physical constraints of the adjoining highway network. The CTMP shall include traffic management measures, hours of working, measures to control dust, noise and related nuisances, measures to protect adjoining user from construction works, provision for the unloading and loading of construction materials and waste within the curtilage of the site, the parking of all associated construction vehicles. The development shall be carried out in accordance with the approved CTMP.  
REASON: To ensure a satisfactory form of development in accordance with LDP policy EP1 and MV1

7 No development shall commence until details of existing ground levels and proposed finished ground and floor levels have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.  
REASON: To ensure a satisfactory form of development in compliance with Policy H2 of the Local Development Plan.

8 No development shall commence until details of the boundary materials have been submitted to and approved in writing by, the Local Planning Authority. Walls and fences shall be erected before the dwelling is completed or occupied whichever is the earlier and retained in perpetuity.  
REASON: To ensure a satisfactory form of development takes place and to ensure compliance with LDP Policy DES1.

9 Before the approved development is first occupied the access shall be constructed in accordance with the approved plan.  
REASON: To ensure the access is constructed in the interests of highway safety and to ensure compliance with LDP Policy MV1.

10 None of the existing trees, shrubs and hedges on the site shall be felled, lopped or topped (excluding regular trimming of hedges) uprooted or wilfully damaged. If any of these trees, shrubs or hedges are removed, or if any die or are severely damaged, they shall be replaced with others of such species, number and size and in a position to be agreed in writing with the Local Planning Authority. Any lopping or topping which may prove necessary shall be carried out in accordance with a scheme previously approved in writing by the Local Planning Authority.  
REASON: To protect valuable tree or other landscape features on the site in the interest of preserving the character and appearance of the visual amenities of the area in accordance with Policy LDP GI1

11 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: To safeguard the character and appearance of the surrounding area and to protect local residential amenity

12 The singular pane facing north-east on the first floor oriel window on the south east elevation (looking towards the neighbouring property Freshfield) shall be obscure glazed to a level equivalent to Pilkington scale of obscurity level 3 and maintained thus thereafter in perpetuity.

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

13 All hard and soft landscape works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority.

REASON: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs and ensure the provision afforded by appropriate Landscape Design and Green Infrastructure LC5, DES 1, S13, and GI 1 and NE1.

14 No surface water and/or land drainage from the development hereby approved shall 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.

## **INFORMATIVES**

1 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.

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