

DC/2015/00133

FOUR NEW RETIREMENT BUNGALOWS

LAND TO REAR OF KYALAMI, MERTHYR ROAD, LLANFOIST

RECOMMENDATION: APPROVE

Case Officer: Kate Bingham

Date Registered: 09/03/2015

1.0 APPLICATION DETAILS

- 1.1 This is a full application for four detached bungalows for occupation by persons over 50 years of age. Each bungalow will have three bedrooms and a floor area of approximately 98m².
- 1.2 The site will be accessed off Merthyr Road between two existing dwellings, Kyalami and The Laurels. Two car private car parking spaces are proposed for each bungalow with further on-street parking available within the proposed cul-de-sac layout.
- 1.3 The site is within the development boundary of Llanfoist which is designated as a rural secondary settlement in the Local Development Plan and is not constrained by any ecological or heritage designations.
- 1.4 This application follows a previous refusal on the site for 6 no. two-storey dwellings (see 2.0 below). At the time of the previous application, there were concerns about the impact of the proposals on neighbouring properties, the access arrangements, surface and foul water drainage arrangements, and biodiversity concerns. The agents for the applicants went some way to addressing these concerns but none was resolved, despite repeated requests for the necessary information to be submitted or for the application to be withdrawn. The application was therefore refused on the basis that the proposals could have unacceptable impacts on residential, highway, drainage and ecological interests and that the applicants had not demonstrated that the application proposals would or could comply with the requirements of Development Plan Policies.

2.0 RELEVANT PLANNING HISTORY

DC/2008/00651 – Construction of 6 dwellings together with associated roadworks and services. Refused February 2012.

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

- S1 – Spatial Distribution of New Housing Provision
- S4 – Affordable Housing
- S12 – Efficient resource Use and Flood Risk
- S13 – Landscape, Green Infrastructure and the Natural Environment
- S16 – Transport
- S17 – Place Making and Design

Development Management Policies

- H1 – Residential Development within Rural Secondary Settlements

DES1 – General Design Considerations
EP1 – Amenity and Environmental Protection
NE1 – Nature Conservation and Development
GI1 – Green Infrastructure Provision
MV1 – Development and Highway Considerations

4.0 REPRESENTATIONS

4.1 Consultations Replies

- 4.1.1 Llanfoist Community Council – no comments received to date.
- 4.1.2 MCC Highways – this submission does not address the highways concerns expressed under the previous application 2008/00651.

The parking shown does not comply with the current SPG where for a three bedroomed house three parking spaces are required.

The access must be a vehicular cross over and not a junction. This design would provide the pedestrians with the right of passage and the crossing of vehicles onto a private access will be aware of that progress. The access does not offer a standard required visibility splay. The vehicle crossover will also control the water on the highway from ingressing onto a very steep site. The steep site and lack of visibility will negate the site from being acceptable as an adoptable route.

Should you be minded to approve the proposal, there must be signage at the entrance to indicate that the site highway is private and not a public highway. It will remain private in perpetuity.

- 4.1.3 MCC Biodiversity Officer – no objection subject to suitably worded conditions in relation to the retention of ponds created for use by Great Crested Newts.
- 4.1.4 Natural Resources Wales (NRW) – no objections subject to adherence to the Method Statement for Great Crested Newts dated 7 June 2015.

Comments:

Risk to Groundwater

We have reviewed the further information which has been submitted in respect of the proposed methods of surface drainage:

- Drainage Statement by Infrastructure Design Ltd dated 6 January 2016
- Private Drainage Layout, ref 730-07-01-Rev1, dated December 2014
- Private Drainage Details, ref 730-7-2 Rev2, dated December 2014.

We note that deep borehole soakaways are no longer the proposed method of surface water drainage. Therefore, we no longer object to the application providing a condition is attached to any planning permission granted to ensure implementation of the surface water drainage system as described within the above Drainage Statement and plans. This is in order to prevent pollution of the water environment.

We note that four boreholes have been installed, three of which struck groundwater at around 3 metres below ground level which quickly rose. This suggests that groundwater is confined beneath this site. Further testing and assessment suggest that deep borehole soakaways are not required as originally planned and a more conventional soakaway will suffice. The proposal is to utilise storage crates which will

infiltrate at a maximum depth of 1.5 metres below ground level into the unsaturated zone in the made ground beneath the site.

Flood Risk

The application sites lies almost entirely within Zone B, as defined by the Development Advice Map (DAM) referred to in Technical Advice note 15: Development and Flood Risk. We do not hold relevant fluvial flood risk information for this application site. However, as the Lead Local Flood Authority we advise that you consult your Council's Drainage Department for advice on any surface and groundwater flooding issues.

European Protected Species Great Crested Newts

We have reviewed the revised Method Statement, dated 7 June 2015. The amendments made are in line with our previous advice. Therefore, provided that a condition is included on any planning permission granted to ensure adherence to the Method Statement dated 7 June 2015, we consider that the development is unlikely to cause detriment to the maintenance of favourable conservation status of great crested newts.

Dwr Cymru- Welsh Water – no objections subject to conditions ensuring no surface water will connect to public sewerage system.

Glamorgan Gwent Archaeological Trust - no objections.

The proposed development is located in the Blaenavon Registered Historic Landscape as defined within the *Register of Historic Landscapes of Outstanding Interest in Wales*. We have therefore considered the impact of the propose work on the historic landscape and have concluded that this will not be a factor in the determination of this application. There is unlikely to be an archaeological restraint to this proposed development.

SEWBREC Search Results – Great Crested Newts recorded within 140m of the site. Various species of bat recorded foraging/commuting within the vicinity of the site.

4.2 Neighbour Notification

Five representations received (four offered no objection in principle to the development of the site for bungalows). The following concerns/objections were raised:

- Insufficient detail for the application to be properly considered.
- Too close to neighbouring properties (Llanfoist Cottage).
- Development could increase risk of flooding on adjoining properties as the water has been displaced from the site.
- Habitat is of ecological importance.
- Site levels have been artificially raised.
- No evidence that proposed landscaping will successfully grow on the site due to ground water saturation levels.
- Absence of sections and levels fails to address the previous reasons for refusal.
- Must ensure that drainage of both surface water and sewage are adequate to cope with historic flooding problems associated with the site.
- Upper windows on new properties should have frosted glass.
- Question who would be responsible for ponds that are to be created as part of the development? (*These would be the responsibility of the individual property owners and their maintenance could be ensured by the imposition of a planning condition should consent to granted*).

5.0 EVALUATION

5.1 Principle of Development

5.1.1 The site is within the built up area of Llanfoist which is designated as a 'Rural Secondary Settlement' in the adopted Local Development Plan (LPD). As such, the principle of new housing is acceptable subject to detailed planning considerations.

5.1.2 Policy S4 of the LDP requires provision to be made for affordable housing. The Policy requires that sites within Rural Secondary Settlements with a capacity for 5 or more dwellings make a provision for 35% of the total number of dwellings to be affordable. The capacity of a site is based on an assumed achievable density of 30 dwellings. This site proposal is for four dwellings which means that in theory, the site should have capacity for 8 dwellings. This site requires the provision of an access road with turning head which significantly reduces the developable area of the land and therefore it would be unreasonable to apply the assumed density of the development in this case. Furthermore, the land is surrounded on all sides by existing dwellings meaning that any residential accommodation at first floor level and above would cause unacceptable overlooking to existing residents that further limits the amount of residential units that the site can accommodate. As such, four bungalows is considered to be the capacity of this site.

5.1.3 In accordance with Policy S4, development sites with a capacity below the threshold of five dwellings should make a financial contribution towards the provision of affordable housing in the local area. However, applications registered before April 2016, are not being subject to a financial contribution as the SPG was not adopted until April 2016, and this was agreed by Members under the recent adoption process.

5.2. Access, Parking and Traffic

5.2.1 A new access road is proposed from Merthyr Road to the south to the proposed new dwellings. Each dwelling will have provision for two private car parking spaces. The bungalows are shown as having three bedrooms and therefore would normally expect to be served by three parking spaces each. However, the dwellings are to be marketed for the over 50's only and therefore it is unlikely that families with more than two cars will be living in the properties and therefore in this case it is considered that it is acceptable to reduce the parking requirement to reflect the characteristics of the residents the development is aimed at. There will be space on the proposed new cul-de-sac serving the development for visitor parking.

5.2.2 Manual for Streets suggests visibility splays of 40 metres in both directions within a 30mph speed limit area. As this is an established built up area, the applicant does not have control over sufficient land in either direction to be able to achieve this. However, it should be noted that as existing, there are no physical barriers within the theoretical splays that prevent clear vision for this distance in both directions for vehicles merging from the new access onto Merthyr Road. It should also be noted that there are existing traffic calming measures in place along this part of Merthyr Road to keep speeds down.

5.2.3 Due to the gradient of the site, the new access road would not meet adoptable standards. As such, the applicant has not asked for the road to be adopted. Given the low number of dwellings that the road will serve, this arrangement is considered to be acceptable in this case. The access will be a vehicular cross over rather than a junction with pedestrians continuing to have the right of passage along the pavement on

Merthyr Road. Vehicles using the new access road will be aware of this and it can also be a condition of any consent granted that this is also clearly signposted.

5.2.4 Should the developer wish to take advantage of the kerbside collection of refuse offered by MCC within the site then they will have to enter into an agreement with the council accepting that any damage to the private road is their own liability.

5.2.5 The access road is not up to adoptable standards due to the gradient of the site and visibility and parking is not up to the normal standard for new development. However, given the tenure of the proposed housing, the small scale of development and the existing traffic calming measures on Merthyr Road, it is not considered that the non-compliance with normal standards would harm highway safety at this location.

5.3 Biodiversity Considerations

5.3.1 There is a known population of Great Crested Newts which are a European Protected Species in a pond within 100m of the site. Great Crested Newts require both aquatic and terrestrial habitat to complete their life cycle and the ecological survey submitted with the application identified suitable terrestrial habitat within the application site. As such a Method Statement detailing proposals to mitigate the impact of the development on Great Crested Newts has also been produced to support the application. Provided that a condition is included on any consent ensuring that the Method Statement is adhered to, then it is considered that the development is unlikely to cause detriment to the maintenance of favourable conservation status to the newts.

5.4 Flooding and Drainage

5.4.1 The site lies within Zone B as defined by the Development Advice Map (DAM) referred to in Technical Advice Note 15: Development and Flood Risk floodplain which does not prevent the site be developed for residential use in principle.

5.4.2 In terms of drainage, it is proposed to utilise storage crates which will infiltrate at a maximum depth of 1.5 metres below ground level into the unsaturated zone in the made ground beneath the site. The applicant installed four boreholes, three of which struck groundwater at around 3 metres below ground level which quickly rose. This suggests that groundwater is confined beneath this site. Further testing and assessment suggested that deep borehole soakaways are not required as originally planned and a more conventional soakaway will suffice. NRW do not object to this drainage solution and therefore it is considered that the issue of surface water drainage has been satisfactorily addressed.

5.5 Visual Impact

5.5.1 All of the proposed development will be single storey and the site is not prominent and on the whole will be hidden from wider views by the existing surrounding housing. The application proposed four identical detached bungalows finished with modern materials including facing brickwork, uPVC windows and slate or tiled pitched roofs. The bungalows have been designed with two roofs of differing heights to add interest, a feature main bay window and header and cill details. There are a variety of different types of housing within the vicinity of the site and it is considered that the bungalows proposed will not be out of keeping with the local area.

5.6 Residential Amenity

5.6.1 By virtue of the fact that the proposed dwellings are bungalows, much of the potential overlooking between the proposed new dwellings and the existing neighbouring residential properties has been removed as there will be 2m fencing between any ground floor windows and the gardens of neighbouring dwellings. New tree planting is proposed around the northern and western boundaries of the site that will further screen the proposed new properties themselves from overlooking by the existing properties to the north on Briadene as well as assisting in drainage and providing a habitat for wildlife. The proposed bungalows will have a maximum roof height of 5.2 metres which is unlikely to result in the buildings having an overbearing impact on any neighbouring occupiers.

5.7 Other Issues Raised

5.7.1 Site levels have previously been artificially raised by imported topsoil. This is to be removed as part of the development together with fly-tipped material and rock piles on site. The ground level will therefore be reinstated to its original natural level.

5.7.2 With regards to the likelihood of the proposed landscaping successfully growing on the site due to ground water saturation levels, the standard landscaping implementation condition requires the replacement of any planting that dies within five years. This can be added to any consent that the Council are minded to approve. Details of the species of the planting proposed can also be obtained via this condition.

6.0 **RECOMMENDATION: APPROVE**

Conditions:

1	This development shall be begun within 5 years from the date of this permission.
2	The development shall be carried out in accordance with the list of approved plans set out in the table below.
3	The dwellings hereby approved shall be occupied by persons aged 50 and over only.
4	The development hereby approved shall be undertaken strictly in accordance with the Method Statement for Great Crested Newts dated 7 June 2015.
5	All of the ponds shown on the drawings hereby approved, shall be retained in perpetuity.
6	Landscape implementation in accordance with drawing no. 005 revision E. Any landscaping that dies within 5 years to be replaced.

Informative:

Prior to the occupation of the dwellings hereby approved, signage shall be provided at the entrance to the site stating that the road is private. This signage shall be retained for as long as the road remains unadopted.

The Naming & Numbering of streets and properties in Monmouthshire is controlled by Monmouthshire County Council under the Public Health Act 1925 - Sections 17 to 19, the purpose of which is to ensure that any new or converted properties are allocated names or numbers logically and in a consistent manner. To register a new or converted property please view Monmouthshire Street Naming and Numbering Policy and complete the application form which can be viewed on the Street Naming & Numbering page at

www.monmouthshire.gov.uk. This facilitates a registered address with the Royal Mail and effective service delivery from both Public and Private Sector bodies and in particular ensures that Emergency Services are able to locate any address to which they may be summoned.