

DC/2015/00972

CONSTRUCTION OF 8 DWELLINGS (3 AFFORDABLE UNITS AND 5 MARKET HOUSES)

LAND ADJACENT TO WALNUT TREE COTTAGE, NEWPORT ROAD, LLANGYBI

RECOMMENDATION: APPROVE

Case Officer: Kate Young
Date Registered: 04/10/16

This application was presented to Members at the meeting on 6th December 2016 with a recommendation for refusal. The previous report is attached. The decision on the application was deferred in order to consider amendments to the proposed layout and design of development.

Amended plans have now been submitted showing alterations to the design of the residential units and with an amended layout showing a less engineered access roadway and a more rational parking arrangement. Amendments have also been made to the two flats on plots 5 and 6. The entrance has been relocated to the northern side of the building and there is now a covered stairway. There are now only two windows on the north-east elevation (facing towards Llangybi House) and these both serve a bathroom.

The application is now re-presented with a recommendation for approval.

RECOMMENDATION: Approve subject to a s.106 legal agreement requesting that three of the units be affordable units and passed on to a social housing provider.

Conditions/Reasons

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. Permitted development rights removed for plots 1 and 2 .
4. No removal of hedgerows, trees or shrubs, including bramble, that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: To comply with the provisions of the Wildlife & Countryside Act 1981 (as amended)

5. No development or site/vegetation clearance shall take place until a detailed reptile mitigation strategy has been prepared by a competent ecologist (including a methodology for the capture and translocation of reptiles with details of the receptor site if necessary) and submitted for the approval of the Local Planning Authority. The approved measures shall be strictly complied with.

Reason: To comply with the provisions of the Wildlife & Countryside Act 1981

6 Prior to commencement of works, a scheme of enhancements for bats and birds on the new buildings shall be submitted to the local planning authority for approval in writing. This must include but not be limited to:

- 1) Integrated nest box provision for birds
- 2) Integrated bat roost provision for crevice dwelling bats

The scheme shall thereafter be implemented in full prior to the development being brought into use.

Reason: To have regard for Biodiversity in accordance with LDP policy NE1 and Natural Environment and Rural Communities Act 2006.

7. There shall be no raising of ground levels within the flood zone.

8. Development to be carried out in accordance with the Protected Species Survey Report 12th June 2015 By John Morgan of Shropshire Wildlife Surveys

9. No development shall commence until a drainage scheme has been submitted and approved in writing with the local planning authority, for the disposal of foul, surface and land water including an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development. No further foul, surface water or land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

Reason: to prevent hydraulic overload of the public sewerage system.

10. A Management Plan shall be submitted to, and be approved in writing by, the local planning authority prior to occupation of the first dwelling. The Management Plan shall include the following;

a) Description and evaluation of Green Infrastructure assets to be managed; hedgerow, grassland and watercourse edge, (field access).

c) Aims and objectives of management.

d) Appropriate management options for achieving aims and objectives.

e) Prescriptions for management actions.

f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a twenty-year period).

g) Details of the body or organization responsible for implementation of the plan.

h) Ongoing monitoring and remedial measures.

The Management Plan shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the Management Plan are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To safeguard all Green Infrastructure Assets at the site in accordance with LDP policies, DES1, S13, G11, NE1, EP1 and SD4.

PREVIOUS REPORT AND RECOMMENDATION

DC/2015/00972

CONSTRUCTION OF 8 DWELLINGS (3AFFORDABLE UNITS AND 5 MARKET HOUSES)

LAND ADJACENT TO WALNUT TREE COTTAGE, NEWPORT ROAD, LLANGYBI

RECOMMENDATION: REFUSE

Case Officer: Kate Young

Date Registered: 04/10/16

1.0 APPLICATION DETAILS

1.1 This is a full application, for eight residential units. Four of these units would be three bedroom detached units for the private market with 3 parking spaces each. One would be a four bedroom market dwelling. The rest of the site would be developed for affordable housing comprising, two, one bedroom flats and a two bedroom house. There would be a single access into the site from Newport Road and a footpath link though to the Green in front of the Post Office on Church Lane. The hedge along the front of the site would be translocated to provide visibility splays. In addition to the parking provision for the new dwellings, two parking spaces and a turning head would be provided for the benefit of the occupiers of Walnut Tree Cottage, a listed building which currently has no off street parking provision.

1.2 The site is within the Llangybi Development Boundary identified in the LDP. A Tree Report, Flood Risk Assessment and a Prospected Species Survey Report were submitted as part of the application. Following negotiations with officers the scheme has been significantly amended and the number of units reduced.

1.3 Since this application was originally submitted, the design of the scheme has been amended following negotiations with officers. However further amendments have been requested but the applicant's agent is unwilling to make any further changes.

2.0 RELEVANT PLANNING HISTORY

DC/2010/01031 Repositioning of Vehicular Access, construction of hardstanding and drive for residential vehicular traffic for Walnut tree Cottage and the allocated housing site. COU of part of the existing Paddock to Residential Use. Approved 20/12/2012

DC/2009/00823 Repositioning of Vehicular Access – Withdrawn

GW05769 COU to Vehicular Access Approved 12/12/2077

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S1 – Spatial Distribution of New Housing Provision

S2 – Housing Provision

S4 - Affordable Housing Provision

S13 – Landscape, Green Infrastructure and the Natural Environment

S17 – Place Making and Design

Development Management Policies

H2 Residential Development in Main Villages

NE1 – Nature Conservation and Development

DES1 – General Design Considerations

EP1 – Amenity and Environmental Protection

CRF2- Outdoor Recreation, Public Open Space, Allotment Standards and Provision

SD4 - Flood Risk

SD5- Sustainable Drainage

MV1 – Proposed Development and Highway Considerations

4.0 REPRESENTATIONS

4.1 Consultation Replies

Llangybi Community Council – Objects initial response)

Only 4 Affordable Houses are being provided rather than the 6 required

Excess pressure on the sewerage system
Increase traffic accessing onto the highway.

Comments received 18/05/16 – Objects; Dangerous access.

Planning Policy

Llangybi is identified as a Main Village in Strategic Policy S1 of the Local Development Plan (LDP). The site appears to be located wholly within the Village Development Boundary (VDB) following discussions previously at the pre-application stage and subsequent plan revisions, the principle of development is therefore considered acceptable under Policy S1 and H2 of the LDP, subject to detailed planning considerations.

Policy S4 relates to Affordable Housing Provision and states that in Main Villages there is a requirement for at least 60% of the dwellings to be affordable. The emerging Affordable Housing Supplementary Planning Guidance (as reported to the Council's Select Committee on 16 July 2015) contains a specific section (Section 4.4 D) in relation to sites that are not specifically allocated in the LDP in Main Villages and sets out the Council's intended approach to such proposals. It is estimated that the theoretical capacity of the site would relate to more than 10 dwellings, however a development of this nature is unlikely to be in keeping with its surroundings. In this respect criterion (I) of Policy DES1 would come into consideration stating that development proposals will be required to ensure that existing residential areas characterised by high standards of privacy and spaciousness are protected from overdevelopment and insensitive and inappropriate infilling. As the site is relatively large it is considered that it would not be appropriate to depart from the Council's normal practice of requiring on site affordable units. It is noted that the amended scheme results in the loss of two units there has been a consequential loss in one affordable unit at the site. The Affordable Housing Supplementary Planning Guidance was adopted in March 2016, Section C paragraph C.2.a) refers to non-allocated sites of 3 or more dwellings in Main Villages. Paragraph C.2.b) refers to the density requirements set out in Policy DES1 i) in addition to criterion I) relating to ensuring existing residential areas characterised by high standards of privacy and spaciousness are protected from overdevelopment and insensitive or inappropriate infilling. As noted previously it is estimated that the theoretical capacity of the site would relate to approximately 10 dwellings, however a development of this nature is unlikely to be in keeping with its surroundings. The site has been reduced in size to accommodate the flooding issues and like the previous scheme relates to approximately 24 dwellings per hectare. The proportion of affordable housing nevertheless still relates to over 35%, satisfying Policy S4 in principle.

It is noted that there are existing fences that are proposed to be extended as necessary and that existing hedgerows are retained on parts of the boundary providing a defensible natural boundary. Key trees are also incorporated into the site layout, however there will be some loss of vegetation in order to enable development. Policy NE1 Nature Conservation and Development should be referred to relating to mitigation and compensation and Policy GI1 relating to Green Infrastructure must also be referred to.

Policy DES1 must be referred to in full along with Policy EP1 relating to Amenity and Environmental Protection, the use of traditional materials is welcomed. Finally, the Flood Risk Assessment refers to the inclusion of SUDs, satisfying Policy SD4. The Design and Access Statement and Code for Sustainable Homes information refer to the inclusion of an Air Source Heat Pump and PV panels. I could not see any detail of this in the elevation drawings or site layout, both of these would nevertheless be supported by policy SD1 relating to Renewable Energy and SD2 relating to Sustainable Construction and Energy Efficiency.

Highways.

Response to original layout:

The layout as presented is not supported.

The layout is not adoptable.

The footpath extends to the edge of the site but does not indicate that the footpath must be extended beyond at the expense of the applicant and this land is outside the control of the applicant.

The layout as shown does not indicate the edge of the adoptable highway. It is important to be able to distinguish highway from private drives and how private access layout fits into the scheme.

There are no details of how the private driveways are drained away from the adoptable highway or any adoptable drainage and discharge.

These details must be confirmed prior to any approval of the application otherwise adoption of the highway may not be permitted and no pedestrian access / egress of the site in a safe manner will be available.

A revised layout plan has been submitted and has been forwarded to Highways for comment. Their response is awaited.

MCC Public Rights of Way

The Active Travel Bill (Wales) requires local authorities to continuously improve facilities and routes for pedestrians and cyclists and to consider their needs at design stage. Although there are no public rights of way at the site, compliant with the Bill's requirement Countryside Access welcomes the pedestrian link running north - south through the site forming a connection to the 'Highway' adjacent to the Pub and Post Office. Concrete details of how this is to be achieved and how it will be protected for the public should however form part of the application. A planning decision should not be made before this information is forthcoming. I understand Highways also have concerns about the status of the roads/paths and their potential for adoption. All routes should also be upgraded to footpath/cycleways status and buffered so as to provide pleasant convenient access. Countryside Access is also concerned about the lack of provision for links to the land to the east should this be developed in the future. The applicant should therefore either make provision for this eventuality or demonstrate that this is unlikely to happen.

MCC Heritage (comments on the scheme as originally submitted)

a) Density in this location on the edge of the village is characterised by more scattered buildings. I know that on the west side of the road there is dense modern development but on the east around Walnut Tree, White Hart and the medieval parish church it retains a more historic character and I think a significantly smaller development for this site would therefore be more appropriate.

b) The entry into the village from south will change from the road being bordered by substantial trees/hedging to being opened out into new housing - a fewer number of units might allow for retaining a bit more of the present character of the approach to the village.

c) Some details of the proposed houses would benefit from further consideration e.g. the mix of roof pitches where houses appear to have an asymmetrical pitched roof in front of a taller roof? Also the combined door and window is best avoided. The affordable houses should have chimney stacks as well. The outside stairs to the flats is too massive - as drawn it appears to be covered which is not necessary.

d) With regard to the specific issue of the setting of the listed building, some development would be acceptable but I think what is proposed here would risk being obtrusive to this setting on account of its scale. Walnut Tree Cottage is relatively long and low and the proximity of the proposed houses with quite different proportions could be detrimental.

Natural Resources Wales (NRW)

We acknowledge receipt of the e-mail dated 10 June 2016, from Chris Wood of Brown Fisher Environmental, enclosing a copy of the flood model for the proposed development site at Walnut Tree Cottage.

We have reviewed the 1D Hec-Ras model by Reports 4 Planning to evaluate its suitability to inform the Flood Consequences Assessment (FCA), referenced 16FRA3754FCA, dated March 2016. We are satisfied that the modelling is appropriate to inform the FCA.

We note the change in layout and that 8 dwellings are proposed as shown on revised site layout plan (Drg No. 1315:1716:06 Revision E, dated 7 April 2015). The revised layout plan shows that only the gardens of two dwellings are located within the extreme 0.1% flood outline.

Therefore, provided that the revised site layout plan (Drg No. 1315:1716:06 Revision E) is implemented as shown, we have no objection to the application. We recommend your authority secures this through planning condition.

We also advise that if your authority is minded to grant planning permission, then permitted development rights should be removed from any part of the site shown to be at risk of flooding on the revised layout plan (Drg No. 1315:1716:06 Revision E). There should also be no land raising in that area.

As it is for your Authority to determine whether the risks and consequences of flooding can be managed in accordance with TAN15, we recommend that you consider consulting other professional advisors on the acceptability of the developer's proposals, on matters that we cannot advise you on such as emergency plans, procedures and measures to address structural damage that may result from flooding. We refer you to the above information and the FCA to aid these considerations. Please note, we do not normally comment on or approve the adequacy of flood emergency response and procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement during a flood emergency would be limited to delivering flood warnings to occupants/users. We recommend that consideration be given to the incorporation of flood resistance/resilience measures into the design and construction of the development. These could include flood barriers on ground floor doors, windows and access points, implementation of suitable flood proofing measures to the internal fabric of the ground floor, and locating electrical sockets/components at a higher level above possible flood levels.

Housing Officer

2B4P House type:

- * Notional floor area in the ACG guidance is 83sq.m, but this house seems to meet the space standards of DQR within the 80sq.m provided.
- * Adequate storage seems to have been provided.
- * No detail is provided on the position of the bath, WC and wash-hand basin, however, the room is of sufficient size to adequately orientate and include these
- * Details on kitchen units provided will need to be given and M&E layouts will need to be produced to ensure that sufficient sockets, switches and light fittings are provided in each room.
- * Presuming gas fired boilers will be provided, sufficiently sized radiators will need to be detailed on the plans.
- * It seems noted on drawing that an "FP" or fireplace is to be provided; it would be beneficial if this wasn't provided.
- * The stairs should not be tapered or winding
- * No details shown on garden; it should be ensured that:
 - o A usable area of 40sq.m is provided including a nominally level paced area no smaller than 3m x 3m
 - o Provide paved access to a drying line and garden gate

- o No usable part of the garden should slope towards the house at a gradient steeper than 1:8
- o No part of the garden should slope away from the house at a gradient steeper than 1:12 (ideally 1:15)

1B2P Flats:

- * The 50sq.m floor area provides the storage requirements required for this type of property
- * The cupboard in the bathroom could be repositioned to avoid the creation of a “u-shaped” bathroom
- * Details on kitchen units provided will need to be given and M&E layouts will need to be produced to ensure that sufficient sockets, switches and light fittings are provided in each room
- * Presuming gas fired boilers will be provided, sufficiently sized radiators will need to be detailed on the plans
- * The first floor flat is proposed to have an external covered staircase. I’d suggest that further detail on the construction of this stairs is sought; I appreciate that it needs to be in keeping with the surrounding development, however, we’d have safety concerns on the robustness and lifecycle of the materials used as well as ensuring that appropriate flooring is used on the treads and handrails.

MCC Urban Design, Landscape Design and Green Infrastructure

We have no objection to this proposal, subject to some minor changes. We also request that some details of their proposal are conditioned, to ensure they meet national and local plan policy.

Items to be conditioned.

1. No close-board fencing or temporary fencing over 1100mm should be constructed along Newport Road.
2. Material choice and detail design to the roadway and footway within the development should be provided to and approved by MCC; before commencement of proposal.
3. Further details of their SuDS should be sought and approved by MCC; before commencement of proposal.
4. A green infrastructure management plan should be provided to and approved by MCC; before commencement of proposal.
5. Further details of hedge translocation should be provided to and approved by MCC; before commencement of the proposal.

Changes

1. Details of building materials (specification) should be revised on drawing 1315:1716:04B.
 2. The parking layout for H5 & H6 and arrangement of ‘fenced’ boundary for H4 needs revising.
 3. The hedgerow bounding the parking for H5 & H6 through to H4 should be removed.
 4. A hedgerow should be extended to southern wall of garage - property H4.
 5. Hedgerow should be extended to eastern wall on garage H3.
 6. The parking layout at H2 should be amended.
7. The landscape masterplan should include a tree pit detail and include details of growing medium for proposed hedgerow planting.
 8. They have not identified grass area (to the east of the proposed development) as public open space, or identified it as a GI asset. This should be addressed in their revised submission.

Notes are suggested:

GREEN INFRASTRUCTURE (GI)

MAIN ISSUE - Protecting and enhancing Monmouthshire diverse natural environment, landscape character and green infrastructure network. To improve the layout and design of their proposal we encouraged the applicant to use GI as an overarching design principle. We believe that embracing GI at the outset of the design may have provided a better environment for the proposed development. The applicant submitted a substantial green infrastructure appraisal, but this has had little impact on their proposal or layout; there are a number of missed opportunities.

URBAN DESIGN

MAIN ISSUE - Place making and design: Development should be of a high quality sustainable design; respecting the local character and distinctiveness of Monmouthshire's built and natural environment. The location of the proposed development will have a significant impact to Llangybi's southern point of arrival and will also contribute towards Llangybi's sense of place. The design and choice of materials for the proposed development are very important considerations.

Timber close board fencing along the main road corridor would be considered unacceptable; it's still not clear what they are proposing here. **No close-board fencing or temporary fencing over 1100mm should be constructed along the main road.**

The applicant should have used MfS's hierarchy when designing the layout of the development; the needs of pedestrians should have been considered first and should have been made a priority.

A pedestrian route through the site will be a valuable asset to residents and to the wider community, and it is also a significant GI asset. Careful consideration in the detailed design would have provided a direct route through the site and would have enhanced the character of the development. Traffic management within the site (turning area) is a consideration (during the design process) but we have missed an opportunity to incorporate this space into the 'street design'. **Opportunities to consider are conditioning the choice and design of proposed surface materials.** A better quality surface treatment (to the footpaths & turning areas), the inclusion of street furniture, textured kerbs (also considering kerb height) and street tree planting, as an integral part of the street-scene will go some way to create a place for people, cars and fortnightly refuse trucks.

The style of units H7 & H8 should reflect that of Walnut Tree cottage. We would suggest roof pitches angled to match that of the cottage, the colour of render and detailing (chimney etc.) should also complement the existing unit. **Details of building materials (specification) should be revised on drawing 1315:1716:04B.** A slight change of roof height, between the three units (either through site levels or unit height) will also add some contrast to the street-scene.

LANDSCAPE MASTERPLAN / LANDSCAPE PLANTING PROPOSALS

MAIN ISSUE – To Include landscape proposals for the new building(s), in order that they integrate into their surroundings. Protecting and enhancing Monmouthshire diverse natural environment, landscape character and green infrastructure network. The applicant has provided adequate information on landscape planting proposals, but

Suggested changes

1. The parking layout for H5 & H6 and arrangement of 'fenced' boundary for H4 needs revising.
2. The hedgerow bounding the parking for H5 & H6 through to H4 should be removed.
3. A hedgerow should be extended to southern wall of garage for property H4
4. Hedgerow should be extended to eastern wall on garage H3.
5. The parking layout of H2 should be amended.
6. The landscape masterplan should include a tree pit detail.
7. Details of growing medium for proposed hedgerow planting should be provided.
8. They have not identified grass area (to the east of the proposed development) as public open space, or identified it as a GI asset.
9. We identified an opportunity to improve a hedgerow adjacent to the development.

The inclusion of a SuDS within the site is welcomed. They are proposing to construct small rain gardens to all units. We would require further details on their proposal, including connectivity to soakaway.

MCC Biodiversity

Thank you for the consultation for the above scheme. I refer you to the earlier comments made by my former colleague, Aidan Neary for the site on the DC/2014/00262 application. I note that he has recommended several planning conditions. I suggest slight re-drafts and updated reasons for these conditions.

The Landscape Masterplan indicates that there is now a 25m buffer zone at the southern end of the site between the residential area and the Glan y Nant stream. This is identified as an area to be managed by the management company. A simple management plan for this area should be secured via the planning process in accordance with LDP policy NE1. Aidan's recommended condition for a 3m buffer area is no longer required. If the field area is to have public access, the management plan should be a GI management plan and include

Following a site visit (03/03/2014) it is evident that the mature poplar trees at the southern end of the site have been felled since the 2011 ecological survey. Some of the felled trees have been left in situ while the majority have been cut and stock piled. The site now provides suitable reptile habitat, in particular for slow worm, in the form of tussocky and short grassland, scrub and wood piles refuges. However, the site is bordered by the A472 to the west, residential gardens to the north east, a stream to the south and improved agricultural grassland to the east and is therefore relatively isolated from neighbouring reptile habitat.

Whilst we normally ask for reptile surveys prior to determination the site is relatively isolated from other habitat and is only likely to support a relatively small reptile population. This assessment is supported by the ecological survey which states that small numbers of reptiles might be present within the site. The site contains areas of dense bramble scrub which provides suitable bird nesting habitat. In addition, a wren was observed carrying nest material into this scrub as well as a male blackbird showing territorial behaviour. All British birds are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000.

Welsh Water

The site is crossed by a public sewer there shall be no operational development within a 3 metre wide easement.

No problems are envisaged with the waste treatment work for the treatment of domestic discharge.

No objection with regards to the water supply but the site is crossed by a 4 inch distribution water main. It may be possible for this to be diverted. Outlines conditions related to the water main and the need for a drainage scheme related to foul, surface and land water.

4.2 Neighbour Notification

Letters received from five addresses

The site floods several times a year.

If mitigation measures are put in place to prevent flooding on the development site, this may exacerbate flooding on neighbouring sites.

New dwellings need to be repositioned away from the flood area.

Units are too close to Llanybi House, damage to tree roots and loss of privacy

Damage to wildlife habitats and carbon sequestration

Move new dwellings away from boundary to protect tree roots

Concern over pedestrian safety and traffic accessing the site

No footpaths access in the site
Over development
Insufficient parking
Additional traffic hazard
Dangerous road junction close to a blind bend
DAS is inaccurate as neighbouring property is not totally screened by existing vegetation
Impact on commuting bats.
The existing shared access to the site is not in the applicant's ownership.
The application is invalid as it included land not in the applicant's ownership.
Neighbouring property has highway rights over the field
There is a highway sign on the land.
The land of Church Lane is also not in the applicant's ownership but it is shown as part of the application site.
There is a highway drain running under the field.
I already have planning permission for a family house on the plot next to this proposed development. The current design of the proposed 3 bedroom houses overlooking my plot is unacceptable on privacy grounds as the upstairs windows would look directly into the upstairs bedroom windows of my home.

5.0 EVALUATION

5.1 Principle of development

5.1.1 The site is within the Llangybi Village development boundary. Policy S1 of the LDP allows for new residential development within such boundaries and Policy H2 expands upon this saying that within Development Boundaries planning permission will be granted for new residential development, subject to detailed planning considerations, including there being no adverse impact on the village form and character and surrounding landscape, and other policies of the LDP that seek to protect existing retail, employment and community uses. The land is currently orchard and grassland therefore the principle of residential development on this site is established but all the detailed considerations need to be taken into account. In 2012 planning permission was granted for a new vehicular access, in the position indicated on the current scheme; thus,, the principle of a vehicular access in this location is also established.

5.2 Affordable Housing

5.2.1 Policy S4 requires that within Main Villages identified in Policy S1 there will be a requirement for at least 60% of the dwellings on the site to be affordable. However The Affordable Housing Supplementary Planning Guidance which was adopted in March 2016, looking in more detail at non-allocated sites within Development Boundaries. Section C paragraph C.2.a) refers to non-allocated sites of 3 or more dwellings in Main Villages. Paragraph C.2.b) refers to the density requirements set out in Policy DES1 i) in addition to criterion l) relating to ensuring existing residential areas characterised by high standards of privacy and spaciousness are protected from overdevelopment and insensitive or inappropriate infilling.

5.2.2 Paragraph C.2.b states that
"The Council recognises that in most cases applying this percentage, together with the density requirements of Policy DES1 i), to small infill sites within the fabric of existing villages could result in a density of development that is out of keeping with its surroundings. In such cases, criterion l) of LDP policy DES 1 would need to be considered. This states that development proposals will be required to ensure that existing residential areas characterised by high standards of privacy and spaciousness are protected from overdevelopment and insensitive or inappropriate infilling. In such circumstances, it is considered

likely that the requirements of Policy S4 and Policy DES1 i) could be relaxed on infill plots in Main Villages to allow a smaller percentage of affordable homes and a lower density of development than 30 dwellings per hectare.

On larger sites in Main Villages where it should be feasible to provide affordable housing on site then this would be the preferred option and the number of affordable homes required will normally be set at 35% of the theoretical capacity of the site (at 30 dwellings per hectare), subject to viability considerations and the effect of the development on the character and appearance of the area.”

5.2.3 The above guidance is relevant in this case as the site has not been specifically allocated as a 60/40 site in the LDP and is therefore classified as infill development within the Village Development Boundary. In this circumstance it is appropriate that 35% of the dwellings should be affordable. In this case three of the 8 proposed units would be for affordable housing which complies with the 35% required by the advice in the SPG. From the submitted drawings it shows that the proposed flats would have an external staircase and very little external amenity space. A bin store and external drying area would be required to comply with DQR standards. There would be very little privacy for the occupiers of the ground floor flat.

5.3 Layout and Design

5.3.1 The proposed layout shows the proposed dwellings accessed off an adoptable roadway; all of the dwellings face onto the highway so that the rear elevations of plots 7 and 8 face towards the main road through the village. It is proposed that the hedge among this boundary would be translocated; this will have a better visual impact than if these rear gardens were surrounded by close boarded fencing. The site is visually prominent on this approach into the village but the road frontage of the scheme would comprise the rear elevations of two dwellings and the built form of a double garage. This arrangement does not relate well to the rest of the village form. There will be hedgerows planted within the site and along the southern boundary. The land to the south of the site will be left as green open space to be maintained by a management company. There would be a footpath link through the site linking through to the existing “Green” giving access to the public house, shop and church. Within the site its self the development is over-engineered with a high proportion of hard surface, driveways and unnecessary turning area. The dwellings, especially units 2, 3 and 4, will be set back behind the garages with very little street presence and no defined street scene. Some of the car parking provision for units 7 and 8 would be set on the opposite side of the road from the dwellings in front of the flats (units 5 and 6); this is not a desirable situation in design terms. The one bed flats, unit 5 and 6, would have an external staircase the appearance of which is out of character with all other residential development within Llangybi and may draw attention to the fact that these flats are intended as affordable housing. In addition the affordable units on the site would all have minimal external amenity space. All of the dwellings will all be finished in high quality materials with slate roofs, render to the walls, soft wood painted fenestration and cast iron rainwater goods. Plots 2, 3 and 4 will also have natural stone to their gables. The proposed double garages, all detached would be of standard size, finished in materials to match the dwellings and with a maximum ridge height of 4.4 metres.

5.4 Residential Amenity

5.4.1 There are several properties potentially affected by this proposal. The first is Walnut Tree Cottage, which is a grade II listed building, is a two storey dwelling with the main door and living rooms on the eastern elevation, overlooking the garden. The residential amenity assessment and GI Masterplan show that the garden will become once again screened on the eastern and southern boundaries by newly planted hedgerows which will be maintained at a height of 1.8m. As a result, there will remain only a narrow framed view from the

pathway and parking spaces at plots 5 and 6 across the new hardstanding area; further hedgerow planting is proposed around the garden adjacent to the new hardstanding area to ensure the minimum loss of privacy to occupiers of Walnut Tree Cottage. From the inside of the house there will be only very limited views of the proposed development from the first floor windows on the eastern elevation.

5.4.2 The northern and western boundaries and aspects of Walnut Tree Cottage will not be impacted by the development. The south-west boundary of the property is currently formed by overgrown, unmanaged trees and shrubs. The visibility splay and translocation of roadside hedge bank required by consent DC/2010/1031, will have the effect of opening up the southerly aspect of Walnut Tree Cottage to views from the adjacent pavements on Newport Road. Walnut Tree Cottage will be screened by the proposed new planting along Newport Road. There are no windows or doors in the southern elevation of Walnut Tree Cottage and only a small window in the western elevation.

5.4.3 To the south of the site is the two storey dwelling Kinvara, it has first and second storey windows on the north elevation facing towards the proposed garage of plot number 1. At present there is a post and wire fence along this boundary but it is proposed to plant a new hedge. Kinvara has a blank gable wall on the east elevation which faces toward the rear garden of the proposed dwelling at plot 1. The relationship between Kinvara and the proposed dwelling at plot 1 is acceptable and will not result in a loss of privacy or have an overbearing impact.

5.4.4 To the east of the site beyond a close boarded fence is the rear garden of Llanybi House. The house itself is located a significant distance from the common boundary but in 2015 planning permission was granted for a new dwelling in the grounds. The rear elevation of that approved dwelling will face towards plots 2, 3 and 4 of the proposed site. In places there is less than 10 metres between the rear elevations of plots 2, 3 and 4 and the common boundary with Llanybi House. This will result in an unacceptable level of overlooking particularly from first floor windows. The flats within plots 5 and 6 are less than two metres from the common boundary; the first floor bedroom window would directly overlook the garden to Llanybi House; the two storey structure being so close to the boundary would have an over bearing impact on the neighbouring property. At present there is a timber fence and privet hedge along this boundary but it is proposed that the vegetation be removed and just the fence be retained, this will exacerbate the level of overlooking from the proposed dwellings into the adjoining site.

5.5 Impact on the Listed Building

5.5.1 Walnut Tree Cottage, the Grade II Listed Building, is located on the northern boundary of the site. It is a long, low dwelling with dormer windows and is surrounded by mature vegetation and at present does not have the benefit of a vehicular access or off street parking. The current application would provide both a vehicular access and off street parking. The scheme has been amended and now plot 7 has a low ridge height and dormer windows to reflect the character of the adjacent listed building. The proposed development is set a respectable distance from Walnut Tree Cottage so as to respect its setting. The proposal will include removal of an overgrown hedge to the east of the property and this will allow glimpses of the listed building from the main road, thus increasing the visual contribution that the building makes to the local area.

5.6 Highway Safety

5.6.1 A vehicular access has already been granted in the position proposed in this area. The access drive from Newport Road into the site and the new parking area at the adjacent Walnut Tree Cottage received planning consent (with conditions) on 20 December 2012.

(DC/2010/1031) subject to a s.106 Agreement providing £10,000 towards improving highway and implementing traffic management improvements in the vicinity of the area. The agreed access point has adequate visibility, facilitated by the realignment of the roadside hedgerow to the west of the site. Sufficient car parking spaces are being provided in accordance with adopted Council supplementary planning guidance. However this is being provided in a very convoluted manor with spaces being provided outside their own curtilages, on the opposite side of the road and with many of the dwellings having a turning area within their curtilages. The over-engineered design for the car parking has resulted in a large amount of hardstanding within the site, pushing the units back in their plots and limiting the size of rear gardens. The road and pavements within the site and the proposed pathway from the north of the site to the village Post Office could be adopted by the County Council as Highway Authority. The development also includes a footpath link through the site to the village green and community facilities.

5.7 Flooding

5.7.1 Part of the site is within a Flood Risk Zone B as identified in Tan 15. In addition there is anecdotal evidence that part of the site is liable to flooding. The applicants have provided a Flood Consequences Assessment as part of the application. In addition the scheme has been amended and the dwellings that were in the flood zone have now been removed from the scheme. In light of these changes NRW have no objections to the application as the revised layout plan shows that only the gardens of two dwellings are located within the extreme 0.1% flood outline. The recommendations of the FCA would need to be complied with and the dwellings could incorporate flood proof measures. The amended proposal now accords with the objectives of Policy SD3 of the LDP.

5.8 Drainage

5.8.1 It is proposed that the foul sewerage will discharge into a mains sewer. Welsh Water has no objection to this but requests that a drainage scheme for the disposal of foul, surface and land water be submitted. This should include an assessment of the potential to dispose of surface and land water by disposable means. It is proposed that surface water be disposed of via a sustainable drainage system, with each individual plot having its own system.

5.9 Other issues raised

5.9.1 The ownership of the land and the rights of way over the application site are a private legal matter and not a material planning consideration.

5.10 Response to Community Council representations

5.10.1 All these issues have been addressed in full in the main body of the report. While the principle of residential development on this site is acceptable in policy terms, the layout of the proposal is not acceptable on design grounds.

6.0 RECOMMENDATION: REFUSE

1. The proposed development represents a poor quality of design and layout. The proposal comprises an overly-engineered, highway-dominated layout with little regard to creating a sense of place for future residents or to the character of the surrounding village. Dwellings on plots 2, 3 and 4 are set back in the plots, behind garages and do not relate well to the street scene. The siting and orientation of plots 7 and 8 turn their back on the main street through the village and the entrance to the site is characterised by the blank gable to

plot 8 and the blank elevations to the detached double garage to plot 1. The proposal is therefore contrary to LDP Policy DES1 and paragraph 9.1.1 of Planning Policy Wales.

2. The proposed dwellings themselves are poorly designed, with specific reference to blank elevations and inconsistent and unbalanced fenestration in terms of positioning and size of openings and dormers. The proposal is therefore contrary to LDP Policy DES1 and paragraph 9.1.1 of Planning Policy Wales.

3. The proximity of plots 2, 3, 4, 5 and 6 to the common boundary with Llangybi House results in an unacceptable level of overlooking to the detriment of the amenities of the occupiers of adjoining properties (including the approved but not yet constructed dwelling to the rear of Llangybi House). The proposal is therefore contrary to LDP Policy EP1 and paragraph 9.1.1 of Planning Policy Wales.

4. The external covered staircase serving plot 6 creates an uninviting entrance to that unit and creates an unacceptable level of overlooking to the rear garden to plot 4 to the detriment of the amenities of the occupiers of that property. The proposal is therefore contrary to LDP policies DES1 and EP1 and paragraph 9.1.1 of Planning Policy Wales.