

**DC/2016/00880**

**THE DEVELOPMENT OF UP TO 115 RESIDENTIAL DWELLINGS (USE CLASS C3), OPEN SPACE, LANDSCAPING, VEHICULAR ACCESS OFF GYPSY LANE, PEDESTRIAN ACCESSES AND RELATED INFRASTRUCTURE AND ENGINEERING WORKS**

**LAND AT GROVE FARM (OFF GYPSY LANE), LLANFOIST, ABERGAVENNY, NP7 9FF**

**RECOMMENDATION: APPROVE**

Case Officer: Kate Bingham

Date Registered: 23/08/2016

**1.0 APPLICATION DETAILS**

- 1.1 This outline application relates to a site situated adjacent to but outside the Settlement Development Boundary of Llanfoist as defined by the adopted Monmouthshire Local Development Plan (LDP) and is therefore considered to be in the open countryside.
- 1.2 To the north, the site is bound by dwellings and Llanfoist Fawr Primary School. The highest part of the site is located adjacent to this school and dwellings to the north of the site. To the west, the site is bound by the B4269 (Gypsy Lane) and beyond this residential dwellings and agricultural fields. To the east the site is bound by a pond, beyond which is Grove Farmhouse and farm buildings (which are also in the ownership of the applicant). Grove Farmhouse is a Grade II\* Listed Building. All of the surrounding farm buildings have extant planning permission for conversion to residential use. The south of the site is bound by a single track lane which leads to Grove Farmhouse and buildings. Beyond this lane lies further agricultural fields and Monmouthshire Golf Club. The site is segregated from the Blaenavon Industrial Landscape World Heritage Site by the B4269 (Gypsy Lane). The site is approximately 200m to the east of the Brecon Beacons National Park boundary. A locally designated Site of Interest for Nature Conservation (SINC) is located to the south of the site's boundary, beyond the existing lane access to Grove Farmhouse.
- 1.3 The wider Grove Farm site, which encompassed the application site and neighbouring fields (totalling 17 hectares), was promoted through the Monmouthshire Local Development Plan (LDP) for development of a care village. The Inspector did not specify that the LDP should include a specific care policy or care allocation; therefore the site was not allocated as a care village.
- 1.4 At this stage only full details of the access is to be considered, all other matters being reserved. This means that the precise number of dwellings as well as the dwelling mix will be determined at reserved matters stage. Nevertheless, it is envisaged that this is likely to predominantly contain a mixture of 2 bed to 5 bed detached, semi-detached and terraced dwellings. Private garden space will be provided for each dwelling along with appropriate car parking provision in accordance with the Monmouthshire Parking Standards.
- 1.5 Following feedback from officers, the proposed development has been reduced in scale from up to 120 residential dwellings to 'up to 115'. This reduction reflects officer advice which required the removal of proposed dwellings on the southern part of the site – on land immediately adjacent to the Grove Farm lane access. The impact of this amendment is that the site's developable area has reduced from 3.58 ha to 2.81 ha. The remaining 2.43 ha of the site is now proposed to be used for drainage provision (including pumping station), footpaths/cycleways, open space, grazing land,

landscaping works (including planting) and play area(s). It is worth noting that the illustrative layout shows 110 dwellings but 115 remains in the description of development to allow flexibility should a future developer wish to add more terraces or flats.

1.6 The following is a summary of the amendments made following negotiations with officers;

- Removed proposed dwellings on the southernmost area of land, fronting the existing lane leading to Grove Farm which results in a smaller development and reduces what was regarded as an urbanising effect on the Grade II\* Listed Grove Farm. It also provides a softer edge to the development.
- Amended parameter plans to address concerns about the tallest buildings
- Strengthened the approach to Green Infrastructure;
- Integrated changes into a revised illustrative layout which follows the Council's suggestions regarding densities and where these should be reduced or increased.
- Prepared an overall Green Infrastructure Framework Plan

1.7 The proposed development has been screened under the Environmental Impact Assessment Regulations and it is considered that an Environmental Statement is not required. The application has also been publicised as a departure from the Development Plan.

## **2.0 RELEVANT PLANNING HISTORY**

This site was put forward as an Alternative Site (ASN087) in the LDP process, albeit for a mixed-use care community proposal at that point in time. It was concluded that there were compelling arguments regarding traffic, landscape and adverse historic environmental impacts of the potential development of this site that made the proposal unacceptable.

## **3.0 LOCAL DEVELOPMENT PLAN POLICIES**

### Strategic Policies

- S1 – Spatial Distribution of New Housing Provision
- S4 – Affordable Housing
- S5 – Community and Recreation Facilities
- S12 – efficient resource Use
- S13 – Landscape, Green Infrastructure and the Natural Environment
- S16 - Transport
- S17 – Place Making and Design

### Development Management Policies

- DES1 – General Design Considerations
- EP1 – Amenity and Environmental Protection
- SD2 – Sustainable Construction and Energy Efficiency
- SD4 – Sustainable Drainage
- LC1 – New Built Development in the Open Countryside
- LC2 – Blaenavon Industrial Landscape World Heritage Site
- LC3 – Brecon Beacons National Park
- LC5 – Protection and Enhancement of Landscape Character

GI1 – Green Infrastructure  
NE1 – Nature Conservation and Development  
MV1 – Proposed Developments and Highway Considerations  
MV2 - Highway Considerations and Sustainable Transport  
CRF2 - Outdoor Recreation/Public Open Space/Allotment Standards and Provision

## **4.0 REPRESENTATIONS**

### **4.1 Consultation Replies**

#### **4.1.1 Llanfoist Community Council – Members recommended this application for Refusal.**

Members would like the following points taken into consideration:-

1. This is a greenfield site.
2. This land is not marked for development in the adopted Local Development Plan.
3. The proposed access to this site is on a dangerous corner.
4. The proposal is too dense for a rural location and would give significant overdevelopment.
5. Gypsy Lane is used by the Welsh Government as an alternative route for all traffic when the Llanellen Bridge is closed due to flooding - when this occurs the rural road is dangerously overused and the traffic from this development would exacerbate this problem.
6. Gypsy Lane is prone to flooding in the area where the access to the site is proposed. Please note that when this matter is considered by the Monmouthshire County Council Planning Committee a member of Llanfoist Fawr Community Council would wish to speak regarding this application.

#### **4.1.2 Natural Resources Wales (NRW) – No objection in principle subject to conditions.**

We recommend that you should only grant planning permission if you attach the following condition; Lighting Plan - to ensure that lighting measures do not result in disturbance to suitable bat flight path.

In our opinion, the proposal is unlikely to have a significant adverse effect on the Registered Historic Landscape of World Heritage Site, or on the setting of or views from the National Park. It is important that the landscape parameters plan, green infrastructure proposals and masterplan are fully implemented to ensure adverse effects on these areas are kept to a minimum.

The Geo-Environmental Report submitted with the application concludes that the site is greenfield and presents a very low risk to environmental receptors such as controlled waters. Although we consider the site environmentally sensitive in terms of its proximity to surface water features and underlying Secondary Aquifers, we do not consider there to be a risk to controlled waters from the development of this land (from a land contamination perspective) as there have been no previously contaminative land uses on site, as outlined within information provided.

#### **4.1.3 Dwr Cymru – Welsh Water (DCWW) – No objection subject to conditions.**

DCWW had some discussions with the applicant's consultant and discussed the options about connecting to the existing sewerage network. Two options offered; either to commission a full Hydraulic Modelling Assessment to assess any impact and provide any necessary solutions to connect to a public sewer close to the site. The second option is a connection point further away and will involve off site works through

third party land to achieve. DC-WW understand the land owner is amenable to the point of connection offered. Suggest the following condition is added to any consent;

*No development shall commence until a foul water drainage scheme to satisfactorily accommodate the foul water discharge from the site has been submitted to and approved in writing by the local planning authority. This scheme should connect at manhole reference SO29125902 unless otherwise agreed in writing with the local planning authority. Thereafter, no dwelling shall be occupied until the agreed foul drainage system has been constructed, completed and brought into use in accordance with the approved scheme*

The site is crossed by a public sewer with known flooding incidents in the past. It is likely that this will need to be diverted to facilitate a new housing layout the assessment of which would need to be carefully considered by our internal team of engineers.

4.1.4 Brecon Beacons National Park – No comments on revised details/ additional information received to date.

Initial comments:

The BBNPA suggests that consideration should be given to a further view point from the Monmouthshire & Brecon Canal in a location similar to VPI. The canal tow path is wooded but there would seem to be potential for there to be gaps and views from this sensitive receptor of visual impact to the site of development. The ZTV shows that the topography of the Blorenge largely screens the site from the extensive areas of open access land and rights of way in this area on the top of the hill. Viewpoint No. 7 remains partially screened from the development by topography. Overall it is considered that the viewpoint number and selection is largely appropriate and proportionate for assessing areas where landscape and visual impact might be unacceptably harmful to the National Park.

The LVIA assessment of impact on the Brecon Beacons National Park - The LVIA identifies the presence of the National Park, but does not contain a detailed assessment of the impact of the proposal on the National Park or its special qualities. The BBNPA considers that the most significant potential impact is likely to be on the "sweeping grandeur and outstanding natural beauty" special quality of the National Park. The LVIA should give consideration to the impacts on the National Park's special qualities and we suggest that your Authority gives consideration to requesting a revised assessment that specifically addresses the impact of the proposal on the special qualities of the National Park.

The view in 7.4 of the LVIA is that: *"The potential for an indirect minor adverse impact upon a limited length of the Goytre Lowland Landscape Aspect Area has been considered, due to its proximity and sensitivity. However the inclusion of a buffer to the western site boundary, together with limiting development heights in this area, would minimise any significant impact"* The BBNPA largely agrees with this assessment, but we consider it to be only robust if the site landscaping is effective and the design is appropriate.

The BBNPA accepts that the landscape and visual impact of the development can be mitigated. The applicants have sought to outline the principles of how the site will be landscaped in supporting information and as noted above consider that a *"buffer to the western site boundary, together with limiting development heights in this area, would minimise any significant impact"*. The landscaping scheme has not been provided in full detail and site landscaping remains reserved for future determination. It is also not clear whether building heights are to be determined within the outline application. Based on the submitted LVIA it is considered that the effectiveness of the landscaping at the site and its mitigation of landscape and visual impact are critical to the

acceptability of this scheme. The BBNPA is therefore concerned that the detail of the landscaping has been provided in indicative and illustrative form only. Judgements on the effectiveness of mitigation are likely to be finely balanced and it is our view that detailed information for approval particularly of the landscape buffer should be available to the decision maker prior to the determination of this application.

The methods behind the LVIA's assessment of the impact on the National Park and support for the conclusions drawn are not considered to be fully justified and should be supported by specific considerations of any impact on the National Park's special qualities.

The BBNPA accept that there is scope to mitigate the impact and provide enhancement to the landscape. However the elements of the proposed development contains illustrative and outline information only. The strategic landscaping particularly on the southern boundary should be provided in detail and it is our view that this element of the development should be approved at the outline stage to ensure that it is effective in integrating the development into the wider landscape.

In conclusion, the BBNPA currently OBJECT pending clarification of the matters raised above, a fully detailed landscape mitigation and enhancement scheme. The scale of the development and potential impact on the National Park and the limited detail of the mitigation offered at present have led to our view that it is necessary to request this information prior to determination.

#### 4.1.5 Torfaen County Borough Council – No comments on revised details/additional information received to date.

Initial comments:

This development is for outline consent, and therefore minimal details of the proposed development have been supplied beyond an indicative site plan and details of the proposed ridge heights. The site and the surrounding countryside should be considered to be the immediate setting of the BILWHS. At this point the significance of the setting, (including the site) is that it represents a continuation of the arable land within the actual WHS. Consequently, this site should be considered to form part of both the functional and aesthetic setting of the BILWHS. As such, any development which interrupted this agricultural continuity would have an adverse impact upon the overall setting of the BILWHS. This should be regarded as being a major adverse impact upon a minor element within the BILWHS.

The nearest formal component of the BILWHS is the Monmouth and Brecon canal which at this point is around 200m from the development site. Although screened to large extent by trees, the open views across the Usk Valley should still be considered to be key views from this asset and part of its wider setting. The proposed extension of urban development may therefore be considered to be a minor adverse impact upon a moderately important element of the BILWHS.

The development would also be seen from near the summit of the Bloreng Mountain, where it would appear as a further extension of the Llanfoist settlement. Although the actual impact would be very minor, this should be regarded as a key view from the BILWHS. This may therefore be considered to be a minor adverse impact upon an important element of the BILWHS. Consequently it is considered that this application would have a minor adverse impact upon the setting and outstanding universal value (OUV) of the BILWHS

Whilst no definitive details have been supplied, the development does appear to be quite intensive, and no efforts appear to have been made to soften the boundary with the BILWHS through either the provision of a built form which responds to its immediate proximity or anything more than the most minimal of landscape buffers. As such the development does not currently appear to include any design measures which may be considered to serve as mitigation for this adverse impact. Nor has any explanation been provided as to why such a development should be considered to be in the public interest. It is considered that this proposal would have a minor detrimental impact upon the OUV of the BILWHS. Insufficient mitigation has been provided and no explanation has been provided as to what wider public benefits would accrue from this development.

- 4.1.6 Cadw – The proposed development will have a very slight adverse impact on the setting of the World Heritage Site and therefore it will have a very slight impact on its identified Outstanding Universal Values.

An amended application along with additional information has been submitted for this proposed development. The amended plans reduce the area for new buildings and will mean that a smaller number of dwellings will now be built (now up to 115). The amendments will make the proposed development very slightly less visible from the World Heritage Site but this does not alter our opinion.

- 4.1.7 Glamorgan Gwent Archaeological Trust (GGAT) – No objections.

A field evaluation has already been conducted and reported on (Report no. BA1632GFLA, dated July 2016) without the benefit of the geophysical survey taking place. Nevertheless, none of the eleven trenches encountered any archaeologically significant remains. In particular, no features or structures relating to the medieval origins of Grove Farm or the adjacent fishpond were revealed. As such it is unlikely to be an archaeological restraint to this proposed development. Consequently, as the archaeological advisors to your Members, we have no objections to the positive determination of this application.

- 4.1.8 MCC Planning Policy - The site is located outside the Llanfoist Development Boundary in an area considered as open countryside; its development for a residential use would be contrary to Strategic Policy S1 of the LDP relating to the spatial distribution of new housing provision. The proposal is a departure from the adopted development plan and open countryside policies apply. With regard to the claimed need for the development, the shortfall in the Housing Land Supply is an issue that has been addressed in the LDP Annual Monitoring Report (AMR) (September 2016). The AMR is recommending an early review of the LDP as a result of the need to address the shortfall in the Housing Land Supply and facilitate the identification and allocation of additional housing land. It also suggests that the adoption of a pragmatic approach to the determination of residential development sites will also assist in this context (as recognised in TAN1, paragraph 6.2). That is, where sites are a departure from the LDP but are otherwise acceptable in planning terms a recommendation for approval may be considered. In this respect any application would need to be assessed against the other policies in the LDP.

- 4.1.9 MCC Heritage Officer – The initial comments on the application stated that the significance of the farmhouse is derived not only from its architectural value but also from its context and surroundings. It had, and still retains, a rural setting being an important group of agricultural buildings and substantial farmhouse surrounded by open rolling countryside having an immediate and direct working relationship with the land around it. This important setting emphasises the relationship of the building and

its use with the immediate and surrounding landscape an essential component to its significant historical and architectural value, a farmhouse without farm land is inappropriate. On this basis it was stated that the southern field should be omitted to protect as much as possible this important setting. The revised plans now omit this field. This is an improvement and allows the application to be considered acceptable. It is however suggested that the site should have a very high standard of design and follow a graded approach where building density decreases from the existing residential boundary towards the new southern boundary. Where possible the application should include sufficient detail to ensure that the development follows a high standard. In addition the integration of the scheme with the existing landscape supported by the GI masterplan will be essential in creating a successful scheme.

#### 4.1.10 MCC Green Infrastructure & Landscape Officer – No objection.

In assessing the merits of the proposed residential development, we considered its environmental impact, its landscape setting and it fitting into a rural context; beyond the development boundary in Llanfoist and as an urban extension of Llanfoist. We underlined the importance of the site and the need to understand it to the applicant and requested additional information to support the application. The submission of a revised site and context analysis, including green infrastructure, to inform (in this case) a framework drawing, ensured that there was a clear link between the analysis and design proposals. The framework was a useful step in the design process as it combined the results of the site and context analysis with the client's vision. It provided an opportunity to test their business case against what was feasible and appropriate on the site, which led to further refinement of design. We support the revised proposal but would advise that significant weight is given to fixing the design principles (to the permission) contained within the supplementary design statement, framework and parameter plans. The proposed development will have a lasting effect on a landscape of national and international significance and will affect the visual amenity of users of the Blaenavon WHS and Brecon Beacon National Park; where inter-visible and sequential views from and with other historic or natural features, including tranquillity and noise, will be affected. It is therefore imperative that if the proposal were to be approved, it would be constrained to the parameters described in the supporting documents, and that any future decisions relating to that outline permission are consistent with those principles.

#### 4.1.11 MCC Biodiversity Officer – No objection subject to conditions (see Section 6.0).

#### 4.1.12 Public Rights of Way – No objection in principle.

The applicant's attention should be drawn to Public Footpath 74 & 78 Llanfoist Fawr which run adjacent to the site of the proposed development and to the Active Travel Bill (Wales) which requires local authorities to continuously improve facilities and routes for pedestrians and cyclists and to consider their needs at design stage. The site is partly bounded by the B4269 which offers constraints to the easy creation of satisfactory pedestrian/cycle transport links to the existing surrounding Highway and Public Path Network.

Details of access to the walkway along Grove Avenue, to School Way and from the end of Llanellen Road to both Footpath 78 and the link opposite will be required. All routes should be upgraded to footpath/cycleways and buffered so as to provide pleasant convenient access.

All of the paths/cycleways and Green Infrastructure assets also need to be protected for use by the public and residents. Details of how this is to be achieved should also form part of the reserved matters application.

#### 4.1.13 MCC Highways – No objection.

Having considered all aspects of the proposed development we have concluded that there will be no significant impact on the local highway network to the detriment of highway safety. Therefore, there are no highway grounds to sustain an objection to the application subject to conditions being applied to any grant of planning approval or included in a Section 106 Agreement (see Section 6.0)

#### 4.1.14 MCC Housing Officer – As required by LDP Policy S4 and supported in adopted Supplementary Planning Guidance (SPG) 35% of residential units to be affordable and in neutral tenure.

#### 4.1.15 MCC Education - The catchment area school for the development is Llanfoist Fawr Primary School; the school currently has 205 pupils on roll and a capacity of 210 therefore it is unlikely that the school would be able to accommodate 26 additional pupils which is what we estimate to be generated from this development. However the Abergavenny area is projected to have 227 surplus places in September 2017 and 247 in September 2021 so there is capacity within the area to accommodate additional pupils, although if pupils are dispersed to other schools this could generate additional school transport costs if these schools are more than 1.5 miles away. Further advice as to whether s106 contributions will be sought awaited.

#### 4.1.16 MCC Open Space and Leisure – No objection. We would require the following provisions in relation to this development:

- On site provision of a local area for play (LAP), consisting of six items of play equipment for the 0- 5 years age range, preferably linked to the proposed open space provision on site;
- A commuted sum (payable on completion and adoption of the LAP) sufficient to cover the ongoing maintenance costs of the LAP over a 20 year period;
- An off-site contribution of £800 per unit for the improvement of existing play facilities in the local area for the 6 -12 years age range – for a development of 120 houses this equates to £96,000;
- An off-site contribution of £800 per unit for improvements to existing open space and recreation provisions in the local area – for a development of 120 houses this equates to a contribution of £96,000.

## 4.2 Neighbour Notification

Twelve representations received as of 23rd January 2017. (9 objections and 3 in support).

Objections on the following grounds:

- Proposed development site drawing is inaccurate in relation to boundary distances of properties in Crawshay Close and the proposed development. Property boundaries in Crawshay close are within 8 feet of the proposed development.
- Llanfoist is already under significant development and I refer to the below published statement by LDP; “The Secondary Rural Settlements of Usk and Llanfoist have made a disproportionate contribution to recent housing development in the County, which the new housing allocations seek to avoid”.
- LDP 4.1.1 states there is a need to ensure that adequate infrastructure is provided to support new development, including provision of sufficient water and sewerage infrastructure without any adverse impact on water quality. Currently this is a major issue due to current on-going developments in Llanfoist. The Pumping station regularly fails and requires daily road tanker



assistance. The pumping station is due for upgrading but would further new developments fall within its capacity. The proposed development also falls outside of LDP Policy S7 requirements.

- The School in Llanfoist is already oversubscribed meaning children and young people are already required to travel to Abergavenny and further afield for education and further learning opportunities. The lack of Leisure facilities in Llanfoist also requires travel to Abergavenny and further afield, as stated in LDP 3.45.
- The B4269 road adjacent to the proposed development regularly floods due to run off water from the Bloreng Mountain and the area of the proposed site. This location has also flooded more recently due to failures of the Monmouthshire & Brecon canal concrete sections, of which is sited directly in front of the proposed development. This regular flooding already presents a hazard to highway safety and the population in the area. This development does not meet the criteria of Policy S12/SD4.
- The development would have a serious adverse effect on views into and out of the Brecon Beacons National Park.
- The development would adversely affect the character and appearance of the BIWHS and be in breach of Policy LC2.
- The development will have a significant impact on trees, hedgerows and ponds on the proposed site. It will impact on the existing known and visible wildlife on this site such as badger setts, roosting of Horseshoe bats and the recent territory of kites, all of which are protected under current legislation.
- Waste services within the area have already been reduced, how will the Local Authority manage this increase and meet the current land fill directive targets for 2020?
- The location of the development does not meet the LDP Regional Transport Plan objectives (section 2.33 or MV1) as current infrastructure and road network through the village is already difficult and at times dangerous, especially for cyclists, due to heavy traffic patterns. The development would adversely further affect highway safety, as the road is extremely narrow at the location of the proposed development.
- Already four turnings within 100-150 yards of the proposed site entrance.
- The section of road is also liable to regular flooding and increased volumes of vehicles due to the re-direction of traffic from A4042 when the bridge at Llanellen is deemed unsafe due to high water levels, thus closing the road to all classes of vehicles which then pass through Llanfoist in order to re-connect with A4042, A40 and A465 heads of Valley road.
- Exacerbate existing queues from slip road by McDonalds.
- Contrary to the provisions of the Active Travel Act.
- Thought that Llanfoist was Green Belt
- No jobs for people moving into the new houses in Llanfoist
- Ribbon development that will set a precedent for other applications from local farmers.
- Site already rejected in the LDP. The purpose of an LDP is that the plan is a basis for rational and consistent decision making providing a measure of certainty and amongst other things, the protection of the environment. Since the decision to not include the land in the LDP, nothing has changed.
- Site is sensitive and should not be developed.
- If MCC are desperate for housing numbers then there should be a sequential test to ensure that more suitable sites are not available.
- Inadequate infrastructure both physical and social.
- Additional population will put too much stress on already stretched local services in relation to health and leisure.

- Planners and councillors bending the rules to enable development so that they can tick their target boxes with minimum effort.

Support for the following reasons;

- As retired people, we would like the opportunity to live in Llanfoist. The village is convenient and manageable for elderly people offering a range of services and conveniences not available to out of town dwellers.
- Need more houses and the sooner the better.
- We should welcome the opportunity of building new houses. The welcome McDonalds and Premier Inn are going to see more people in employment looking for somewhere to live.
- Opportunity for young people to get on the property ladder.

#### 4.3 Other Representations

##### 4.3.1 Abergavenny and District Civic Society – Objection in principle.

The revisions are a response to officers' comments and therefore suggest that you do not feel able to recommend refusal of this departure from the approved Local Development Plan. This is presumably because government policy expects the county to have a five-year supply of available housing land and a refusal here could lead to an approval in a less acceptable location. While we understand this dilemma, we have been given no reason to withdraw our 'in principle' objection as explained in our earlier letter (apart from the absence of any Welsh Water objection). Government policy appears misconceived in detail and further development at Llanfoist at this time should not be an option in the context of the county as a whole.

The revisions made to the illustrative masterplan are in some ways positive but unfortunately rely on building at a higher density to achieve a similar number of homes on a smaller area. The green infrastructure beside the access road will help to give the development some sense of place but the provision of all the open space beyond the housing area leaves no scope for public space within the housing. The suggested variety of housing and densities might, when detailed, help to achieve a development that has a distinctive quality.

The revisions must be as enforceable as possible via the terms of any outline approval. It will be particularly important to:

- Safeguard from future development the grazing area and open space on the southern and north-eastern sides of the site;
- Safeguard the existing green infrastructure, its reinforcement and new provision;
- Ensure active travel permeability and connections with the existing network and the school;
- Ensure that the applicants' Framework Plan and accompanying material becomes a design brief for the eventual development of the site.

##### 4.3.2 Gwent Police – No objections.

The development has been designed with lots of opportunity for natural surveillance helping to reduce the risk of criminal activity. The supporting information also states that the masterplan will look to use the principles set out in Secured by Design which will build a safe and secure development for the future.

#### 4.4 Local Member Representations

Cllr Hickman – No comments received to date.

## 5.0 EVALUATION

### 5.1 Principle of Development

- 5.1.1 The site is located outside the Llanfoist Development Boundary in an area considered as open countryside, its development for a residential use would be contrary to Strategic Policy S1 of the LDP relating to the spatial distribution of new housing provision. The proposal is a departure from the adopted development plan and open countryside policies apply.
- 5.1.2 Policy LC1 relates specifically to new built development in the open countryside, the policy contains a presumption against new built development although it does identify a number of exceptional circumstances involving new built development that might be permitted (subject to policies S10, RE3, RE4, RE5, RE6, T2 and T3). None of these exceptional circumstances apply and as a consequence the proposed development would be contrary to the policies contained in the Local Development Plan, most notably policies S1 and LC1.
- 5.1.3 Criterion i) of DES1 requires a minimum net density of 30 dwellings per hectare in order to ensure the most efficient use of land. The net developable area of the site is 2.81 hectares, giving a net density of 24 dwellings per hectare. This is below the required density but may be justified, given the sensitive setting of the site.
- 5.1.4 With regard to the claimed need for the development, the shortfall in the Housing Land Supply is an issue that has been addressed in the LDP Annual Monitoring Report (AMR) (September 2016). This is available on the Council's website and was formally endorsed for submission to the Welsh Government by Cabinet on 5 October 2016 (subject to call in procedures). The AMR is recommending an early review of the LDP as a result of the need to address the shortfall in the Housing Land Supply and facilitate the identification and allocation of additional housing land. It also suggests that the adoption of a pragmatic approach to the determination of residential development sites will also assist in this context (as recognised in TAN1, paragraph 6.2). That is, where sites are a departure from the LDP but are otherwise acceptable in planning terms a recommendation for approval may be considered. In this respect any application would need to be assessed against the policies set out above.

### 5.2. Visual Impact

- 5.2.1 Notwithstanding that the site backs onto a modern housing site and is opposite (in other words across the road from) four storey Council flats, the applicant and officers have sought to set the proposed site in an improved manner within the context of the unbuilt landscape to the south and west. In particular, and in line with LDP Policy GI1, the scheme has been designed to bring some of the natural landscape into the development maintaining green routes through the site, as well as highlighting connections to surrounding existing footpaths and rights of way.
- 5.2.2 At this stage it is not possible to prescribe details of materials nor specify species to be used in planting and greening of the site, as these can be satisfactorily dealt with through subsequent Reserved Matters (Landscaping and Layout) applications and conditions. Furthermore the precise scale of the development will be set at Reserved Matters stage. However the revised Heights and Scale Parameter plan explains the scale parameters which this development would accord with. As a consequence of feedback from Council officers the height of buildings is restricted to a maximum height of 9.5m across the site. Reflecting this feedback the Height and Scale Parameter Plan has been amended to exclude areas previously shown to accommodate up to 12.5m

and up to 11.5m ridge heights. The entire developable area now allows for development 'up to 9.5m to ridge' with a flexibility allowance of +/- 2 m above current ground levels, to take account of the potential changes which may be made to the ground level during construction.

- 5.2.3 In terms of the proposed layout this revised illustrative masterplan shows how higher density development can be achieved on the northern part of the site, with lower densities shown along the mid and lower sections of the site. The amendments made to the masterplan reflect the comments from officers which considered the development needed to provide a softer transition between urban and rural. Within the site, the illustrative layout is now more organic and provides a greater range of housing and a softer edge to the southern boundary which bridges the transition from rural to urban. The proposed development has been broken down into character areas and further details of what differentiates these in terms of typologies, street type and hierarchy and densities.
- 5.2.4 The main access road into the site is intended to create a green approach into the site. It is intended that the access road is flanked by a linear landscaping belt which connects the access road to the western site boundary and informal open space to north eastern area of the site. This will help create an attractive, green entrance feature which incorporates green infrastructure to reflect a more semi-rural character e.g. hedgerows, trees, shrubs and grassed areas. This area will form a key focal entrance to the development.
- 5.2.5 The proposed street layout and spaces and the way in which the building blocks relate to them have been designed to convey a strong, positive sense of place. Existing site features such as e.g. existing ditch to the south have been incorporated into the design. Visual links along streets and footpaths and open space have also been incorporated. Key focal spaces will be created within courtyard buildings which are intended to echo the arrangement within Grove Farm.
- 5.2.6 The ethos of the layout is that it is sensitive to its context and works with the constraints and opportunities presented by the topography, with a mix of house sizes and typologies. Within this, there are distinct differences in plot size with varying styles but which will retain an overall unity. Using the submitted illustrative layout, the development has been split into four distinct character areas. These areas are not intended to divide the development but to provide a subtle change in style, appearance, layout and density as the development goes from the more urban north to the more rural south. The character areas are:
- The Northern Terraces
  - The Green Avenue
  - The Central Development Area
  - The Southern Edge.
- The Green Infrastructure Framework Plan shows the broad locations of these proposed character areas.
- 5.2.7 On the Northern Terrace densities are commensurate with the typologies but slightly reduced to allow for the topography on this part of the site and equate to between 24-30 dwellings per hectare (dpa). This also reflects the surrounding context, being closest to neighbouring existing urban development. The houses on the northern terrace run east to west along the site's contours rising up to the top of the northern plateau. To achieve the density, plot sizes are generally modest and only slightly larger on the southern terrace where the ground level begins to drop. Here the housing is a combination of linked and semi-detached properties with an informal building line which in turn follows the contours.

- 5.2.8 The Green Avenue is the central access to the development but also the strategic green corridor running east west through the development. The mix of link, semi-detached and detached dwellings will sit along a 5.5m carriageway with a footway either side. The dwellings south of the access are set below an 8m landscaped swathe which at the eastern end connects to the open space and footpath link leading northwest, which in turn connects to the wider network. Plot sizes are slightly larger and development has a lower density than the Northern Terrace, although this area is proposed to accommodate a higher density than 'the Southern Edge development' character area. The average density should be between 15-20dpa. The Green Avenue is characterised by generous landscaping which softens the main access road and provides the strategic green link through the site, east to west.
- 5.2.9 The Central Development area is largely composed of linked, semi-detached and detached houses, although care has been taken to ensure that the corners and focal points are occupied by either dual aspect dwellings or properties with a return frontage. Gable ends should be articulated with simple but well-proportioned feature windows or doors and projecting bargeboards placed against the incline of the gable beneath the eaves. The plot sizes are large but densities are higher, this being the flattest and least visible part of the site, it being screened by the other character areas and landscaping. Road widths have been shown as 5.5m narrowing to private tertiary access roads serving small numbers of properties – typically less than 5 dwellings. This part of the development is more private and less visible. Long distance views into the central development area will be largely screened by other houses and the extensive landscaping within and surrounding the site.
- 5.2.10 The Southern Edge character area provides the transition to the more dense development to the north and the grazing land, leading to farm land and open countryside to the south and west. The houses here would be reminiscent of detached and semi-detached country cottages and small villas interspersed with mews style housing, echoing the courtyard arrangement at Grove Farm. This mix of typologies provides an edge of village feel. It will be served by a modest access road, leading to shared space and private driveways into the mews areas. The building line would be pulled back from the southern edge of the development, formed by a man made ditch, by 5-8m. Landscaping along the ditch will be enhanced and the hedgerow running along the existing access road to Grove Farm will also be strengthened with additional planting.
- 5.2.11 At this stage it is not possible to be prescriptive about materials or even architectural styles – these are details that need to be addressed at Reserved Matters stage. Nevertheless the overall aim is for good quality, uncomplicated design with attention focussed on a small number of very well designed details. Given the size of the site and the range and type of housing anticipated, there ought to be opportunities for some bespoke modern design solutions, within what is anticipated to be a largely traditional scheme – but only if these are very well executed and augment the overall design quality and do not jar with it.
- 5.2.12 A further key to success will be well designed and managed landscaping, a road and footpath network that is understated and not over-engineered with a focus on aiming to deliver householder parking off street or in shared space, proper connections to the surrounding footpath network and a materials palette that is simple and durable - and this should extend to hard landscaping and road / footpath surfacing. The onward management of the landscaped areas will need to be agreed along with a management and maintenance regime which can be subject to a planning condition.

### 5.3 Landscape Impact (including upon the BBNP and BIWHS) and Green Infrastructure

- 5.3.1 Landscaping remains a Reserved Matter, although a Landscape and Open Space Parameter Plan is intended to guide the future approach. This amended parameter plan includes a number of amendments which reflects Council Officer feedback. Previously a 15m (min) green buffer area was proposed adjacent to the southern access lane. Proposed dwellings in the southern area are now excluded so the 'buffer area' has increased substantially to a depth of approximately 60m. The total area measures approximately 0.97ha and will accommodate the necessary storm water infiltration/attenuation. The remainder of this area is proposed to be retained for grazing.
- 5.3.2 The area previously shown to accommodate rear gardens only, along the northern boundary has been removed. This reflects the increased density of development in this area closest to the existing settlement. A 5m wide trees/hedgerow area is allowed for along the northern site boundary. This area is proposed to be located outside of garden boundary and has been incorporated following officer's feedback which required tree planting in this area. Previously a 9m (min) green buffer was proposed along the western edge of the site along Gypsy Lane. This area has been increased to 12m reflecting comments from officers to increase the depth of this area.
- 5.3.3 The main east/west green link now comprises an 8m wide corridor, included within which is a 3m zone to accommodate a footway and 5m fully planted zone. This corridor is only crossed by one vehicular route, retaining a connectivity with the open space to the north of the pond. This has been designed to sit alongside the access road to provide a green entrance feature into the site. An area of informal open space measuring 0.94 ha is also shown on site, to the north of the pond. This area is likely to accommodate a children's natural play area along with additional planting (including trees) and potential footpaths. Subject to discussion with the Council and the neighbouring school, a small section of this land may be gifted to the school for use as part of the Forest School initiative.
- 5.3.4 The southern part of the site no longer contains proposed dwellings. This change has been made in recognition of the Council's comments which required a much more extensive set-back area (than the previously proposed 15m) to account for the site's heritage and landscape setting. This area will accommodate proposed SUDS or alternative drainage solution(s) (including pumping station) with the remainder used for grazing. In addition to this existing gaps within the existing southern hedgerow boundary (A-B) are still proposed to be planted with native species and additional trees to help strengthen this boundary.
- 5.3.4 The relationship between the development and the eastern boundary will take into account the sensitivity of the adjacent setting of the listed building, its curtilage and pond. A minimum 6m buffer to this edge will provide the opportunity for a peripheral green link (as highlighted within the Green Infrastructure Opportunities Plan). Development boundaries and the positioning of buildings should continue to be carefully considered to provide an attractive interface between the development and its historic neighbour at reserved matters stage. It is also proposed to strengthen the existing landscaping to the north of the pond providing additional screening and filtering of views through to the development site from Grove Farm.
- 5.3.5 The boundary between the existing properties on Crawshay Close and the northern part of the site is now proposed to be formed by an area of planting which will be located outside garden boundaries. This will reinforce the green link along the northern

boundary. The green area running adjacent to Gypsy Lane has increased in width from 9m to 12m. A new footpath is proposed on highway land between the current end of the footpath and the proposed new vehicular access to provide a connection towards the existing public right of way on the western side of Gypsy Lane.

- 5.3.6 The Green Infrastructure Opportunities Plan identifies open space and landscaping opportunities within the proposed development area. This has included reference to the potential to include street tree planting, an east/west green transport corridor. Additional opportunities are also identified within the site's red outline, these include Open space (including an identified opportunity to include some natural play area(s), landscape buffers and street tree planting. This landscaping area could incorporate new street trees, hedgerows, shrubbery and footpath to help create an attractive, green focal point.
- 5.3.7 Should the Council be minded to approve the application, the submission is considered to be sufficiently robust in terms of the parameters, characterisation and green infrastructure to achieve the Council's objective for high quality development and will provide the framework for a future Reserved Matters application and any associated conditions.
- 5.3.8 The proposal is not able to offer the opportunity for on-site allotments or public access to the adjacent lake (which is outside the planning application's proposed red outline boundary).

#### 5.4 Access and Traffic

- 5.4.1 Access is proposed to be achieved via a priority T-junction from Gypsy Lane. The plans and supporting information have been assessed by the Council's Highway Officers and in particular the submitted Transport Assessment prepared by Vectos. As part of the Transport Assessment (TA) a detailed analysis of the existing local highway network and its primary junctions was carried out with surveys taken at various junctions in the area. The surveys demonstrated that the peak periods on the highway network were between 08:00 – 09:00 in the AM and 17:15 – 18:15 in the PM. The TA has assessed the effect of the traffic impact from the proposed development of 120 residential dwellings (as originally submitted) on the local highway network. The projected trip rates from the proposed development have been obtained from the TRICS database which is the recognised database for trip rate information. The projected trip rates in the AM peak period is 49 two way movements and 72 two way movements in the PM peak period. The proposed site access/junction and Gypsy Lane/Merthyr Road junction has also been modelled to assess the function of the junctions in terms of capacity, queuing and congestion and to incorporate future traffic growth over the next 5 years to establish the projected impact on the local highway network.
- 5.4.2 Having considered the submitted data it is considered that the increased level of traffic associated with the proposed development and its impact on the existing highway network will be slight and will not exacerbate the existing situation to the detriment of highway safety.
- 5.4.3 The access is proposed directly onto the adjacent B4269 in the form of a priority T-junction of standard width 5.5m. The proposed access is located within the existing 30mph speed limit which extends beyond the existing access to Grove Farm approximately 250m south. The visibility splay from the junction is 2.4m x 40m in both directions which is the maximum requirement as set out in Manual for Streets for a 30mph speed limit. However, Manual for Streets focuses on lightly trafficked residential streets and lightly trafficked lanes in rural areas. The B4269 is neither a street nor a

lightly trafficked rural lane therefore Manual for Streets is not considered appropriate and the visibility standards as set out in Technical Advice Note 18 (TAN 18) would be applicable. Having assessed the visibility splay detail as presented in the TA it is clear that a visibility splay of 2.4m x 70m is achievable in both directions which is the minimum requirement set out in TAN 18 within a 30mph speed limit.

- 5.4.4 An illustrative site masterplan has been submitted as part of the application which shows a network of estate roads which feed from the primary access estate road. In general terms the indicative layout is not unreasonable as it consists of typical estate road and footways however it is accepted that the detail be considered further at the reserved matters stage. In light of the above it should be ensured that a standard sized refuse vehicle can adequately access and turn within the estate. A swept path analysis should therefore be submitted for approval together with a refuse audit. Refuse collection is based on kerb side collection therefore no bin stores would be provided.
- 5.4.5 Careful consideration should be given to the proposed use of highway construction materials as any material which is over and above conventional materials would require a commuted sum for its future maintenance.
- 5.4.6 Potential pedestrian links are provided at two further points as well as at the vehicular access. These links are intended to provide a pedestrian connection towards Llanfoist Fawr Primary School. The application also now includes a proposed footpath on adopted highway land alongside Gypsy Lane. This then provides a link into the site. This allows for a connection with the existing Public Right of Way, located to the south-west of the site. The TA refers to existing pedestrian infrastructure between the application site and Abergavenny Town Centre which is of a reasonable standard to accommodate the prospective increase in pedestrian movement from the application site. In addition the TA has considered Monmouthshire's aspirations to improve the Active Travel Network by providing good pedestrian links between residential developments and the Town Centre and local facilities. These aspirations include a new bridge over the River Usk for pedestrians and cyclists to provide safer access into the Town Centre and new pedestrian/cycle facilities along the river bank. The TA suggests that these improvements to the Active Travel Network will be funded through road safety capital schemes, but this is not the case. The Council therefore will require a contribution towards such improvement schemes.
- 5.4.7 Considering pedestrian movement at the application site there are no existing pedestrian facilities along the site frontage. However there is an existing footway on the opposite side of the junction on the B4269 which links Llanellen Road to the B4246, Merthyr Road. There is an existing footway on the application sites side of the B4269 which fronts the adjacent School Way development and links to Merthyr Road however this terminates at the application site boundary. The TA and accompanying drawings make reference to a 1.8m wide footway to be provided at both sides of the proposed junction with the northern footway extending from the junction along the existing highway verge and tying into the existing footway fronting the School Way development. The southern footway is shown to terminate at the junction radius which may connect to the existing footway on the opposite side of the B4269 via an uncontrolled pedestrian crossing.
- 5.4.8 The footways referred are shown to be 1.8m wide which is below the desired width of 2m. It should be noted that there is sufficient highway verge to accommodate a 2m wide footway and therefore a 2m wide footway will be required. Considering the on-site pedestrian links, a revised masterplan has been submitted together with a supplementary design statement which now makes reference to pedestrian links to the adjacent public right of way and school and proposed links to the existing public right



of way at the southern corner of the site. Whilst improvements have been made there is still room for additional links within the site itself to create good pedestrian permeability. We would therefore expect that this element be further considered at the reserved matters stage.

- 5.4.9 The TA states that the development will comply with the Monmouthshire Parking Standards 2012 which will be assessed at the reserved matters stage. It should be noted however that integral garage parking does not count towards parking provision for individual units based on permitted development rights to convert garage space into domestic living space. Detached garages do count towards the parking provision but must be designed in accordance with supplementary planning guidance 'Domestic Garages'.
- 5.4.10 There are existing bus stops on Llanellen Road and Merthyr Road which are accessible by foot approximately 280m and 700m away from the application site. The TA suggests that the existing bus services referred to are sufficient. However, referring to figure 2.7 'Local Bus Routes' no bus service passes the junction of the development site. Therefore, the view of the Council's Transport Policy Manger should be sought with regards to the suitability of the existing services and whether they are adequate to serve Abergavenny Town Centre and beyond. The applicant will be required to make a financial contribution towards off-site improvement works to improve road safety and sustainable transport provision and walking/ cycling and public transport provision within the local area in accordance with the Active Travel Act 2013. This would be secured as part of the Section 106 legal agreement. The contribution (in respect of how it would be used and how much it would be) will be clarified via late correspondence

## 5.5 Impact on Listed Building

- 5.5.1 The application site is immediately adjacent to Grove Farm which is a highly graded listed building (Grade II\*). It has been included in the list due to it being an interesting manorial farmhouse with especially complete 18th Century interiors. The special character of the building is derived from its earlier medieval origins together with substantial retention of C18th alterations to the farmhouse. The building, together with its group of associated farm buildings, remains relatively unaltered in terms of the layout of the site since the 1840's. The 1840 map shows the access as it is today providing access to Grove Farm (known then as Middle Llanfoist) and then on to Lower Llanfoist farm. This was lined to either side with trees, however the fields either side remained as open farmland. The field to the north of the pond appears to be an orchard.
- 5.5.2 The significance of the farmhouse is also derived from its context and surroundings. It had, and still retains, a rural setting being an important group of agricultural buildings and substantial farmhouse surrounded by open rolling countryside having an immediate and direct working relationship with the land around it. This important setting emphasises the relationship of the building and its use with the immediate and surrounding landscape an essential component to its significant historical and architectural value, a farmhouse without farm land is inappropriate. This association is very important in understanding the history of the building and appreciating its historical development and overall significance. The developments along Gypsy Lane have mostly respected this setting leaving a clear green wedge between it and Grove Farm retaining its immediate rural setting.
- 5.5.3 The removal of the southern field from built development is very much welcomed as this at a very minimum preserves the setting and entrance to the farmhouse and its

immediate understanding and context. In terms of the remaining part of the site it is considered that due to its very sensitive nature and the historical designations a high standard of design is required to ensure the suitability of the development. The proposed reduction in number of units is welcomed, although this should also be considered against a need to incorporate a graded density, with a higher density towards the currently built up area. The plans show three zones which deal with this issue, again this is welcomed. There are now maximum heights for the dwellings, again an important step in ensuring an appropriate scale as well as density. The success of the scheme will also relate to the ability of the development to incorporate the features of the landscape and improve the green infrastructure within the residential spaces. The incorporation of the GI Masterplan and Opportunities Plan are positive.

## 5.6 Biodiversity Considerations

5.6.1 A biological data search would have identified that the fields opposite the development site have previously been designated as a Local Wildlife Site (LWS). Grove Farm LWS was designated in 2002 due to the high quality of the grassland (neutral & marshy). Unfortunately, the grassland has been lost in recent years due to intensive horse grazing. The new development therefore presents an opportunity to compensate for that loss by ensuring that grassland and open spaces at the site are created and managed to be species rich grassland.

5.6.3 The ecological assessment considered impacts on newts, reptiles and badgers. Based on the current proposals this is considered to be sufficient. A number of hedgerows at the site are included for retention during the scheme and currently, none are proposed for removal. A robust dormouse survey has been received which confirms the likely absence of the species from the vegetation at the site at the time of the survey.

5.6.4 Great crested newts are known to occur in the locality however, survey has confirmed that they are absent from the pond immediately adjacent to the site. It is unclear from the survey whether the presence of three grass snakes occurred on more than 50% of visits (which would trigger SINC status of the site). However, based on the scheme presented, the population should be safeguarded in the long term, subject to being able to secure the green infrastructure. A planning condition to ensure grass snakes are not killed during the construction phase is recommended (see Section 6.0). It is also recommended that a pre-construction check for badgers is included in the Wildlife Protection Plan to ensure that there are no conflicts at the time of construction.

5.6.5 The site is close to known roosts for several bat species including lesser horseshoe bats. Habitat retention and positive management for biodiversity will reduce impacts however, lighting will be key. It therefore recommended that a condition be added to cover this (see Section 6.0). The proposal is considered to be in accordance with LDP Policies S13 and NE1 subject to mitigation secured by conditions.

## 5.7 Residential Amenity

5.7.1 As this is an outline application the layout and appearance of the proposed dwellings are not yet known. The site is large enough to accommodate a layout that will ensure that there are adequate privacy distances and landscape buffering between the proposed new houses and the existing dwellings on neighbouring Crawshay Close. Adequate space can also be achieved within the site between dwellings at the density of the development proposed.

## 5.8 Section 106 Requirements

- 5.8.1 As well as the affordable housing provision covered in Section 5.9 below, the Council will also be seeking financial contributions for open space and local play provision, green transport and highway improvements.
- 5.8.2 In terms of open space and play, provision should be made for one LAP (local area for play) in a central location within the site, consisting of five or six pieces of play equipment for children in the 0 – 5 years age range. It is understood that the applicant would like this to be a natural play area and is agreeable to providing this on the open space already allocated in the Masterplan. A commuted sum from the developer to maintain the LAP for the first 20 years of its life would also be required if it is to be adopted by the Council.
- 5.8.3 A contribution from the developer towards the improvement of off-site play provision in the village of Llanfoist would also be sought. The illustrative Masterplan shows the potential for a footpath links which would be welcomed. This would give a safe means of access to existing off-site play provisions at the main village playing field and at the site of the former Primary School site off Woodland Crescent.
- 5.8.4 In terms of off-site recreation, recent developments in Llanfoist have increased pressure on the existing public open spaces and outdoor sports facilities in the locality and the development of this site would add to that pressure so an off-site contribution towards the improvement of existing sites in the local area would need to be included in the s106 agreement. The standard rate of contribution for off-site recreation approved by members last year is £3,132 per dwelling but it would be unreasonable to ask for a contribution of £375,840 (120 units x £3,132) in this case, as the applicant is proposing to provide a significant area of public open space within the application site. On this basis a contribution of £800 per unit would be sought (the same level of off-site contribution as that for fixed play provision), resulting in an off-site recreation contribution of £96,000.

## 5.9 Affordable Housing

- 5.9.1 The price of housing in Monmouthshire has risen to a level beyond that which many local people can afford. In 1999 the price of an average property in Monmouthshire was 4.6 times the average earnings of someone working in the County. This has now risen to over 9 times the average earnings (Source: Hometrack LQ house price - income ratio 03/01/17). The greatest need in the County is for social rent (there are currently 1028 households on the Council's Register requiring a home in the Abergavenny area). The Council therefore has had a neutral tenure policy for all affordable housing.
- 5.9.2 As the site is located outside the Llanfoist Development Boundary it is a departure from the LDP. The Affordable Housing Supplementary Planning Guidance was adopted in March 2016 and contains a specific section relating to departure applications in the open countryside (Section 4.4 E). This states that there is a requirement for 35% of the total number of dwellings on the site to be affordable. The proposal relates to up to 115 dwellings and so the affordable housing requirement would therefore be in the region of 40 units. Given that one of the stated justifications for this departure application is the need to provide affordable housing then it is considered to be essential to be satisfied at this stage that the proposal is both deliverable and viable and can achieve an appropriate amount of affordable housing.
- 5.9.3 The preferred housing mix would be 8 x one bed units (two blocks of walk up flats), 16 x two bed houses, 2 x 4 bed houses and 6 x 2 bed bungalows.

5.10 Reasons for Planning Conditions requiring a shorter timescale for submission of reserved matters and to commence development after approval of the outline permission

5.10.1 The standard condition whereby there are normally three years in which the reserved matters are to be submitted following the grant of outline permission has been reduced to allow twelve months for submission of reserved matters (condition 2 below). The reason for this is that the site, which is in open countryside and not a housing allocation in the adopted LDP, is only recommended for approval on the basis that it would help reduce the shortfall in the Council's five year housing land supply. For similar reasons the period in which the development must be commenced has been reduced from five years from the date of the outline permission to three years (see condition 3 below).

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

5.11.1 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.

**6.0 RECOMMENDATION: APPROVE subject to a s106 agreement (Heads of Terms set out in sections 5.8 and 5.9 above)**

Conditions:

1	Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
2	Any application for approval of the reserved matters shall be made to the local planning authority not later than <b>twelve months</b> from the date of this permission.
3	The development shall begin either before the expiration of <b>three</b> years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
4	The development shall be carried out in accordance with the list of approved plans set out in the table below.
5	Prior to the commencement of the development hereby approved a notice shall be given to the local planning authority. (a) stating the date on which the development is to begin; (b) giving details of the planning permission and of such other matters as is required by Schedule 5A to the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 as amended ("the Order"). Reason: To comply with the requirements of Section 71ZB of the Town and Country Planning Act 1990 as amended by Section 34 of the Planning (Wales) Act 2015.

6	<p>The proposed development site is crossed by a public sewer with the approximate position being marked on the attached Statutory Public Sewer Record. The position shall be accurately located, marked out on site before works commence and no operational development shall be carried out within 3 metres either side of the centreline of the public sewer.</p> <p><i>Reason: To protect the integrity of the public sewer and avoid damage thereto, protect the health and safety of existing residents and ensure no pollution of or detriment to the environment</i></p>
7	<p>No development shall commence until a foul water drainage scheme to satisfactorily accommodate the foul water discharge from the site has been submitted to and approved in writing by the local planning authority. This scheme should connect at manhole reference SO29125902 unless otherwise agreed in writing with the local planning authority. Thereafter, no dwelling shall be occupied until the agreed foul drainage system has been constructed, completed and brought into use in accordance with the approved scheme.</p> <p><i>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.</i></p>
8	<p>No dwellings on the site shall be occupied before the implementation of the proposed site access/junction onto Gypsy Lane and associated footway links along the site frontage within the existing public highway verge.</p>
9	<p>No development shall commence until an Estate Street Phasing and Completion Plan has been submitted to and approved in writing by the Local Planning Authority. The Estate Street Phasing and Completion Plan shall set out the development phases and the standards to which the estate streets serving each phase of the development will be completed. The development shall be carried out in accordance with the approved Estate Street Phasing and Completion Plan.</p> <p><i>Reason: - To ensure that the estate streets serving the development are completed and thereafter maintained to an acceptable standard in the interest of residential / highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the development and to safeguard the visual amenities of the locality and users of the highway.</i></p>
10	<p>No development shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and Maintenance Company has been established.</p>
11	<p>No development shall commence until full engineering, drainage, street lighting and construction details of the streets proposed for adoption have been submitted to and approved in writing by the Local Planning Authority. The development shall, thereafter, be constructed in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.</p> <p><i>Reason: In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved</i></p>

	<i>development; and to safeguard the visual amenities of the locality and users of the highway</i>
12	As part of the reserved matters, details of the proposed pedestrian connectivity between the proposed and existing pedestrian infrastructure, footways and footpaths (PROW's) shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details which shall include a phasing plan for the provision of the pedestrian infrastructure. Reason: to meet the terms of The Active Travel Act 2013
13	No development shall commence on site until a detailed surface water management scheme has been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
14	No development shall commence until a Construction Traffic Management Plan (CTMP) has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
15	<p>Prior to occupation, a "lighting design strategy for biodiversity" shall be submitted to and approved in writing by the local planning authority. The strategy shall:</p> <p>a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and</p> <p>b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places. All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.</p> <p><i>Reason: to safeguard foraging/commuting habitat of lesser horseshoe bats roosting in close proximity to the site and other light sensitive species in accordance with LDP policy EP3</i></p>
16	<p>No development, demolition, earth moving shall take place or material or machinery brought onto the site until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include details of measures to protect:</p> <ol style="list-style-type: none"> <li>1) Nesting Birds</li> <li>2) Common reptile species</li> <li>3) Badgers</li> </ol> <p>The construction Method Statement shall thereafter be implemented in full.</p> <p><i>Reason: Safeguarding of protected and priority species during construction works LDP policy NE1 and Environment (Wales) Act 2016</i></p>
17	The layout, landscaping, appearance and scale (reserved matters) of the development hereby approved shall be in accordance with drawing no. WE31467 02 17 (Green Infrastructure Framework Plan).

Informatives

The car parking provision for each individual dwelling shall be in accordance with the adopted Monmouthshire Parking Standards 2012

With reference to condition 5 above, the developer will be required to enter into a Section 278 Agreement with the Highway Authority for the implementation of the proposed site access/junction and associated footway links along the site frontage within the existing public highway verge.

Please note that all birds are protected by the Wildlife and Countryside Act 1981 (as amended). 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 bird species is between March and September.

Please note that all reptiles are protected by the Wildlife and Countryside Act 1981 (as amended). It is illegal to intentionally kill or injure Adder, Common lizard, Grass snake or Slow worm. If reptiles are found at any time during clearance or construction, all works should cease and an appropriately experienced ecologist must be contacted immediately.

Please note that the hazel dormouse is protected under The Conservation of Habitats and Species Regulations 2010 (as amended) and the Wildlife and Countryside Act 1981 (as amended). This includes protection for individual dormice from killing, injury, capture or disturbance. It is also an offence to damage or destroying breeding sites or resting places even if the animal is not present. If dormice are found during the course of works, all works must cease and the Natural Resources Wales contacted immediately.

Please note that Badgers are protected under the Protection of Badgers Act 1992. It is illegal to wilfully kill, injure, take, possess or cruelly ill-treat a badger, or attempt to do so; to intentionally or recklessly interfere with a badger sett by damaging or destroying it; to obstruct access, or any entrance of, a badger sett and to disturb a badger when it is occupying a sett. To avoid breaking the law, follow the advice provided by the consultant ecologist and if work is within 30m of a sett consult with Natural Resources Wales.

Please note that Great Crested Newts are protected under The Conservation of Habitats and Species Regulations 2010 (as amended) and the Wildlife and Countryside Act 1981 (as amended). This includes protection for individual newts from killing, injury, capture or disturbance. It is also an offence to damage or destroying breeding sites or resting places even if the animal is not present. If great crested newts are found during the course of works, all works must cease and Natural Resources Wales contacted immediately.

The proposed development (including any demolition) has been screened under the Environmental Impact Assessment Regulations and it is considered that an Environmental Statement is not required.

The Local Planning Authority is to be notified of the commencement of site works. A copy of a standard form is attached to this consent for this purpose.

Any person carrying out the development to which this planning permission relates must display at or near the place where the development is being carried out, at all times when it is being carried out, a copy of any notice of the decision to grant it, in accordance with Schedule 5B to the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 as amended and Section 71ZB of the Town and Country Planning Act 1990 as amended by Section 34 of the Planning (Wales) Act 2015.

The Naming & Numbering of streets and properties in Monmouthshire is controlled by Monmouthshire County Council under the Public Health Act 1925 - Sections 17 to 19, the

purpose of which is to ensure that any new or converted properties are allocated names or numbers logically and in a consistent manner. To register a new or converted property please view Monmouthshire Street Naming and Numbering Policy and complete the application form which can be viewed on the Street Naming & Numbering page at [www.monmouthshire.gov.uk](http://www.monmouthshire.gov.uk). This facilitates a registered address with the Royal Mail and effective service delivery from both Public and Private Sector bodies and in particular ensures that Emergency Services are able to locate any address to which they may be summoned.