

Design And Access Statement 3

Planning application P/2023/0756 relating to the Revisions requested by the Planning Officer incorporating a Green Infrastructure Statement

We thank the Council for its response to our application. The Council has raised two objections to the original application, firstly that it does not provide sufficient Net Bio-diversity Benefit and secondly that the design is over dominant in relation to the street scene.

We have revised our application to comply with Council requirements by:

1. Reducing the building to a two story two-bedroom dwelling with a lower ridge height.
2. Retaining the rear leylandii hedge.
3. Removing two small non-native leylandii hedges, 8 metres in length as set out in the original application and replacing them with native hedges 24 metres in length.
4. Planting 6 trees on-site to replace the 2 trees and 1 **woody shrub** (red text is from the Arboricultural Report) being removed.

Environmental/Ecological Options

We are offering an additional option for the Council's consideration which we consider delivers more Net Bio-diversity Benefit than the revisions set out in proposal 2:

- 2 Alternative. Removing the rear leylandii hedge and replacing it with either native holly and yew or espaliered apple trees.

Policy Compliance

Environmental and Ecological Compliance – The Green Infrastructure Statement.

The site is **previously developed land** (green text is from PPW Edition 12). Allowing development here reduces the need for development on a greenfield location at a future stage. This delivers NBB as set out in PPW12. (see Appendix - Policy Note 1)

The site is in an existing **active and social place**. Allowing development here provides environmental benefits by providing sustainable development location which reduces the Welsh carbon footprint as set out in PPW12. (see Appendix - Policy Note 3)

The following section provides a **short but not onerous** Green Infrastructure Statement **proportionate to the scale and nature of the development** adding to the statement made in the applicant's PEA. It also demonstrates that this proposal now fully follows the **Step-Wise approach** required under PPW12 paragraphs 6.2.5, 6.2.12 6.4.11 as set out in Appendix - Policy Note 3.

The Step-Wise Approach

Paragraph 6.4.11 sets out the Step-Wise Approach which is to maintain and enhance biodiversity, build resilient ecological networks and deliver net benefits for biodiversity by ensuring that any adverse environmental effects are firstly avoided, then minimized, mitigated, and as a last resort compensated for. Enhancement must be secured by delivering a biodiversity benefit primarily on site or immediately adjacent to the site, over and above that required to mitigate or compensate for any negative impact.

The four steps are:

1. Avoid adverse environmental loss; if not
2. Minimise loss; if not;
3. Mitigate/Restore loss; if not
4. Compensate for loss.

The target is to enhance.

Following the Step-Wise Approach

Step 1

By proposing a new dwelling it is not possible to avoid all environmental loss. In line with Step 1 the revised proposal has reduced the required parking provision releasing one parking space to be replaced by garden land. This avoids reducing some of the existing garden space.

Step 2

In line with Step 2 the removal of one parking space also reduces ecological loss by allowing part of the existing gravel driveway to be turned back into a garden area, thus increasing the environmental area and also providing a space suitable for the planting of a larger urban tree.

In line with Step 2 the proposal has been amended to retain the rear Leylandii hedge between the Site and the Red Lion. This reduces existing ecological loss. Please note that despite this compliant approach it brings no ecological enhancement to the site.

Step 3

Hedging Replacement

To create the development 8 metres of Leylandii hedge must be removed as shown on the Topographical survey in two locations; firstly where the front wall of the new dwelling is being built and secondly where the entrance to the new parking access onto Marford Hill/Chester Road is being created. To mitigate this loss and deliver enhancement the proposal suggests planting 24 metres of new native hedge - yew and holly - 10 metres of which will run along the existing Ingledene cul-de-sac boundary and 14 metres of which will surround the new Ingledene rear garden to provide privacy.

This is an ecological enhancement because it provides 3 times the volume of hedging. It is native as opposed to non-native. It enhances ecological diversity because it consists of multiple tree species. The proposed hedging locations are shown on the newly submitted site plan.

Hedging Species choice.

The applicant is happy to accept the Council's recommendations for species of hedging but would wish the hedging surrounding Ingledene's revised rear garden area to be evergreen. The choice of hedging species could be set out in a planning condition requiring the Council's approval of species introduction and planting layout.

Tree Loss Analysis

The proposal requires the removal of 2 trees and 1 **woody shrub** which are agreed by the Tree Officer to be **relatively low in terms of amenity** (blue text is from the Officer's Response document) and **have a negligible impact on character of the street scene**. The Tree Officer also **agree[s] with the findings of the arboricultural report and the tree categorisation within**.

Two of the plant identified on the Arboricultural Survey Plan being removed are in unsuitable locations for their ongoing growth and development.

The native holly (T2) next to the neighbours could eventually interfere with the garage and be required to be cut down or excessively pruned as it overhangs the adjoining garden.

The non-native Pittosporum Tenuifolium (T7) is being removed as it is in the way of the required new access visibility splay which provides a significant public safety benefit. Whether it is a tree or not is in some doubt as it has been identified by the Arboricultural Analyst as a **woody shrub**. It is located **against the wooden boundary fence and growing out of a small low raised brick border, where branches over the pavement have been pruned back to the fence boundary** which is also next to the roadside pavement. The constraints of raised brick border and roadside wall effectively places this shrub in a large planter and does not allow it to thrive properly. The position next to the pathway will require continuous and regular pruning reducing its ongoing growth potential. Should the roots break open the walls or the pavement then the tree will require removal in any event.

Understanding Tree Replacement requirements

Both the Tree Officer and the Ecology officer suggest that the initial proposal made in relation to trees did not provide Net Bio-Diversity Benefit enhancement. The Tree Officer has requested the allocation of suitable space for an increase in the canopy cover of 20%. The Ecology Officer has suggested that the new PPW12 requires three trees to be planted for every one being removed. The Planning Officer has not determined which of these two vastly differing requirements is correct, however it is fair to say that the Tree Officer is responsible for setting the application's tree requirements.

PPW 12 is not applicable to this application

The planning application was made in October 2023 and is therefore subject to PPW Edition 11. PPW 12 was introduced in February 2024 and does not apply to the application. However the applicants are extremely supportive of environmental and ecological improvement policies and wish to attempt to comply with the new policy, although they are not obliged to.

The Applicant has carefully read the new PPW12 to determine which officer's request should apply to a planning application made after February 2024. The Applicant believes that it is the Tree Officer's target which is applicable and not the 3:1 replacement ratio suggested by the Ecology Officer. The reasoning for this belief is set out in the box below.

PPW12 Tree Replacement Policy

PPW12 Para 6.4.39 sets out general requirement for enhancement targets to "guide the protection ... of canopy cover" which applies to all applications. WCBC has a tree strategy with a minimum tree canopy target and the Tree Officer has directed the applicant to the WCBC requirement of protecting and increasing the canopy cover by 20%.

It states: Planning authorities must protect trees, hedgerows, ... where they have ecological value, contribute to the character or amenity of a particular locality, or perform a beneficial green infrastructure function. Planning authorities should consider the importance of trees and woodland, particularly native woodland and valued trees, and should have regard to local authority tree strategies or SPG and the Green Infrastructure Assessment. Planning authorities should adopt appropriate, locally relevant, time sensitive, minimum tree canopy cover targets for their authority area to guide the protection and where appropriate the expansion of canopy cover.

PPW12 para 6.4.40 relates to planning applications and states: Where trees, woodland and hedgerows are present, their retention, protection and integration should be identified within planning applications. Where surveys identify trees, hedgerows, groups of trees and areas of

woodland capable of making a significant contribution to the area, these trees should be retained and protected.

PPW12 para 6.4.40 continues: The **provision of services and utilities infrastructure** to the application site should also avoid the loss of trees, woodlands or hedges and must be considered as part of the development proposal; where such trees are lost, they will be subject to the replacement planting ratios set out below.

This statement identifies one specific circumstance in a planning application where the 3:1 ratio overrides the local authority's canopy cover target policy. It clearly states that a tree that is lost because of utilities provision must be replaced by three trees. It follows that a tree that is lost for other reasons does not have to be replaced by three trees. The 3:1 ratio is only to be implemented in specific circumstances and not in relation to every tree loss.

In this application trees are not being lost because of the provision of services and utilities infrastructure. The 3:1 planting ratio does not apply on this basis.

PPW12 para 6.4.41 moves from urban applications to countryside applications. Again this paragraph does not impose the 3:1 replacement ratio on tree loss but states measures should be taken to replace them in an effective and economic manner.

PPW12 para 6.4.42 discusses planning schemes.

A scheme is "*a plan or arrangement involving many people which is made by a government or other organization.*" Collins English Dictionary. This minor development planning application is not a scheme.

Paragraph 6.4.42 states: Permanent removal of trees, woodland and hedgerows will only be permitted where it would achieve significant and clearly defined public benefits. Where individual or groups of trees and hedgerows are removed **as part of a proposed scheme**, planning authorities must first follow the step-wise approach as set out in paragraph 6.4.15. Where loss is unavoidable developers will be required to provide compensatory planting ... at a minimum ratio of at least 3 trees of a similar type and compensatory size planted for every 1 lost.

Paragraph 6.4.42 therefore sets out the other circumstance where a 3:1 replacement ratio is required - in a "scheme" – not an application - which introduces tree loss.

Paragraph 6.4.11 sets out the Step-Wise Approach which is to maintain and enhance biodiversity ... Enhancement must be secured by delivering a biodiversity benefit primarily on site ... over and above that required to mitigate or compensate for any negative impact.

Paragraphs 6.4.12 states that the NBB should be proportionate to the scale and nature of the development. Requiring the replacement of 1 tree with 3 would not be proportionate to the scale of a single dwelling proposal in a side garden where the garden sizes requirements are set out in the local planning policy and accordingly limit the space which is available for tree planting.

It is on this basis that the Applicant suggests that the Tree Officer's canopy cover target is the appropriate policy to be implemented for this application. The Tree Officer is the officer responsible for tree protection within WCBC.

Tree Replacement Proposal

As set out above the Applicant does not accept that there is a requirement for replacing each tree being removed with 3 new trees. The applicant believes that the Tree Officer's requirement as set out in the local Tree Strategy is the appropriate target. Nevertheless the applicant is extremely supportive of ecological improvements and is happy to provide more trees than are required.

We are now proposing planting 6 trees on site to replace the 2 trees and 1 woody shrub. The applicant believes that there is sufficient space to plant 6 compensatory trees - given that the rear

garden spaces being delivered of 75 and 85 sq. metres are in excess of the minimum 50 sq. metres required with additional front garden land being provided for the new dwelling by the removal of a car parking space.

The replacement requirement is for compensatory trees which in this case would be small trees. The applicant is proposing 2 small apple trees, one larger street scene tree and three garden trees which can be small or larger subject to the recommendations of the Tree Officer.

These trees are shown on the newly submitted site plan.

Tree Species Choice.

Two Apple Trees

The applicant wishes to plant two apple trees in the rear of the new dwelling garden to ensure a similar replacement for the existing apple trees which are aging and will pass away over time. This ensures that these species continue to exist in this area and links with PPW suggestion that individual development proposals must avoid loss in the extent of biodiversity and incorporate measures to appropriately maintain and enlarge existing habitats. These two new trees will help to maintain the presence of apple trees on site and provide ongoing continuity for those species that benefit from apple trees.

One larger Street Scene Tree

WCBC's Tree and Woodland Strategy states; *"Planting -The case for large trees. Large trees store proportionally more carbon than smaller trees, highlighting the importance that large trees have on mitigating against climate change by converting and storing carbon dioxide, the primary greenhouse gas responsible for climate change, as carbon."*

PPW12 Para 6.4.37 states; The importance of trees, in particular urban trees, in creating distinctive and natural places which deliver health and well being benefits to communities, now and in the future should be promoted as part of plan making and decision taking. Planning authorities must promote the planting of new trees, hedgerows, groups of trees and areas of woodland as part of new development.

The replacement of car parking space 3 with a garden area provides a suitable location for an urban tree within the street scene providing additional local amenity benefit.

The applicant is happy to plant any tree suggested by the Tree Officer which could be larger than the small compensatory tree required subject to its ability to thrive in the proposed position and distance from the new dwelling.

3 Trees around Ingledene's new back garden.

As noted above one of the three and the woody shrub being removed are in unsuitable locations for continuing growth. In order to avoid this in relation to the newly proposed trees the three remaining trees are being located around Ingledene's new back garden where they will have adequate root growth space, will not require future removal and thus will be able to thrive.

The applicant wishes and is happy to receive the Council's recommendations on which native trees would be appropriate for planting and is more than happy for them to be larger than the required compensatory size subject to delivering sustainability. The requirement to agree the choice of tree species could be set out in a planning condition or the Tree Officer could propose this at this stage.

Alternative Ecological Enhancement Options

The applicant is offering one alternative to a step-wise policy compliant proposal for the Council's consideration which it believes to be more ecologically beneficial than the proposal set out above.

1. Removal of Rear Leylandii Hedge and replacement with native planting.

The Step-wise approach suggests that a reduction in environmental damage is preferable to mitigation for loss. For this reason the revised proposal suggests retaining the border hedge between the site and the Red Lion. From a visual perspective this current rear hedge also currently works to hide the Red Lion building and wall from the occupiers of the Ingledene site with environmental greenery. The new planting proposed in the original application would take time to deliver the same benefit and was only proposed because of our belief that it delivered NBB as is now set out in 6.4.38, despite causing this initial reduction in the quality of the view of the rear garden to the occupiers.

However PPW12 para 6.4.8 also states that a proactive and creative approach towards facilitating the delivery of biodiversity and ecosystem resilience outcomes must be taken by all those participating in the planning process. We believe this means that the removal of this hedging could be considered if a mitigation proposal for planting removal is far better ecologically than simply retaining the existing planting.

PPW12 para 6.4.38 also states Welsh native tree and hedge species, characteristic of the local area, provide a strong ecosystem resilience function, and they provide resources for local wildlife, particularly other native plants and species. Native tree and hedge species can also complement opportunities for natural regeneration. Alongside broader woodland habitat types, such as wood pasture, parkland and traditional orchards, native tree and hedge species help to define our cultural heritage and landscape, creating a strong sense of place and connection to the past.

Leylandii are not a Welsh native species. It was for that reason that we proposed replacing the rear single species non-diverse non-native leylandii hedge with diverse and native yew and holly tree hedging.

Given the statement set out in paragraph 6.4.38 we would like to the Council to reconsider the removal of the rear hedge and its native hedging replacement which appears to have been rejected by the Ecology Officer's comments.

The applicant's personal interest in ecology was the reason for the original proposal suggesting the retention of the two aging grade C apple trees. In the event that the Council agrees with the removal of the leylandii then the applicant would also like the Council to consider its replacement with espaliered apple trees to integrate with the two new apple trees proposed in the garden alongside the existing old apple trees. The espaliered apple trees would be backed by fencing as this is preferable for espaliers because it increases the heat being received by the tree. This would also mean that the Red Lion walls and gables would continue to be hidden even though evergreen trees were not being planted. This proposal would also interact with the PPW12 suggestion that traditional orchards help to define our cultural heritage and landscape, creating a strong sense of place and connection to the past albeit on a garden size scale whilst also providing resources for local wildlife.

Dwelling Proposal

Dwelling Size.

We note the planning officer's comment on the overdominance of the proposal. On reflection we agree. Accordingly we are happy to reduce the proposal to a two bedroom dwelling. The officer suggested a bungalow. We are proposing a cottage style dwelling with significant mass reduction. We believe this fits in with the variations to the street scene along the Ingledene side of Wynnstay Lane as set out below.

Mass reduction.

The significant reduction in visible mass is shown in the picture below.



1. Front Elevation - Wynnstay Lane



2. Side Elevation - Wynnstay Lane



3. Side Elevation



4. Rear Elevation

The lower eaves height on the right hand side is in line with the eaves height of the adjoining bungalow.

The height of the bottom of the snub is in line with the ridge height of the adjoining bungalow.

Street Scene Analysis

The aerial photo below shows the 12 dwellings between Pistyll Hill adjacent to Wynnstay Lane on the same side as the proposed new dwelling.



The two photos below show the front view of the houses in the street scene with photos taken from approximately the same distance back from the path



The housing types from the Pistyll Hill Lane corner consists of

1. Dormer Bungalow
2. Three Dwelling Terrace
3. Dwelling with a low roof line but a central two storey gable frontage
4. Detached House
5. One and a half storey dwelling with hipped and LHS gable features
6. Detached Bungalow
7. Detached Bungalow
8. Detached Bungalow with unique high pitch RHS front gable
9. Proposed site
10. Detached House (Ingledene)
11. Large Detached House
12. Two approved planning detached houses (not built).

The differing dwelling types, styles and periods, their varying distances from the pathway, differing site sizes with differing eaves and ridge heights creates a unique and interesting street scene. Some of the dwellings are more dominant than others either because of size (dwelling 4), ridge height (dwelling 3) or distance from path (dwelling 5). Some are hidden from the street scene owing to walls or hedges of excessive height.

Proposed Dwelling Street Scene Integration

It is submitted that the revised proposed cottage style dwelling fits within the eclectic street scene for the following reasons:

- It is a reasonable distance from the right-hand side bungalow – with a greater separation distance than exists between the three adjoining bungalows.
- Tree planting is being proposed in the right hand side of the front garden to create a further visual separation between the bungalow and the proposed dwelling and drawing attention to green infrastructure nearer the pathway.
- The right hand garden area will contain ecological shrubbery restricted to a height of 600mm to assist with greater parking visibility and so the dwelling will be integrated with, rather than hidden from, the street scene.
- The dwelling is similar in style to dwelling 5 on the street scene photographs but is of significantly smaller mass
- The right-hand side of the front elevation mirrors and integrates with the adjacent bungalow with similar eaves height. The snub gable is approximately in line with the higher ridge of the peak on the right hand side of the adjoining bungalow.
- The left-hand side of the front elevation mirrors and integrates with the design and materials used in Ingledene.
- The new dwelling is set back from the road, compared to the side elevation of Ingledene. This reduces its impact on the street scene. It has no impact on the dominance of Ingledene as an important local historic dwelling because Ingledene's front elevation faces Marford Hill and as set out in the original Design and Access Statement is being made more visible and accessible by the reduction in fencing height and the creating of an access point to the front door.
- Its ridge height has been reduced to the same level as Ingledene. The snub gable with its two clipped peaks integrates with the rear elevation of Ingledene by following the repeated rise and fall of the roof line. In addition and more importantly it further reduces the mass of the dwelling to increase the dominance of Ingledene, reduces the visual impact compared to the bungalow next door by lowering that side of the elevation and draws its style from the existing street scene with its similarity in the style of dwelling 3.

Dormer Bungalow Environmental Benefit – compliance with PPW12.

The Council have suggested reducing the proposal to a two-bedroom bungalow. The Applicant has accepted the two-bedroom part of the suggestion to reduce the over dominating mass and over-development of the building plot in a revised street scene integrated design as set out above. The applicant is however proposing a cottage style dwelling rather than a single storey bungalow for environmental reasons.

Minimum housing standards require a two bed four person dwelling to have an internal floor space of 70 sq. metres. The initial ground floor proposal was for 55 sq. metres. To build a single storey bungalow with bedrooms on the ground floor would be an increase in the internal area of 25.5 percent, and would remove 15 sq. metres of ecologically beneficial land on the site by extending further into the rear garden. This would reduce the garden area by 20% to 60 sq. metres.

This would not comply with Step 1 of the Step-Wise approach because it fails to avoid ecological loss and also Step 2 which states that *When all locational, siting and design options for avoiding damage to biodiversity have been exhausted, applicants, in discussion with planning authorities, must seek to minimise the initial impact on biodiversity and ecosystems by:*

- **maintaining the largest possible area of existing habitat supporting biodiversity** and functioning ecosystems.

Dormer Bungalow Parking Benefits.

By reducing the car parking requirements to 2 vehicles, proposed parking space 3 is removed. Parking space 3 would have required a car parked in space 2 to reverse in and out to allow space 3 to be used. The space also restricted the visibility splay for the driveway as shown below (the dark green line)

Removal of parking bay three increases safety as it removes the need for any car movement other than the single car engaged in parking on or leaving the proposed dwelling site. The visibility splay now extends to the edge of the site boundary with the adjacent bungalow.

Appendix

Policy Note 1 Previously Developed Land usage

PPW12

Chapter 3 Strategic and Spatial Choices.

Chapter 3.55 The development site is “previously developed land”. From an initial environmental perspective as set out in paragraph 3.55 Previously developed (also referred to as brownfield) land ... should, wherever possible, be used in preference to greenfield sites where it is suitable for development. In settlements, such land should generally be considered suitable for appropriate development where its re-use will promote sustainability principles and any constraints can be overcome.

Definition of Previously Developed Land

Previously developed (also known as brownfield) land is that which is or was occupied by a permanent structure (excluding agricultural or forestry buildings) and associated fixed surface infrastructure. The curtilage (see note 1 below) of the development is included.

Note 1 The curtilage is defined as the area of land attached to a building. All of the land within the curtilage of the site will also be defined as previously-developed.

Clearly the reason for this policy is that if brownfield land is not used for development purposes then, at some stage, more greenfield sites will be used reducing the ecological state of the country.

Policy Note 2 Development in an Active and Social Space.

PPW12

Chapter 4 Active and Social Places

The site is in an Active and Social place which, in line with chapter 4 of PPW12, promotes our social, economic, environmental and cultural well-being by providing well-connected cohesive communities. Places which are active and social contribute to the seven goals of the Well-being of Future Generations Act

Development on this site also has an environmental impact as set out in chapter 4 PPW12 by contributing to the reduction in emissions and air pollution by minimising the need to travel and maximising provision of sustainable forms of transport.

And

Globally Responsible Wales is promoted by locating and designing developments which reduce trip lengths for everyday journeys and supports sustainable modes of travel which in turn will reduce our carbon footprint. For example, by locating new housing developments within existing settlements enables people to take advantage of the shorter trip lengths to places of employment, retailing and other community services by walking, cycling or public transport.

And

Prevent[ing] problems from occurring or getting worse such as ... the reliance on the private car and the generation of carbon emissions.

Policy Note 3 Provision of a Green Infrastructure Statement following the Stepwise Approach.

PPW12 paragraph 6.2.5 requires WCBC to provide a Green Infrastructure Assessment for their area. No GIA has been provided to us as WCBC have not had the time to create this document.

This would assist us in providing a Green Infrastructure Statement as required by paragraph 6.2.12. which in a minor development will be a short description and should not be an onerous requirement for applicants. The green infrastructure statement will be an effective way of demonstrating positive multi-functional outcomes which are appropriate to the site in question and must be used for demonstrating how the step-wise approach (Paragraph 6.4.15) has been applied.

The PEA provided in our initial application was our Green Infrastructure Statement and set out our approach which complied with the requirement as, being a small site it complied with the following requirement that landscaping, ..., sustainable drainage and gardens [being] examples of individual design measures that can have wider cumulative benefits, particularly in relation to biodiversity and the resilience of ecosystems as well as in securing the other desired environmental qualities of places.

This document adds to the Green Infrastructure Statement already submitted in the PEA.