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**Monmouthshire Local Development Plan:
Policies H5 & H6—Replacement Dwellings in the
Open Countryside & Extension of Rural Dwellings**

SUPPLEMENTARY PLANNING GUIDANCE

April 2015

**Monmouthshire County Council
Local Development Plan**

Supplementary Planning Guidance

Policies H5 and H6

**Replacement Dwellings and Extensions to
Dwellings in the Countryside**

April 2015

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1. Introduction

1.1 This note is one of a series of Supplementary Planning Guidance (SPG) Notes that has been prepared to provide supporting information and advice on the Local Development Plan policies. The Notes are intended to offer clear guidance on the main considerations that will be taken into account by the Council when reaching decisions on planning applications and in this case how planning policy on replacement dwellings and extensions to dwellings in the countryside will be delivered in practice.

1.2 The Note forms part of the wide range of guidance available to Planning Committee members and there will be occasions where other material and particular planning circumstances allow some deviation from the guide-line size limits.

1.3 Should officers be recommending refusal of an application either for an extension or replacement dwelling, solely on the grounds of size, the application will be referred to the Delegation Panel or at their discretion to Planning Committee for decision.

1.4 Status

1.4.1 This SPG is prepared in the context of the Monmouthshire County Council Adopted Local Development Plan (LDP), February 2014. The Council consulted on this SPG November 2014 – January 2015. The SPG was subsequently adopted in April 2015.

1.4.2 SPG supplements the Council's Development Plan, with only the policies contained in the development plan having the special status that Section 38 (6) of the Planning and Compulsory Purchase Act 2004 provides in the determination of planning applications. However, the Welsh Government (WG) advises that SPG may be taken into account as a material consideration in the determination of planning applications and appeals. Substantial weight will be afforded to SPG which derives out of and is consistent with the development plan (*Local Development Plans Wales 2005, para 5.3*), provided that appropriate consultation has been carried out and that it has been approved in accordance with the Council's decision making process.

2. Planning Policy Context

2.1 National Planning Policy

WG planning policy (*Planning Policy Wales Edition 7, July 2014, para 9.3.6*) emphasises that new house building and other new development in the open countryside, away from established settlements, should be strictly controlled. Isolated new houses in the countryside require special justification, as, for example, where they are essential to enable farm or forestry workers to live at or near their places of work. The fact that a new single house on a particular site might be unobtrusive is not by itself a good argument for granting permission. This could be repeated too often, to the overall detriment of the character of the area.

2.2 Adopted Monmouthshire LDP

Extensions to rural dwellings and the replacement of existing dwellings in the countryside are categories of development not specifically covered in national planning policy. The adopted Monmouthshire LDP, however, contains policies that seek to exercise control over such development. These policies have been prepared within the context of national planning policy guidance that seeks to protect the

countryside for its own sake and also reflect local concerns within Monmouthshire that over-large extensions and replacement dwellings are having a harmful effect on the County's rural character and landscape.

- 2.3 Policy H5 of the LDP is set out below. The key consideration in assessing the acceptability of proposals for replacement dwellings is visual impact in the landscape, although the Policy also seeks to retain those traditional dwellings that make a positive contribution to the County's rural character.

Policy H5 – Replacement Dwellings in the Open Countryside

The replacement of existing dwellings in the countryside will be permitted provided that:

- a) the original dwelling
 - i) is not a traditional farmhouse, cottage or other building that is important to the visual and intrinsic character of the landscape;**
 - ii) has not been demolished, abandoned or fallen into such a state of disrepair so that it no longer has the appearance of a dwelling;****
- b) the design of the new dwelling is of a form, bulk, size and scale that respects its setting;**
- c) the proposal does not require an unacceptable extension to the existing residential curtilage;**
- d) the replacement dwelling shall be of similar size to the replaced; and**
- e) any outbuildings should be modest in size and sensitively located and it can be demonstrated at the time of the original application that adequate ancillary garage and storage space can be achieved for the dwelling.**

Exceptionally planning permission may be granted for larger replacement dwellings of high quality sustainable design in the open countryside, where it can be demonstrated that the absence of high quality dwellings prevents the attraction of significant economic investment to Monmouthshire and the proposals do not cause unacceptable harm to their setting and the landscape.

- 2.4 Policy H6 of the LDP is concerned with existing houses in rural areas. It seeks to avoid over-extension of existing rural dwellings and the adverse impact that this has on the character and appearance of the countryside. The policy is set out below:

Policy H6 – Extension of Rural Dwellings

In order to protect the character of the countryside extensions to dwellings outside village boundaries should be modest and respect or enhance the appearance of the existing dwelling. They will be required to:

- a) be subordinate to the existing building; and**
- b) where the building is of a traditional nature, to respect its existing form, including the pattern and shape of openings, and materials.**

2.5 Relationship to other LDP Housing Policies

Policies H5 and H6 are applicable to all areas outside settlements that are designated in the LDP as being suitable for new residential development. Such settlements are listed under LDP Policy S1, which draws Town and Village Development Boundaries around Main Towns, Severnside settlements, Rural Secondary Settlements and Main Villages. In addition, Policy S1 identifies Minor Villages where small scale development will be allowed in the circumstances set out in LDP Policy H3. Minor Villages are settlements that (subject to detail) are suitable for minor infill of no more than 1 or 2 dwellings resulting from the filling in of a small gap between existing dwellings. For the purposes of the LDP all land outside settlement boundaries defined by Policy S1 or outside the physical boundaries of Minor Villages is categorised as countryside, where policies H5 and H6 apply.

2.6 The reference to 'village boundaries' in Policy H6, therefore, should not be taken to mean the Village Development Boundaries set out under Policy S1 alone. While there would be a need to ensure that the design and scale of any new development in Minor Villages is in keeping with its surroundings, the more stringent criteria set out in Policies H5 and H6 and expanded upon in this SPG do not apply to those dwellings that lie within the main built-up areas of these villages. Policy H3 does contain an exception that allows for planning permission to be granted for up to 4 dwellings on an infill site that demonstrably fits in with village form (including not resulting in the loss of an open space that forms an important gap or open area) and is not prominent in the landscape. Where a dwelling exists beyond the identifiable physical edge of a Minor Village but in such a position that the gap between it and the village has potential for such an exceptional form of development then it would be unreasonable to strictly apply the stringent criteria of Policies H5 and H6 to that dwelling. Such circumstances are likely to be rare, however, and can only be established by a detailed assessment on a case-by-case basis.

2.7 Conversion of Other Buildings (e.g. Barns) to Dwellings

This SPG is not relevant to proposed extensions to dwellings that have been converted from other buildings, such as barns. Such proposals would be subject to Policy H4 of the LDP, the criteria of which would continue to apply to buildings that have already been converted.

2.8 Agricultural Worker Dwellings

This SPG also does not relate to agricultural workers' dwellings (i.e. those rural dwellings that are subject to agricultural occupancy conditions). Different considerations apply in such cases, as the primary aim would be to ensure that agricultural dwellings remain of a size that is commensurate with the established functional requirement of the associated agricultural holding.

2.9 Relationship to LDP Environment, Design and Countryside Policies

Development proposals covered by this SPG have to be assessed against the general design and landscape policies of the LDP (e.g. Policies S13, S17 and DES1). Large areas of Monmouthshire also are adjacent to the Brecon Beacons National Park, lie within or adjacent to the Wye Valley Area of Outstanding Natural Beauty or in Green Wedges. The relevant countryside policies of the LDP (Policies LC3, LC4 and LC6 respectively) would also be applicable in these areas.

2.10 Further to the above policies, Policy LC5 seeks to ensure that proposals for development; protect, conserve and where possible, enhance Monmouthshire's

landscape character as defined by LANDMAP Landscape Character Assessment. Proposals that would adversely affect landscape character will not be permitted.

3. Extensions to Dwellings in the Countryside

- 3.1 Under the criteria of Policy H6 an extension to any rural dwelling has to be modest, respect or enhance the appearance of the existing building and be subordinate to the existing building.
- 3.2 With regard to the size of any new extension to rural dwellings, 'modest' will normally be interpreted as being an increase in the overall volume of the dwelling of 30% over the size of the existing dwelling. A larger volume will not normally be allowed unless it can be clearly demonstrated either that there will be no harmful intrusive impact in the landscape through the increased size of the dwelling or that there is an enhancement in the appearance of the existing dwelling, subject, in any event, to the increase in volume being no more than 50%. Particular care will be exercised over the size of any extensions to traditional dwellings and to dwellings in the Wye Valley Area of Outstanding Natural Beauty and Conservation Areas. In such cases extensions in excess of 30% are unlikely to be acceptable.
- 3.3 Any extension that will result in an increase of more than 50% in the volume of a rural dwelling will not normally be considered to comply with Policy H6.
- 3.4 **Compliance with the size limits set out in this guidance will not be sufficient in itself to gain planning permission.** Within the broad size principles set out above, proposals for extensions to rural dwellings will be expected to be of a good standard of design. In this respect, some of the main considerations will be:
- 3.5 Traditional Dwellings
In the case of a building of a traditional nature, Policy H6 also requires that any extension should respect its existing form, including the pattern and shape of openings, and materials.
- 3.6 The primary consideration in assessing proposals to extend a traditional dwelling in the countryside is that its inherent character is retained, so that the character and appearance of the rural landscape is not harmed by the erosion of the character of its vernacular buildings.
- 3.7 Any proposal to extend a traditional dwelling in the countryside, therefore, must ensure that the new extension is:
- **lower than the existing dwelling;**
 - **of a similar form as the existing dwelling and constructed with materials and patterns of openings that match; and**
 - **subordinate to the existing dwelling, with the original form of the dwelling being clearly recognisable when the new works are completed.**
- 3.8 Non Traditional Dwellings/Where Traditional Character has been Eroded
The design requirements for the extension of a non-traditional dwelling are less stringent than for a traditional dwelling that has an appearance and character that is worthy of retention, although it will still be necessary to comply with the other criteria of Policy H6.

3.9 Where a dwelling that is proposed for extension is of no particular merit or where its original character has been lost through previous unsympathetic alteration and/or extension, the primary consideration in assessing any proposal will be the need to ensure that there is no significant harmful impact on the countryside through the increased size of the resulting building. This would be a particular concern if the dwelling were in a conspicuous location in the landscape but even where the building is unobtrusive an overlarge extension can harm the essential rural nature and qualities of the area and have a suburbanising effect, which, if repeated, could have a considerable cumulative impact on the countryside.

3.10 Exceptions to the Size Limits

Exceptions to the usual size limits set out above will be where the existing dwelling is:

- relatively small (i.e. less than 250 cubic metres): it may be necessary to bring the dwelling up to modern living standards, and allow for the incorporation of internal bathrooms/toilets and dedicated kitchen areas. A larger percentage increase may be allowed, therefore, but the guideline is for an increase of no more than 100% over the size of the existing dwelling, subject to a maximum size of dwelling of 400 cubic metres.
- relatively large (i.e. more than 650 cubic metres): the existing dwelling is already large and therefore even a 'modest' proportionate increase would be substantially likely to have a major impact on the surroundings. Extensions to existing dwellings between 650 and 750 cubic metres will normally be subject to a maximum size of dwelling of 975 cubic metres. For dwellings over 750 cubic metres in volume a percentage increase of more than 30% will not normally be allowed and the larger the building the lesser the percentage increase that is likely to be acceptable.
- one of a pair of semi-detached dwellings where the other dwelling has already been extended and where the proposal would result in re-balancing the built form.

3.10.1 Any dwelling that has an extension allowed under these guidelines is unlikely to be suitable for further extension unless the new works, when added to those carried out earlier, still fall within the size limits set out in this Guidance Note. (See section 8.2 on the interpretation of 'existing' dwelling).

4. **The Size of Replacement Dwellings in the Countryside**

4.1 Where the replacement of an existing dwelling in the countryside can be considered acceptable in principle under Policy H5 (i.e. where the dwelling is not a traditional farmhouse, cottage or other building that is important to the visual and intrinsic character of the landscape), criterion (d) of the Policy requires that the replacement dwelling shall be of similar size to that replaced. In this respect, it is considered reasonable to take into account the size of extension that might be permissible under Policy H6 in considering the acceptable size of any replacement dwelling.

4.2 The guidelines on the size increases for extensions set out in section 3 above, therefore, are considered equally applicable for replacement dwellings in the countryside. Hence, any increase in the volume of the replacement dwelling over the existing will normally be no more than 30% unless it can be clearly demonstrated either that there will be no harmful intrusive impact in the landscape through the increased size of the dwelling or that there is an enhancement in the appearance of

the existing dwelling, subject, in any event, to the increase in volume being no more than 50%. Particular care will be exercised over the size of any enlargement in the Wye Valley Area of Outstanding Natural Beauty and Conservation Areas. In such cases again enlargements in excess of 30% are unlikely to be acceptable.

- 4.3 Any proposed replacement dwelling that will result in an increase of more than 50% in volume over the size of the existing dwelling will not normally be considered to comply with Policy H5.
- 4.4 The exceptions to the size limits for extensions set out in Paragraph 3.10 above also apply to replacement dwellings.
- 4.5 It would normally be the case that any replacement dwelling should be no higher than the existing dwelling, as any increase in height would be likely to increase the visual impact of the building in the landscape. However, a possible exception to this is considered in Section 5 below.
- 4.6 A further exception to the size limits relating to replacement dwellings is set out in the final paragraph of Policy H5 which states that planning permission may be granted for larger replacement dwellings of high quality sustainable design in the open countryside, where it can be demonstrated that the absence of high quality dwellings prevents the attraction of significant economic investment to Monmouthshire and the proposals do not cause unacceptable harm to their setting and the landscape. Exceptionally, therefore, there may be a case for relaxation of the strict criteria contained in Policy H5 where it assists in attracting senior management and associated inward investment to the County. Any such proposal would need to be accompanied by a full business case setting out the need for such a dwelling.

5. Replacing or Extending Bungalows in the Countryside

- 5.1 Replacing a bungalow with a two-storey dwelling or adding another storey to an existing bungalow is likely to result in an increased visual impact. An argument can sometimes be made, however, that bungalows are not a traditional building type in rural areas and that the replacement of a bungalow by a two-storey dwelling would result in an enhancement to the character and appearance of the countryside. Where it can be clearly demonstrated that there will be no harmful intrusive impact in the landscape through the increased height and mass of the dwelling, therefore, it is considered that an exception can be made to the strict interpretation of Policies H5 and H6 set out above. This would normally be subject to no increase in the footprint of the dwelling (i.e. keeping the same ground floor area). It is unlikely that it would be possible to take advantage of this concession in those rural areas where the predominant dwelling type is single storey or where the original dwelling was specifically restricted to single storey in order to minimise its intrusive effect in the landscape.

6. Other Considerations in relation to Replacement Dwellings

6.1 Lawful use for Residential Purposes

The Council will need to be satisfied that the dwelling to be replaced has a lawful use for residential purposes. Where the building is still occupied or has only recently been vacated this normally presents no problem. The situation can be more complicated where the building has been empty for some time, or is in an uninhabitable condition, or has been used for some other purpose since it was last

used as a house. In such cases, the residential use may have been 'abandoned'. The legal position in such circumstances can be complex and the advice of the Council's planning officers should be sought at an early stage, although it may also be necessary to submit an application for a Certificate of Existing Lawful Use in order to establish certainty.

6.2 Siting of Dwelling

Any replacement dwelling will normally be expected to be located on the site of the existing dwelling it is to replace. However, there may be some circumstances where a re-siting would be preferable if it resulted in environmental or road safety benefits. If any re-siting is to be allowed it will be necessary to demonstrate that there is no increase in the overall visual impact of the building in the landscape.

6.3 Curtilage

It would normally be expected that the curtilage (i.e. domestic garden area) of a replacement dwelling would be no larger than that of the existing dwelling. This is particularly important when natural landscape features such as native hedges, bushes and trees, form the boundary of the property. There may be some scope for limited extensions but it would be necessary to ensure appropriate planting and boundary treatment to limit any visual intrusion and the removal of 'permitted development' rights (i.e. buildings or works that do not require planning permission) would enable the openness of the land to be retained by preventing the construction of ancillary buildings or the provision of hard surfaces. Features such as fencing, entrance gates, lighting, new driveways and additional hardstandings can have a considerable urbanising effect on the countryside. Proposals which do not respect or are not in keeping with the rural nature of the area must be avoided. In the Wye Valley Area of Outstanding Natural Beauty and Conservation Areas these factors will be given particular attention.

6.4 Design

Within the broad size principles set out above, proposals for replacement dwellings will be expected to be of a good standard of design. Proposals should take account of local and traditional elements of design and materials and, where relevant, be in keeping with surrounding buildings of merit. This does not rule out a modern or innovative approach to the design of replacement dwellings provided that the proposal respects its setting and does not introduce a discordant or intrusive feature in the landscape. Where adjoining buildings are of a larger size than the dwelling to be replaced, this does not mean that the above size criteria will be relaxed. It will still be appropriate to seek to retain the 'openness' of the area and maintain gaps between dwellings and around buildings to ensure that the existing rural character is not prejudiced. In the Wye Valley Area of Outstanding Natural Beauty and Conservation Areas particular attention will be given to the quality of design and surrounding context.

7. **Garages and Outbuildings**

- 7.1 It is appreciated that there will generally be a need for garaging and for ancillary buildings to store gardening equipment, garden furniture etc. Policy H5 includes a specific criterion (e) relating to outbuildings. It is considered unreasonable to require that all such provision comes out of any 'volume' allowance that might be available for extending or replacing existing dwellings. At the same time, however, the size of such outbuildings will be strictly controlled when they come under planning control. Single or double detached garages of appropriate dimensions and height may be

allowed if they are not intrusive upon the wider locality, remain subordinate to and do not detract from the character and appearance of the main dwelling. They should be sited as unobtrusively as possible, to the side or rear of the dwelling. Similarly the erection of other large outbuildings, such as swimming pools and stables, can also significantly change the character of a site and will need to be given careful consideration. Outbuildings should be modest in size and sensitively located.

- 7.2 Applications for replacement dwellings should include details of any proposed garages and outbuildings in order that the overall impact of a scheme can be fully assessed. The Council will need to be satisfied at the time of the original application that adequate ancillary garaging and storage space can be achieved for the dwelling in order to avoid pressure for further, possibly harmful, development at some future date. If overlarge outbuildings are required then this could result in a reduction in the size of replacement dwelling that might be allowable if this is necessary to limit the overall impact of the development in the landscape.

8.0 Annexes

- 8.1 Occasionally, an annex may be sought in order to provide additional ancillary accommodation ie. for a relative or carer. Whilst it is accepted that an annex by definition may require some independence from the main dwelling, a functional link between the two must be identified and maintained. The annex must be in the same ownership as the main dwelling and share facilities such as; (but not limited to) utility services, access, parking and a garden area. The Council must be satisfied that the annex accommodation cannot exist without reliance on the main dwelling.

- 8.2 An annex should be incorporated within/physically attached to the main dwelling. As a consequence the annex must fully comply with the criteria of Policy H6, be modest and subordinate to the existing dwelling whilst respecting the existing form/materials. Cross reference must be made with Section 3 of this SPG to ensure there is compliance with the size limits of extensions to rural dwellings. In certain circumstances it is recognised that an extension to provide an annex may not be practical. In such cases, particular consideration will be given to the size of the detached annex to ensure it is modest in size, subordinate to and does not detract from the character and appearance of the main dwelling. Where a detached annex is the only practical option it must be sited in close proximity to the main dwelling and located within the existing residential curtilage. The applicant must demonstrate the reasoning as to why the proposed annex cannot be built in the form of an extension to the main dwelling and the Council must be satisfied that the annex accommodation cannot exist without a functional reliance on the main dwelling. A planning condition will be applied to ensure the annex remains as an ancillary element to the main dwelling. In addition to this the physical relationship between the annex and main dwelling must be such that there is no possibility of the annex being used as an independent dwelling at a later date.

9.0 Interpretation

9.1 Cubic Content

In assessing the cubic content of a dwelling for the purposes of the size calculations referred to above, all measurements will be external. This 'external volume' will include dormers, bay windows, any chimneys that protrude from the outer wall or any areas covered by a permanent roof, such as porches or verandas (as these can generally be filled in without needing planning permission). Integral or attached

garages will also be treated as part of the main dwelling for the purposes of the size calculations set out above. Other outbuildings (whether attached or detached) will not be treated as part of the main dwelling for the purposes of the size calculations. Applicants will be required to provide calculations of the volumes of existing dwellings and enlargement proposals as part of their submission.

9.2 'Existing' Dwelling

For the purposes of this guidance, 'existing' is taken to be the habitable accommodation of the dwelling as it existed on 22 June 2006, the date that the UDP was adopted and when the UDP policies equivalent to LDP Policies H5 and H6 first became operational. Proposals to extend or replace any dwelling that has had an extension completed after this date will be assessed on the basis of the size of the dwelling prior to 22 June 2006. In addition, where an extension was under construction on the 22 June 2006 the volume of the partially completed extension will not be considered to be part of the 'existing' dwelling in any calculation of cubic content.

9.2.1 Any dwelling that has an extension completed after 22 June 2006 or is permitted under Policy H6 and in accordance with these guidelines, therefore, is unlikely to be suitable for further extension or an enlarged replacement dwelling unless the new works, when added to those carried out earlier, still fall within the size limits set out in this Guidance Note.

9.2.2 Similarly, the planning permission for any replacement dwelling allowed with enlargements under Policy H5 will be conditioned so that 'permitted development' rights (i.e. extensions that can be carried out without planning permission) are removed. If the allowances set out in this Guidance Note were used up by the approved scheme then there will be a strong presumption against any further enlargements to the new dwelling.

9.3 Outbuildings

Additional volume for extensions or replacement dwellings in exchange for the removal of existing outbuildings will not usually be allowed. There may be scope for a limited allowance to be made for permanent and substantial outbuildings that are close to the dwelling where it is proposed to remove them as a result of the development. It may also sometimes be possible to incorporate them within the dwelling. It would normally be more appropriate, however, for such buildings to be retained or replaced to provide garaging or ancillary storage. A particular consideration in this respect is that often such outbuildings are subordinate in form to the main house, with their mass broken up by a number of minor elements. To include the volume of such buildings within the volume of a single dwelling could significantly increase the overall massing effects of the new built form.

9.4 Conservatories

The erection of conservatories may sometimes be considered acceptable if:

- they have a lightweight structure,
- are of an appropriate scale, position and design,
- respect the character and form of the existing dwelling, and
- are not visually intrusive.

It would be reasonable in such circumstances to exclude conservatories from the 'volume allowance' that might be available for extending or replacing existing rural dwellings.

10. Pre-Application Discussions

- 10.1 Applicants and/or agents are advised to discuss with Development Control Officers whether their proposals for replacement dwellings/extensions to rural dwellings are likely to be acceptable. Please note there is a formal pre-application service which is available at a cost, the cost of which is dependent on the level of service required. Certain exemptions apply.

11. Information Requirements

11.1 Application Type

The Council has produced other guidance notes giving details of the information that needs to accompany a planning application. For applications for replacement dwellings and extensions to dwellings in the countryside outline applications are not acceptable as they contain insufficient information to enable the Council to assess the proposal. 'Full' applications should be submitted to include accurate plans and elevations of the existing building as well as the proposed dwelling/extension. This is to enable comparisons to be made between the proposed and existing development. The applicant (or agent) should also include calculations of the external volume of the existing and the proposed dwelling/extension.

11.2 Structural Reports

If an application seeks to demolish and replace a building that the Council considers to be worthy of retention because of the contribution it makes to the visual and intrinsic character of the rural landscape, then planning permission is unlikely to be granted. If an applicant believes that retention is not feasible or economic because of the condition of the building then this would have to be justified by the provision of a survey report on the building. In marginal cases, the Council is likely to seek further independent advice in order to verify the details of any submitted structural report.

11.3 Design Statements

Every application for a replacement dwelling or extension to a dwelling in the countryside should be accompanied by a design statement explaining how the development complies with this SPG, expanding on the design concepts employed and describing how the development will fit into its surroundings.

12. For Further Advice

If you would like further advice on the pre-application service or for planning application forms, please write to or telephone the Council's Development Control Section.

Contact details:

Development Control
Monmouthshire County Council
County Hall
Usk
NP15 1GA

Tel: 01633 644880

Email: planning@monmouthshire.gov.uk

If you would like further guidance on the policies contained in the Local Development Plan please contact the Council's Development Plans Section.

Contact details:

Development Plans
Monmouthshire County Council
PO Box 106
Caldicot
NP26 9AN

Tel: 01633 644429

Email: developmentplans@monmouthshire.gov.uk