

**DC/2014/00229**

**DEMOLITION OF EXISTING GARAGE; CONSTRUCTION OF NEW DETACHED DWELLING; CONSTRUCTION OF NEW ATTACHED GARAGE ON TO EXISTING DWELLING**

**41 DUCHESS ROAD, OSBASTON, MONMOUTH**

**RECOMMENDATION: APPROVE**

Case Officer: Jo Draper

Date Registered: 19.11.14

**1.0 APPLICATION DETAILS**

- 1.1 This application relates to 41 Duchess Close, where it is proposed to remove the garage that is situated on the northern side of the dwelling and to construct a new infill dwelling on this part of the site. It is proposed to construct a new attached garage to the existing dwelling on the south side of the dwelling. The application site slopes upwards from south to north and downwards from east to west. There is a footpath that runs adjacent to the northern boundary. The proposed dwelling measures 7.1m in height from the front highway and will be stepped up from the 'severed' (existing) dwelling in accordance with the highway pattern. The proposed house whilst appearing as a two storey dwelling from Duchess Close, will be viewed at the rear as a three storey property with a raised patio at the rear and basement accommodation proposed below ground level. The height of the proposed dwelling from the rear is 9.9m.
- 1.2 The footprint of the new dwelling would measure 9.1m in length and 7.8m in width with an open sided patio area. Revised plans have been submitted to change the treatment of the proposed dwelling so whilst matching the existing dwelling in form, the casements have been changed and the external materials have been altered to comprise stone and render with a tiled roof. The proposed access serving the proposed dwelling and severed property are immediately adjacent to each other. The proposed garage has been changed from a flat roof garage to a pitched roof garage.

**2.0 RELEVANT PLANNING HISTORY**

None.

**3.0 LOCAL DEVELOPMENT PLAN POLICIES**

Strategic Policies

S1 – Spatial distribution of housing

S2- Housing provision

S17 – Place Making & Design

Development Management Policies

EP1 – Amenity & Environmental Protection  
DES1 – General Design Considerations  
H1 – Residential Development in Main Towns, etc.  
MV1 – Proposed Development and Highway Considerations

## **4.0 REPRESENTATIONS**

### **4.1 Consultations Replies**

Monmouth Town Council – recommends refusal; no garage, inadequate parking, overbearing on street scene, different design to others in area.

MCC Highways – have no adverse comments to make.

MCC Tree Officer – the Tree Survey and Arboricultural Constraints report states that the majority of trees at the site are ornamental conifer species of low quality. Though mostly in acceptable condition these species do not lend themselves to crown reduction which would be necessary for any that are retained within the proposed development. The Beech tree listed as Tree 5 in the report is of a higher quality but will certainly become far too large for its space and is likely to cause foundational damage particularly to the garages of No 41 and No. 45 Duchess Road. This tree may eventually require removal with or without this proposal.

Tree No. 2 a Birch is perhaps the most prominent tree on the site with the highest landscape value and again is listed in the Tree Survey as being desirable for retention. The applicant should be required to retain this tree if possible; however, if this is not achievable it should be replaced with another Birch which could be accommodated at the front of this development.

The following condition should be used on any grant of planning permission.

Condition: Prior to the commencement of the development the applicant is required to submit a scheme of landscaping showing details of tree planting to mitigate tree loss.

Reason: For the replacement of trees to ensure the future provision of the green infrastructure assets of this site.

### **4.2 Neighbour Notification**

One representation received.

My property is below 41 Duchess Road; both houses back on to each other and share a rear boundary; I am concerned with two issues – first the vertical dimensions of the new build appear to be much higher than the existing property; this would impact on my right of privacy since the new house will have too much of an overview into my rear garden and through the windows of the rear of my property; secondly, I understand there should be minimum of 100sq.m. of amenity area – looking at the submitted plans there does not appear to be sufficient space allowed for such provision.

## 5.0 EVALUATION

### 5.1 Principle of Development

The subdivision of this large plot to accommodate two separate dwellings is acceptable in principle in this sustainable location in Monmouth, and is supported by national and local planning policy including policies S1, S2 and H1 of the Monmouthshire LDP. The critical issues are whether the proposed development represents an over-development of the site, whether adequate parking can be provided for each property, what is the impact on local residential amenity and are the loss of trees on the site acceptable.

### 5.2 Effect on streetscene and local character (including an assessment of whether the proposal is an over-development of the site)

The proposed house would be broadly similar in scale to the existing dwelling, no. 41, as viewed from the front (Duchess Road). The proposed dwelling would sit comfortably on the plot with reasonable distances to its boundaries to ensure it does not look too cramped for the site (there would be 3m between the proposed dwelling and the severed dwelling, and the distance to the boundary of the adjoining curtilage to the north (no. 45) would be between 2m and 3.4m). These distances are reasonable given the relationship of other properties in the locality. To the rear there would be between 6m and 8.5m from the raised patio/ balcony to the rear boundary with no. 12 Charles Close and this would enable a reasonable rear amenity space to be formed. Although the frontage is largely taken up with parking and access this can be framed with planting to the front and side boundaries to screen and soften the hard surfaced areas, assimilating the development into the streetscene. The proposed dwelling would be 500mm higher than no. 41, but owing to the natural slope of the site this is to be expected as there is a general step up in relation to the properties in this part of Duchess Road, and moreover no. 45 would remain higher than the proposed ridge of the new dwelling.

The scale and mass is broadly similar to the detached dwellings around the site. Although the rear elevation appears higher, this is a consequence of the change in levels and would not be evident to wider public views. Much of the lower (basement) elevation would be hidden by topography and planting. Materials would be a mix of render and stone (walls) and a tiled roof, much like no. 41, although samples would be conditioned to ensure they make a positive contribution to the area.

It is concluded that the proposed dwelling would fit reasonably within the site and the streetscene. The changes to the existing dwelling incorporating a new attached garage are also considered to be acceptable in visual amenity terms.

### 5.3 Parking and access

The proposed access and parking have been revised at the request of Highways. The access to no. 41 would be used as the driveway for the proposed new dwelling, while the existing dwelling would be altered, replacing the demolished garage with a new attached garage on its southern elevation. Three car parking spaces would be provided in the curtilage of no. 41 as well as the new garage, with a revised access point to no.

41 immediately south of the access to the new dwelling. There would be three off street parking spaces to serve the proposed dwelling. Highways consider the proposed access and parking arrangement to be acceptable.

#### 5.4 Residential Amenity

The properties mainly affected by the proposal would be nos. 41 and 45 Duchess Road and 12 Charles Close – the last property mentioned is to the rear and is set at a lower level than the proposed dwelling or its existing neighbours in Duchess Road. No. 41, the severed dwelling, would be to the south and there would be no overlooking windows on the side elevation of the proposed dwelling facing no.41. There would be first floor windows on the rear of the proposed dwelling that would look towards the existing rear garden of no. 41 but the angle from the proposed windows would be acute and would look towards the top end of the garden, thus making the relationship acceptable. There is a similar relationship between the proposed dwelling and no. 45 to the north. Any reduction in sunlight in relation to the garden of no. 45 as a result of the proposed new house would be limited to a relatively short time during the middle of the day and would not affect all of the neighbouring garden, thus would not be so significant as to warrant refusal.

In respect of no.12 Charles Close, the rear windows of the proposed dwelling, although elevated well above the garden and rear elevation of no. 12 would be a reasonable distance from the rear elevation of no. 12 (well over 21m) and moreover, there would be substantial evergreen vegetation remaining in the garden of no.41 Duchess Road as well as the new plot that would help screen such views. The proposed dwelling is also offset so that it is not directly to the rear of no. 12, again reducing any harmful effects on loss of privacy. Any views from the proposed rear terraced patio would again be mitigated by distance and retention of boundary vegetation. Additional landscaping along the rear boundary would also help reduce any impact on amenity to an acceptable level, and this can be conditioned. As such, the proposal is considered to comply with LDP policies EP1 and DES1.

#### 5.5 Loss of existing Trees

The Council's Tree Officer has assessed the loss of several trees on the site to accommodate the proposal and considers that largely they are ornamental types that can be reasonably felled but should be replaced where appropriate with new planting. A condition is proposed to cover this aspect. The birch tree that is in the front curtilage may be feasible to be retained close to the proposed front parking area, but if it is not feasible this could be replaced in a suitable location in the frontage.

#### 5.6 Response to the Representations of the Town Council

The proposal is not considered to be an over-development of the plot for the reasons set out in par. 5.2 above. The fact there is no garage designed to serve the proposed dwelling would not in itself be reason to refuse permission. Adequate off street parking for both the existing and proposed dwelling that complies with the Council's adopted Parking Guidelines is proposed on the submitted layout plan. The proposed design of the dwelling would be similar to the existing dwelling, no.41, and thus would not be out of character with the surrounding area.

## **6.0 RECOMMENDATION: APPROVE**

### Conditions

1. Standard 5 year time condition.
2. Removal of permitted development rights – extensions/ outbuildings/ dormer roof alterations
3. Approve samples of external materials.
4. Approve details of foul and surface water drainage.
5. Landscaping details to be submitted to and agreed by the LPA before works commence on site.
6. Landscaping implementation.
7. Off street parking for both the existing and approved dwelling shall be provided in accordance with the approved layout drawing before the dwelling, hereby approved, is occupied.

