

**DC/2017/01336**

**PROPOSED DEVELOPMENT OF 2 no. FOUR BEDROOM DETACHED HOUSES WITH ONE GARDEN STUDIO**

**PEN-Y-BRYN, OAKFIELD ROAD, MONMOUTH NP25 3JJ**

**RECOMMENDATION: APPROVE**

Case Officer: Craig O'Connor

Date Registered: 22/11/2017

**1.0 APPLICATION DETAILS**

1.1 Pen-y-bryn is a large residential dwelling on a substantial plot that is located in the northern part of Monmouth in an area where there are a mix of different properties that vary in scale and design. The application relates to the submission of reserved matters relating to the previous outline application for two dwellings within the residential curtilage of the dwelling. The application seeks consent for the appearance and scale of the dwellings, the layout and the landscaping of the site.

1.2 The proposed dwellings would have a contemporary design consisting of different modular elements with a flat roof and one central pitched gabled element. House 1 would be sited in the eastern part of the site and would measure 13.5m in length and 11.8m in width. House 2 would be sited in the western part of the site and would measure approximately 15.2m in length and 12m in width. The dwellings would have various roof heights measuring 7.4m at its highest point (at the ridges of the pitched roofed elements). The proposed dwellings would have four bedrooms and their proposed scale and design are outlined on the submitted amended plans - Drg. No's 5101P01A, 5101P02A, 5101P03A, 5101P04A, 5101P05A, 5101P016A and 5101P07A. The proposed materials for the building include natural slate for the pitched roof element with the flat roof being constructed with an EPDM flat roofed membrane, the external walls of the contemporary buildings would consist of natural stone, white render and timber cladding. The door and window openings would be constructed of aluminium and have timber surrounds. The submitted site plan Drg. No 5101P07A also outlines the landscaping of the site including boundary treatments between the neighbouring properties.

**2.0 RELEVANT PLANNING HISTORY**

DC/2013/00153 Proposed development of 2no four bedroom detached houses with double garages Approved November 2014

**3.0 LOCAL DEVELOPMENT PLAN POLICIES**

Strategic Policies

- S13 Landscape, Green Infrastructure and the Natural Environment
- S16 Transport
- S17 Place making and design

Development Management Policies

- EP1 Amenity and Environmental Protection
- DES1 General Design Considerations

H1 Development in main towns  
MV1 Highways Safety  
NE1 Nature Conservation and development

## 4.0 REPRESENTATIONS

### 4.1 Consultations Replies

Monmouth Town Council – Recommends refusal.

- Invasion of privacy
- Contravened the outline permission as that included a condition that the bushes and trees would remain. Bushes have been removed and trees pollarded
- Outline permission did not have windows looking into neighbours property
- No sign of a summer house on the boundary, one is now in position.

MCC Highways Officer – The Highway Authority are mindful of the extant outline planning approval; therefore there is no objection with regards to the proposed entrance to the access road of the proposed dwellings, nor is there any objection to the construction materials of the access.

Tree Officer – The arboricultural information submitted is acceptable and will enable me to make informed comments in respect of tree protection. The suggested tree protection condition should be appended to any planning approval.

Dwr Cymru Welsh Water – No objection to the proposed reserved matters subject to the conditions imposed on the outline consent

### 4.2 Neighbour Notification

There have been objections received from six of the neighbouring properties that have outlined the following concerns with the proposed development:

- A significant amount of onsite clearing has taken place since the submission of the outline planning application and this is contrary to the imposed condition (5) that outlined that no trees were to be removed.
- Concerns that the windows on the west and north elevation of house number two would harm the privacy of the occupiers of Rydal and Falstaff.
- Concerns that the garden studio would be overbearing and overshadowing
- Would like a condition to create a solid boundary fence.
- Objections to the inclusion of a balcony on the south elevation of house one as it harms the privacy of neighbouring properties
- Concerns over the drainage of the properties
- The headlight of parked cars would harm the amenity of neighbouring properties
- This development, by design and location, is monstrous. The proposed architectural design in no way blends in with the surrounding properties. It looks more like an industrial building.
- Implications of the noise and light from the vehicle parking area, and loss of privacy and magnificent views from White Gables.
- Grounds of the house concerned have been used in the past by the parish council for events.

## **5.0 EVALUATION**

### **5.1 Visual impact**

- 5.1.1 The principle of constructing two dwellings at the site has been previously established under the outline planning permission DC/2013/00153. The proposed scale and contemporary design for the dwellings is considered to be acceptable. The design of is considered to be of a good standard and there is a palette of materials that are considered to be appropriate for the site and the area. The use of natural stone reflects the existing stone boundary walls at the site and the render and the timber cladding of the flat roof elements would reduce the buildings' mass and scale. The proposed dwellings are of a distinctive modular design and when viewed together would be symmetrical and complement each other. The proposals would introduce a more modern design element to the area but this is not harmful and moreover the visual impact of the resultant buildings is limited. The site is contained from view within the rear garden of Pen-y-bryn and would not be at all prominent from public vantage points. There would be distant views from Oakfield Road, although the proposed development would have minimal visual impact.

The scale of the proposal, its contemporary design and its form would be appropriate for this secluded site. The resultant dwellings would not have a detrimental impact on the appearance of the street scene and the introduction of modern design and different building techniques is welcomed. The proposed external finishes include natural stone and slate which are wholly acceptable and would result in the dwellings harmonising with others in the area. The development would be of a good standard of design and would be in accordance with Policies DES1 and EP1 of the Local Development Plan (LDP).

- 5.1.2 The proposed layout of the plot is also considered acceptable. The site plan outlines a mixture of stone boundary walls, solid timber fencing and landscaping. The site plan shows an adequate amount of space for the parking of vehicles and for on-site turning. The proposed access was approved within the previous outline scheme and the design and visual impact of this access point is considered to be acceptable. The proposed dwelling would respect the existing form, scale siting massing, materials and layout of its setting and would be in accordance with policies DES1 and EP1 of the LDP.

### **5.2 Residential amenity**

- 5.2.1 The proposed dwellings would not obstruct any natural light to an unacceptable level and it would not result in any unacceptable overlooking issues. The site is surrounded by residential properties and therefore the development has been amended to take into concerns raised by the neighbouring properties since the original submission of the scheme. The proposed development would have some impact on the amenity of the neighbouring properties but would be in accordance with guidelines in relation to privacy and would conform to the terms of policies EP1 of the LDP. The proposed windows on the eastern elevation of house 1 are close to the boundary of White Gables but would serve bathrooms; thus, it is considered appropriate that these windows are obscured glazed to protect the privacy of the occupiers of the neighbouring dwelling. A condition would be added if permission is granted to ensure the use of obscure glazing for these windows in perpetuity. In relation to house 2 the proposed windows on the ground floor would have a similar impact on the neighbouring property, Rydal's privacy. Given the difference in levels between the properties the impact on privacy would be noticeable and to meet the neighbouring party's requests the applicant has proposed a solid timber boarded fence along the boundary between the properties to ensure that the privacy of Rydal is protected. The proposed first floor windows to serve

the bedroom and bathroom would be approximately 11m from the boundary of the neighbouring properties which is considered to be an acceptable intervening distance between the properties. In addition given the oblique view and intervening distance from the proposed first floor window on the front (northern) elevation, this relationship would not have a detrimental impact on any party's privacy. On balance, the proposed first floor windows would have an acceptable impact on the privacy of the neighbouring properties to the west. The intervening distances at the rear of the properties would be a minimum of 12.6m to the boundaries and this is considered to be acceptable. The proposed balconies on the rear elevations would not have an unacceptable impact on any other party's privacy to warrant refusing the application.

5.2.2 The proposed site plans also outline the layout of the car parking for each dwelling but concerns have been raised in relation to headlights causing a nuisance to the amenity of the nearby householders. On balance given the existing arrangement at the site in terms of large mature hedgerows on the west boundary (Falstaff) and that the parking area is replicated in the neighbouring property at White Gables that the impact of the vehicles movements would not be unacceptable. A condition to ensure that the hedgerow on the western boundary is retained in perpetuity would be added to any consent that is granted. The resultant dwellings would not be overbearing to the neighbouring occupiers and would not significantly alter the amount of light they receive. Subject to the conditions in relation to the obscure glazing of windows and the walls to screen light from vehicles accessing and parking at the site, the proposed development is considered to have an acceptable impact on the neighbour amenity and would be in accordance with Policy EP1 of the LDP.

5.2.3 The proposed dwellings would utilise the previously approved access point and therefore the impact on highway safety is considered to be acceptable. The site would have satisfactory parking provision and vehicle manoeuvring could be conducted on-site. The Council's Highways Officer has raised no concerns regarding the development. The proposed development would not harm highway safety and is considered to be in accordance with Policy MV1 of the LDP.

### 5.3 Response to Monmouth Town Council

5.3.1 As outlined in section 5.2 the proposed dwellings are not considered to have an unacceptable impact on the privacy of the neighbouring properties. The applicant has worked closely within the Council's Tree Officer to ensure that any trees at the site that are of value are retained within the resultant development. The Tree Officer is satisfied with the proposed development. The previous application did include potential garages and thus it is considered acceptable for the reserved matters application to consider the inclusion of a relatively modest garden studio as part of the reserved matters application. The proposed garden studio is considered to be of an acceptable scale; once the dwelling was built, a similar type of structure could be erected within a rear garden without the need for planning consent.

### 5.4 Response to third party representations

5.4.1 As outlined above (section 5.3) any clearing of landscaping at the site has been conducted with the Council's Tree Officer's approval and any trees of value are to be retained within the final scheme. Any consent would include conditions in relation to obscure glazing to protect neighbours' privacy as well as screening to obstruct light from vehicles. The proposed balconies on the rear elevations of the properties would be an acceptable distance from the boundaries and would not have an unacceptable impact on any other party's privacy. The proposed garden studio would not be overbearing and would not obstruct access to sunlight. The garden room would be

sited 2m from the boundary, would be approximately 3.3m in height and be sited to the east of Rydal. It is not considered that it would have an unacceptable impact on the amenity of the neighbouring dwelling. The applicant has also outlined that a solid timber close boarded fence would be erected at the site that would obstruct views between the neighbouring parties. The erection of this fence would be a condition of if consent is granted.

With regards to drainage the applicants have outlined that soakaways will be constructed at the site which, given the size of the site is considered to be acceptable in principle. The technical details of the proposed drainage solution would need to meet the Building Regulations. Building Control Officers have advised that the proposed scheme looks acceptable in principle. There have been concerns made in relation to the proposed design of the dwellings but as outlined in section 5.1 the proposed scale and design of the dwellings are acceptable in this particular location. The development would not be detrimental to the character and appearance of the area. The loss of views from neighbouring properties and the previous use of the large residential curtilage for functions are not material planning considerations.

## 5.5 Response to the Representations of the Community/ Town Council (if applicable) Well-Being of Future Generations (Wales) Act 2015

- 5.5.1 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**

### Conditions/Reasons

1. This development shall be begun within 5 years from the date of this permission  
Reason: To comply with Section 91 of the Town and Country Planning Act 1990.
2. The development shall be carried out in accordance with the list of approved plans set out in the table below.  
Reason: To ensure the development is carried out in accordance with the approved drawings, for the avoidance of doubt.

### Pre-commencement conditions

3. The existing hedgerow on the western boundary outlined on Drg 5101/P07 A shall be retained and maintained at a minimum height of 2m. If the hedgerow is removed or dies a 2m high solid timber close boarded fence shall be erected along the boundary with Falstaff and Harbrow within three months of the hedgerow either being removed or dying.  
Reason: To protect the residential amenity of the neighbouring properties.

### Regulatory or other conditions

4. Before the approved development is first occupied the access shall be constructed in accordance with the approved plans

Reason: To ensure the access is constructed in the interests of highway safety.

5. The windows in the first floor of the east elevation of house 1 shall be obscure glazed and fixed pane to a level equivalent to Pilkington scale of obscurity level 3 and maintained thus thereafter in perpetuity.

Reason: To protect residential amenity.

6. All screen walls and fences relating to the dwellings outlined on Drg 5101/P07 A shall be erected before the dwellings are occupied or completed whichever is the sooner and retained in perpetuity.

Reason: To protect local residential amenity.