

Application Number: DM/2018/00308

Proposal: PROPOSED NEW DWELLING

Address: 3 THE PADDOCK, CHEPSTOW, NP16 5BW

Applicant: Mrs D Clarke

Plans: Site Plan 2256/6 - c, All Proposed Plans 2256/5 - c

RECOMMENDATION: APPROVE

Case Officer: Ms Kate Young

Date Valid: 27.03.2018

1.0 APPLICATION DETAILS

1.1 The Paddocks is a residential cul-de-sac serving 15 properties in the High Beech area of Chepstow. It is located within the Chepstow Development Boundary. There is a mix of modern two storey dwellings and bungalows.

1.2 This full application seeks the erection of a detached two storey dwelling in the side garden area of no. 3 The Paddocks. The dwelling would have a detached single garage and parking provision for three cars at the front with an access off The Paddocks. There is a public footpath running along the south west boundary of the site.

2.0 RELEVANT PLANNING HISTORY

Reference Number	Description	Decision	Decision Date
DM/2018/00308	Proposed new dwelling	Pending Determination	
DC/2017/00501	To erect a wooden panel boundary fence to garden.	Approved	29.06.2017
DC/1987/00564	Conservatory And Store.	Permitted Development	03.06.1987

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S1 LDP Spatial Distribution of New Housing Provision
S4 LDP Affordable Housing Provision
S13 LDP Landscape, Green Infrastructure and the Natural Environment
S16 LDP Transport
S17 LDP Place Making and Design

Development Management Policies

H1 LDP Residential Development in Main Towns, Severnside Settlements and Rural Secondary Settlements
EP1 LDP Amenity and Environmental Protection

4.0 REPRESENTATIONS

4.1 Consultation Replies

Chepstow Town Council – recommend refusal:

- Out of character with the surrounding buildings
- Over development of the plot
- Plans are not detailed enough
- Proximity to neighbouring properties
- Loss of privacy and light.

MCC Housing Officer - It is a basic principle of Local Development Plan Policy S4 that all residential developments (including at the scale of a single dwelling) should make a contribution to the provision of affordable housing in the local planning area. The calculation of the financial contribution that will be required is set out in the table below.

The calculator does not assess whether or not the scheme can afford the policy compliant amount of affordable housing. Should there be issues of viability a full viability assessment would need to be undertaken.

The Council does not wish to hinder the supply of dwellings from self-builders who could be building to meet their own needs. Therefore, such self-builders will not be required to make a financial contribution. Should this application fall into that category details of how to claim an exemption under the self-build provision are set out in B.2. of the Council's Affordable Housing Supplementary Guidance document.

A financial contribution of £29,856 will be required

MCC Highways - observations dated 18/05/2018 - The applicant has submitted further details for consideration. Revised drawing '2256/6c' demonstrates that 3 cars can be accommodated on the driveway in accordance with the Monmouthshire Parking Standards. Furthermore, it has been confirmed that the proposed dwarf boundary has been omitted from the scheme therefore will have no impact on the existing street lighting column.

Based on the aforementioned there are now no highway grounds to sustain an objection to the application provided that any planning approval is in accordance with revised drawing '2256/6c'.

MCC Highways; observations dated 08/05/18 - The proposed dwelling will be situated within its own plot by the sub-division of the land through the construction of a 1.8m high close-boarded fence. A new vehicle and pedestrian access will be provided to the property, off the existing public highway by the construction of a private driveway/hardstanding. The Applicant has provided insufficient information to allow consideration of the proposal. The Applicant should review their submission in respect of the following: The Monmouthshire Parking Standards specifies 1 car parking space to be provided per bedroom per dwelling. The drawings show 2 driveway car parking spaces and a single garage; however the garage is integral to the proposed dwelling. It should be noted that the Monmouthshire SPG for domestic garages does not consider integral garages to count towards the overall car parking provision based on the permitted development rights to convert them into additional living space. In this case the applicant is required to demonstrate that an additional car parking space can be accommodated on the proposed driveway providing a total of 3 car parking spaces. There is an existing street lighting column situated behind the public footpath at its junction with the footpath from Warwick Close. As part of the development, it is proposed to construct a 600mm high brickwork boundary wall along the rear of this existing footpath. The Applicant is therefore required to include details on the proposed relocation of the lighting column with the consent and approval of the Councils Street Lighting Engineer. In light of the above comments, we would object to the application until additional details are submitted for further consideration.

Dwr Cymru - Welsh Water - From reviewing the submission package we note the applicant is proposing to use a sustainable drainage system for the discharge of domestic surface water, we are satisfied with these proposals.

Notwithstanding this, we would request that if you are minded to grant Planning Consent for the above development that the Condition relating to surface water is included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

4.2 Neighbour Notification

Letters of objection received from 18 addresses.

- Affects local ecology
- Close to adjoining properties
- Conflict with local plan
- Development too high
- Inadequate access
- Inadequate parking provision
- Increase danger of flooding
- Increase in traffic
- Increase of pollution
- Information missing from plans
- Loss of light
- Loss of parking
- Loss of privacy
- Noise nuisance
- Not enough info given on application
- Out of keeping with character of area
- Over-development
- Residential Amenity
- Strain on existing community facilities
- Traffic / Highways concerns
- Adverse effect on the character of the estate
- Insensitive infilling contrary to WG Policy
- Three parking spaces only if the garage is used
- Add to on street parking stress
- Overshadow the footpath making it dark and dangerous
- There is a covenant on the land stipulating that there is sufficient land at the front to cultivate a lawn
- Encroachment onto the pavement
- Loss of open aspect
- Direct overlooking
- Destroys the current harmonious appearance of the neighbourhood
- Garden grabbing
- Forward of the building line
- Existing covenant only allow for dwarf walls
- Adverse impact on the open and spacious character of the area
- Too close to rear boundary
- Loss of Privacy
- Visually intrusive
- Existing timber fence dominates the street scene and is intrusive
- 2 storey house is incongruous and dominates the street scene
- Contrary to Policies S1, EP1 and DES1 of the LDP
- Too close to the front boundary
- Loss of amenity space for existing dwelling
- The estate has open plan frontages
- Inadequate parking
- Overbearing impact
- Loss of view across the Severn Estuary

- Additional on street parking will result in cars driving on the wrong side of the road
- Not all the documents were displayed on the web site
- Not all residents on the street received letters of notification
- The foot path would become dark and unsafe so detrimental to community safety
- Increase in vehicular movements and the carbon footprint
- Diminution of open aspect
- Over development
- Would add pressure to mains drains and sewer system
- Many elderly and disables residents would lose access to dropped kerbs
- Impact on the skyline
- Deeds state these plots should not be subdivided
- Front boundary of the plot would be moved outwards
- There are other more suitable plots for development in Chepstow
- Contrary to PPW chapter 9
- Direct overlooking of the annexe to no 2 The Paddocks
- Loss of Sunlight
- A soak away in this location will not work because of the bedrock
- Building foundations will encroach on the footpath
- The building will obscure the lamppost
- Extra pressure on services
- Devalue property prices
- In 2007 permission was granted for an annexe to an adjoining property and a condition imposed that it not be used as a separate dwelling so approval of the current application would be discrimination
- An undesirable precedent will be set
- Contrary to the design principles of High Beech estate
- The amended plans makes the overdevelopment of the site more prevalent
- Further loss of green space
- The amended plans do not improve the situation
- Parking spaces are still too small and cars will park on the Pavement
- The road will get blocked by parked cars
- Emergency vehicles will not be able to get through
- MCC not giving due consideration to the objectors
- Inconsistent with the restrictions put on adjoining property
- Total disregard for the estates original design
- Contrary to development plan policy as it will not respect and enhance its surroundings.

5.0 EVALUATION

5.1 Principle of the proposed development

5.1.1 The site is located within the Chepstow Development Boundary within which both policies S1 and H1 presume in favour of new residential development, subject to detailed planning considerations. The plot is of sufficient size to accommodate a new residential dwelling with adequate amenity and parking provision. The principle of new residential development in this location is policy compliant.

5.2 Design and impact on the street scene

5.2.1 The Paddock is a cul-de-sac serving 16 dwellings, the land rises up slightly from Fair View and the first four dwellings along The Paddock are bungalows with all the other properties being two storey dwellings. The proposal seeks a two story dwelling between no's 2 and no 3 The Paddock on land which currently forms the residential curtilage of no. 3. The front elevation of the proposed dwelling would maintain the front building line of these two properties being set slightly forward of no 2 and slightly back behind no. 3. It is proposed that the land in front of the proposed dwelling will be kept open to allow for an open driveway at the front. The siting of the proposed dwelling will follow the established building line of the street.

5.2.2 The proposed two-storey dwelling would have an attached single garage to the side and a porch to the front. It would be finished in grey roof tiles with red brown brickwork walls. This is similar to other finishing materials in The Paddock. There would be cills throughout and headers on the principal windows. The ridge height would be approximately 7.8 metres, which is similar to the other two storey dwellings on the street. The massing of the proposed dwelling is slightly less than that of the existing two storey dwellings but the character will be very similar. The proposed dwelling will not have an adverse impact on the street scene and accords with the objectives of criterion c) of policy DES1 of the LDP, as it will respect the existing form, scale, siting, massing and materials of the other dwellings in The Paddock. The character of the street scene will be preserved.

5.3 Affordable Housing

5.3.1 LDP Policy S4 sets out that all residential developments (including at the scale of a single dwelling) should make a contribution to the provision of affordable housing in the local planning area. The calculator does not assess whether or not the scheme can afford the policy compliant amount of affordable housing. Should there be issues of viability a full viability assessment would need to be undertaken. The Council does not wish to hinder the supply of dwellings from self-builders who could be building to meet their own needs. Therefore, such self-builders will not be required to make a financial contribution. Should this application fall into that category details of how to claim an exemption under the self-build provision are set out in B.2 of the Council's Affordable Housing Supplementary Guidance document. In this case, a financial contribution of £29,856 would be required.

5.3.2 The applicant has confirmed that she is happy to enter into the s. 106 legal agreement for this contribution but she intends to be the permanent occupier of this property so she will be exempt from the payment, provided the term of her occupation complies with the SPG.

5.4 Highway Safety

5.4.1 The proposed dwelling would have a driveway directly off the road as does all other properties in The Paddock. There would be three off road parking spaces at the front of the property as well as garage space. The parking provision complies with the adopted Monmouthshire parking standards and MCC Highways have no objection to the proposal. There is an existing street lighting column on the western corner of the plot adjacent to the public footpath; this street light will not be affected by the proposal.

5.5 Residential Amenity

5.5.1 This plot is surrounded by residential properties. To the north of the site is the applicant's own property, no. 3 The Paddock. It has a lean-to structure and windows on the side elevation facing into the site. The first floor window serves a bathroom with opaque glass. These windows will face onto the blank gable wall of the proposed dwelling and be about 4.5m from that gable wall. It is proposed to erect a 1.8 metre high close boarded fence between the two properties but the garage of the new dwelling would also form part of the boundary. As the applicant will own both properties they will be in a position to alter the position of the existing windows if they considered lack of privacy was an issue. However the proposed relationship between the two dwellings would not result in a significant loss of privacy or overlooking due to the position of the garage and the close boarded fence.

5.5.2 Adjacent to the rear boundary of the new property to the east is 14 Warwick Close. The proposed new dwelling would be situated 9.8 metres from the common boundary. It can be seen from the site plan that the rear elevation of the proposed new dwelling faces towards the side garden of no 14 Warwick Close. There is no additional overlooking; in fact, the existing dwelling at no. 3 is much closer to the rear elevation of no 14 than the proposed dwelling.

To the south of the site is a public footpath linking The Paddock with Warwick Close. At present, there is a coniferous hedge along this boundary, which encroaches slightly over the footpath. It is proposed to replace the coniferous hedge along the southern boundary of the site with a 1.8 metre close boarded fence. To the south of the footpath is a single storey dwelling, which has an annex attached. The bungalow is set at a slightly lower level than the proposed plot. There is a timber fence along the boundary of the footpath and no windows on the side elevation of no 2. No windows are

proposed on the side elevation of the new dwelling so there would be no loss of privacy or increased levels of overlooking. There is at least 4m separating the two dwellings.

5.5.3 The proposal accords with the objectives of criteria I) of Policy DES1 of the LDP as it protects the character of the existing residential area, and maintains the high levels of privacy and spaciousness. The infilling is appropriate and does not constitute over-development. The proposal also accords with the objectives of Policy EP1 of the LDP as it protects the privacy and amenity of the occupiers of neighbouring properties.

5.6 Other Issues raised

5.6.1 Chapter 9 of PPW does refer to applications for new housing development within existing settlements where they can be located in sustainable locations. It states that there is a commitment to provide more homes. The new housing should be well integrated and considerate to existing patterns of development. The advice given says that sensitive infilling may be acceptable provided that it does not damage the area's character. This would include the impact on neighbouring occupiers and it should not result in a serious loss of privacy and over-shadowing. As explained above, the development that is the subject of this application is sympathetic to the character of the area and does not have a serious detrimental impact on existing residents. There will be no unacceptable loss of privacy or overshadowing. This proposal accords with the advice given in chapter 9 of PPW with regards to new housing provision.

5.6.2 The proposed dwelling will be set adjacent to the public footpath, replacing a coniferous hedge. It will not impact on light conditions affecting the footpath. Replacing the coniferous hedge with a 1.8m close boarded fence may even improve visibility along the path.

5.6.3 There may be covenants on the land restricting the height of walls to the front of each property but this is a private legal matter for the applicant / developer to resolve and would not be a material planning consideration.

5.6.4 The open frontage of the plot will remain with a driveway to the front.

5.6.5 Devaluation of property prices and loss of a view are not material planning considerations.

5.6.5 The increase in traffic and on local services resulting from one new dwelling would be negligible

5.6.6 The neighbour applied for an annex and not a separate dwelling so the evaluation would have been different. The plot at no.2 is much smaller and all application are determined on their merits.

5.6.7 There is sufficient land available for a soakaway, porosity tests will be required and this will be a matter for the Building Regulations.

5.6.8 The adjoining land owners were all notified by hand delivered letter and a site notice was posted.

5.6.9 No documents have been removed from the website. Superseded plans and administrative letters are made sensitive, as with all applications. The correct procedures have been followed.

5.6.10 All other issues have been covered in the main part of the report.

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

5.7.1 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 106 Legal Agreement requiring the following:

S106 Heads of Terms

A financial contribution of £29,856 for affordable housing

If the S106 Agreement is not signed within 6 months of the Planning Committee's resolution then delegated powers be granted to officers to refuse the application.

Conditions:

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.

3 No surface water shall be permitted to drain from the site onto the adjoining highway or into the highway drainage system.

REASON: To ensure no surface water drains onto the highway.

INFORMATIVES

1 It should be brought to the attention of the applicant that in the event of a new or altered vehicular access being formed, the requirements of Section 184 of the Highways Act 1980 must be acknowledged and satisfied. In this respect the applicant shall apply for permission pursuant to Section 184 of the Highways Act 1980 prior to commencement of access works via MCC Highways.