

**DC/2012/00685**

**DEMOLITION OF EXISTING WOOLAWAY BUNGALOW & REPLACEMENT WITH A SINGLE DWELLING**

**KIMBERLEY, THE NARTH, MONMOUTH, NP25 4QN**

**RECOMMENDATION: APPROVE**

Case Officer: Jo Draper

Date Registered: 20<sup>th</sup> May 2015

**1.0 APPLICATION DETAILS**

- 1.1 This application relates to a modest 'Woolaway' bungalow situated on a generous plot. The application site also includes an area to north of the site that is partly sub-divided by a hedgerow. The existing bungalow was built in the 1960's using the Woolaway pre-cast construction; this is set back from the highway with the majority of the garden area concentrated to the front. There is a line of mature trees that run upon the neighbour's property to the east of the site and demarcate the common boundary. There is a bungalow to the south of the site, with a dormer bungalow to the north of the site.
- 1.2 The Narth is characterised by a mixture of house types. In the immediate proximity of the site the road serves dwellings that are predominantly dormer bungalows.
- 1.3 This application has been subject to a number of amendments, in that it was originally submitted as two dwellings. The proposal has been replaced with a single larger dwelling which has been reduced in scale during the course of this application. There has also been changes proposed regarding the proposed drainage, the most current up to date proposal seeks to install a cesspool to the south-west of the site.
- 1.4 The proposed dwelling has been designed as two wings with a central connecting element, each wing measuring 12m and 15m in length for the northern and southern wing respectively, and both wings being one room deep measuring 5.3m. All first floor windows have been restricted to the front and internal elevations facing into the courtyard. There are no first floor viewpoints from standard windows facing across the neighbouring properties north, south and east. There are roof lights that face north and south, although these are set at a higher level, (the cill is at 1.9m above finished floor level). The central element is dropped down lower than the two wings and the apex points of both wings are off centre so the eaves of the property on the northern and southern side are lower than the internal elevation. The site layout creates a private central courtyard to the rear of the dwelling.
- 1.5 The proposed dwelling is centrally located in terms of width and frontage, although the dwelling has been set back on the plot towards the rear. The dwelling has been dropped in level on site by 1m on the northern side of the dwelling with a retaining wall of 1m in height proposed to facilitate the drop in levels. The proposed dwelling measures 3.4m to eaves on the north side and 3.5m on the south side, and in both cases the ridge height of the two wings is 6.5m, although on the north side due to the drop in levels the ridge height would be 5.5m.

1.6 A double garage is proposed to the north-west boundary placed into the corner of the plot. As with the proposed dwelling the garage has been designed with an off centre apex with the eaves set lower adjacent to the boundary to the north of the site. At the closest the garage is situated 1.2m from the common boundary. The garage measures 6.6m in depth and 6.3m in width, eaves height is 2.2m ridge height is 4.9m, from the neighbour to the north; due to the drop in levels this height will read as 0.34m to eaves and almost 4m to ridge.

1.7 External materials proposed for the house and dwelling are:

Walls

Plinths: Buff coloured reconstituted stone facing blocks flush pointed in lime rich mortar

Above plinths: cream textured render

Above string course: Grey painted horizontal larch boarding with laced board corners

String course: Buff Coloured Reconstituted Stone Plinth Blocks

Roof: Natural Grey slate roof

Windows and Doors: Dark Green powder coated aluminium casement windows and doors.

Bays and Dorner window: Planed Air Dried European Oak Framing Dark Green powder coated aluminium casement windows

Fascia: Grey painted larch chamfered fascia and bargeboards

Rainwater goods: Black cast type sectional half round gutters

1.8 A new access is proposed central to the plot, and the existing access would be blocked up. The hedgerow is to be relocated behind the visibility splays. There are five new trees proposed on site. The existing hedgerows along the other common boundaries, where in the control of the applicant, are to be retained.

1.9 The site frontage measures approximately 38m, while the next largest plot along this frontage is approximately 34m. In terms of depth this plot along with that of Kynance immediately to the south is also deeper than the neighbouring properties along the lane, measuring approximately 34m in depth.

1.10 The Design and Access Statement submitted with this application states:

*“The road features mostly modern houses of varying styles and heights. The Narth is known for its organic mix of houses and bungalows of varying ages and styles. The proposed new dwelling attempts to make a positive addition to this mix keeping a simple, vernacular style. ...Woodfield side, the neighbouring dwelling, sits to the north west of the plot. By cutting the proposed building at Kimberley into the ground, we have ensured that the ground floor level of the proposed building is 0.16m lower than the existing ground floor level of Kimberley. As a result, we have ensured that the roof ridge of the proposed building is nearly 1.5m lower than the roof ridge of Woodfield Side and only 1.665m higher than the roof ridge of the existing bungalow the proposed building replaces. This ensures that the row of properties step down Narth Lane, following the profile of the ground.”*

## **2.0 RELEVANT PLANNING HISTORY**

DC/2013/00389 Demolition of existing woolaway bungalow and construction of 2 no. three bedroom dwellings Withdrawn

## **3.0 LOCAL DEVELOPMENT PLAN POLICIES**

### Strategic Policies

### Development Management Policies

S1: Spatial Distribution of New Housing  
S17: place Making & Design  
H3: Residential Development in Minor Villages  
EP1: Amenity and Environmental Protection  
DES1: General Design Considerations  
NE1: Nature Conservation and Development  
EP3: Lighting

## **4.0 REPRESENTATIONS**

### 4.1 Consultations Replies

Trellech Community Council: Whilst previously recommending approval there are still significant concerns about the details and suitability of the proposals. Insufficient information about drainage and visibility splays (these are the most recent comments from the Community Council following the latest revised plans which detail a different foul drainage system and the visibility splays will be reported as Late Correspondence to Planning Committee).

MCC Highways: The application site is located off the existing rural County highway (C50-8) with a posted derestricted speed limit of 60mph. The highway is a metalled single lane circa 2.5m in width and is generally bounded by hedgerow within the vicinity of the application site. The highway serves a number of other dwellings north of the site.

A revised drawing has been submitted demonstrating that a single detached 4 bedroom dwelling is proposed with a repositioned single access to the dwelling. The existing access will be closed permanently as part of the scheme with the new access positioned central to the site to maximise visibility in both directions. The available visibility from the proposed access has not been shown however it is considered to be an improvement when compared to the existing access which has very limited visibility to the southeast.

As part of the revised scheme there is a detached double garage and open courtyard parking area. The Monmouthshire Parking Standards 2013 specifies 1 car parking space to be provided per bedroom per property with a maximum of 3 spaces per property. Based on the proposed 4 bed dwelling there is a requirement for 3 car parking spaces which can be accommodated within the courtyard parking area without needing to consider the detached double garage. The proposal therefore meets the standards contained in the Monmouthshire Parking Standards.

In light of the revised proposals there are no highway grounds to sustain an objection to the application subject to relevant conditions being applied to any grant of planning approval.

Monmouthshire County Council Tree Officer:

I have been made aware of the presence of a line of maturing trees within the boundary of the property immediately to the north of the application site. Aerial photography shows that the crowns of the trees overhang the application site and, inevitably, their root systems will extend into it. Accordingly they are now considered a material consideration of this planning application.

Root Protection Areas (RPA) of retained trees on development sites as described in British Standard 5837:2012 – *Trees in relation to Design, Demolition and Construction* - Recommendations are calculated as being a distance of 12 times the diameter of the main trunk of a tree. Any construction or demolition activity within the RPA requires that special measures are taken to ensure that trees are not adversely affected.

The Design and Access Statement merely states that it is intended to construct soakaways under the trees which in my opinion will be well inside the RPA of this tree line. However, there is no supporting arboricultural information on any measures to mitigate damage to the root systems. This application therefore does not contain sufficient arboricultural information for me to make a properly informed decision. It is important that the LPA is satisfied that this proposal may be undertaken without a detrimental effect on the trees on neighbouring land. Accordingly relevant conditions are proposed.

Natural Resources Wales: Further details required relating to scale of dedicated bat loft, these details have been submitted and further comments from NRW are to be reported as Late Correspondence.

MCC Ecology Officer: A bat roost was identified in the existing building but there is low confidence in the findings of the survey due to the conditions of the survey and the time passed. Mitigation is to be provided in the loft of the new garage. This will be approximately 2m x 5m x 5.7m = 57m<sup>2</sup>. This mitigation is considered appropriate with access being via a raised ridge tile and bargeboard access.

Welsh Water: has no objection as there is no availability of mains foul drainage connection.

#### 4.2 Neighbour Notification

Many of the neighbour representations submitted to date related to the previous scheme for two dwelling and the previous drainage proposals that sought to use a septic tank. As both scheme have been superseded the neighbour comments that are reported will relate to the latest scheme for one dwelling served from a foul drainage system of a cesspool. To date there have been representations received from 12 different people, and the issues raised that are relevant to the current proposal are set out below:

1. Bat surveys are inadequate
2. Questioned the consultations that were undertaken with neighbours
3. Proposed dwelling is out of keeping
4. The high 5.5m garage to the front of the building line close to the highway is out of keeping
5. The proposed dwelling covers a very large part of what is a small site
7. House is too high with bungalows either side
8. This would destroy the panorama of the entrance to the village
9. The proposed dwelling is two storey with a footprint at least twice the size of the existing dwelling
10. Proposal is out of character and out of proportion with surrounding dwellings

11. Garage will undermine an attractive flowering tree which has been omitted from the plans
12. The proposal will require the removal of an established orchard
13. The garage will impose upon the building line
14. The proposal will easily convert to two dwellings
15. Concern expressed over the siting of the soakaways in line under the mature trees along the boundary. In winter that area holds a lot of water and in wet seasons becomes boggy; channelling the waste from such a large area in that direction will exacerbate the problem
16. The proposal will have a massing effect as this house is too close to the neighbouring properties and does not respect the density of The Narth as the footprint of the dwellings are too large
17. The dwelling is too close to the rear boundary and will increase the sense of oppression
18. To achieve a larger dwelling with a higher ridge the northern end of the proposed dwelling is being lowered at least a metre with the appropriate retaining wall. This will produce a barrier to water table flow affecting all the properties upstream; therefore the retaining wall will need a drainage system of its own
18. All proposals, particularly site layout, should be laid out on the topographical survey and include all properties adjoining the site together with the existing windows to these properties. Good design which takes account of the site constraints should not require tree planting and other landscaping to soften the new building
19. Object to length of built form
20. Overlooking - loss of privacy
21. This part of the village is subject to high water tables, this over-development can only make it worse
22. Neighbour advised previously by planning department they would be unable to build a garage forward of their dwelling
23. Heating measures queried.
24. The proposed development represents a footprint increase from 100 square metres to 230 square metres; the surface water drainage implications for this cannot be absorbed by the trees to the rear of the site
25. Patio door overlooking Kynance imposing upon privacy.

## **5.0 EVALUATION**

The Narth is identified under the Local Development Plan as a Minor Village where small scale residential development will be allowed in the circumstances set out in Policy H3. In this case this is a straightforward replacement dwelling within The Narth village and not considered in the context of being in the open countryside. The issues to consider as part of this application are the following:

Visual Impact

Neighbour Impact

Drainage

Ecology

Other Issues Raised

Response to Community Council

### **5.1 Visual Impact**

5.1.1 In the locality, there is no over-riding house type or design, there being a mixture of house types reflecting the various periods when they were built. Within the immediate

vicinity there are dwellings of single storey and one and half storey form; these are bungalows and dormer bungalows that are reflective of their time. The height of the proposed dwelling is akin to a dormer bungalow and reflects the height of other dwellings within the vicinity, although the design has not used the rectangular form prevalent within the area. This has changed the context in how this dwelling is presented on site.

5.1.2 This is a generous plot, arguably the largest plot along this road, accommodating what is currently the smallest dwelling, so this proposal would result in a significant change from the present position. What is important is not the difference between that existing and that now proposed, but whether what is proposed is acceptable from a visual perspective. The footprint of the proposed dwelling sits comfortably on this plot with plenty of space surrounding the dwelling, a significant amount of which is to the side and front of the dwelling minimising any massing impact that may arise. The proposed facing elevation of the proposed dwelling is broadly level with a line drawn between the two adjoining neighbouring plots and sits comfortably within the overall street scene. The proposed garage however is set forward of the dwelling, although this is pushed into the corner of the plot and set behind an existing tree. The garage's eaves height is low with a traditional rural pitched roof and an off centre apex. This proposed garage will not be highly visible within this location and in this case set forward of the dwelling as a detached unit reduces the mass of the built form. Furthermore the garage is an attractive building in its own right, and the design, scale and form of it works well as an ancillary building. Set in context it is considered acceptable. There are no rules regarding garages forward of the building line, each application should be considered on its own merits. In this case the size of the plot can comfortably accommodate the dwelling and garage together in this location. There will be a slight alteration in the context of the street scene with the change in the access point, and the proposed need for improvement in visibility has led to the hedgerow being set back. This has only marginal impact in the short term and still retains the rural frontage to the lane with a mixed indigenous hedgerow.

5.1.3 The quality of the external materials is of a very high quality and uses a mix of modern natural materials to provide a clean, contemporary appearance. The proposal complies with planning policy and is visually acceptable in this case.

## 5.2 Neighbour Amenity

5.2.1 The proposed dwelling has been designed so that it is set back. The aspect of the property at first floor level faces inwards into a private courtyard and also forward. There are no first floor windows overlooking any of the neighbouring properties, with the rooflights proposed facing the direction of neighbouring properties being positioned so that no vantage point can be gained into neighbouring dwellings. Any windows at ground floor can be mitigated against with appropriate boundary materials.

5.2.2 In terms of the potential massing impact upon the neighbouring properties, measures have been undertaken to minimise the impact this has. With regard to the neighbouring property to the north, the built form of the proposed dwelling and garage runs along this boundary, although the drop in levels coupled with the separation distance ensures that the dwelling will not have an over-bearing impact. The separating distance of 2.75m between the garage and dwelling breaks up this built form and the drop in levels of the garage ensures that the proposal does not have a significant impact upon neighbour amenity. Furthermore there is a mature hedge that forms the common boundary to the north of the site and there are new

trees proposed along the boundary which will further soften the development and improve the context of this new development from the neighbouring viewpoint.

5.2.3 The existing dwelling to the south is set at a lower level than the proposed development, and there is less built form running along the common boundary as is the case with the north but the levels are more of an issue as the site slopes down to the neighbouring dwelling. The levels drawing provided as part of the submission shows that the proposed dwelling would have a ridge level of 56.46m AOD, whereas the level of the existing Woolaway bungalow is 54.8, while the ridge of Kynance is 54.52, a drop of 1.94m. However, in this case the proposed separating distance of 7.1m, increasing to 9.4m, prevents this from having an over-dominating impact. Also the roof has been designed to be at the lowest point facing the common boundary.

5.2.4 With regard to the property to the rear there are significant mature trees in the neighbour's ownership to prevent any overlooking and it is noteworthy that there are no rear ground or first floor windows facing in this direction thus preventing any feeling of oppression arising from the trees being situated in close proximity to the rear of the property.

### 5.3 Drainage

5.3.1 There have been many objections from neighbouring properties that have been lodged in relation to the previously proposed septic tank. This has since been changed to a cess pool which can be accommodated at the front of the site. The issue of surface water drainage has been raised with regard to the potential concerns regarding the drainage channels feeding into the trees at the rear, this has now been revised featuring an area that measures 171 square metres has been identified to the south of the site as an area for rainwater disposal. The drainage proposal is now acceptable for the purposes of consideration as part of this Planning Application.

### 5.4 Biodiversity Considerations

5.4.1 Where an application site has been assessed as being a breeding site or resting place for European Protected Species, it will usually be necessary for the developer to apply for 'derogation' (a development licence) from Natural Resources Wales. Monmouthshire County Council as Local Planning Authority is required to have regard to the Conservation of Species & Habitat Regulations 2010 (the Habitat Regulations) and to the fact that derogations are only allowed where the three tests set out in Article 16 of the Habitats Directive are met. In the present case Brown Long Eared Bats – European Protected Species – are known to use the application site. The three tests are set out below together with a commentary on each.

- (i) The derogation is in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.

The existing Woolaway Bungalow is now in a poor state of disrepair; the quality of the structure is such that is unlikely to provide a suitable family home for any sustained period of time. It is therefore in the public interest that this dwelling is replaced with a more suitable form of development.

- (ii) There is no satisfactory alternative

To extend the dwelling or structurally alter the existing building would be unsatisfactory and is unlikely to retain the existing roost. There is no satisfactory alternative in this case.

- (iii) The derogation is not detrimental to the maintenance of the population of the species concerned as a favourable conservation status in their natural range.

Comment: Both Natural Resources Wales and MCC Ecology have looked at this proposal to ensure that the proposed new bat roost within the loft space of the garage is satisfactory. This is now the case and the development meets this test accordingly.

In the light of the circumstances outlined above which demonstrate that the three tests would be met, and having regard to the advice of the NRW and the Council's own Biodiversity Officers, it is recommended that conditions are imposed to ensure:

- Compliance with the submitted mitigation/method statement
- Condition for a detailed method statement
- Condition to see evidence of licence
- Control of Lighting

## 5.5 Other Issues Raised

5.5.1 The issue of the level of public consultation undertaken by the applicant/agent is not a consideration that affects how this planning application is considered. The issue is that the Council has undertaken the required level of consultation and notification. The issue of potential sub-division in the future is not an issue to be considered as part of this application. The agent has provided dimensions and levels together with full details of landscaping and external materials. A clear assessment can be made from the submission of the impact of the proposed development.

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

These have been addressed in the report above.

## **6.0 RECOMMENDATION: APPROVE**

### Conditions:

1. Five year standard time condition
2. Compliance with Approved Plans
3. Implementation of Landscaping
4. The new access shall have a hard surface permeable material for a minimum distance of 5m from the edge of carriageway so as to prevent any surface water or loose material being brought out onto the adjacent highway.
5. Visibility splays of 2.4m set back from the edge of carriageway to the edge of the site in both directions, measured from the centreline of the access, shall be provided. Nothing which may cause an obstruction to visibility shall be placed, erected or grown in the splay area.
6. The driveway shall be a constructed with 45° ease of access splays. The actual driveway width shall be a minimum width of 3m. Gates if provided shall not open outwards and shall be set back a minimum of 5m from the edge of carriageway.
7. No surface water from the site shall drain onto the County Highway or into the County Highway drainage system and shall be disposed of on site.
8. Prior to development commencing a scaled plan showing the positions of retained trees with their root protection area clearly marked shall be submitted to and approved



by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

9. The hereby permitted works shall not in any circumstances commence unless the local planning authority has been provided with either:
  - a) A copy of the licence issued by Natural Resources Wales pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 authorizing the specified activity / development to go ahead; or
  - b) a statement in writing from the scheme ecologist to confirm that the specified activity/development will not require a licence based on legislative and ecological justification.
10. No development shall take place including any demolition, ground works, site clearance until a protected species (bats) method statement for works has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include, as a minimum the:
  - a) purpose and objectives for the proposed works;
  - b) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
  - c) measures to avoid killing and injuring bats during works
  - d) use of materials (such as timber, roofing membranes),
  - e) persons responsible for implementing the works;
  - f) positioning, size, type & location of bat roosting provision
  - g) positioning and size of entrances of bat mitigation;
  - h) initial aftercare and long-term maintenance (where relevant);

11. The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter. Notwithstanding the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no lighting or lighting fixtures shall be installed on the building or in the curtilage until an appropriate lighting plan which includes lighting type and specification, protecting roosting and foraging/commuting habitat for bats has been agreed in writing with the LPA.