

Application Number: DM/2019/00564

Proposal: The erection of a new two storey detached dwelling, with associated parking and landscaping on land adjacent to Treff Garne.

Address: Treff Garne, Chapel Lane, Pwllmeyric, Chepstow

Applicant: Mr & Mrs Howells

Plans: Site Layout 101 - , Location Plan 200 G - , Street Scene 201 E - , Floor Plans - Proposed 202 E - , Block Plan 100 A - ,

RECOMMENDATION: Approved Subject To S106

Case Officer: Ms Kate Young

Date Valid: 13.04.2019

This application is presented to Planning Committee at the request of the local member and because of the number of objections received

1.0 APPLICATION DETAILS

1.1 Treff Garne is a dormer bungalow which was approved as a replacement dwelling in 2015. It is set in the centre of the plot with a detached garage to the rear. The current application seeks the erection of a dormer bungalow in the front garden. The front garden is elevated above the height of the road. The existing vehicular access from Chapel Lane would be widened to provide a shared access for both dwellings. The new dwelling would have an attached single garage as well as two additional parking spaces. The parking provision for the existing property would not be compromised. The existing hedge along the front boundary of the plot would be retained. There are some domestic trees in the front garden that would be felled as a result of the development.

1.2 The site is located within the Pwllmeyric Development Boundary, the land to the east of Chapel Lane is allocated in the Mathern Conservation Area and as part of the Wyelands Estate Historic Park and Garden. The land to the east of the road is also designated as a Minerals Safeguarding Area.

2.0 RELEVANT PLANNING HISTORY (if any)

| Reference Number | Description | Decision | Decision Date |
|-------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|----------------------|
| DC/2015/00496 | Reduce the size of extension. Add Velux windows to the north side. Gable end wall to west. Add window to both gable ends (west & east). Reference number: DC/2014/01388. | Application Withdrawn | |
| DC/2014/01388 | Extension and renovation to a 3 bed bungalow, providing more accommodation and upgrading the property to be more energy efficient and environmentally friendly. | Approved | 26.02.2015 |

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S1 LDP The Spatial Distribution of New Housing Provision
S4 LDP Affordable Housing Provision
S12 LDP Efficient Resource Use and Flood Risk
S13 LDP Landscape, Green Infrastructure and the Natural Environment
S16 LDP Transport
S17 LDP Place Making and Design

Development Management Policies

H2 LDP Residential Development in Main Villages
SD2 LDP Sustainable Construction and Energy Efficiency
SD4 LDP Sustainable Drainage
EP1 LDP Amenity and Environmental Protection
EP3 LDP Lighting
M2 LDP Minerals Safeguarding Areas
MV1 LDP Proposed Developments and Highway Considerations
DES1 LDP General Design Considerations

4.0 NATIONAL PLANNING POLICY

Planning Policy Wales (PPW) Edition 10

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation. A well-functioning planning system is fundamental for sustainable development and achieving sustainable places.

The planning system should create sustainable places which are attractive, sociable, accessible, active, secure, welcoming, healthy and friendly. Development proposals should create the conditions to bring people together, making them want to live, work and play in areas with a sense of place and well-being, creating prosperity for all.

5.0 REPRESENTATIONS

5.1 Consultation Replies

Mathern Community Council - Objects

The Community Council has fully considered this application and recommend 'Refusal'. The Council support the views submitted by local residents.

More specifically,

1. The proposal represents an over-development of the site and is completely out of context with the area.
2. The proposed building impacts significantly on the amenity of neighbouring properties with overlooking windows and towering skyline. The impact on neighbouring properties has not been considered in the design.

3. The existing buildings along Chapel Lane follow a common development line which is breached by the proposed building, significantly impacting the aesthetics of the area.
4. Increased traffic generation along Chapel Lane and exiting onto Pwllmeyric Hill is not desirable.

MCC Highways - No objection

The existing internal driveway arrangement will be modified to provide a vehicular access and hardstanding area for the development proposal, this is of sufficient size
To cater for the parking of 3 vehicles and its layout will allow vehicles to turn within the site and to exit onto the public highway in a forward gear.

MCC Housing - A commuted sum of £30,650 will be required for this development to support the provision of affordable housing in the locality.

MCC SuDS/Flood Risk Management - The scheme will require approval by the SuDS Approving Body (SAB) prior to any construction work.

MCC Ecology - I am satisfied that the building does not require any further assessment, I note that the existing mature hedgerow is to be retained this is welcomed, the small trees to be lost should be compensated for as part of the scheme. The glazing on the south elevation is of concern due to the light spill this will have on the adjacent rural environment, particularly the glazing at high level. We would request that measures to reduce light spill on this elevation are considered. In terms of any external lighting we would expect this to be low level and avoid illuminating surrounding semi natural habitats.

5.2 Neighbour Notification

Letters of objection from six addresses

Inadequate access

Inadequate parking provision

Increase in traffic

Increased pollution

More open space needed on development

Noise nuisance

Out of keeping with character of area

Over development

Very close to the road which is a very narrow lane opposite a rural conservation area. All other properties on this lane are set back off the road.

Increase in construction vehicles which would completely block the lane thus not allowing right of way to residents.

Where would materials be stored and contractors park?

There is definitely little confidence that the plans will be adhered to and residents' views will be ignored as previously.

This property would overlook the gardens of approx. 3 houses in Orchid Meadow invading their privacy and creating noise nuisance, however, I notice the planned house is not planned to look over the garden of Treff Garne

The people in Orchid Meadow will not be able to sit in their own gardens without being overlooked
Chapel Lane cannot withstand another property and more vehicles

This property will not enhance the area and is of no advantage to the area other than to make the current owner of Treff Garne money.

We seek assurance that it is for the Development Management Team to determine the validity of supporting evidence, not the applicant.

Significant negative impact on quality of life

Overlooking and loss of privacy

High elevation of proposed dwelling

Increased noise and disturbance from an additional dwelling

Proposed footprint is very small

Proposal will be very close to the highway

Impact on open aspect of the neighbourhood
Adverse impact on the conservation area
Will obstruct emergency vehicles
Set a precedent for future development
Brings the established building line forward
Narrowing of the highway will impede large vehicles
Previous approval on the site sets an unjustified precedent, it was retrospective with significant changes to original drawings
On-call firefighters use the lane
The existing property impacts on privacy
Contrary to Policy DES1 of the LDP
Does not respect the form, scale, siting, massing or materials of neighbouring properties
Inappropriate and insensitive infilling
Previous application at Treff Garne was retrospective
The Design and Assess Statement is misleading
We disagree with the comments made in the pre application report
Plot is higher than the surrounding properties
The pre app report did not consider neighbouring properties
Reduced size of the plot will impact on the character of the area
Inconsistency within the planning department, our plans for a front extension were rejected due to impact on the conservation area
Damage to nearby trees
Disruption to public right of way along Chapel Lane
Given the limited size of the living space inside the property and the bi-fold doors facing towards our garden, there will be outdoor living and excessive noise generated
Dust and pollution during construction
Pollution from the wood burner
Impact on drainage from digging the foundations
Surface water will drain onto neighbouring properties
Plot is too small for soakaways
Contrary to policy S17 of LDP as does not reflect distinctiveness
250% increase in plot ratio
Encourage subsequent proposals
Densification of land use on Chapel Lane
Will lead to demands to widen the lane leading to hedgerow loss
Risk to the safety of pedestrians and other road users
Altering the character of the rural lane
Ignores the form and character of its environment
Overlooking and over shadowing
Too close to neighbouring properties
A single storey dwelling would be more appropriate
Treff Garne was built without planning permission
Applicants may flout the planning regulations again
Contrary to the definition of infill.

5.3 Local Member Representations

Councillor Louise Brown:

Please could application DM/2019/00564 be referred to the planning committee in view of the highways and policy concerns raised online by residents of adjoining properties.

In addition, I would be grateful if the online application details from the applicant/ applicant's agent could be improved which at the start of June 2019, are unclear or have not been provided yet:

- There is no land registry type plan showing the property, proposed additional property and all of the adjoining properties including those on Orchid Meadow and Chapel Lane (albeit provided in one of the neighbouring residents comments);

-The design and access statement adds comments at the end of the report but there are no changes to any details or plans making the application unclear;

-The application concentrates upon the impact of the proposed additional property upon the existing property within the same plot but not adjoining plots;

- The topography of the area is such that Chapel Lane rises upwards so that the land further up Chapel Lane is higher than neighbouring properties lower down.

Reference of the application for consideration by the planning committee should assist in the provision of a fuller picture of the application and consideration of the planning policy issues.

6.0 EVALUATION

6.1 Strategic & Spatial Choices

6.1.1 Strategic Planning/ Development Plan context/ Principle of Development

PPW 10 recognises the need to provide sufficient housing in an area to meet housing need. This plot is located within the Pwllmeyric Development Boundary within which policy S1 and H2 presume in favour of new residential development subject to detailed planning considerations. This includes that there should be no unacceptable adverse impact on the village form, character and surrounding landscape. Pwllmeyric, is on a public bus route and is quite close to the town of Chepstow, so this is a relatively sustainable location. The principle of a new residential dwelling in this location is acceptable in policy terms.

Policy S4 of the LDP requires that all new housing developments contribute to affordable housing within the County. Single dwellings are required to make a financial contribution for this and the amount will depend on the size and location of the proposed dwelling. In this case the financial contribution required for a four-bedroom dwelling of the size indicated would be £30,650 that would be secured through a section 106 Legal Agreement. This amount of financial contribution is likely to change when the new SPG for Affordable Housing is adopted soon.

6.1.2 Good Design/ Place making

PPW 10 considers that the special characteristics of an area should be central to the design of a development and that the layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are important planning considerations. In this area of Chapel Lane, there is no distinct building line and the street scene comprises a mix of house types. In addition the houses are orientated in different ways. This proposal is for a detached dwelling of contemporary design to be located in the front garden of Treff Garne. There is sufficient space to accommodate a detached dwelling and the associated amenity space, the impact on the street scene is acceptable. Although the dwelling will be set up above the level of the lane it is set back at least 6 metres from the edge of the lane behind a mature hedge that is being retained. In order to reduce the impact of the proposed dwelling. In addition, the ground levels will be lowered and the ridge height kept below 6.2 metres. This is essentially a single storey dwelling with some accommodation in the roof space. The design of the dwelling has been informed by the existing dwelling on Treff Garne. There would be a large glazed gable to the front with exposed hardwood frames, facing south to maximise solar gain. The window and door frames will be of a contemporary style. The walls will be of cream render. There will be a flat sedum roof over the garage. The design of the proposal reflects the character of the host building with which it will be read. The scale of the proposed dwelling and its plot will be smaller than that of surrounding properties but not by so much that it is out of keeping with the character of this part of Pwllmeyric. There is a mixture of house types along Chapel Lane although the prevailing character is one of modern dwellings occupying substantial plots. The design of the proposed dwelling will reflect the character of the existing building at Treff Garne and will contribute to a sense of place. The proposal is therefore consistent with the objectives of Policy DES1 of the LDP.

6.1.3 Impact on Amenity/ Promoting Healthier Places

This site is surrounded by residential properties on three sides and has a road frontage with Chapel Lane. Immediately to the south of the site is 21 Orchid Meadow, which is a two storey detached dwelling set at a slightly lower level than the proposed plot. This dwelling has rear windows at both ground and first floor level which face towards the proposed plot. No. 21 Orchid Meadow is at least 20 metres from the boundary with Treff Garne and the proposed new dwelling would be a further 6 metres from the common boundary. There is a mature hedge along the common boundary which could be allowed to grow out. The side elevation of the proposed dwelling facing towards 21 Orchid Meadow has had one first floor bedroom window removed in its entirety through negotiation between the Council and the applicant, with only bi-fold doors and full height window serving the lounge on the ground floor. Given the distance between the two properties, the intervening hedge and the difference in levels there will be no significant loss of privacy to the occupiers of no 21 as a result of this proposal.

No 20 Orchid Meadow also backs onto Treff Garne but is closer to the existing dwelling. No 20 has a shorter rear garden with a minimum distance of 16 metres to the boundary with Treff Garne but would be at least 25 metres from the proposed new dwelling and not in direct line of sight. To the north of the proposed site is a large detached dormer window which is set at a higher level. On the north east elevation of the proposed dwelling would be a garage window on the side elevation and a first floor bedroom window. The proposed bedroom window will look over the front garden of Broadwinds at a distance of over 15 metres. There would be a shared driveway between the two. Given this orientation and distance there will not be a significant loss of privacy for the occupiers of Broadwinds. To the rear of the proposed new dwelling sits the existing property of Treff Garne. There would be approximately 5 metres between the rear elevation of the proposed dwelling and the side elevation of the existing dwelling, although the proposed garage would be closer. The existing dwelling has two habitable room windows on the ground floor and one on the first floor facing towards the plot. The proposed dwelling would have one bedroom window at ground floor level facing towards the side elevation of the existing house. The design has been carefully considered to ensure no unacceptable level of overlooking. A stone boundary will be provided along the rear boundary of the proposed dwelling to help maintain privacy between the two properties. At first floor level on the rear elevation there will be no windows, only roof lights serving the two en-suites.

The proposed dwelling in this location will not have a significant detrimental impact on the privacy, amenity and health of the occupiers of neighbouring properties, so the proposal does accord with the objectives of policy EP1 of the LDP and PPW 10.

6.1.4 Sustainable Management of Natural Resources

The proposed dwelling will have insulated floors, walls and roof that are a higher standard than that of the minimum requirements of the Building Regulations. All new sanitary ware will be low flow to reduce water consumption and new lighting will be energy efficient. Throughout the construction, new materials will be sourced locally where possible to ensure that transportation and emissions are kept to a minimum. The garage to the property would have a sedum roof, which will help to reduce surface water runoff and be of ecological benefit.

6.2 Active and Social Places

6.2.1 Transport / Housing - sustainable transport issues (Sustainable Transport Hierarchy)

PPW10 refers to the Sustainable Transport Hierarchy where walking and cycling are the highest priority and public transport second with private motor vehicles being the least desirable. Pwllmeyric is in a relatively sustainable location being only two miles from the good range of facilities in Chepstow and also being on a bus route.

6.2.2 Access / Highway Safety

The existing access into Chapel Lane will remain as existing but the existing low-level retaining wall at the front of the site will be removed to enlarge the site access. The new property will then have a shared access with the existing property of Treff Garne. The Council's Highway Engineers

offer no objection to the proposal. The increase in traffic using Chapel Lane as a result of one additional dwelling would be minimal and no justification for refusing the application. The road capacity of existing roads in this area can accommodate traffic generated by one additional dwelling and therefore the proposal accords with the objectives of Policy MV1 of the LDP. The adopted Monmouthshire Parking standards require one off street parking space per bedroom up to a maximum of three for each dwelling. In this case, both dwellings will require three spaces. The existing dwelling has a detached double garage and space to park at least two additional cars and the proposed dwelling will have a single garage and space to park an additional two vehicles. The vehicles would be able to turn within the site and exit in a forward gear. The proposal therefore accords with the adopted Monmouthshire Parking Standards.

6.3 Distinctive & Natural Places

6.3.1 Landscape/ Visual Impact

The proposed dwelling will be visible within the street scene and also when viewed from the Wyelands Estate Historic Garden. PPW10 says that the special characteristics of an area is a central design consideration and we should seek to promote or reinforce local distinctiveness. In this case the new dwelling will be seen in the context of the surrounding residential development. The dwelling will be elevated above the level of the road but it will be set back from the road frontage and behind an existing hedge. This, combined with the fact that the ground levels are being reduced and the ridge height of the building is low, means that the proposed building will not have an overbearing impact on the street scene. The design of the dwelling is in keeping with the area in that it is very similar in style to that of the host building. The proposal, when viewed from the Wyelands Estate that is on the opposite side of the road with two intervening hedges, will be seen in the context of the existing dwellings and it will not detract from the character of the Historic Park.

6.3.2 Green Infrastructure

The application related to a small residential plot on existing residential curtilage. The existing hedges along the road frontage are being retained and additional planting is being provided within the site. Given the very limited size of the plot there is little scope for additional green infrastructure.

6.3.3 Biodiversity

The proposed plot is within the residential curtilage of an existing dwelling which was recently constructed. There are some small trees on the site that need to be felled to accommodate the new dwelling but these are young, domestic garden plants which have no protection and could be cut down in any case. MCC ecologists welcome the fact that the existing hedgerow is being retained. There are no built structures on the site to be demolished. A Bats in Building survey was carried out on the existing building and this led to MCC Ecologists concluding that the existing building did not need further assessment. The Council's ecologists have concerns over light spillage from the proposed dwelling due to the large amount of glazing on the south elevation. This is a domestic dwelling within an established residential area, and it is not considered realistic to try to restrict light spillage from such developments.

6.3.4 Flooding

The site is not in a designated Flood zone

6.3.5 Water (including foul drainage / SuDS), Air, Soundscape & Light

The proposed scheme will require a sustainable drainage system designed in accordance with the Welsh Government Standards for sustainable drainage. The scheme will require approval by the SuDS Approving Body. The applicants have been made aware of this.

6.4 Response to the Representations of Third Parties and/or Community/Town Council

6.4.1 Most of the comments made by the community council and local residents such as over-development, residential amenity, traffic generation access, parking and design have been addressed in the main body of this report. In addition, residents are concerned with regards to disruption, noise and dust during construction. There is sufficient land available within the site so that there will be no need to block Chapel Lane. A construction management plan will be asked for by condition. The disruption during construction will only be temporary. The surface water and other drainage considerations will be subject to SAB and approval under the Building Regulations. Each planning application will be determined on its merits so this will not set a precedent for other development in the area. The proposed dwelling will be higher than dwellings in Orchid Meadow but lower than the dwellings to the north and a similar height to Treff Garn. This is because the land on Chapel Lane slopes down from east to west. The proposal is considered to be a reasonable form development within the development boundary of the village.

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

6.5.1 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.

6.6 Conclusion

6.6.1 The principle of new residential development in this location is acceptable as the plot is within the development boundary. The design of the proposal is in keeping with the character of the area and does not adversely impact in the residential amenity of neighbouring properties. The proposal does not have a detrimental impact on the setting of the Wyelands Estate or the Mathern Conservation Area. The proposal accords with development plan policy.

7.0 RECOMMENDATION: APPROVE

Subject to a 106 Legal Agreement requiring the following:

S106 Heads of Terms

A commuted sum of £30,650 towards affordable housing in the area

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 Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order, with or without modification) the garage hereby approved shall not be physically altered or converted to any other domestic purpose without prior approval of the Local Planning Authority. The garage shall be made available at all times for the parking of motor vehicles associated with the residential use of the dwelling hereby approved.

REASON:

The garage is the only parking provided and its loss for this purpose may lead to parking problems and to ensure compliance with LDP Policy MV1.

4 Prior to work commencing on site, a construction management plan shall be submitted to and agreed in writing with the Local Planning Department. All works shall be carried out in accordance with the approved construction management plan,

REASON: In the interests of residential amenity in accordance with policy EP1 of the LDP

5 Notwithstanding the provisions of Article 3, Schedule 2, Part 1 Classes A B C D E F & H of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 (or any Order revoking and re-enacting that Order with or without modification) no enlargements, improvements or other alterations to the dwelling house or any outbuildings shall be erected or constructed.

REASON: In the interests of residential amenity in accordance with policy EP1 of the LDP.