

Application Number: DM/2019/00796

Proposal: Retention of existing buildings and amendments to roof structure and external elevations

Address: Land At Bridge House, A48 Chepstow Garden Centre to Pwllmeyric Hill, Pwllmeyric

Applicant: Mr Robert Bailey

Plans: Site Plan AL.03 - REV G, Floor Plans - Proposed AL.10 - REV A, Elevations - Proposed AL.11 - REV A, Floor Plans - Proposed AL.12 - REV A, Elevations - Proposed AL.13 - REV A, Location Plan AL.01 - , Garage Plans AL.15 - , Other Lighting plan AL04 - Rev A, Other Down lights - , Ecology Report - , FCA - , Green Infrastructure Appraisal - ,

RECOMMENDATION: SPLIT DECISION

Case Officer: Mrs Helen Hinton
Date Valid: 11.07.2019

1.0 APPLICATION DETAILS

1.1 This application was presented to Planning Committee on 3rd September 2019 (a copy of the original report is reproduced below).

1.2 At that meeting Members resolved that they were of a mind to grant planning permission for the dwellings but refuse consent for the garages on the basis of mass, size and design and requested that discussions be held with the applicant to allow for a reconsideration of the orientation, footprint and highways issues relating to the garages.

1.3 Following consideration of the Members' request, the Agent has advised that the applicant was unwilling to undertake any further alterations to the application and has requested that the application be determined in its current form.

1.4 On the basis of the above, the following reasons are considered representative of the views expressed by Members:

1. The proposed garages, as a result of their mass, size, scale and design in conjunction with their positioning to the front of the dwellings are considered detrimental to the character and appearance of the application site and wider area, contrary to the requirements of policies S17 and DES1 of the Monmouthshire County Council Local Development Plan.

Members' concerns in relation to the reduced ability for vehicles to emerge from the site in a forward gear as a result of the 'as built' garages being larger than approved, are being explored with Highways and their comments and any relating reason for refusal, if appropriate, will be submitted for Members' consideration in late correspondence.

1.5 The following conditions are also recommended with regards to the dwellings:

1. Notwithstanding the details of the approved plans, the planning permission hereby granted shall only relate to the dwellings and not to the garages indicated on plan reference: AL.03 Rev G; and AL16 Rev C.

REASON: To clarify the extent of the planning permission hereby granted.

PREVIOUS REPORT to meeting of Committee held on 3rd September 2019

1.0 APPLICATION DETAILS

1.1 The application seeks full planning permission for the retention of existing buildings on site and amendments to the roof structure, external elevations of the dwellings and boundary features and access.

1.2 As Members will be aware the site has an extensive planning history. In 2017 permission was granted for redevelopment of site in a phased manner to provide two dwellings; one prior to and one post demolition of the existing dwelling (application DC/2016/01308 refers). During the course of construction it has become apparent that the development has not been carried out in accordance with the approved plans with variations to the design, position and size of the dwellings on site.

1.3 The current application now seeks consent to retain part of the existing structures in terms of the garages and the position, width and depth of the dwellings whilst also making alterations to the external appearance of the dwellings so they are more in line with the previous and extant consent.

1.4 The dwellings proposed as part of the current application measure 9.7m wide, 13.2m deep with a maximum ridge height of 8.2m falling to 5m at eaves level. Relative to the previous approval the dwellings are 0.3m narrower, 1.8m shallower and 1.3m lower to ridge and 0.1m lower to eaves level. As developed, the dwellings are 3m and 3.4m further south-east (into the site, away from the A48) than the extant permission. The current application indicates that the dwellings would be finished with a cross gable roof design, to provide a ridge parallel with the highway and a front facing projecting gable feature (adjoining the northern, front elevation). Principal access to the dwellings would be provided in the eastern elevation of unit 1 and the western elevation of unit 2 (facing each other). The number of openings in the eastern elevation of unit 2 (adjacent to the property 'Wenvoe') would be reduced from four to two to serve an ensuite bathroom and a stair well.

1.5 Vehicular access to the site would be gained via a 5m wide, single point of access in the northern boundary, leading from the A48. Details submitted as part of the application indicate the provision of a 2.4m by 40m visibility splay. Parking would be provided on a forecourt area to the front (north) of the dwellings. The area is sufficiently large enough to accommodate three parking spaces per dwelling and an on-site turning facility.

1.6 The application also seeks to retain the garages as built. The garage associated with plot number 1 is irregular in shape and measures 8.3m wide, 8.6m deep with a ridge height of 4.8m sitting parallel with the A48, falling to 2.4m at eaves level. The building is positioned 0.6m further into the site than the previous approval. Relative to the previous approval the garage is 0.8m wider; 1.1m deeper, 1.3m lower to ridge and 0.5m lower to eaves.

1.7 The garage associated with plot 2 measures 7.5m wide, 6.2m deep with a ridge height of 4.5m falling to 2m at eaves. Relative to the previous approval the building is 0.9m wider; 0.4m deeper 0.8m lower to ridge level and 0.65m lower to eaves level. The ridge line of the building has also been turned through 90 degrees.

1.8 Amended plans submitted indicate that the northern boundary wall, adjacent to the A48 would be reduced to 1m in height from its previously approved 2m height and that a new boundary would be provided along the eastern elevation, on top of the existing wall.

1.9 Externally the dwellings would be finished with a combination of natural stone and render, a slate tiled roof and upvc windows and doors. The boundaries would be a combination of stone walls and timber fencing. The parking forecourt would be finished with porous block paving. As part of the development, it has been confirmed that the geology of the site is not capable of accommodating surface water soakaways; as a result crates/ tanks to store storm and surface

water have been installed beneath the rear gardens with an attenuated outflow to the adjacent stream.

1.10 The application site comprises a 28m wide, 48m deep parcel of land that formerly accommodated Bridge House, its garage and associated amenity space. The plot is positioned on the southern side of the A48, within the Village Development Boundary of Pwllmeyric, as identified by the Proposals Map of the Monmouthshire County Council Local Development Plan (LDP). Pwllmeyric is categorised as a Main Village within the LDP. Residential properties are positioned either side of the site - a large two storey dwelling known as Beckstone House to the west and a single storey bungalow known as Wenvoe. The dwellings further east of the site comprise single and two storey dwellings. The site is adjacent to Mouton Brook and is identified as being within the C2 Flood Zone as defined by the Development Advice Maps associated with Technical Advice Note (TAN) 15: Development and Flood Risk. The land to the south (rear) of the site is allocated as green wedge (LDP Policy LC6 refers).

2.0 RELEVANT PLANNING HISTORY (if any)

Reference Number	Description	Decision	Decision Date
DM/2018/01883	Discharge of conditions 6, 7 and 9 from planning consent DC/2016/01308.		12.06.2019
DM/2018/02022	Variation of approved plans of planning consent DC/2016/01308:- Position and design alterations of all buildings		21.05.2019
DC/2016/00061	Redevelopment of site following demolition of existing house to provide one dwelling and engineering works to improve flood safety	Approved	30.09.2016
DC/2016/01308	Redevelopment of site in a phased manner to provide 2 dwellings; 1 prior to and one post demolition of the existing dwelling.	Approved	18.12.2017
DC/2015/00923	Redevelopment of site following demolition of existing house to provide 2 dwellings.	Withdrawn	31.05.2017
DC/2015/00128	Redevelopment of site following demolition of existing house to provide 3 dwellings.	Withdrawn	31.05.2017
DC/2016/00061	Redevelopment of site following demolition of existing house to provide one dwelling and engineering works to improve flood safety	Approved	30.09.2016

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
SD3 LDP Flood Risk
SD4 LDP Sustainable Drainage
NE1 LDP Nature Conservation and Development
EP1 LDP Amenity and Environmental Protection
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 - Concerns with regards to the front boundary wall, the position of the garage, adjacent to the A48 and the number on windows in the side elevations overlooking neighbouring dwellings.

Highways - Response awaited.

Environmental Health - Raise no objection

Natural Resources Wales Environment – Having considered the content of the FCA we have no objection to the retention of the dwellings on site.

Natural Resources Wales Ecology – We did not request the conditions with regards to Ecology and have no further comment to make

MCC Ecology and Biodiversity - Following the submission of additional reports, plans and information, no objections are offered subject to a condition requiring the development to be completed in accordance with the approved details.

5.2 Neighbour Notification

The application has been advertised by direct neighbour notification and the erection of a site notice. One letter of objection has been received and is summarised as follows:

House 2 impacts on both me and my neighbour at Wenvoe. The latest drawings show only two windows on the east elevation of the house finished with frosted glass. However during construction 4 windows have been included in the eastern side elevation, the largest of which is double to that the size as shown on the plans - these have a significant impact on my privacy. If the building is altered so that they appear like that in the plans (dated 28/9/18) then I have no objection assuming that frosted glass is used.

There has been no effort to replace the fence between Greystones and Building 2. Whilst a wall has been erected this is not high enough to retain any privacy or my dog. My wooden fence has been badly damaged and will need to be replaced.

5.3 Local Member Representations

On the 2nd July the Ward Member, Councillor Brown requested the application be presented to Committee with concerns raised with regards to highway safety, sustainable drainage, external materials and impact on the residential amenity of those living closest to the site.

6.0 EVALUATION

6.1 Strategic & Spatial Choices

6.1.1 Principle of Development

The application site forms part of Pwllmeyric which is designated as a Main Village within the Monmouthshire LDP. Being within a Main Village the principle of further residential redevelopment is acceptable subject to the development satisfying detailed and material considerations. Furthermore the principle of providing two dwellings, garages and associated amenity space has been positively established by the granting of application DC/2016/01308 on 18th December 2017. Although the works on site are not currently compliant with the approved plans, the consent does remain extant and in theory the development could be brought back into line with that approval should the current application fail to gain planning permission.

6.1.2 Good Design/ Place making

The buildings currently constructed on site are considered to be contrary to the requirements of policies S17 and DES1 of the LDP on the basis of their design being out of keeping with and detrimental to the overall character and appearance of the area and detrimental to the residential amenity of those living closest to the site as a result of the increased overlooking and loss of privacy that would be generated by the number of windows installed in the eastern elevation.

As part of the current application, negotiations have been held with the developer and their agents in an attempt to secure an amended design that overcomes the above concerns. It is considered that that application now proposes a design more in keeping with the original consent, with front facing gable features finished with natural stone cladding; a cross gable roof design that replicates the roofscape evident within the immediate context and a reduced number of openings in the elevations overlooking neighbouring properties. Access to unit 2, (adjacent to Wenvoe) would now be gained from the western (side) elevation adjacent to plot 1 rather than the eastern elevation (adjacent to Wenvoe) as previously approved thereby helping to reduce disruption and overlooking further. As a further benefit the dwellings now proposed are smaller than those previously approved. It is also proposed that the front boundary wall be reduced to a 1m in height, from its previously granted 2m height. It is felt that this alteration helps prevent the development being overly enclosed or austere in the street scene.

Although the site has been built up to make it compliant with requirements of the previously approved Flood Consequences Assessment, it is considered that on balance the revised scheme

would make a positive contribution to the street scene and is compliant with the requirements of policies S17 and DES1 of the LDP.

6.1.3 Impact on Amenity/ Promoting Healthier Places

It is considered that the plot is capable of accommodating two dwellings of the size proposed with appropriate off street parking and on site turning facilities and sufficient amenity space.

Although the approved scheme indicates the provision of two windows and front door in the eastern elevation of dwelling unit 2 overlooking Wenvoe, four windows serving the living room, reception at ground floor level and the landing and ensuite at first floor level have been actually constructed. It is considered that the existing and potentially the approved arrangement would have a detrimental impact on the residential amenity of those living closest to the site as a result of increased and intensified levels of overlooking, loss of privacy and disruption.

As part of the current application, it is proposed that the window openings in the eastern elevation of dwelling 2 be reduced to two. One would serve an ensuite bathroom at first floor level the other would be a leaded/ stain glass design serving the stair and landing. The western elevation of plot 1 overlooking Beckstone House would remain as existing with two windows at ground floor level serving a reception and living room and an ensuite bathroom and landing at first floor level. Although it is highly likely that the ensuite bathroom would be obscure glazed details of the glazing for the first floor openings could be secured by condition.

Whilst raising the ground level to bring the finished floor level in compliance with the requirements of the previously approved FCA has resulted in the development of large and prominent dwellings, this part of Pwllmeyric is characterised by a mix of housing types, differing in form and style with varied plot size.

In terms of the siting, the dwellings have been developed further back from the main road than previously approved. However the prevailing form of development features a staggered arrangement (in relation to the front building line and the overall height) of houses with a diverse scale and design, together with a variation in levels along this part of the village. Thus, there is no distinctive development pattern to which any new dwelling proposals ought to have regard.

It is considered that the amended design and mass relative to that previously approved and to the scheme that has been developed, would not be so out of accord with the mix of the development pattern and urban grain along this part of the A48/ Chepstow Road to warrant refusal of the application. The application is considered to be in accordance with the requirements of policies S17, DES1, and EP1 of the LDP.

6.2 Active and Social Places

6.2.1 Transport - sustainable transport issues (Sustainable Transport Hierarchy)

It is highly likely that the development would be accessed via private car. However, there is a bus stop within 55m of the site and the development is within walking distance of the shops at the local petrol station and garden centre.

6.2.1.1 Affordable Housing

It is a basic principle of Local Development Plan Policy S4 that all residential developments (including at the scale of a single dwelling) should contribute to the provision of affordable housing in the local planning area although this is subject to the viability of each individual scheme. As part of the 2016 application, following the submission of a financial challenge and consideration of that in relation to the Three Dragons Viability Tool Kit, the application was found unviable to provide the sum requested. In light of the additional cost implications associated with the current application this situation remains the same. Furthermore in light of the Council's recent adoption of the revised Affordable Housing Supplementary Planning Guidance the scale of development proposed would fall within one of the exemption categories.

On the basis of the above, the application is compliant with the requirements of policy S4 of the LDP.

6.2.2 Access / Highway Safety

The plans submitted that vehicular access to the site would be gained via a single 5m wide opening in the northern boundary leading from the A48. A 1m high boundary wall would be provided to the rear of the 40m wide visibility splay that would be provided either side of that access. It has been determined that the forecourt area to the front of the dwelling is capable of accommodating at least 3 off street parking spaces per dwelling (with additional parking provided within the garages) and an on-site turning facility to allow all vehicles to access and egress the site in a forward gear.

Relative to the previous and extant consent it is considered that the current proposal would not generate an increase in traffic movements or demand for parking, detrimental to the highway safety and free flow of traffic in the area and is compliant with the requirements of policies S16 and MV1 of the LDP.

6.3 Productive and Enterprising Places

6.3.1 Economic Development

It is considered that the provision of additional housing within relatively close proximity of one of the Council's main towns could have a beneficial impact on the economic development of the area.

6.4 Distinctive & Natural Places

6.4.1 Landscape/ Visual Impact

As part of the previous consent, the approved FCA detailed the site levels being increased to remove the dwellings out of the C2 flood plain. These works have been undertaken with current topographical studies confirming compliance. As a result, the dwellings previously approved and developed do appear tall in the street scene. However, following the submission of a street scene and ridge height analysis, the developments would be in accord with the ridge height of Beckstone House to the west.

Although the development is visible from the land to the rear which is allocated as Green Wedge, it is considered that the enclosure provided by Mouton Brook which wraps around the rear of the site would prevent any further intrusion of domestic features into this area.

Based on the above, and being mindful that the dwellings now proposed are smaller than those previously granted consent, it is considered that the development would not be so detrimental to the overall character and appearance of the area to warrant refusal of the application. The development is considered compliant with the requirements of policies S13, S17 DES1 and EP1 of the LDP.

6.4.5 Biodiversity

A number of ecological studies, plans and details have been submitted in support of the current application. The Council's Ecology and Biodiversity Team has raised no objection to the positive determination of the application subject to the key details forming part of the approved plan condition.

6.4.6 Flooding

The site is located within the C2 Flood Zone as defined by the Development Advice Maps of Technical Advice Note (TAN) 15: Development and Flood Risk. In light of recent planning appeals,

if this were a new application for the development of additional dwellings the proposal would fail. However, it must be acknowledged that the applicant could in theory revert the development back to be compliant with the previous consent. As part of the previous application, Natural Resources Wales provided the following comments:

"Initial concerns over flooding have been addressed and we no longer object to the planning application. The FCA satisfactorily demonstrates that there is likely to be sufficient flood storage upstream of the proposed development site (as indicated on page 4 of the FCA) and, that flood waters are not predicted to overtop the existing riverbank (left bank looking downstream) with a blockage scenario on the existing A48 bridge. This removes the likelihood of the overland flood flow developing during an extreme 0.1% (1 in 1000 year) event which has previously been established in earlier FCAs to affect the site in question. The reason for this is there is sufficient and natural floodplain storage upstream of the A48 Bridge that will accommodate such extreme flows and will reduce the impacts of flooding at the bridge and the proposed development site. NRW consider that the development will not lead to an increase in flooding elsewhere post development. Since the engineering works in relation to flood mitigation have already been completed on site, NRW has no request for any additional conditions and there is no objection to the proposal on flooding grounds."

Engineering works in relation to flood mitigation were approved as part of application DC/2016/00061. Works to increase the level of the site, in accordance with the previously submitted and approved FCA have also been carried out.

Whilst a new independent standalone application for an increased number of dwellings on the site would now fail, in light of the previous consent and the works that have been undertaken in accordance with the previously approved details, it is considered that the development proposed would not be at risk of flooding. In addition it would not cause or exacerbate flooding matters further downstream. The application is therefore considered compliant with the requirements of policies S12 and SD3 of the LDP.

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

As the current application was submitted and made valid after the 7th January 2019, there will be a requirement for the developer to accommodate sustainable urban drainage into the scheme. As part of the current application it has been confirmed that the geology of the site is not capable of accommodating a soakaway system to deal with surface water run-off. As a result, the developer has indicated that the forecourt area would be surfaces with permeable block pavings with a channel network beneath that would lead to water tanks and crates that have been installed in the rear garden with an approved attenuated outflow into the adjacent stream, the licence for which has been granted by NRW. An advisory note with regards to SuDS could be placed on any grant of consent.

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

6.5.1 Following consultation Mathern Community Council has raised an objection to the application on the basis of the height of the front boundary wall, the position of the garage, adjacent to the A48 and the number of windows in the side elevations overlooking neighbouring dwellings.

Following negotiations the application now indicates the development of a 1m high stone boundary wall on the northern boundary adjacent to the A48 (reduced from 2m) and a reduced number of windows in the eastern elevation of unit two overlooking the neighbours. Whilst concerns regarding the garage are noted, the plans submitted relative to those previously approved indicate that the garage has been developed 0.6m further into the site than the previous approval and although larger in its width and depth, it is lower to ridge and eaves height.

With regards to the concern raised by the neighbour, it is considered that the amended elevations help to overcome concerns with regards to increased overlooking, subject to a condition requiring the windows to be obscure glazed. Although the proposed site layout plan indicates the provision

of a fence on top of the boundary wall along the south-eastern boundary of the plot, no details have been supplied, therefore a condition to secure the details will need to be imposed in the interests of protecting the amenity and privacy of those living adjacent to the site.

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

6.6.1 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.

6.7 Conclusion

6.7.1 On the basis of the above report, it is considered that the amended plans submitted would create two dwellings on site that would not be significantly detrimental to the overall character and appearance of the area, the residential amenity of those living closest to the site or the highway safety and free flow of traffic along the A48. The application is therefore considered to be compliant with the relevant policies of the Local Development Plan and is recommended for approval subject to conditions.

7.0 RECOMMENDATION: APPROVE

Conditions:

1 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.

2 The windows serving all the bathrooms, en-suites, stairwells and landings shall be obscure glazed to a level equivalent to Pilkington scale of obscurity level 3 and maintained thus thereafter in perpetuity.

REASON: To protect local residential amenity and to ensure compliance with LDP Policies DES1 and EP1.

3 Before the approved development is first occupied the access shall be constructed in accordance with the approved plan.

REASON: To ensure the access is constructed in the interests of highway safety and to ensure compliance with LDP Policy MV1.

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4 Within 3 months of the date of this consent, details of the design, height and materials proposed of the fence to be installed along the south-eastern boundary, shown on the layout plan shall be submitted to and approved in writing by, the Local Planning Authority. All walls and fences shall be erected before the first beneficial occupation of the dwellings and retained in perpetuity.

REASON: To ensure a satisfactory form of development takes place and to ensure compliance with LDP Policy DES1.

5 Notwithstanding the provisions of Article 2, Schedule 2, Part 1 Classes A B C and E 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 dwellinghouse or any outbuildings shall be erected or constructed.

REASON: To prevent over development of the plot in the interests of the visual amenity of the application site and wider area and in the interests of the residential amenity of those living closest to the site in accordance with the requirements of LDP policies DES1 and EP1.

6 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 garages 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 a key element of the parking being provided and its loss for this purpose may lead to parking problems and to ensure compliance with LDP Policy MV1.

7 Samples of the proposed external finishes shall be agreed with the Local Planning Authority in writing prior to their installation. The development shall be carried out in accordance with those agreed finishes which shall remain in situ in perpetuity unless otherwise approved in writing by the Local Planning Authority. The samples shall be presented on site for the agreement of the Local Planning Authority and those approved shall be retained on site for the duration of the construction works.

REASON: To ensure a satisfactory form of development takes place and to ensure compliance with LDP Policy DES1.

8 No new vehicular entrance gates shall be allowed within 5m from the highway boundary.

REASON: To ensure that any vehicles serving the site can be removed from the highway when opening/closing the gates, in the interests of the highway safety and free flow of traffic along the A48 in accordance with LDP policy MV1.