

Application Number: DM/2019/01034

Proposal: Construction of two new four-bedroom detached dwellings with ancillary works

Address: Land adjacent to Caestory House, High Street, Raglan

Applicant: Mr & Mrs R Whitehead

Plans: All Proposed Plans Plot1 - 200A, Location Plan - 202A(1), All Proposed Plans Plot 2 - 201A, Site Layout - 202A,

RECOMMENDATION: APPROVE

Case Officer: Ms Kate Bingham

Date Valid: 28.06.2019

The application is presented to Planning Committee as there have been objections received from five or more separate households

1.0 APPLICATION DETAILS

1.1 The site is located in the village of Raglan, and is accessed from the main high street via an access road leading to Orchard Close. Caestory House is sited towards the northern end of the plot, which creates a large rear garden area to the south of the site.

1.2 Caestory House is a substantial two storey detached dwelling with parking and access to the front and large garden areas to the rear. There is a detached garage positioned close to the driveway entrance, with another detached garage sitting between Caestory House and the boundary wall between the site and Orchard Close. There is a gravel driveway and parking area at the front of the property, with the rear garden consisting of a lawn, surrounded by areas of shrubs, with hedgerows and brick walls forming the boundary of the site.

1.3 It is proposed to erect two new detached houses to the south side of the plot with access from Orchard Close. The dwellings proposed will have four bedrooms and have a ground floor foot print area of 120m² with a gross floor area over two floors of 216m².

1.4 The site is located within the Local Development Plan (LDP) defined settlement limits of Raglan, and is also part of the Raglan Conservation Area.

2.0 RELEVANT PLANNING HISTORY (if any)

Reference Number	Description	Decision	Decision Date
None.			

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

H1 LDP Residential Development in Main Towns, Severnside Settlements and Rural Secondary Settlements

DES1 LDP General Design Considerations

EP1 LDP Amenity and Environmental Protection

NE1 LDP Nature Conservation and Development

MV1 LDP Proposed Developments and Highway Considerations

HE1 LDP Development in Conservation Areas

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 Responses

Raglan Community Council - Good location for development in terms of access to services and transport. Raised queries regarding ownership of the access. Further comments to follow.

MCC Highways - No objection subject to a condition requiring a Construction Traffic Management Plan prior to commencement of development.

MCC Housing Officer - Financial contribution towards the provision of affordable housing in the local area required in accordance with Policy S4 and the supporting SPG.

MCC Sustainable Drainage Approval Body (SAB) - Believe the proposed scheme will require a sustainable drainage system designed in accordance with the attached Welsh Government Standards for sustainable drainage. The scheme will require approval by the SuDS Approving Body (SAB) prior to any construction work commencing.

Glamorgan Gwent Archaeological Trust (GGAT) – Request a condition requiring an archaeological watching brief.

SEWBREC Search Results - No significant ecological record identified.

5.2 Neighbour Notification

Sixteen representations received. Object on the following grounds:

1. The proposed access for this development is from Orchard Close which is a privately owned road. It is jointly owned by the six dwellings on Orchard Close. We object to the proposed access.
2. House will be very close to 6 Orchard Close blocking our light. As well as a window overlooking our garden and house. It will tower over our property.

3. The development will create more traffic emerging on to Raglan High Street which is already heavily congested.
4. There is not sufficient space for vehicles to turn into the development nor is there sufficient space for vehicles to emerge out of the development into the narrow lane. The lane is only wide enough for a car or small goods vehicle which in itself would be problematic to construction traffic as well as the residents.
5. There would be a safety issue due to the increase of vehicles to the development in regard to both the Scout hut, which is situated at the High Street end of the lane as the children congregate outside and in the lane, as do the parents at drop off and collection times and also to the pedestrians that use the walk way to the housing estate and the car park at the rear of the Post Office.
6. If the swimming pool building is removed Plot 1 would have an elevated and direct line of sight into the garden of 27 Caestory Lane and also and inside the house. Having spent 35 years composing and growing my garden to maintain my privacy and well-being, this application will completely destroy both.
7. The swimming pool wall facing 27 Caestory Avenue provides a large part of the boundary between the garden and Caestory House, so its removal will provide direct access into the garden through the large gap in the existing hedges.
8. The rear of the proposed development will be looking directly into the back garden and bedroom windows of 25, 26, 27 & 28 Caestory Avenue and it will considerably infringe on privacy.
9. We could not get planning permission to widen our original garage, because of location of main sewer which is situated by rear boundary. We were informed that it could not be disturbed and the weight of additional building would be an issue... why is this proposal any different?
10. When there are vehicles parked either side of the 'keep clear' road marking visibility is reduced and it is impossible to exit the lane without driving out into the High Street to see if it is safe to exit. Also frequently cars are parked on top of the 'keep clear' markings making impossible to turn into the lane from the High Street which in turn creates even more congestion.
11. The alleyway from Caestory Avenue/Caestory Crescent (plus 30% of all the houses in Raglan) have to cross this access road to gain access to Raglan High Street and the local shops, Chemist etc.

6.0 EVALUATION

6.1 Strategic & Spatial Choices

6.1.1 Strategic Planning/ Development Plan context/ Principle of Development

The site is located within the development boundary for Raglan as designated by Policy H1 Residential Development in Main Towns, Severnside Settlements and Rural Secondary Settlements of the Monmouthshire Local Development Plan (LDP).

Within such land, new build residential development "will be permitted subject to detailed planning considerations and other policies of the LDP that seek to protect existing retail, employment and community uses". It is therefore considered that in principle the erection of new residential development would be acceptable.

The existing dwelling is set within very generous grounds and it is considered that the two plots proposed would be commensurate with those in the surrounding built environment.

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. As this site falls below the threshold at which affordable housing is required on site, the calculation of the financial contribution that will be required is £13,560 per dwelling, totalling £27,120.

6.1.2 Good Design/ Place making

The proposed new dwellings are traditional two storey houses with pitched slate roofs and gable and porch details to the front elevations. The walls will be painted render, similar to many of the

existing dwellings in the area with grey uPVC windows and doors. The ridge height of the proposed new dwellings will be 0.05m (5cm) above the nearest neighbour on Orchard Close and will also be set back from the front elevation of this neighbouring dwelling resulting in the front elevation of Plot 1 being approx. 15m back from Orchard Close. It is unlikely that there will be any views of Plot 2 from Orchard Close.

The dwellings will be set at a lower level to Caestory House due to the natural gradient of the site and therefore will not be dominant in relation to the existing property.

The nearest dwellings on Caestory Avenue are relatively modern bungalows that head a cul-de-sac. The gable end of Plot 2 may be visible from the end of the cul-de-sac but at a distance of around 40 metres which will ensure that the visual impact on the street scene is minimal.

The proposed new dwellings are therefore considered to be in keeping with the character and appearance of the area in terms of their design, form and scale and accord with LDP Policy DES1.

6.1.3 Impact on Amenity/ Promoting Healthier Places

The plot sizes resulting from the subdivision of the rear garden of Caestory House will be similar to those in the immediate vicinity. The only windows on the sides of the proposed dwellings will serve bathrooms and can be conditioned to be obscure glazed. As such there will be no loss of privacy through direct overlooking for the existing dwellings to the north east (Orchard Close) or south west (Caestory Avenue) or between the two new dwellings.

Views from the front elevation of Plot 1 will be over the retained garden of Caestory House at a distance of 11 metres to the boundary and 21 metres to the rear elevation of the house. These distances are considered to be acceptable in terms of overlooking. Oblique views to the north east will be over the front/side parking area of no. Orchard Close. This property has no habitable room windows on the side elevation directly facing Plot 1. In terms of overshadowing, the ridge of Plot 1 will be 12m away from the rear elevation of no. 6 Orchard Close. This ridge is only slightly higher than this neighbouring property (+5cm) and the eaves will be 0.3m lower and on this basis together with the distance between the existing and proposed dwellings, it is considered that Plot 1 will not overshadow the neighbour to the extent that there would be a significant adverse impact on residential amenity. There would be some additional year round shading of the garden of no. 6 during the mid-afternoon to early evening owing to the orientation of Plot 1 to its west. This neighbouring garden is a good size and would retain a reasonable degree of direct sunlight so that its enjoyment would not be unacceptably harmed.

There will be a distance of 12.5m between the rear windows of Plot 1 and the boundary with the garden of the dwelling to the south east on Caestory Avenue and a distance of 23m between habitable room windows. Again these distances are considered to be adequate to avoid any serious loss of privacy.

The gap in the existing hedge that will result from the demolition of the swimming pool building will be filled with a new Hawthorne hedge which is shown on the drawings. The implementation of this can be conditioned thereby protecting the privacy of the neighbour to the rear and also that of any future occupiers of the proposed new dwelling.

The front gable of Plot 2 is within 8 metres of the boundary with the rear garden of Caestory House to the north and has a distance of 25 metres between habitable room windows. To the south west, there will be between 13 and 15 metres between the rear elevation and the gardens of the existing dwellings on Caestory Avenue and 25-26m between habitable room windows. These distances are generally accepted as being acceptable in terms of privacy. To the south west, adjacent to the existing bungalows on Caestory Avenue, Plot 2 is set back between 3 and 5 metres from the boundary. There is then a footpath before the gardens of the neighbouring bungalows. This gives a total distance of 8m between the side elevation of Plot 2 and the boundary of the garden of the bungalow to the south west and 6m between the side elevation of Plot 2 and the boundary of the garden of the bungalow to the east. Only the front gable part of Plot 2 will be in line with this garden and therefore any effects of overshadowing or being overbearing will be limited.

As previously stated, the window at first floor level on the side elevation will only serve a bathroom and can be conditioned to be obscure glazed in perpetuity.

Given the distances between the proposed new dwellings and the neighbours and the omission of habitable windows on the side elevations it is considered that the development will not harm local residential amenity and therefore meets the requirements of LDP Policy EP1.

6.2 Active and Social Places

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

Raglan is classed as a Rural Secondary Settlement in Policy S1 of the LDP. This classification was based on the data contained within the Monmouthshire LDP Function and Hierarchy of Settlements Study (October 2008). As such the village is considered to be relatively high up on the Sustainable Transport Hierarchy with access to a bus service. There are also good pedestrian links to local services and shops as the site is within the centre of the village.

6.2.2 Access / Highway Safety

The ancillary works proposed include landscaping and the formation of a new vehicular access off the existing shared use private road serving Orchard Close.

The proposed internal driveway serving the two proposed dwellings is to be constructed in a gravel surface with a short 5m length in tarmac construction where it joins the private access road which is considered necessary to avoid gravel being dragged onto the road. The proposed driveway arrangements will provide sufficient parking in line with MCC Parking Guidelines SPG and allow vehicles to turn within the development to exit in a forward gear. Furthermore, the proposed gates at each property driveway are to open inwards into the development to prevent conflict with user of the new driveway. On this basis it is considered that the internal access and parking arrangements are acceptable.

In terms of the access itself, the development proposal will be required to utilise the existing private road serving Orchard Close, to facilitate vehicular access onto the public highway at High Street, Raglan. The Applicant will therefore need to obtain the necessary permissions and agreements etc. to utilise this private road or investigate an alternative vehicular access arrangement to serve the proposed dwellings. However, as this is a private legal matter then it cannot affect the determination of this application.

The access road referred to above is narrow at approximately 3m wide, with high brickwork boundary walls along both sides. As such, careful consideration must be given to use of the road by large vehicles delivering construction materials. Although access is available via Caestory House if deemed necessary, it is considered that a Construction Traffic Management Plan (CTMP) should be provided prior to work commencing on the site and this can be a condition of any consent. As regards the development itself, the Council's Highway Officers have no objection on highway safety grounds to the additional vehicle movements at the junction with High Street as impact of the relatively small amount of additional traffic movements generated by two dwellings will not be significant. On this basis the proposal meets the requirements of LDP Policy MV1 and there are therefore no reasonable highway grounds on which to refuse the application.

6.3 Productive and Enterprising Places

6.3.1 Sustainability

The proposed dwelling will have insulated floors, walls, and roof that are of a higher standard than that of the minimum requirements of Building Control. All new sanitary ware will be low flow to reduce water consumption, and all new lighting will be energy efficient. Throughout the construction of the development, the new materials required will be sourced locally when possible to ensure transportation and emissions are kept to a minimum.

6.4 Distinctive & Natural Places

6.4.1 Historic Environment

The Raglan Conservation Area Appraisal has the application site in Character Area 4 High Street which is the traditional centre of the village. The buildings are generally rendered with slate roofs in a linear form. The use of natural slate is proposed for the new dwellings which will also match Caestory House. The majority of the other existing dwellings within the context of the application site itself are relatively modern, appearing to be mid-20th century. As such, materials tend to be render, concrete, brick and uPVC windows. The use of grey uPVC over white for the windows in the new dwellings is preferable as it will add a more modern look to the proposed new buildings. Overall however, a traditional approach has been taken to the design and scale of the new houses which is considered to preserve the character and appearance of the conservation area in accordance with LDP Policy HE1.

6.4.5 Biodiversity

The proposal includes the demolition of an existing outbuilding housing a swimming pool. This building has a monopitch roof and no loft space. Furthermore access points for bats are limited. Due to the construction of the building it is not considered that the building is likely to be a suitable habitat for bats and therefore no further survey work has been required at this stage. However, an informative advising the developer of what to do should bats be encountered during works would be included if consent is granted.

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

Any drainage scheme will require approval by the SuDS Approving Body (SAB) prior to any construction work commencing.

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

6.5.1 Issues relating to the use of the private access road and highway safety have been addressed in Section 6.2.2 above, as has the potential impact of construction traffic. The impact on the neighbours in terms of the proposed new dwellings being overbearing and loss of privacy has also been addressed in Section 6.1.3.

The ridge height of the proposed new dwellings will be 5cm higher than no.6 Orchard Close and therefore will not appear any higher than this property.

The issue of building over the sewer raised by a neighbouring occupier is a matter for the developer and the water company and would not normally be a planning reason for refusal of an application.

Cars parking over the "Keep Clear" box markings would be illegal and would be a matter for the appropriate enforcement bodies.

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.

7.0 RECOMMENDATION: APPROVE

Subject to a 106 Legal Agreement requiring the following:

Commuted sum (£13,560 per dwelling, total of £27,120) towards the provision of affordable housing in the local area.

S106 Heads of Terms

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 Prior to any works commencing on site a Construction Traffic Management Plan (CTMP) shall be submitted to and approved by the Local Planning Authority. This Plan shall include traffic management measures, hours of work, measures to control dust, noise and construction related nuisances and any necessary measures required to protect the adjoining users from the construction works. The development proposal shall be carried out in accordance with the approved CTMP.

REASON: In the interest of Highway safety and to comply with LDP Policy MV1.

4 All windows in the side elevations at first floor level 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.

5 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON: To safeguard the landscape amenities of the area and to ensure compliance with LDP Policy G11.

6 The developer shall ensure that a suitably qualified archaeologist is present during the undertaking of any ground disturbing works in the development area, so that an archaeological watching brief can be conducted. The archaeological watching brief shall be undertaken to the standards of the Institute of Field Archaeologists. The Local Planning Authority shall be informed, in writing, at least two weeks prior to the commencement of the development of the name of the said archaeologist and no work shall begin until the Local Planning Authority has confirmed, in writing, that the proposed archaeologist is suitable. A copy of the watching brief report shall be submitted to the Local Planning Authority within two months of the fieldwork being completed by the archaeologist.

REASON: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource in accordance with Planning Policy Wales (Edition 10, December 2018).

INFORMATIVES

0 Due to the minor nature of the proposed development (including any demolition) and the location of the proposed development, it is considered that the proposals did not need to be screened under the Environmental Impact Assessment Regulations.

0 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.

0 The Naming & Numbering of streets and properties in Monmouthshire is controlled by Monmouthshire County Council under the Public Health Act 1925 - Sections 17 to 19, the purpose of which is to ensure that any new or converted properties are allocated names or numbers logically and in a consistent manner. To register a new or converted property please view Monmouthshire Street Naming and Numbering Policy and complete the application form which can be viewed on the Street Naming & Numbering page at www.monmouthshire.gov.uk. This facilitates a registered address with the Royal Mail and effective service delivery from both Public and Private Sector bodies and in particular ensures that Emergency Services are able to locate any address to which they may be summoned. It cannot be guaranteed that the name you specify in the planning application documents for the address of the site will be the name that would be formally agreed by the Council's Street Naming and Numbering Officer because it could conflict with the name of a property within the locality of the site that is already in use.

0 Please note that Bats are protected under The Conservation of Habitats and Species (Amendment) Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended). This protection includes bats and places used as bat roosts, whether a bat is present at the time or not. If bats are found during the course of works, all works must cease and Natural Resources Wales contacted immediately. Natural Resources Wales (NRW) (0300 065 3000).