

DC/2015/00931

ERECTION OF THREE DWELLINGS AND FORMATION OF NEW ACCESS

LOWER HARDWICK, HARDWICK HILL, CHEPSTOW, NP16 5PT

RECOMMENDATION: APPROVE

Case Officer: David Wong

Date Registered: 28/10/2015

1.0 APPLICATION DETAILS

- 1.1 Lower Hardwick is a Grade II listed building sited in spacious grounds (it has group value with the listed Ashfield House opposite) and is located within the Chepstow Conservation Area. It was built in the early part of the 19th Century and was part of the Mount Pleasant development following the creation of a new road agreed by the Chepstow Turnpike Trustees in 1808. Lower Hardwick is located on a steep hill, fronting the main road, Hardwick Hill, adjoining Newport Road which is part of the A48. The whole property is an 'island' site backed by Hardwick Hill Lane and Steep Street.
- 1.2 In 2012, planning applications were approved for the conversion (with extension) of an existing outbuilding into an apartment and the erection of three terrace dwellings within the garden curtilage of Lower Hardwick. The grounds have been sold and subdivided to create a boundary to the land being proposed for development. This application is a revised scheme to the three dwellings permission (DC/2011/00506). The proposal now comprises a pair of semi-detached properties and a detached property instead of a terrace of three residential units. As part of the application, two new garaging structures and a new access is proposed. It noteworthy that the two trees subject to a Tree Preservation order (TPO), a Monkey Puzzle and a large Spruce, will be retained as a result.
- 1.3 The proposed dwellings would be three storeys high and the attic space would be utilised as living accommodation (8.8m high for the detached and 9.5m high for the semi-detached). Due to the topography of the site, the lower ground floor of these dwellings would be set into the ground. In effect, the proposal would be seen as two storeys high from the main access points. In addition, the sectional drawing demonstrates that the heights of the proposed dwellings will be lower than Lower Hardwick. In terms of vehicular access, two dwellings will utilise the previously approved access point to the north-east of the site and the remaining unit is proposed to be served by the new access, which will be formed on Hardwick Hill Lane.

2.0 RELEVANT PLANNING HISTORY

DC/2014/01485	Retention and completion of boundary wall.	Approved	28/08/2015
DC/2014/00251	Revised scheme to that approved by DC/2011/00505 to provide a new apartment with associated works.	Approved	24/09/2014

DC/2011/00506	Three new dwellings with associated works	Approved	03/10/2012
DC/2011/00505	One new apartment with associated works.	Approved	13/03/2013
DC/2009/00649	One new apartment with associated works.	Refused	03/06/2010
DC/2009/00640	Conversion of existing building to apartments with associated works.	Refused	03/06/2010
DC/2009/00642	Three new dwellings with associated works	Refused	03/06/2010
DC/2008/00908	Conversion of existing house to flats and four dwellings in the grounds.	Refused	16/01/2009
DC/2004/01098 (M12066)	Erection of One Detached Dwelling & Conversion of Existing House into Five Self Contained Flats	Approved	19/06/2006

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S1
S12
S13
S16
S17

Development Management Policies

DES1
EP1
H1
HE1
MV1

4.0 REPRESENTATIONS

4.1 Consultations Replies summary

Chepstow Town Council – refuse: the proposal is considered to be an overdevelopment of the site.

MCC Tree Officer – there is no objection to the proposal as the two trees subject to a TPO are to be retained. Conditions regarding their protection are requested.

MCC Highways – no objection to the proposal.

MCC Heritage Management – no objection; the related application for listed building consent is recommended for approval.

SEWBREC Search Results – there is no significant ecological record identified within the application site.

MCC Ecology and Biodiversity – offers no objection; no comment to make.

Glamorgan Gwent Archaeological Trust (GGAT) – there is unlikely to be an archaeological restraint to this proposed development and therefore we have no objections. Should unrecorded archaeological features be disturbed during the course of the work please contact GGAT.

Local Ward Member – Requested that this application be considered and determined by Planning Committee.

4.2 Neighbour Notification

There are a total of five household objections received on both the planning application (DC/2015/00931) and the application for listed building consent (DC/2015/00932). The objections have been summarised below - the full versions are available online.

There are two applications related to the same site and this is very confusing for the general public to follow

No AQMA assessment has been submitted to support this application

The submitted plans have no measurements on them

Steep Street and Hardwick Hill Lane have no footpath and is very narrow and busy. Therefore, with an increased traffic volume from the proposal will cause additional hazards to pedestrians.

The creation of a new access onto Hardwick Hill Lane is intrusive to the listed building

The proposed development is not a small scale development as projected within the submitted Design and Access Statement

The contents of the submitted Design and Access Statement do not truly reflect the actual proposal.

The proposal will exacerbate the existing roadside rubbish problem in this part of Chepstow

The proposal will increased surface water run-off and the current drains cannot cope

The proposed access is dangerous to pedestrians

The proposal will change the views in the conservation area and affect the setting of the listed building

The site is under a different ownership. Therefore, the new buildings will not benefit improvement of Lower Hardwick.

The proposal is overdevelopment of the site

The proposal would remove many rare and specimen trees

The proposal would increase traffic and air pollution in this part of Chepstow

4.3 Other Representations

The Chepstow Society – objection: three new dwellings within the curtilage of the listed building is detrimental to the setting of the listed building. The previous permission has led to the loss of mature trees and glass houses within the site. Steep Street is already narrow and congested and is not suitable to serve the additional residential units being proposed. The increase in number of residential units created will add to the existing traffic problems and worsen the air quality of the area.

5.0 EVALUATION

Principle of Development having regard to the adopted Local Development Plan
Whether the proposal would preserve or enhance the character or appearance of
Chepstow Conservation Area
Effect on the listed building
Neighbour amenity
Highway issues
The loss of trees
Biodiversity
Archaeology
A response to the Town Council
Other issues

5.1 The principle of the proposed development

5.1.1 The proposed site is within the Chepstow Town Development Boundary (Policies S1 and H1 of the Monmouthshire Local Development Plan). Therefore, planning permission would normally be granted for residential development in this location subject to detailed planning considerations.

5.2 Effect on the Chepstow Conservation Area

5.2.1 Policy HE1 of the Monmouthshire Local Development Plan (LDP) applies as the site is within the Chepstow Conservation Area. It is noted that properties in this part of Chepstow are different in terms of both architectural design and plot size, and there is no formal building line that any new development ought to follow. The Council's Heritage Management Team was consulted and has offered no objection to this proposal.

5.2.2 The site is enclosed by a tall stone wall (some 2.5m high on average) and mature trees. It is noted that some of the trees were removed as part of the previous planning permission. The proposed dwellings would be set back from the site and it is considered that the design and scale of the proposal are in proportion. In addition, the remaining trees will provide natural screening of the proposed houses and would have the effect of preserving the character and appearance of this part of the Conservation Area.

5.2.3 A terrace of three dwellings was previously approved on the site; it measured some 19m in width, 8.5m in depth and 8.5m to the ridge. This proposal is for the erection of a pair of semi-detached properties and a detached property. The height of the semi-detached properties is approximately 9.5m and is 8.8m for the detached dwelling. Due to the topography of the site, part of the proposed dwellings (i.e. the lower ground floor) will be set into the ground. Thus, the proposal would be seen as two storeys high from the main access points.

5.2.4 It is considered that the massing of this proposal would be reduced compared to the previous permission as the current proposal is now going to be two individual blocks rather than one single block terrace. The combined width of the current proposal is some 22m. The variation of ridge heights with a gap in between would 'break-up' the massing of the proposal. As mentioned previously, there is a range of properties with different plot sizes in this part of Chepstow. The proposal will provide sufficient amenity space for the dwellings. Overall, it is considered that the proposed development is acceptable and is not out of character with the wider area.

5.2.5 This application received an objection from the Chepstow Society which suggests that to allow three new dwellings within the curtilage of the listed building would be detrimental to the setting of the listed building. Also, it is argued that some of the mature trees and the glass houses that used to exist had been removed under the previous permission, adversely affecting the setting of the listed building and the Conservation Area. The Council's Heritage Management Officer was consulted and offers no objection to the proposal. A fall back position exists in that three dwellings were approved for the site in 2012 which could still be implemented. It is considered that the proposed design is acceptable and the massing of the proposal is in proportion. In addition, a sufficient gap will be provided so as not to detract from the setting of Lower Hardwick.

5.3 Effect on the listed building

5.3.1 Lower Hardwick is a Grade II Listed Building. Thus, any proposed development within the curtilage of the listed building should relate sensitively to the parent building in terms of scale, location, design, detail and materials, and should avoid dominating its appearance as advised within national policy guidance for listed buildings.

5.3.2 A section of the existing stone boundary wall (a listed wall) is proposed to be removed to provide a new access to serve one of the proposed dwellings; this element has been assessed under the concurrent Listed Building Consent. It is considered that the resulting proposal would have some visual impact on the streetscene. However, Lower Hardwick will continue to be a focal point, viewed from Vauxhall Lane. The Heritage Management Officer has advised that although the proposed entrance is an intervention in an historic wall it is not sufficiently intrusive to merit refusal.

5.3.3 The proposed dwellings are set away from the listed house and the design of the proposal is considered to be visually acceptable, being detailed to a high standard with good use of traditional materials (painted rendered walls, slate roof and timber windows). It is considered that the proposed development will have some visual impact on the setting of Lower Hardwick although having discussed this element with the Council's Heritage Management Officer there is no objection. In conclusion, it is considered that this application proposal would not compete adversely with the parent building, being smaller in mass and sufficiently separated from it, with vegetation retained that will help screen and soften the proposal. The proposed development would comply with the thrust of the national policy for listed buildings. Given the above, there is no objection to the proposal as regards the impact on the setting of the listed building whose character would be preserved following the development.

5.4 Neighbour amenity

5.4.1 In terms of neighbour amenity, the distance between the proposed dwellings and the existing properties along Hardwick Hill Lane exceed the minimum requirement of 21m between directly facing habitable room windows. Therefore, the privacy standards of those existing properties are unlikely to be affected by the proposed development. It is noted that parts of the proposed dwellings would be visible from the adjacent public realm. However, the remaining trees around the site curtilage would provide further screening and the development is well-designed and appropriate to this setting, and would not harm amenity merely because elements of it are visible.

5.4.2 One of the proposed dwellings, known as Unit 3, would be some 14.5m from Lower Hardwick. There would be two window openings on the top level of this new dwelling, facing towards Lower Hardwick. However, these windows would serve an en-suite and a landing (a non-habitable room). Therefore, there would not be an adverse overlooking issue, provided that a condition is imposed to ensure that obscure glazing is used on all of the en-suite windows (also applicable to Units 1 & 2).

5.5. Highways matters

5.5.1 Online objections have been received to highlight that Steep Street and Vauxhall Lane/Hardwick Hill Lane are already narrow and congested and would not be suitable to serve the additional residential units being proposed i.e. this would be dangerous to pedestrians.

5.5.2 The Council's Highways Department has advised that Hardwick Hill Lane joins onto Steep Street but is stopped-up by bollards. Therefore, there is no on-coming traffic entering Hardwick Hill Lane from Steep Street. The alignment of Hardwick Hill Lane naturally diverts traffic away from the proposed access point to Vauxhall Lane. Also, the section of Hardwick Hill Lane widens which allows more 'edging out space' for visibility for vehicles exiting the site. As for pedestrians, the proposed access/gate is set back from Lower Hardwick Lane and this part of Lower Hardwick Hill Lane is narrow which restricts vehicles from travelling at high speed. Therefore, there is little prospect of vehicles travelling at speeds that would put pedestrians at danger. Furthermore, it is considered that the overall movements resulting from this application and the recently approved dwelling(s) at High Trees (off Vauxhall Lane) would be acceptable. The Highway Authority has no objection to the proposal, although it has requested that surface water is dealt with on site and should not drain onto the adjacent highway.

5.5.3 The proposal meets the maximum standard as set out in the Monmouthshire Parking Standards and it is noted that a turning area has been provided within the site. In terms of air quality assessment, the Air Quality Management station on Hardwick Hill is primarily to measure the by-products from the heavily congested Truck Road (A48) and the request for such information must be proportionate to the scale of the proposal. This is a very modest residential development within a predominantly residential area and the site already benefits from an extant consent for three dwellings. Also, traffic movements from this proposal would still be significantly less than the level of traffic from the previous use of High Trees (as Council offices). Thus, in terms of air pollution, the small scale use proposed is compatible with the existing area and the proposal is considered to be a betterment of the previous situation, involving High Trees.

5.6. Trees

5.6.1 The Council's Tree Officer is satisfied with the submitted application as the two trees the subject of a TPO will be retained. A condition is requested to protect these trees during the construction of the development.

5.7. Biodiversity

5.7.1 There is no objection from the Council's Ecology and Biodiversity Officer. Therefore, a standard informative about bats and nesting birds will be applied.

5.8. Archaeology

5.8.1 The site is not designated as being archaeologically sensitive and GGAT do not have any objection to the approval of this application. However, as a precaution, an informative will be imposed to advise the developer to contact GGAT in the event unrecorded features are disturbed during the course of works.

5.9 A response to the Chepstow Town Council

5.9.1 The Chepstow Town Council has objected to the application as it considers the proposal is an overdevelopment of the site. The proposed site is within the Chepstow Town Development Boundary (Policies S1 and H1 of the Monmouthshire Local Development Plan) wherein planning permission would normally be granted for residential development subject to detailed planning considerations.

5.9.2 Properties in this part of Chepstow are different in terms of architectural design and plot size, and there is no formal pattern of development that any new development ought to follow. It is acknowledged that Lower Hardwick is listed Grade II and the site is within the Chepstow Conservation Area. The proposal will have some visual impact on the site and wider area but the layout, scale and design of the proposed dwellings are such as to complement the adjoining development and the wider Conservation Area. Moreover, the principle of development of three dwellings on the site has been established by the extant planning permission DC/2011/00506. The relevant issues have been assessed accordingly (see the evaluation above) and the proposal is considered to be acceptable in this regard.

5.10 Other issues

5.10.1 Some of the neighbours have concerns over additional surface water run-off from the proposal. Welsh Water has been consulted and there is no objection; standard conditions have been requested. Also, it is normal practice to request a drainage scheme, via a planning condition which would be considered by the Local Authority prior to the commencement of the development.

5.10.2 An objector pointed out that there are two applications related to the same site which is confusing for the general public to follow. The application process requires both a planning application and an application for listed building consent. It is useful to note that the objections received on both applications have been summarised and considered in this report.

5.10.3 No AQMA assessment has been submitted to support this application. Please refer to section 5.5.3 of the report.

5.10.4 One of the objections has pointed out that there are no measurements on the submitted plan. It should be noted that the submitted plans have the necessary dimensions to inform a planning decision.

5.10.5 Some of the objectors have pointed out that the contents of the submitted Design and Access Statement do not truly reflect the actual proposal. In response it is advised that a Design and Access Statement only tells 'part of the story'; the Design and Access Statement must be read in conjunction with the submitted plans.

5.10.6 A local resident believes that the proposal will exacerbate an existing roadside rubbish problem in this part of Chepstow. This is conjecture and there is no evidence to suggest that this problem will arise.

5.10.7 It is acknowledged that the site is under a different ownership. There is no correlation between this application and the improvement of Lower Hardwick, as suggested.

6.0 RECOMMENDATION: APPROVE

Conditions

Standard 5 years to commence development condition

Standard approved plans condition

Obscured glazing on all en-suite/ toilet windows

Permitted Development Rights removed

Standard Tree protection conditions

Welsh Water conditions

A foul and surface water drainage scheme shall be submitted to and approved by the LPA prior to the commencement of the development; the development shall be carried out in accordance with the approved drainage scheme.

The access, hereby approved, shall be created prior to the occupation of Unit 1.

Informatives:

Standard informative about bats and nesting birds will be requested.

Standard informative about archaeology will be requested.

Welsh Water Advisory Notes