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## Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 28/02/20

gan Paul Selby BEng (Hons) MSc  
MRTPI

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 09.04.2020

## Appeal Decision

Site visit made on 28/02/20

by Paul Selby BEng (Hons) MSc MRTPI

an Inspector appointed by the Welsh Ministers

Date: 09.04.2020

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**Appeal Ref: APP/E6840/A/19/3243777**

**Site address: The Lodge, Mount Way, Chepstow NP16 5LR**

**The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Robert Kouba against the decision of Monmouthshire County Council.
  - The application Ref DM/2019/00226, dated 13 February 2019, was refused by notice dated 28 September 2019.
  - The development is Proposed new build 3 bedroom detached dwelling.
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### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues in this case are:
  - Whether the proposal would preserve or enhance designated historic assets, including the Chepstow Conservation Area (CA) and the setting of nearby grade II listed buildings; and
  - The effect of the proposal on the safety of users of the highway network.

### Reasons

3. The appeal site falls within the Chepstow CA and accommodates The Lodge, a grade II listed building in use as a dwelling, and its associated side driveway and garden area. Immediately southeast of the site are a row of Georgian townhouses, many of which are also grade II listed. Vehicle access to the site is obtained via Mount Way.

#### *Historic assets*

4. The Lodge is a former lodge house to the estate of 'The Mount', the gates and house of which are prominently situated to the north and northwest of the appeal site. The building's eclectic design, with angled oriel windows, curved timber decorative gables, ornamental tiles and patterned leaded glazing mark it out as a feature building of some note and a well-preserved and prominent element of the local townscape. Its visual appearance differs significantly from the rather simpler Georgian townhouses to
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the southeast. This juxtaposition is a remarkable feature of the immediate townscape as it signifies the historic transition between town and country. Collectively the listed buildings therefore hold a group value which contributes positively to the CA.

5. The setting of The Lodge will have changed substantially since its construction in the early 20th century. Modern dwellings are now a feature of the local townscape to the west, including an adjacent property granted planning permission at appeal in 2015 (Ref: APP/E6840/A/14/2228066). Nonetheless, whilst it is now a domestic dwelling rather than a gatehouse, The Lodge retains a tangible visual connection with nearby parts of The Mount estate which have retained a predominantly open character. This includes its side garden area and the planted lawns to the north. These nearby open spaces allow The Lodge to be experienced as a 'gateway' feature building and are inherently contributory to its setting.
6. The proposed dwelling, the subject of this appeal, would be located within the existing side garden. The front elevation would be set behind that of The Lodge but forward of the adjacent property to the west. Although the ground floor level would be set below Mount Way, the dwelling's roof plane would appear higher than that of The Lodge from various viewpoints. The current gap between the listed building and the newer built form to the west would be considerably reduced, with much of the remaining area between The Lodge and the proposed dwelling given over to vehicle parking.
7. Due to the proposed dwelling's bulk, mass and siting, in several viewpoints from Mount Way and Welsh Street The Lodge would appear as a continuation of the built form of Mount Way rather than experienced as a feature building in its own right. By encroaching on the setting of the listed structure the appeal scheme would severely diminish the surrounding soft landscaped character which is an essential component of The Lodge's setting. The proposed dwelling's bland, featureless flank wall would dominate and compete with The Lodge in close-range views, causing material harm to the listed structure and to this part of the CA.
8. I have had regard to the previous appeal decision on the adjoining area of land. Whilst they share some characteristics, the two are not comparable as this appeal concerns the erection of a dwelling on land which is materially closer to The Lodge than that already constructed. Similarly, any previous discussions, applications and permissions for proposals at No 1 Mount Way have little bearing as there is no evidence that these are comparable in form or siting to the proposed appeal dwelling. I afford these matters limited weight.
9. Having regard to the duty imposed by Sections 66(1) and 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, I conclude that the proposal would neither preserve nor enhance the character or appearance of the CA and would not preserve the setting of a listed building, thereby conflicting with the design and built heritage objectives of policies DES1 and HE1 of the Monmouthshire County Council Local Development Plan (LDP).

#### *Safety and convenience of highway users*

10. The proposed dwelling's access point would be located on Mount Way near to the junction of Welsh Street (B4293). The submitted plans show that there would be sufficient space for three vehicles to be parked in 'tandem layout' within the driveway of the proposed dwelling. The re-sited access point for The Lodge would lie immediately adjacent and its driveway would accommodate space for two vehicles, parked side by side. The plans indicate that there would be insufficient space for vehicles to turn behind the front boundary fences within either property.

11. The Lodge currently has a turning point within its driveway. Its limited geometry and the presence of various obstructions would, in my view, encourage drivers to exit the existing property in reverse gear. Nonetheless, the appeal proposal would materially increase the likelihood and frequency of vehicles reversing onto Mount Way. They would, however, be undertaking such manoeuvres within a street of residential character which I saw is lightly trafficked. Despite the proximity of the junction and the prevailing topography, sightlines towards the proposed driveways are relatively unobstructed, including on the approach from the west and from Welsh Street.
12. Moreover, the plans indicate that the front boundary fences would continue to be set back from the footway rather than abut it. This buffer strip would allow reversing drivers to gauge hazards prior to manoeuvring across the footway and onto the roadway. The fence line would also provide ample visibility for oncoming pedestrians, cyclists and drivers to foresee potential hazards. Although vehicles may have to wait on the footway for traffic to pass, this would not happen with such frequency or for such a duration as to inconvenience pedestrians.
13. For the above reasons I conclude that the proposal would accord with the highway safety objectives of LDP policies S16 and MV1.

### **Other Matters and Conclusion**

14. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards the Welsh Ministers' well-being objective of building healthier communities and better environments.
15. I recognise that the proposal would make a modest contribution towards the County's housing supply in a sustainable location. I also find that the proposal would be acceptable in highway safety terms. Nonetheless, these matters do not outweigh the identified harm to historic assets. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

*Paul Selby*

INSPECTOR