



Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 01/06/21

gan Paul Selby, BEng (Hons) MSc
MRTPI

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 11/6/21

Appeal Decision

Site visit made on 01/06/21

by Paul Selby, BEng (Hons) MSc MRTPI

an Inspector appointed by the Welsh Ministers

Date: 11/6/21

Appeal Ref: APP/E6840/D/21/3271742

Site address: Lingfield, Five Lanes, Caerwent, Caldicot, NP26 5PQ

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 Stewart Eaves against the decision of Monmouthshire County Council.
 - The application Ref: DM/2020/01858 dated 14 December 2020, was refused by notice dated 13 April 2021.
 - The development proposed is front and rear extensions with detached garage.
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Decision

1. The appeal is allowed and planning permission is granted for front and rear extensions with detached garage at Lingfield, Five Lanes, Caerwent, Caldicot, NP26 5PQ, in accordance with the terms of the application, Ref: DM/2020/01858 dated 14 December 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than five years from the date of this decision.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Plan No. 1 Rev B (Location Plan); Plan No. 2 Rev A (Site Location Plan); Plan No. 3 Rev A (Site Plan); Plan No. 4 Rev A (Block Plan); Plan No. 5 (Existing West Elevations); Plan No. 6 (Existing South Elevation); Plan No. 7 (Existing East Elevation); Plan No. 8 (Existing North Elevation); Plan No. 9 (Existing Ground Floor); Plan No. 10 (Existing First Floor); Plan No. 11 Rev A (Proposed West Elevations); Plan No. 12 Rev A (Proposed South Elevations); Plan No. 13 Rev A (Proposed East Elevations); Plan No. 14 Rev A (Proposed North Elevations); Plan No. 15 (Proposed Front Ground Floor); Plan No. 16 Rev A (Proposed Front First Floor); Plan No. 17 (Proposed Rear Ground Floor); Plan No. 18 (Proposed Rear First Floor); Plan No. 19 (Proposed Garage).

Reason: To ensure the development is carried out in accordance with the approved plans submitted with the application.
 - 3) The materials to be used in the construction of the external surfaces of the front and rear extensions shall match those used in the existing building.
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Reason: In the interests of the area's character and appearance, in accordance with policies H6, DES1 and LC5 of the Monmouthshire Local Development Plan 2011-2021.

- 4) The first-floor bathroom window shown on the north elevation shall be obscure glazed to a level equivalent to Pilkington scale of obscurity level 3 and any part of the window that is less than 1.7m above the floor of the room shall be non-opening. The window shall be permanently retained in that condition thereafter.

Reason: In the interests of local residential amenity, in accordance with policy EP1 of the Monmouthshire Local Development Plan 2011-2021.

Procedural Matter

2. Although the appeal was originally made against non-determination of the planning application, the Council has subsequently refused planning permission during the dual jurisdiction period. I have therefore made my decision as one against the refusal of planning permission.

Main Issues

3. The main issues in this case are the effect of the proposal on: a) the character and appearance of the area; and: b) the living conditions of occupants of 'The Woodlands', having particular regard to privacy, outlook and sunlight.

Reasons

4. The appeal site accommodates a modest cottage of traditional rural character located in the open countryside. The dwelling has been extended and modified in various ways, particularly to its rear. The plot, which is irregular in shape, is bounded by residential properties and a rural lane, from which the site is accessed. The front elevation of the cottage faces across a lawned front garden and its north-facing side elevation is sited close to the boundary of The Woodlands.

Character and appearance

5. From the lane, the dwelling's front, south facing and rear elevations are visible beyond the hedgerows and gate which mark the site's southern boundary. From these viewpoints, the modest form and traditional rural appearance of the appeal dwelling, and associated outbuildings can be appreciated. Sited within its irregular plot, the appearance of the property contributes positively to the predominant rural character of the immediate area.
6. Policy H6 of the Monmouthshire Local Development Plan (LDP) states that in order to protect the character of the countryside, extensions to dwellings outside village boundaries should be modest and respect or enhance the appearance of the existing dwelling. Specifically, it requires extensions to be subordinate to the existing building; and where the building is of a traditional nature, to respect its existing form, including the pattern and shape of openings, and materials.
7. The appeal scheme, in part, proposes a two-storey gabled extension to the dwelling's front elevation and a two-storey rear annex. The footprint of both extensions relative to the existing building would be modest and clearly subordinate to it. Having regard to the extent of the existing accommodation, the additional living space would also be comparatively limited in volumetric terms.

8. The extensions would result in the dwelling, at its northern extent, being deeper than it would be wide. This would represent a marked departure from the likely linear form of the original cottage. Nonetheless, the dwelling has undergone progressive modifications over the years, to the extent that it is now difficult to discern its original form and extent. In this regard, the proposed extensions would appear merely as further alterations to an already heavily modified rural building.
9. The design of the rear extension would mimic the rural vernacular found in other parts of the dwelling, whether original or later additions. Whilst it would project notably beyond the existing rear elevation, its position north of the rear garden would moderate its visual prominence from nearby public viewpoints.
10. The gabled extension would project from the dwelling's simple, pitched roofed front elevation, and it would be perceived as a more obvious addition, including in views from the lane. Nonetheless, its depth would be modest, and its gabled roof form would moderate its mass. Whilst its siting at the northern extent of the building would introduce asymmetry to the front elevation, this would not appear incongruous in the context of the irregular ground floor fenestration and placement of chimneys. Moreover, as with the rear extension, the siting of the front extension away from the lane would lessen its prominence in views from the south.
11. I acknowledge that a gabled front annex may not be typical of an original Monmouthshire cottage, but whilst recognising the attractive rural charm of the existing front elevation, the dwelling is of no more than local significance. The design of the proposed extensions would respect the form of the existing dwelling, including its fenestration and materials, and the extended dwelling would continue to be perceived as a building of modest, traditional character, complementary to its rural surroundings. Well contained within its plot and partly screened from the adjacent lane by mature hedgerows, the effect of the extensions on the wider area's rural landscape character would be negligible.
12. A garage sited to the west of the existing driveway is also proposed. Although this garage would be located close to the lane and clearly visible beyond the boundary hedgerow, its scale would be modest and clearly subsidiary to the main dwelling, and its simple design and external materials would afford it a rustic appearance appropriate to the rural setting.
13. I saw on my site visit that the garage would lie close to two mature or semi-mature trees located in the garden of the appeal dwelling. It is likely that the construction of the garage would necessitate works to both trees, and possibly their removal. Whilst the loss of these trees would have a visual impact, both appear to be ornamental species and, in my view, neither make a specific positive contribution to the traditional rural character of the appeal site or the immediate area. Their loss would consequently not result in visual harm.
14. For the above reasons I conclude that the proposal would accord with the objective of LDP policies H6, DES1 and LC5 to protect the character of the countryside, respect local character and distinctiveness, and avoid unacceptable adverse landscape effects.

Living conditions

15. The proposed two-storey rear extension would be sited close to the shared boundary with the neighbouring residential property of The Woodlands. A line of mature fir trees, planted within the curtilage of The Woodlands, would largely screen the rear extension from the adjacent property. However, even were they to be removed, the proposed rear extension would be adequately separated and sited obliquely from the

adjacent property's western and southern elevations, such that it would not harmfully overbear on the dwelling.

16. I saw on my site visit that the appeal property's existing gabled flank wall already affects the outlook available from adjacent areas of The Woodlands' garden. In this context I do not consider that the extension, the mass of which would be alleviated by its modest eaves height, would appear harmfully overbearing from the neighbouring property. Furthermore, overshadowing caused by the extension would be restricted to a limited area of the adjacent garden, which I noted did not appear to have a primary recreational function.
17. The rear extension would necessitate the installation of a north-facing window in an existing first floor bathroom. Whilst this window would face directly towards The Woodlands' garden at close range, the installation of fixed and obscured glazing, secured by condition, would prevent direct views from the bathroom into the neighbouring property, thereby avoiding any harmful impacts on privacy. As the window would be modest in scale, any perception of overlooking would be limited.
18. For the above reasons, subject to the imposition of an appropriate condition, I conclude that the proposal would accord with the objective of LDP policy EP1 to avoid unacceptable harm to amenity.

Conclusion

19. I have considered the other matters raised but none alter my conclusion. For the reasons given above I conclude that the appeal should be allowed.
20. In reaching my decision, I have taken account of the requirements of the Well-Being of Future Generations (Wales) Act 2015 and consider that this decision contributes towards the well-being objective of building healthier communities and better environments.

Paul Selby

INSPECTOR