

DC/2015/01204

PROPOSED DWELLING

LAND ADJACENT TO 2 LADYHILL CLOSE, USK

RECOMMENDATION: APPROVE

Case Officer: Andrew Jones

Date Registered: 30th October 2015

1.0 APPLICATION DETAILS

1.1 This application relates to a plot of land, currently used as garden curtilage, within the residential cul-de-sac known as Ladyhill Close in Usk.

1.2 Full planning permission is sought for a two-storey detached dwelling on the plot. The two bedroom dwelling proposed would be positioned to the east of the existing dwelling with two off-street parking spaces provided to the front. The proposed dwelling would stand 6.8m to the ridge and would be 6.9m in depth. With regard to external finishes these would include concrete interlocking roof tiles, self-coloured render to the walls and uPVC doors and windows.

2.0 RELEVANT PLANNING HISTORY

None.

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S1 – Spatial Distribution of New Housing Provision

S16 – Transport

S13 – Landscape, Green Infrastructure and the Natural Environment

S17 – Place Making and Design

Development Management Policies

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

MV1 – Proposed Developments and Highway Considerations

DES1 – General Design Considerations

EP1 – Amenity and Environmental Protection

4.0 REPRESENTATIONS

4.1 Consultations Replies

4.1.1 Usk Town Council (in relation to original plans) – recommends refusal noting development would be out of character with other properties; protrudes over building line of existing properties.

Usk Town Council (in relation to amended plans) – recommends refusal noting that development is out of character and much too small a plot of ground, intrusive to neighbours.

Dwr Cymru-Welsh Water – we would request that if you are minded to grant planning consent that suggested conditions and advisory notes are applied to ensure no detriment to existing residents or the environment and to Dwr Cymru-Welsh Water's assets.

MCC Highways – The amended plans show parking for two vehicles within the site for the proposed dwelling as well as two spaces for the existing dwelling.

These spaces must be 2.6m x 4.8m each and retained in perpetuity for the off street parking of motor vehicles.

I would wish the visibility lines from each access to be drawn and protected across the whole site and retained in perpetuity.

The surface of the parking spaces must be sustainable so that no surface water drains onto the highway or into highway drainage.

Subject to the above, I would offer no adverse comment.

Wales & West Utilities – our apparatus may be affected and at risk during construction works. Should the planning application be approved then we require the promoter of these works to contact us directly to discuss our requirements in detail before any works commence on site. Should diversion works be required these will be fully chargeable.

4.2.1 Neighbour Notification

10 representations have been received objecting on the following grounds:

- Not in keeping with other properties.
- Would block people's sunlight.
- Main sewage pipe is directly under where the proposed dwelling is to go.
- Not in line with the existing building line.
- Very close proximity to neighbouring properties.
- Would cause further parking issues.
- Cause issues to an already struggling and ageing sewage system.
- Overlooking of my property with windows to the north-west elevation.
- Will reduce green space in the area.
- Set poor precedent.
- Supporting illustrations are misleading.
- Negative impact on sun which we receive in our front garden.
- Building works will cause health problems.

10 representations have been received in relation to the amended plans objecting on the following grounds:

- Outrageous design is even more out of keeping.
- Would overshadow our patio.
- All privacy will be gone due to the overlooking windows.
- Out of line with adjacent houses by as much as 1.5m.
- Developer has made no effort to establish the exact location of the sewer.
- Would add to considerable parking congestion.
- Danger of construction vehicles.
- Building works will cause health problems.
- Cause problems for emergency vehicles.
- Will reduce green space in area.

- Will set poor precedent for further proposals.
- Cause issues to an already struggling and ageing sewage system.

Non-material objection received:

- Could affect the current value of other houses.

4.2.2 Other Representations

Usk Civic Society - the density thus created would constitute overdevelopment at this location and would lead to further pressure on parking space in the vicinity. Furthermore it is claimed by local residents that a sewer pipe runs under part of the plot. If this is so it must necessarily restrict the location and layout of any house on this plot because of the requirements as to non-disturbance and access which would be imposed by the water utility.

5.0 **EVALUATION**

5.1 Principle of Development

5.1.1 The town of Usk is designated as a Rural Secondary Settlement under Policy S1 of the Monmouthshire Local Development Plan. The plot lies within the development boundary identified for the town. Policy H1 of the Local Development Plan (LDP) sets out that within said boundaries *new build residential development / redevelopment or conversion to residential, or subdivision of large dwellings or reuse of accommodation such as upper vacant floors in town centres will be permitted subject to detailed planning considerations and other policies of the LDP that seek to protect existing retail, employment and community uses.* The principle of development is therefore acceptable subject to detailed planning considerations, considered below.

5.2 Visual Impact

5.2.1 The plot forms part of the garden curtilage of No 2 Ladyhill Close, and as this is the end property it enjoys a wider frontage than others within the cul-de-sac. Whilst the subdivision of the existing garden would result in the proposal sitting within a triangular shaped plot, it is not considered that this would cause unacceptable harm to the street scene. The revised arcing 'L shaped' footprint offers an innovative solution that is considered to be in keeping with the sweeping building line within Ladyhill Close. The most forward point would be marginally in front on No 2, but within the wider context the new dwelling would provide a pleasing addition to the entrance of the cul-de-sac. Proposed external finishes are to match those of the adjoining dwellings which would facilitate its integration into the streetscene.

5.2.2 Permitted development rights to extend the dwelling, erect outbuildings and means of enclosure ought to be removed via a planning condition to ensure any future development can be managed in relation to privacy, amenity and highway safety.

5.3 Residential Amenity

5.3.1 No first floor windows are proposed at first floor level to the rear elevation, with the exception of one which would serve a bathroom. This is to be conditioned to be obscure glazed and to remain as such in perpetuity. A first floor bedroom window would be inserted into the south-east facing side gable, however given the degree of angle

involved it is not considered that this would cause unacceptable loss of privacy to the occupiers of No 25 Ladyhill.

- 5.3.2 Other concerns have been raised in relation to the loss of sunlight and overshadowing. The proposed dwelling would be positioned approximately 14m to the south of the rear of Nos 25 and 27 Ladyhill. It is therefore considered that the dwelling, standing at 6.8m, would not cause unacceptable overshadowing and would not be overbearing.

5.4 Access and Parking

- 5.4.1 There would be a new access onto Ladyhill Close that would lead directly into the off street parking spaces of the proposed house. The number of spaces is in line with the Council's adopted parking guidance by providing two spaces for the two bedroomed house proposed.

- 5.4.2 The access is considered to be acceptable. It is acknowledged that the highway bends away from the site towards the entrance of Ladyhill Close but a condition is proposed to ensure no structure, erection or planting would exceed 0.9m in height in the visibility splay.

- 5.4.3 The site would not provide a designated turning facility, however this facility is not found on other properties within Ladyhill Close where traffic speeds are very low. Whilst it is accepted that there is evidence of on-street parking within the area, the omission of a turning facility is not considered to cause unacceptable harm to highway safety. It must also be noted that as the highway is unclassified a new access in this location could currently be formed under Permitted Development rights.

5.5 Response to Consultation Replies

- 5.5.1 A number of the areas of concern have already been addressed in the preceding sections of this report. However, a number of objections have been raised in relation to the proximity to the main sewerage pipe to the position of the proposed dwelling. This would be a private matter for the applicant to address and to ensure they have the appropriate consents and agreements before starting any works.

- 5.5.2 Whilst the development would inevitably involve the loss of a degree of open green space, the plot size is considered to be commensurate with those surrounding and would be set back from the highway, similar to other properties in Ladyhill Close. As such the introduction of an additional dwelling is not considered to be out of keeping with the wider environment and the loss of part of the existing garden curtilage is considered acceptable.

- 5.5.3 It has also been stated that the proposal would set a precedent for future development proposals. Any future applications in the vicinity would be considered on their individual merits and would need to satisfy all relevant policies of the LDP.

6.0 **RECOMMENDATION: APPROVE**

Conditions:

1	This development shall be begun within 5 years from the date of this permission.
2	The development shall be carried out in accordance with the list of approved plans set out in the table below.

3	No surface water and/or land drainage shall be allowed to connect (either directly or indirectly) with the public sewerage network.
4	The proposed development site is crossed by a public sewer with the appropriate location being marked on the attached Statutory Public Sewer Record. The position shall be accurately marked out on site before works commence and no operation development shall be carried out within 3 metres either side of the centre line of the public sewer.
5	No structure, erection or planting exceeding 0.9 metre in height shall be placed, erected or grown in the visibility splay.
6	Notwithstanding the provisions of Article 3, schedule 2, Part 1 Classes A B C D E F & H of the Town and Country Planning (General Permitted Development) 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 without the prior written approval of the Local Planning Authority.
7	Notwithstanding the provisions of Article 3, schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 2013 (or any Order revoking and re-enacting that Order with or without modification) no fence, wall or other means of enclosure other than any approved under this permission shall be erected or placed without the prior written approval of the Local Planning Authority.
8	The first floor bathroom window in the north-west elevation shall be obscure glazed to a level equivalent to Pilkington scale of obscurity level 3 and maintained thus thereafter in perpetuity.

Informatives:

Wales & West Utilities

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.

Property/ street naming and/ or numbering informative.