

**DC/2015/01565**

**DEMOLITION OF EXISTING GARAGE BUILDINGS AND ERECTION OF TWO BESPOKE SEMI-DETACHED BUNGALOWS, CAR PARKING AND ASSOCIATED WORKS**

**POPLARS CLOSE, ABERGAVENNY**

**RECOMMENDATION: APPROVE**

Case Officer: Kate Bingham  
Registered: 08/01/2016

**1.0 APPLICATION DETAILS**

- 1.1 This application seeks the demolition of existing garage buildings and the erection of two bespoke detached dormer bungalows, car parking and associated works. The proposed dwellings would be constructed and managed by Monmouthshire Housing Association and would therefore be for people in need of affordable housing only.
- 1.2 Unit 1 would comprise three bedrooms and Unit 2 would have two bedrooms. Both units would be suitable for use by wheelchair users. The units are proposed to be one and a half stories in height.
- 1.3 Five parking spaces for the dwellings and seven visitor parking spaces are proposed. Due to the limited size of the application site, there are limited opportunities for landscaping. However, there will be areas of soft landscaping on the site in the form of private rear gardens and some tree planting which will be a betterment on the existing site that is wholly hard surfaced.
- 1.4 The application is presented to Committee at the request of the Council's Planning Applications Delegation Panel the members of whom were concerned about the proximity of the gable-end of proposed bungalow unit 2 to existing gardens and houses on Poplars Close which are at a lower level to the application site.
- 1.5 In response to the Panel's concerns the ridge height of the main part of the proposed dwellings have been reduced by 0.865m and the lower part by 0.442m.

**2.0 RELEVANT PLANNING HISTORY**

DC/2014/01436 - Demolition of a 1969-built sheltered-residential block. Approved 2014.

**3.0 LOCAL DEVELOPMENT PLAN POLICIES**

S1 – Spatial Distribution of New Housing Provision  
S4 – Affordable Housing

S13 – Landscape, Green Infrastructure and the Natural Environment  
S16 - Transport  
S17 – Place Making and Design

H3 – New Residential Development within Main Towns  
DES1 – General Design Considerations  
EP1 – Amenity and Environmental Protection  
NE1 – Nature Conservation and Development  
MV1 – Development and Highway Considerations

## **4.0 REPRESENTATIONS**

### **4.1 Consultation Responses**

Llantilio Pertholey Community Council – recommends approval.

Dwr Cymru-Welsh Water – the proposed new development would be sited on top of a 150mm foul sewer where it may result in damage to the public infrastructure and/or our ability to maintain it. We therefore object. It may be possible to overcome the objection if the developer applies under Section 185 of the Water Industry Act to divert the public sewer.

MCC Highways – The proposal was the subject of a preliminary meeting when highway issues were discussed and would appear to have been amended accordingly. There are several points of access from the existing carpark that have been retained in the design. Parking numbers have been retained as visitor parking, however at a reduced number compared with the number of garages. My concern here is that if there is a shortfall of parking spaces, on street parking may become an issue. The pre-application comments requested an audit survey of the existing garage use; you must therefore satisfy yourself that the parking provision would adequately replace the existing situation with no detriment to the highway.

I would confirm, that as this access will serve more than two dwellings for access, that this authority will not be requesting adoption of the same. It will remain a private roadway/access.

Recommendation: no adverse comments.

MCC Biodiversity and Ecology – there is sufficient ecological information to make a lawful planning decision. There are no objections subject to a condition requiring bat roosting and bird nesting provision.

### **4.2 Neighbour Consultation Responses**

Two representations received. Object on the following grounds:

- Loss of vehicular access to rear boundary of nos. 50, 52 & 54 Poplars Close which we have a legal right to.
- Overlooking of garden of no. 52 Poplars Close.

- MHA are already having to divert the sewer to enable the houses to be built, therefore they could divert it to the north of the site for make the build more central.

## **5.0 EVALUATION**

### **5.1 Principle of Development**

5.1.1 The site is within the development boundary of Abergavenny, within which new residential development is acceptable in principle under Policy S1 of the Local Development Plan.

### **5.2 Visual Amenity**

5.2.1 The site is part of Poplars Close which has a distinct character made up of former Local Authority terraced housing and bungalows. The housing along Park Road is the closest to the proposed site access and these are made up of two storey dwellings in render of various colours with red brick sides and darker tiled roofs. All properties have porches and some stone detailing. The properties along Poplars Road are detached and built from red brick with tiled roofs and small porches over the front doors. The majority of the properties have hipped roofs and are set back from the road with front gardens and either on-street parking or parking within the front garden area.

5.2.2 The scale and form of the proposed dwellings would complement the existing character of the area. Materials are to be red brick, render and pitched tiled roofs to match the surrounding palette of materials. A variety of roof heights are proposed as well as a porch of the north elevation to add architectural interest and it is considered that the proposed new dwellings would be in keeping with the existing appearance and character of the area.

### **5.3 Residential Amenity**

5.3.1 The siting of the proposed dwellings has been carefully considered so as to minimise the impact of the development upon the amenity of the surrounding residential properties. The layout is simple in form with the building sat broadly in a southerly yet largely central position within the plot.

5.3.2 To the south, the gable of proposed Unit 2 lies adjacent to the side boundary of nos. 50 & 52 Poplars Road but has been designed with only one window at ground floor level on this elevation with a 1.8m high close boarded timber fence on the boundary to prevent any overlooking. To the northern side, the façade of the building is well in excess of 21 metres from the side boundary of no.43 Poplars Close and is also separated by boundary treatments and soft landscaping.

5.3.3 The eastern elevation of the building is orientated east over the landscaped garden area beyond which are the rear gardens of no.23 Greystone Crescent. Only non-habitable room windows are proposed at first floor level and a 1.8m

high close boarded timber fence is also proposed in this location to separate the rear gardens of each proposed property.

5.3.4 The western elevation originally comprised two dormer windows (one bedroom and one bathroom) which faced the courtyard area but the bedroom window would also have had views of the bottom end of the garden of no. 52 Poplars Road at a 45 degree angle. To prevent overlooking this has been changed to a roof light which would then prevent direct views across to the neighbour's well used garden area.

5.3.5 On balance therefore, it is not considered that there will be any overlooking of existing properties or gardens that would cause a significant loss of privacy as a result of the development and the scale and location of the proposed dwellings mean that it is unlikely that the development will have an overbearing impact on any of the neighbouring properties.

#### 5.4 Access and Parking

5.4.1 Due to the low density of development, it is proposed to retain and utilise the existing relatively narrow access to the site as a shared pedestrian and vehicular surface. A courtyard area within the site will allow sufficient space for vehicles to turn so that they can enter and leave the site in a forward gear.

5.4.2 Eleven car parking spaces have been provided which meets the requirements of the Monmouthshire Parking Guidelines. Domestic waste can be stored and collected from the kerb side.

5.4.3 The existing pedestrian access points to the adjacent residential properties are to remain as part of the proposal. The loss of a (private) legal right to vehicular access mentioned by a neighbour is not a material planning consideration.

5.4.4 The existing garages were constructed in the 1960s/70s and are not as large as those now recommended in the Council's parking guidelines. They would not be large enough to park a larger family car on a regular basis. It is understood from the accompanying Planning Statement that four of the thirteen garage spaces are regularly in use to park a car while the others are vacant or used for domestic storage. Thus, the loss of four lock-up garages would not have a significant impact on local parking conditions in surrounding streets. Furthermore, there is no way to enforce the use of the garages for the parking of vehicles only and therefore their removal is not considered to cause a significant loss of local off-street parking.

5.4.5 It is not therefore considered that the proposed development will have an adverse impact on highway safety.

#### 5.5 Biodiversity Considerations

5.5.1 An Ecological Appraisal and Code for Sustainable Homes Report have been undertaken at the site above and are of a suitable standard and is sufficient to inform the scheme. These have been undertaken by a suitably qualified

ecologist, and are of an appropriate age with a follow up assessment made within the last year.

5.5.2 The site is predominantly hardstanding consisting of a car park and a row of garages; there are small patches of ruderal vegetation of common and widespread species. There is no suitable bird breeding habitat on the site and there is negligible potential for the site to support bats or be used as a foraging area.

5.5.3 A Code for Sustainable Homes Ecology report was carried out as part of the assessment; the total credits given to the proposal is 5. The report highlights opportunities for enhancement within the ecological appraisal and code for sustainable homes assessment which would be in accordance with LDP Policy NE1 and the Council's duty under the Natural Environment and Rural Communities Act 2006 to have regard for Biodiversity. A planning condition is recommended to support this.

## 5.6 Drainage and Location of the Buildings within the Site

5.6.1 The siting of the building is determined by the location of the public sewers that meet at an existing manhole to the north east of the site. As part of the development it is proposed to divert a 22.5m long section of the sewer around the buildings under a Section 185 agreement with Welsh Water and provide an easement. This overcomes Dwr Cymru Welsh Water's objection. However, the Council's Delegated Panel and a neighbouring resident have questioned the positioning of the proposed new dwellings within the plot and would like to see the buildings moved further to the north, away from nos. 50 and 52 Poplars Close which are set down at a lower level to the application site.

5.6.2 Three recorded Dwr Cymru-Welsh Water (DC-WW) foul sewers and one unrecorded foul sewer converge on the north of the site. These sewers serve approximately 80 existing residential dwellings. There are existing 6m DC-WW easements to these sewers in place. These easements dictate that the proposed residential properties are located to the south of the existing easements as shown on the current planning drawing.

5.6.3 A study was carried out by the developer to determine whether the building can be located any further north. However, four separate Welsh Water foul sewers would need to be diverted around the proposed building whilst maintaining the 6m easements to the diverted sewers. This has proved to be impractical due to space restrictions as the hydraulics of the existing foul sewers would be compromised below acceptable standards due to the extended length of drainage runs causing significantly reduced pipe gradients and possible future blockages of the sewers. Also, the 6m DC-WW easements would be significantly reduced to an unacceptable standard for future maintenance. Therefore, it is considered unfeasible to relocate the proposed residential buildings further north than shown on the current drawing. The location of the nearest gable to nos. 50 & 52 Poplars Road which has been reduced to 6.8m high is considered acceptable in this instance. The gable would be 14m from the main back wall of no. 52 and although that existing property is set at a lower

level than the proposed dwelling, the new dwelling would be located to its north and would not reduce natural light to the dwelling in Poplars Road. Neither would it be so large as to appear unacceptably overbearing to no. 52 while no. 50 is off-set so that the effect on that dwelling would be reduced.

## 6.0 RECOMMENDATION: APPROVE

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	Prior to the commencement of works a scheme detailing the provision of integrated bat roosting and bird nesting provision within the scheme as outlined in the submitted Pure Ecology, Poplars Close, Abergavenny, Monmouthshire, Ecological Appraisal and Code for Sustainable Homes Report, December 2015 shall be submitted to the Local Planning Authority for written approval. The agreed scheme shall be implemented in full.
4	Notwithstanding the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no lighting or lighting fixtures shall be installed on the buildings or in the curtilage until an appropriate lighting plan which includes lighting type and specification, protecting roosting and foraging/commuting habitat for bats has been agreed in writing with the LPA.

### Informatives:

Please note that all birds are protected by the Wildlife and Countryside Act 1981 (as amended). The protection also covers their nests and eggs. To avoid breaking the law, do not carry out work on trees, hedgerows, or buildings where birds are nesting. The nesting season for most bird species is between March and August inclusive.

Please note that Bats are protected under The Conservation of Habitats and Species (Amendment) Regulations 2012 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).

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](http://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.