

DC/2015/01291

LAND TO REAR OF 61 PARK CRESCENT, ABERGAVENNY

OUTLINE PLANNING PERMISSION FOR RESIDENTIAL DWELLINGS ON EX-RAILWAY LINE LAND

Case Officer: Kate Bingham
Registered: 18/12/15

RECOMMENDATION: APPROVE

1.0 APPLICATION DETAILS

- 1.1 This is an outline planning application for the erection of a pair of semi-detached two storey dwellings on land to the rear of an existing dormer bungalow in Abergavenny. All matters are reserved.
- 1.2 As part of the application it is proposed to demolish an existing garage and shed on the site.
- 1.3 The existing dwelling has a single access point to the south side of the site off Park Crescent. The previously approved application for a new dwelling to the side of 61 Park Crescent (61A) included a new separate access at the eastern side of the site for the new dwelling. This application proposes to use an existing access off the lane to the rear (north) of the site to serve both of the proposed new dwellings.
- 1.4 The application is presented to Planning Committee at the request of the Delegated Panel.

2.0 RELEVANT PLANNING HISTORY

DC/2015/00210 – Extension to dwelling to form new residential unit (61A). Approved 7/10/15.

3.0 LOCAL DEVELOPMENT PLAN POLICIES

S1 – The Spatial Distribution of New Residential Development
S12 - Transport
S13 – Landscape, Green Infrastructure and the Natural Environment
S17 – Place Making and Design

H1 – New Residential Development in 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

- 4.1.1 Abergavenny Town Council – Recommends refusal.

1. Over-development of the site
2. Concerns about pedestrian safety at the access point to the site

4.1.2 Dwr Cymru-Welsh Water - No objection subject to condition ensuring no surface water connects with the public sewerage network.

4.1.3 Natural Resources Wales (NRW) – Land potentially affected by pollution. NRW considered that the controlled waters at this site are not of highest environmental sensitivity, therefore we will not be providing detailed site-specific advice or comments with regards to land contamination issues for this site.

4.1.4 Glamorgan Gwent Archaeological Trust (GGAT) – The Roman road that connected the Roman fort at Abergavenny with that at Kentchester ran immediately to the west of the line of the present Hereford Road. It was common for Romans to establish cemeteries alongside main roads exiting their military bases and this is the case in Abergavenny. Discoveries have identified a large cremation cemetery to the west of the Hereford Road. Indeed, cremation burials have been found at nos. 9 & 11 Park Crescent. However, the London and North-Western Railway ran directly through the development area so any potential archaeologically significant remains would likely have been destroyed. As such there is unlikely to be an archaeological restraint to this proposed development.

4.1.5 MCC Highways – No objections.

The improvement of the southern point of access is welcomed as it will improve the safety of the pedestrians by relocating the point of access and lowering the hedge between the footpath and the private driveway. The same treatment for improving visibility MUST be mirrored at the northern access with the adjoining hedgerow, replaced with railings. Pedestrian rights must be retained at all times. This will improve highway safety as well as pedestrian safety at both sides of the site.

The parking and turning provision at the site is compliant with the SPG, copy available from planning. The volume increase is therefore not considered as extraordinary.

Positive drainage must be introduced so that no water ingresses the site and conversely egresses the site as a consequence of this proposal.

I would not wish to see any works that would be detrimental to the safety of the highway users as a consequence of this proposal.

4.1.6 MCC Biodiversity – No objections.

4.2 Neighbour Consultation Responses

Three representations received. Object on the following grounds;

- Contrary to LDP Policy EP1 and DES1 criteria (d) and (l) which refer to privacy and spaciousness.
- Two storey dwelling so close to boundary with no.59 Park Crescent with overlooking windows will significantly affect privacy.
- Potential noise and disturbance of having residences so close to no.59 will materially affect the quiet and private enjoyment of the property.
- Harm the outlook from no.59.
- Out of keeping with the local context and street pattern – no other infill properties within view of the site and only building to the rear of the houses is a single storey garage.

- Design of house out of keeping.
- Former railway land may be contaminated.
- Proposed shared access adjacent to well used footpath link between Ysgyborwen, Park Crescent and Llwynu Lane will increase risk of pedestrians coming into contact with traffic associated with the application site.
- Over development and increased demand on local infrastructure, services, facilities in an established residential area.
- Can we be sure that the decision making in relation to this will be consistent with other applications and does not set a precedent if approved?
- Must consider the cumulative impact of the development when considered along other developments (5 approved housing developments in less than one acre) which will have an adverse impact on this area.
- Although application now says no access from Park Crescent, question if this will remain the case in the future.
- Further expansion of another two properties in such a small rural area is totally excessive.

4.3 Other Representations

Nick Ramsay AM – Wishes to support constituents' comments particularly regarding the access to the proposed new houses and safety concerns. Hope that application will be considered by the full planning committee given the concerns that have been raised.

Abergavenny and District Civic Society – No objection in principle as a precedent has already been set locally but question the suitability of the site for two dwellings and suggest that any outline permission does not commit the Authority to two.

Necessary to establish whether the site has vehicular right of access from the north. While the plans indicate that parking standards can be met, the possibility of six extra spaces having to rely on shared use of the driveway besides no.61 seems likely to cause congestion resulting in on-street parking and possibly danger to pedestrians.

Development as proposed in the outline plan is likely to require the removal or severe cutting back of hedgerow trees on the northern boundary. These were reduced in height a few years ago but are still a significant feature in an area that is not well-provided with trees, especially when in leaf and viewed from Llwynu Road. We would hope for their retention.

4.4 Local Member Representations

Cllr James George – has requested the application is considered by Committee.

5.0 **EVALUATION**

5.1 Principle of Development

5.1.1 The site is located within the development boundary of Abergavenny within which new residential development is acceptable in principle. The site is not within a flood plain or conservation area.

5.1.2 In terms of building to the rear of existing dwellings, land to the rear of 83- 87 has consent for affordable apartments but this is accessed via Old Hereford Road and Ysguborwen and so is not considered to be comparable to this application. However,

consent has been granted for a pair of semi-detached dwellings to the rear of no.109 Park Crescent on a similar sized plot. The majority of other dwellings along this side of Park Crescent have gardens and do not have the benefit of access from the north. As such it is considered that the application site is suitable for new residential development whereas the majority of other land along the street is not and granting consent for this application would not set an unwelcome precedent.

5.2 Amendments

5.2.1 Following discussions with officers, the application has been amended so that vehicular access for both of the proposed new dwellings is from the north end of the site. This is to avoid any conflict between traffic and the existing dwellings at no.61.

5.2.2 The height of the proposed dwellings has been reduced from just over 8 metres to the ridge to 7.2m with the use of dormer windows to allow the first floor accommodation partially within the roof space.

5.2.3 Following observations from the Civic Society, the applicant has agreed to retain the hedgerow trees on the northern boundary. This can be conditioned.

5.3 Visual Amenity

5.3.1 All matters are reserved and therefore any details submitted showing the design of the proposed dwellings is illustrative only and relates to the maximum scale perimeters of any development. A pair of two storey semi-detached dwellings have been shown on the plans submitted with the application with a hipped roof. This is broadly in keeping with the surrounding dwellings which vary between detached bungalows, detached and semi-detached houses. Whilst the proposed new dwellings would most likely only be glimpsed from the road, the access would be open to views that would make it apparent that there was residential development to the rear of the existing houses. This would introduce a form of development that does not follow the existing pattern or layout of the area.

5.4 Residential Amenity

5.4.1 This is an outline application with external appearance reserved for future consideration. As such the detailed design of the proposed dwellings is unknown at this stage, however, it would be assumed that the north and south gable ends of the dwellings would be left blank or have no habitable room windows so as to avoid overlooking of the host dwelling and nos. 1-7 Ysguborwen to the north at relatively close quarters. It would be expected that the principal elevation of the new dwellings will face west onto the public footpath so as to avoid overlooking of the garden area of no.59 Park Crescent. Subject to careful design it is considered that the site can accommodate the new dwellings without seriously harming existing local residential amenity.

5.4.2 The reduction in the ridge height of the proposed new dwellings will help prevent them having an overbearing impact on the neighbouring dwellings which have a substantial useable garden area. The proposed new dwellings have been sited as centrally in the plot as possible meaning that there is a distance of between 6 and 8 metres between the new building and the common boundary with the neighbour at no.59.

5.5 Access, Parking and Highway Safety

5.5.1 Both of the proposed new properties will be accessed from the lane that runs to the north (rear) of the existing property. The northern access already serves as access to several garage plots and a maintained car park.

5.5.2 The parking and turning provision at the site is compliant with the adopted parking guidelines. As such it is not considered that the relatively small increase in the volume of traffic using the site will adversely affect highway safety.

6.0 RECOMMENDATION: APPROVE

Conditions:

1	Approval of the details of the siting, design and external appearance of the building(s), the means of access and the landscaping of the site (hereinafter called the reserved matters) shall be obtained from the Local Planning Authority prior to any works commencing on site.
2	(a) Application for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. b) The development hereby approved must be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
3	The development shall be carried out in accordance with the list of approved plans set out in the table below.
4	None of the existing trees, shrubs and hedges on the site shall be felled, lopped or topped (excluding regular trimming of hedges) uprooted or wilfully damaged. If any of these trees, shrubs or hedges are removed, or if any die or are severely damaged, they shall be replaced with others of such species, number and size and in a position to be agreed in writing with the Local Planning Authority. Any lopping or topping which may prove necessary shall be carried out in accordance with a scheme previously approved in writing by the Local Planning Authority.

Reasons:

1.1	The application is in outline only.
2.1	In order to comply with Section 92 of the Town and Country Planning Act 1990.
3.1	To ensure the development is carried out in accordance with the approved drawings, for the avoidance of doubt.
4.1	To protect valuable tree or other landscape features on the site in the interest of preserving the character and appearance of the visual amenities of the area.

Informatives:

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. 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.

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 developer should address risks to controlled waters with reference to the Environment Agency document 'Guiding Principles for Land Contamination'.