
Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 14/06/16

gan Joanne Burston BSc MA MRTPI
Arolygydd a benodir gan Weinidogion Cymru
Dyddiad: 21/06/16

Appeal Decision

Site visit made on 14/06/16

by Joanne Burston BSc MA MRTPI
an Inspector appointed by the Welsh Ministers
Date: 21/06/16

Appeal Ref: APP/E6840/A/16/3144803

Site address: Castle Oak, Usk, Monmouthshire NP15 1SG

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 outline planning permission.
 - The appeal is made by Dŵr Cymru Welsh Water against the decision of Monmouthshire County Council.
 - The application Ref DC/2015/00868, dated 1 July 2015, was refused by notice dated 16 September 2015.
 - The development proposed is the erection of a detached dormer bungalow.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application is made in outline form with all matters reserved for subsequent consideration. The Design and Access Statement (DAS) details the ridge height to be 6 -7 metres and the building to be offset from the eastern boundary with 42 Castle Oak by a minimum of 3.8 metres and offset from the eastern elevation of 44 Castle Oak to the west by 2 metres.

Main Issues

3. The main issues in this case are the effect of the proposed development on:
 - The character and appearance of the area; and
 - The living conditions of neighbouring occupiers, with particular regard to outlook and noise and disturbance.

Reasons

4. The appeal site lies on the northern edge of Usk, off Castle Oak a residential road. The road is a vehicular dead end and terminates a little way beyond the appeal site. The surrounding area is characterised predominantly by residential development of a mix of scale, form, design and external appearance. Notwithstanding this variety, plot sizes in the vicinity of the site are, for the most part, generous and give the area a low density, spacious feel.
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5. The site currently forms part of the large side garden serving 44 Castle Oak and is bounded to its north by agricultural land and to the east and west by dwellings, 42 and 44 Castle Oak respectively. The ground slopes across the site towards the south and east, so that No. 42 is situated at a lower level than the appeal site.
6. In considering whether the proposal would be overdevelopment of the site, I have considered the nature and appearance of nearby development, including the comparative plot widths of the row of detached houses on the eastern side of the appeal site. I have noted the appellant's supporting illustrations, which seek to demonstrate that a bungalow on the site would be compatible with its surroundings. Whilst, I accept that some nearby detached properties are situated close to their site boundaries, my observations are that the majority of these are on wider plots. I have also had regard to the narrow width of the plots of the neighbouring two-storey detached dwellings. However these properties have a distinctly different character compared to a detached bungalow, and I am not persuaded that they provide justification for allowing the appeal.
7. Notwithstanding the potential for a different position on the appeal site, or the possibility of a differently shaped building, the narrow width of the plot would mean that any dwelling of a reasonable size would appear cramped and physically constrained on the site. Although there would be sufficient outdoor amenity space for occupiers of the proposed dwelling, a detached bungalow of any type on the plot would appear at odds and out of context with its surroundings. This would be particularly noticeable due to the highly prominent location of the site.
8. I note the appellant's comments relating to infill development within settlement limits and the 'presumption in favour' of developments as set out in the Monmouthshire Local Plan (the Local Plan). However, not all land is suitable for development as it is also a requirement to respect the character and appearance of the area.
9. Accordingly, the proposal would represent overdevelopment which would be unacceptably harmful to the character and appearance of the area. It would therefore conflict with Policy DES1 (c) and (i) of the Local Plan, which states that all development proposals will be required to respect the existing form, scale, siting, massing, materials and layout of its setting and any neighbouring quality buildings.

Living conditions

10. I do not consider that vehicle noise and disturbance associated with a further single dwelling would materially harm the living conditions of neighbouring occupiers. However, as I have previously stated, the building would intrude into the appearance of the area and this would most particularly affect the occupiers of No.44. The proposed building would be approximately two metres from the side elevation of this dwelling and would be clearly visible from this property, given the windows on this elevation which serve habitable rooms.
11. I accept the appellant's comments that boundary fencing and planting¹ may provide adequate screening. Nevertheless, the combination of such boundary features and the close proximity of what would be a substantial amount of additional built form close to No. 44 would represent such a significant change that it would result in an over-dominant impact on outlook.

¹ as permitted by the Town and Country Planning (General Permitted Development) Order 1995.

12. Consequently, I find material harm to the living conditions of the occupiers of 44 Castle Oak. Therefore, the proposal conflicts with Policies DES1(d) and EP1 of the Local Plan, which aim to safeguard residential amenity.

Conclusion

13. In reaching my decision I have had regard to all the matters raised, however, none of these factors are sufficient to alter my conclusions. For the reasons given above, I conclude that the appeal should be dismissed.

Joanne Burston

INSPECTOR