

DC/2015/00938

DEMOLITION OF EXISTING DWELLING AND DETACHED GARAGE. ERECTION OF REPLACEMENT DWELLING AND DETACHED GARAGE. RELOCATION OF EXISTING VEHICULAR ACCESS

ORCHARD HOUSE, LLANBADOC, USK

RECOMMENDATION: APPROVE

Case Officer: Kate Bingham
Registered: 28/08/2015

1.0 APPLICATION DETAILS

- 1.1 This application was presented to Committee on 6th September 2016 with an officer recommendation for approval. Members did not agree with this recommendation and deferred the application to be refused on the grounds of scale, design and highway safety.
- 1.2 Following the Committee meeting, the applicant has provided further detailed drawings of the existing and proposed access in order to demonstrate that the proposed new access will be an improvement on the existing, in terms of visibility and therefore highway safety. The Council's Highway Officer was asked to comment on the additional information and has provided the following additional advice:

Highway comments -

"I refer to the recent submitted plans from the agent to support the above application. The submission shows on plan the existing achievable visibility from the site as being 2.4m x 14m and 2.4m x 13.6m.

This visibility splay is seriously below the current standards and would be deemed unsafe.

The proposed relocated access offers an improved access in terms of actual dimensions as well as providing a substantially improved available visibility to the site. The proposed visibility is 2.4m x 28m and 2.4m x 60m.

An increase in both directions and importantly improvement to the right leaving the site.

The submissions therefore endorses the views of the highway authority to support the improved point of access to the site that improves highway safety for the site users as well as improves highway safety for the users of the adjacent public highway."

- 1.3 The applicant has also provided visualisations of the proposed new dwelling together with an overlay of the existing dwelling.
- 1.4 If Members are still minded to refuse the application the following reasons are provided;

Reason(s) for Refusal

1. The scale and design of the proposed new dwelling are considered to be out of keeping with the character and appearance of the surrounding area, contrary to criterion (c) of Policy DES1 of the Adopted Monmouthshire Local Development Plan.

2. The proposed new access is considered to be substandard given the road speeds on the highway fronting the site and would unacceptably harm highway safety.

1.5 The previous report and recommendation is below.

PREVIOUS REPORT

1.0 APPLICATION DETAILS

- 1.1 This application relates to an existing detached two storey dwelling with detached single garage. The existing property is a 4 bedroom two storey double bay fronted detached dwelling, with hipped tiled roof. The elevations are principally red/orange drag faced brickwork with rough cast painted render over, extending from underside of first floor window cills to eaves. A detached garage located to the south of the dwelling is built in a similar style to the main dwelling. The property is in a fair condition but is in need of modernisation and insulating to reduce heat loss and energy consumption. Having considered the extension and alteration of the existing structure it was resolved by the applicant that construction of a new replacement dwelling would be the most economically viable solution.
- 1.2 The design of the proposed replacement dwelling has been amended following discussions with officers regarding the volume of the proposed new house in relation to the existing.

2.0 RELEVANT PLANNING HISTORY

None.

3.0 LOCAL DEVELOPMENT PLAN POLICIES

S1 – Spatial Distribution of New Residential Development
S12 – Efficient Resource Use and Flood Risk
S13 – Landscape, Green Infrastructure and the Natural Environment
S16 – Transport
S17 – Place Making and Design

H5 – Replacement Dwellings in the Open Countryside
SD3 – Flood Risk
LC5 – Protection and Enhancement of Landscape Character
NE1 – Nature Conservation and Development
MV1 – Development and Highway Considerations
DES1 – General Design Considerations
EP1 – Amenity and Environmental Protection

4.0 REPRESENTATIONS

4.1 Consultation Responses

Llanbadoc Community Council – Main Comments: Out of keeping – too bold, modern design, site lines, Size. Privacy issues. Safety concerns on access.

Three relevant parties were represented at the Llanbadoc Community Council meeting held on 6th July 2016, this included the applicant and two neighbours. The two

neighbours raised concerns over privacy, style and size. Another neighbour commented on shift in access, considered a retrograde step. Cllr. Laura Jones commented on the build stating that it was out of character with the area and that access changes were a valid concern.

The applicant confirmed that the architect had worked within the guidelines, and the agent had considerable contact with MCC.

Cllr. Laura Jones view was that it would completely change the character of the village, this was supported by Cllr. James Lawrence who also felt it would be a powerful dominating property and would impact on neighbouring properties.

The applicant stated that it was energy efficient, and the design was steered by MCC and worked within parameters on a design and energy efficient point of view.

4.1.3 MCC Highways - No adverse comments.

4.1.4 MCC Biodiversity Officer – No objections subject to conditions (see below). Considering the now extensively glazed appearance of the east elevation the planting enhancements recommended within the Ecology report and referenced in the DAS will be even more important to maintain foraging/commuting corridors.

4.2 Neighbour Consultation Responses

6 representations received. Object on the following grounds;

- No need to demolish the existing house as sound well built by Sweet & Sons who were recognised as the best firm of builders in the area for very many years.
- Proposed new dwelling completely out of character with anything else in the area.
- Proposed new dwelling looks more urban.
- Proposed new dwelling too large.
- Manipulation of maximising size to prescribed volume limitations has resulted in a distorted, unconventional, alien, modern design.
- Question the volume calculations submitted by the applicant.
- Overlooking from bathrooms and west facing balcony.
- Change of access to a more dangerous location.
- Demolition and construction work will bring lots of noise and dust.

4.3 Local Member

Local Member Cllr. V Smith – Initially requested that the application be determined by Planning Committee owing to concerns about the size of the garage and overlooking of neighbour by roof lights in the proposed garage. Subsequently considered that negotiations had been undertaken (revisions made so there were now no roof lights in garage) and therefore no need for Committee. No comments to revised drawings offered to date.

5.0 **EVALUATION**

5.1 Principle of Development

- 5.1.1 Although the existing dwelling does have some architectural merit, the building is not a traditional farmhouse, cottage or other building that is important to the visual and intrinsic character of the landscape and so the principle of demolishing the existing dwelling is accepted as it is considered to meet the terms of Policy H5 of the Local Development Plan (LDP).
- 5.1.2 In order to comply with the Supplementary Planning Guidance (SPG) that supports Policy H5, the volume of the new dwelling should normally be no more than 50% larger than the existing dwelling. The existing building has a volume of 580m³ and the proposed new dwelling a volume of 910m³. This equates to an increase of 57% which is considered to be close enough to the limits normally allowed by policy whilst not compromising the success of the design of the proposed new dwelling overall. It should be noted that the proposed dwelling and hard landscaping will cover a total area of some 768m² which equates to 27% of the site when taking in to account the site as a whole. There will therefore be ample space around the dwelling for soft landscaping which it is considered should be a condition of any consent.

5.2 Visual Amenity

- 5.2.1 The site as existing is divided into two plots with a relatively recent boundary of shrubs. It is proposed to remove this boundary to enable the proposed replacement dwelling to be shifted more centrally within the site and increase the size of the curtilage of the proposed new dwelling to include both plots. This increase in curtilage is considered to be acceptable as the whole area has been used in association with the dwelling historically, even though not all as formal garden and the area is within the ribbon of built development along the road into Usk. It is noted that the northern side of the site is within the flood plain and so there can be no new built residential development in this area anyway.
- 5.2.2 The new dwelling is proposed to be sited closer to the highway than the existing dwelling. Given that the building line in this area varies significantly and in places is right up to the road then this is considered to be visually acceptable.
- 5.2.3 In terms of design, the existing property is a twin bay-fronted hipped roofed property of post war construction and cannot be considered to be typical of more traditional dwellings found in the open countryside but is more suburban in character. The replacement dwelling was originally designed with a hip roof and was generally well received, however the footprint area required by the applicants combined with a traditional house design created substantial unused space in the loft. The result was the structure as a whole significantly exceeded the LDP policy criterion in respect of proportionate volume increase for replacement dwellings in the countryside. Thus, it was decided to revisit the design.
- 5.2.4 The dwelling now proposed is a more contemporary design with a vertical emphasis, large glazed areas with aluminium frames, a mix of finishes and most strikingly perhaps, a flat roof. The revised design has reduced the massing of the elevations with the general ridge line approximately 2m lower than the original proposals. Variation in the eaves line and storey heights add interest to the facades and depth to the elevations thereby helping to break up the massing of the building. The roof will be covered in a slate grey coloured single ply membrane for flat roof elements and colour-coated standing seam panels to the pitched areas, sympathetic to adjacent slate roof planes, replacing the plain clay tile of the existing Orchard House. Dark grey matt finish colour-coated aluminium window frames would enable the maximum glazing to be achieved to apertures with clean slim-line sightlines. The stone element proposed would be constructed using a slate building stone or dark grey linear-shaped stones

with deep recessed joints. Rendered walls are proposed to be finished with a silicone scraped texture through colour render or fined down and painted.

- 5.2.5 The adjacent cottages and houses are primarily pitched slate roof two-storey structures and the plot shares a boundary with a storey and a half stone barn, which has been converted and partially rendered. Further along Usk Road towards Caerleon, Myrtle Villa is a predominantly brick clad house with stone detailing and a hipped slate roof.
- 5.2.6 Given the mix of building types within the vicinity of the application site as well as the large plot, it is considered that a contemporary approach would be appropriate in this case rather than trying to mimic other smaller original structures. As the materials and finishes of a building of the type proposed will be critically important to achieving a high quality design, it would be appropriate to condition samples of the materials for approval via condition.
- 5.2.7 The proposed double garage has been redesigned taking into consideration the concerns of the neighbouring property and the case officer. The structure has been reduced to a single storey structure with a flat roof and proportionally sized to the dwelling, accommodating two cars on a daily basis. An additional area has been added onto the garage to provide space for a hobby room. The outbuilding has been designed in a style to match the proposed replacement dwelling whilst remaining detached and subservient to the main part of the house.

5.3 Residential Amenity

- 5.3.1 The proposed building is sited at its closest point 8.0m from the southern boundary with Ty-Mawr Farm, 12m to the aforementioned barn conversion and 28m to the adjacent farmhouse, respectively. The small southern elevation first floor window serving a bedroom would be obscure glazed. To the south a dense mature privet hedge approximately 2.0m tall provides privacy at ground floor level, and therefore overlooking issues and loss of privacy are not anticipated. Similarly, the distances between the proposed new dwelling and the reduction in overall height as a result of the design mean that the dwelling would not appear overbearing to any neighbours.

5.4 Access

- 5.4.1 The proposal relocates the vehicular access to a more central location achieving improved and acceptable visibility in both directions compared to the existing access point. There is more than adequate parking and turning available as shown on the submitted plans. The proposed alteration to the access will not therefore adversely affect highway safety.
- 5.4.2 The application site is predominantly bounded by an established native species hedgerow. The majority of the hedgerow is proposed to be retained. Relocation of the vehicular access and forming of visibility splays for improved highway safety will result in parts of the hedge to the eastern boundary being disturbed. However, the hedgerow would be translocated to the revised alignment and also used to close up the former vehicular access.

5.5 Biodiversity Considerations

- 5.5.1 Based on the current objective survey and assessment available, enough ecological information has been submitted to enable the Council to make a lawful planning

decision. No evidence of bat roosts were found in the house or garage buildings. Two active house sparrow nests were found.

5.5.2 The proposals for this site require the existing dwelling and garage to be demolished, which will result in the loss of all potential bat roosting features and confirmed bird nesting features. The report concludes that there will be no impacts on bats as a result of the proposed development. There will however always remain a possibility of bats being encountered within a building even after a series of negative surveys. The application proposes a precautionary approach with regard to bats and demolition, and the provision of bat boxes as enhancement and bird boxes as compensation for the nesting space lost. These are considered acceptable and conditions are proposed below.

6.0 RECOMMENDATION: APPROVE

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| 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 | Samples of the proposed external finishes shall be agreed with the Local Planning Authority in writing before works commence and the development shall be carried out in accordance with those agreed finishes which shall remain in situ in perpetuity unless otherwise approved in writing by the Local Planning Authority. The samples shall be presented on site for the agreement of the Local Planning Authority and those approved shall be retained on site for the duration of the construction works. |
| 4 | No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development. |
| 5 | All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the dwelling and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. |
| 6 | No demolition of any buildings or structures, or removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of the building and vegetation for active birds' nests immediately before and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority. |
| 7 | The demolition shall be carried out in accordance with section 6.1 Precautionary Measures of the report "Orchard House, Llanbadoc. Bat Survey Report. Acer Ecology. Version 1, Dated 23 June 2015." |
| 8 | The development hereby permitted shall not be occupied until the bat box (Schwegler 1FR) and bird box (Schwegler 1SP) have been installed in accordance with details shown on submitted plan 1198 (BD)13. |

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| 9 | 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 building so as to illuminate the bat and bird boxes on the southern elevation. |
| 10 | Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995, as amended (or any order revoking and re-enacting that Order with or without modification) no development within Part 1 of Schedule 2 to the Order, shall be carried out on land to which this permission relates, without express planning permission having first been obtained from the Local Planning Authority. |

Informatives:

Please note that Bats are protected under The Conservation of Habitats and Species Regulations 2010 (as amended) 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 the retained ecologist or Natural Resources Wales contacted immediately. Natural Resources Wales (NRW) (0300 065 3000).

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.

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.