

DC/2017/00188

TWO DETACHED TWO STOREY DWELLINGS LOCATED IN REAR GARDEN OF ROSEBROOK

ROSEBROOK, WATERY LANE, MONMOUTH, NP25 3AT

RECOMMENDATION: APPROVE

Case Officer: Jo Draper

Date Registered: 19.04.2017

1.0 APPLICATION DETAILS

- 1.1 The application is for outline planning permission (with no detailed matters for consideration at this stage) for the construction of two new detached dwellings within the grounds of the existing property known as Rosebrook.
- 1.2 The application site is within the development boundary of Monmouth. The main constraints regarding this site are the four Tree Protection Orders that are present in the rear garden. Also there is a watercourse along the front boundary.
- 1.3 The maximum and minimum scale parameters (dimensions) are as follows:

Plot A:
minimum width 14.2m; maximum width 15.2m;
minimum depth 21.0m; maximum depth 22.0m;
minimum ridge height 7.3m; maximum height 7.4m

Plot B:
minimum width 20.7m; maximum width 21.7m;
minimum depth 15.7m.; maximum depth 16.7m;
minimum ridge height 7.45m; maximum height 7.55m
- 1.4 There have been illustrative plans provided showing how a dwelling of the maximum dimensions set out above could be accommodated on the plot. There is a distance of 26.5m separating the rear of the 'severed' (i.e. existing) dwelling from the boundary of the garden curtilage for both properties. The design put forward for both proposed dwellings shows a main dwelling with two wings projecting to the front and rear (Plot A) and front and side (Plot B). The wings that project forward of the proposed main dwelling in the illustrative design comes within close proximity (within 4 metres) of this common boundary with the severed property.
- 1.5 The illustrative plan shows how the access can work to serve the dwellings proposed. It is proposed to utilise the existing vehicular access to provide shared access to the existing dwelling and one of the proposed new dwellings. A new vehicular access is proposed at the southern corner of the site to provide a single access to the second proposed dwelling.
- 1.6 There are four trees situated within the site that are subject to Tree Preservation Orders. These trees are all to be retained alongside a further three mature trees, a maple, rowan and walnut (these are not the subject of a TPO). It is proposed to cut back in part the conifers that form the rear boundary of the site to maximise the depth of the plot. In response to neighbour objections the applicant has provided comments that it is not their

intention to fully cut back the boundaries and the natural boundary that forms the perimeter will essentially remain.

- 1.7 The proposed means of enclosure would be a close boarded fence with deciduous hedge to form the common boundary between the severed dwelling and the two new plots.

2.0 RELEVANT PLANNING HISTORY

DC/1997/00225 - Partial Demolition, Alteration & extension to Increase overall size but maintain 4-bedroom property. Approved 08/05/1997

DC/1975/00532 Erection of Garage Approved 10/09/1975

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Planning Policies

S1 - Spatial Distribution of New Housing Provision

S4 - Affordable Housing Provision

S13 – Landscape, Green Infrastructure and the Natural Environment

S16 - Transport

S17 – Place Making and Design

Development management Policies

DES1 – General Design Considerations

EP1 – Amenity and Environmental Protection

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

NE1 - Nature Conservation and Development

MV1 - Proposed Developments and Highway Considerations

Supplementary Planning Guidance

Affordable Housing Supplementary Planning Guidance, adopted March 2016.

4.0 REPRESENTATIONS

4.1 Consultations Replies

Monmouth Town Council: Refuse

- Overdevelopment
- Over-bearing
- Increase of traffic on a single lane
- Close to Offa's Dyke
- Second building line as in the grounds at the rear of the property
- TPO's in place

MCC Highways: The existing access is 5m wide which is more than the minimum 4.1m standard for a shared access which allows two vehicles to pass safely. The proposed new access at the south corner of the site is 3m wide which is the minimum requirement for a single access for single dwelling use. The proposed new access traverses the stream which will require a bridge/culvert and therefore will require land drainage consent from the land drainage authority which is National Resources Wales. The applicant is therefore required to obtain the necessary consent from NRW.

The layout demonstrates that a maximum of three car parking spaces are being provided for each of the proposed dwellings and the existing dwelling, Rosebrook, which satisfies the Monmouthshire Parking Standards. There is sufficient turning space within the site for each of the dwellings to accommodate the turning movements of a vehicle allowing it to access and leave the site in a forward gear.

The additional traffic generated from the proposed development is not considered to cause a detrimental impact on the local highway network as there is sufficient capacity to accommodate the additional movements.

In light of the aforementioned comments there are no highway grounds to sustain an objection to the application subject to relevant conditions being applied.

MCC Tree Officer: There is a weeping willow, a birch and two walnut trees within the site boundary and these are protected by a tree preservation order. The layout plan indicates the root protection zones however further information has been requested with an Arboricultural Method Statement. **The conditions will be framed to take account of this document and will be presented as late correspondence.**

4.2 Neighbour Notification

There have been five representations submitted raising the following points:

1. There is a significant and well established hedgerow separating Lilac Drive from the properties to the rear on Watery Lane. This hedgerow represents a significant habitat for numerous species of wildlife. The development will be detrimental to habitat.
2. Development will encroach upon neighbour's property in terms of flora and fauna in the area.
3. Breeding season concerns over removal of hedgerow and impact on breeding birds (most notably starlings) and bats.
4. Light pollution.
5. Proposal will directly affect privacy and result in dwellings being overlooked.
6. The development amounts to 'garden grabbing'.
7. Affect the value of neighbour's property due to loss of privacy and unspoilt views of the hedgerow and trees.
8. Proposed development will create extensive hard surfaces and given the topography of the site and siting of the plots there is potential for excessive ground saturation in the area where the septic tank and soakaway are located.
9. Noise pollution – new drive serving Plot B will run very close to the neighbour's property along the length of garden to provide access for 3 cars.
10. Road junction is potentially dangerous, visibility splays are inadequate.
11. Additional traffic on Watery Lane.
12. Introduction of 2 new dwellings will change the character of the oldest property in Watery Lane.
13. The lane is part of the Offa's Dyke Path and is used by a significant number of walkers all year round, as well as dog walkers, runners, cyclists, horse riders and residents. Building work on the most recent new build in the lane remains ongoing. For two years this has been very disruptive with large vans and lorries requiring frequent access each working day. Application should be rejected in order to maintain safety and retain ease of access for residents and lane users.
14. There has recently been an increase with the addition of three new houses. The lane is narrow with a blind bend and no pavement. It's no longer the safe, quiet country lane that it used to be and has already been the scene of several minor vehicle bumps.
15. The increase in traffic would cause unacceptable congestion and danger to pedestrians and lane users, each new house is likely to have at least three cars, adding at least six additional cars using the lane plus all the construction traffic.

5.0 EVALUATION

The application site is within the development boundary and therefore the principle of residential new build is acceptable subject to detailed considerations.

The issues that arise in the consideration of this application is the following:

- i) Neighbour amenity
- ii) Visual Amenity
- iii) Highway Safety
- iv) Surface water and drainage
- v) Ecology and Nature Conservation

5.1 Neighbour Amenity

5.1.1 This is a very generously sized plot and there is certainly potential for two new dwellings to be accommodated on this site comfortably. This application is in outline only with all details reserved for a further reserved matters application. Hence there are no details as such that can be discussed in terms of neighbour amenity. The illustrative plans provided demonstrate that a dwelling of the maximum dimensions listed can fit onto the site while working with the constraints on site (TPO's) and privacy guidelines for separating distances between the habitable room windows of dwellings. An application for reserved matters would need to demonstrate that the existing spaciousness and character of the area has been respected and maintained on this plot but the principle of two detached dwellings of the scale shown on the scale parameter drawings submitted with the outline application is considered acceptable.

5.1.2 The retention of the existing mature trees within the site helps to not only break up the site visually but provides green infrastructure that enhances privacy between the proposed plots. There have been concerns raised regarding the tree perimeter to the site, and the plans show this is to be cut back. However following neighbour representations the applicant has agreed for this natural feature to be retained. In either case some form of green corridor should be retained; this may be achieved by retention of the existing growth, but given that this currently comprises of predominantly a non-indigenous species there would be no objection to replacing this with a mature indigenous woodland mix of planting which would enhance the biodiversity of the area. In either case a relevant condition is required setting out expectations for the provision and/or retention of the green perimeter to the site overall with a strong landscaping scheme to be submitted at reserved matters. Subject to the relevant conditions being applied at this outline stage there would be no adverse impact upon neighbour amenity in this case.

5.2 Visual Amenity

5.2.1 The illustrative plans provided with this application show how a dwelling that generally fits the maximum dimensions can be sited on this plot. This works with the tree protection zones. This area is characterised by large houses and single plots of individual design situated on generous plots. There have been two dwellings recently constructed in close proximity to the site that have been set back in the original plot and there is no clear building line in this immediate area with a more random, sporadic pattern of housing along this section of Watery Lane.

5.2.2 This proposal has sought to take advantage of the depth of the site and the proposed plots are set well back from the highway which does help to create a less 'built up' appearance and maintain the appearance of an open frontage. Also there is no predominant house design in the immediate area with a mix of contemporary and

traditional dwellings. While the proposed dwellings are set back from the severed dwelling they do not read as back-land development in that both dwellings have an aspect facing the highway. There is no clear building line along this stretch of Watery Lane, with a non-uniform layout of housing with varying building lines. Subject to an appropriate design and a comprehensive hard and soft landscaping scheme the proposal will be visually acceptable in the context of the streetscene and surrounding area. Those issues would be properly explored within the reserved matters submission.

5.3 Highway Safety

5.3.1 The Council's Highways Officers have looked at the principle of the accesses proposed to serve the two new dwellings and are satisfied that this is acceptable, although the detailed access proposals will be subject to a reserved matters application. However, an assessment of the impact of additional traffic on this highway has been made and the conclusion is that there is sufficient capacity on this network to accommodate the additional limited movements generated by this proposed development.

5.4 Surface Water Drainage

5.4.1 The application proposes to utilise a treatment plant to deal with the foul drainage. There is supporting information in the form of percolation tests that were undertaken for both Plots A and B, the results of which demonstrate that the system is effective in providing drainage from the site. However, in addition to this Highways have requested a surface water drainage scheme to be provided as a detail of the planning application. It should be noted that the application site is not in a flood zone.

5.5 Biodiversity

5.5.1 The illustrative plans show that the foliage that surrounds the perimeter of the site is to be cut back, although the applicants have since indicated otherwise. In either case this is not indigenous woodland or hedgerow and therefore this has not been explored for biodiversity value. Ideally this should be replaced with a mature woodland belt as this provides enhanced ecological value, although the existing boundary does provide privacy. It is recommended that a condition is applied requiring a full landscape scheme to be submitted that looks at retaining the existing growth or replacing it with enhanced mature species to ensure that at the very least the green boundary is retained to mitigate the impact on neighbouring properties.

5.6 Other Issues

5.6.1 Devaluation of Property is not a planning consideration.

5.7 Response to Town Council Comments

5.7.1 These have been addressed in the paragraphs above

5.8 Response to the Representations of the Community/ Town Council (if applicable) Well-Being of Future Generations (Wales) Act 2015

5.8.1 The duty to improve the economic, social, environmental and cultural well-being of Wales has been considered, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). In reaching this recommendation, the ways of working set out at section 5 of the WBFG Act have been taken into account and it is considered that this recommendation is in accordance with the sustainable development principle through its contribution

towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WCFG Act.

6.0 RECOMMENDATION: APPROVE

Conditions

1. Approval of the details of the layout, scale and appearance of the building(s), the means of access thereto and the hard and soft 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. Within the reserved matters, full details of the existing and proposed landscaping shall be provided with details of a full mature landscape boundary around the perimeter of the site, not including the access points and the associated visibility splays.
4. The development shall be carried out in accordance with the list of approved plans set out in the table below.
5. No development shall commence until details of a surface water management plan has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved surface water management plan.
7. No clearance of areas suitable for breeding birds e.g. hedgerows, scrub and trees, shall take place between 1st March and 31st August to avoid unlawful disturbance. However, clearance may take place during these months when preceded by a search for nesting birds and if necessary, mitigation has been implemented in accordance with details to be approved in writing by the Local Planning Authority before works commence on site.
8. The proposed new access shall have a hard surface material for a minimum distance of 5m from the edge of carriageway so as to prevent any loose material being brought out onto the highway.

Informative:

The developer should note that no development may commence until the applicant obtains approval of the access bridge/ culvert by Natural Resources Wales