

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
17/0326/FULL 02.05.2017	Mr M Coxe 50 The Crescent Trecenydd Caerphilly CF83 2SW	Erect two new build semi-detached houses in garden plot on Land Within Curtilage Of 50 The Crescent Trecenydd Caerphilly CF83 2SW

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: Land Within Curtilage Of 50 The Crescent, Trecenydd, Caerphilly.

Site description: The application site is formed of part of the existing garden area for number 50 The Crescent and is located to the western side of the dwelling. To the east is the existing dwelling, to the west is Heol Fach a residential cul-de-sac, to the south is the side curtilage of number 1 Heol Fach and to the north is the site frontage onto The Crescent. The topography of the local area falls from west to east and the site also rises to the southern (rear) boundary.

Development: The development would comprise two Semi-detached dwelling houses. The floorplans show each property having on the ground floor a lounge, entrance area, kitchen/dining with utility. The first floor area accommodates three bedrooms and a bathroom.

Dimensions: The application site length is approximately 34m long and the width varies due to the irregular shaped western boundary but is between approximately 10.5m-14m along the footprint of the dwellings.

Each dwelling would be approximately 4.7m wide at their widest point by 11.9m long with an overall height of 7m.

A block of two garages measuring 6.6m by 8.2m and measuring 4.7m above road level would be constructed at the southern end of the site.

Materials: Walls: Brick and render. Roof: Concrete tile.

Ancillary development, e.g. parking: Two garages to the rear of the properties.

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PLANNING HISTORY 2005 TO PRESENT

15/0777/CLPU - Obtain a Lawful Development Certificate for the proposed single-storey rear extension. Granted 16.02.2016.

16/0267/FULL - Erect two new semi-detached houses in a garden plot. Refused 22.06.2016.

16/0641/FULL - Erect detached house in a garden plot. Granted 19.09.2016.

POLICY

LOCAL DEVELOPMENT PLAN Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.

Site Allocation: The site lies within the defined settlement boundary.

Policies: CW2 (Amenity), CW3 (Highways), SP6 (Place making) SP10 (Conservation of Natural Heritage).

NATIONAL POLICY Planning Policy Wales, Technical Advice Note 12: Design.

Planning Policy Wales paragraph 9.3.2

Sensitive infilling of small gaps within small groups of houses, or minor extensions to groups, in particular for affordable housing to meet local need, may be acceptable, though much will depend upon the character of the surroundings and the number of such groups in the area.

Planning Policy Wales paragraph 9.3.4

In determining applications for new housing, local planning authorities should ensure that the proposed development does not damage an area's character and amenity. Increases in density help to conserve land resources, and good design can overcome adverse effects, but where high densities are proposed the amenity of the scheme and surrounding property should be carefully considered.

SUPPLEMENTARY PLANNING GUIDANCE

Supplementary Planning Guidance note LDP 6 (Better Places to Live).

Supplementary Planning Guidance note LDP 7 (Householder Development).

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ENVIRONMENTAL IMPACT ASSESSMENT

Did the application have to be screened for an EIA? No.

Was an EIA required? Not Applicable.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? The site is in a low risk area, and it is therefore intended to attach an informative note about mining conditions in the area.

CONSULTATION

Transportation Engineering Manager - No objection subject to planning conditions addressing detailed highway considerations.

Cadw - The proposal, to erect two new build semi-detached houses in a garden plot, is located approximately 200m west south west of the scheduled monument Caerphilly Iron Furnace (GM053). The proposed buildings will not be visible from the scheduled monument due to the presence of residential housing in the intervening area. There will be no direct effect or effect upon the setting of the monument.

Head Of Public Protection - No objection subject to planning conditions requiring details of noise mitigation during the construction phase and restriction on soil importation.

ADVERTISEMENT

Extent of advertisement: The application was advertised via a site notice and neighbour notification letters were sent to nearby properties.

Response: Five objections received from three objectors with one letter of support also received.

Summary of observations:

Summary of Objections received:

- There is only parking for one car per house at the front and the road width at Heol Fach is far too narrow for cars to be able to use the garages when the current residents park on that road where there are no double yellow lines.

Cont'd.....

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- The plans do not provide enough off road parking for two 3-bed houses and will worsen the parking problems in the area.
- This plot is unsuitable for the development
- This development is totally out of the character for the area and will ruin the spacious feeling of the area as the development would be squashed in and give a terraced effect which was the reason for rejection of previous plans.
- Why has a dropped kerb been put into the property on the side (Heol Fach) when this has not appeared either on the plans or in any planning application. The road is far too narrow to allow the safe use of any drive here as there is only room for 1 car to move up or down at one time as the one side is the only area available to serve the legal parking for the surrounding 6 houses due to extensive use of double yellow lines.
- It appears that the developer is determined to stuff as much building into the space without thought or care about the detriment of the enjoyment of the area by existing neighbours as shown by the multiple applications to develop the land as other applications have been refused mainly for the reasons listed above.
- Development would result in a loss of view.

Summary of supportive comments

- Supportive of development and notes the wide pavement on both side of Heol Fach

SECTION 17 CRIME AND DISORDER ACT

What is the likely effect of the determination of this application on the need for the Local Planning Authority to do all it reasonably can to prevent crime and disorder in its area?

It is not considered that crime and disorder will be materially affected by the development.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? Based on current evidence, this is unlikely to be a significant issue in this case, but an advisory note will be attached to the consent and sent to the applicant as a precautionary measure.

COMMUNITY INFRASTRUCTURE LEVY

Is this development Community Infrastructure Levy liable? Yes, at a rate of £40 per square metre resulting in a contribution of £7,600.

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ANALYSIS

Policies: The application has been considered in accordance with local plan policies and national planning guidance. It is formed of a corner plot which is at present part of the garden of number 50 The Crescent. The site is located within the defined settlement boundary and therefore the principle of residential development is considered acceptable provided that material planning considerations do not indicate otherwise.

The application site is located on the southern side of The Crescent, Trecenydd, a residential street with a large number of semi-detached properties. There is generally a strong pattern to the general development in the area with properties fronting this part of The Crescent being primarily semi-detached dwellings with each pair having a notable separation to the side boundary with the adjacent pair of semidetached properties. Whilst the separation distance between blocks of dwellings varies along The Crescent and also on East Avenue (which is to the east of the site and comprises some terrace properties) there is typically at least a 2 metres gap between each block of dwellings.

The planning site history for the site includes a planning refusal (16/0267/FULL) for two semi-detached dwellings and a subsequent planning approval (16/0641/FULL) for a single detached dwelling.

The previous planning refusal for two semidetached dwellings on the site was refused for the following two reasons:

- 01) The development by reason of its design and density on a site of restricted width would result in overdevelopment of the site and a terracing effect being introduced within this part of The Crescent, Trecenydd detrimental to the street scene and the character of the area, contrary to criterion B of Policy SP6 and criterion B of Policy CW2 of the Caerphilly County Borough Council Local Development Plan up to 2021 - Adopted November 2010.
- 02) The development has insufficient car parking provision contrary to criterion C of Policy CW3 of the Caerphilly County Borough Council Local Development Plan up to 2021 - Adopted November 2010 and Adopted Supplementary Planning Guidance LDP5 Car Parking standards.

The current application differs from that previous refusal in the following aspects:

- The width of each dwelling has been reduced by 0.5m
- The separation distance between the footprint of the proposed new dwellings and the existing neighbouring dwelling to the east has been increased from 1m to 2.5m.

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- The parking arrangements for the dwellings has been altered to provide one space per dwelling at the front curtilage area adjacent to The Crescent and in addition each property will have a garage provided at the southern end of the site accessed from Heol Fach.

It is considered that the increase in separation distance facilitated in part by the reduction in width of the dwellings has resulted in an acceptable impact on the street scene overcoming the previous first reason for refusal in the earlier application. The Highway Authority have considered the submitted parking provision and following amendments made in relation to the parking/garaging arrangement and consideration of a sustainability assessment provided with the planning application have removed any objection to the development.

The new properties would each have rear amenity areas (excluding parking areas) in excess of 40sqm.

In terms of the impact on neighbour amenity the development is considered to be acceptable, according with Policy CW2 (Amenity). The adjacent dwelling to the east (no.50 The Crescent) is in the control of the applicant and has a recently constructed rear single storey extension with an un-fenestrated side elevation facing the proposed new dwellings. In terms of fenestration directly facing the application site there is only an entrance door and one landing window on the side elevation of number 50 The Crescent. Whilst the proposed dwellings will project behind the two storey element of number 50 it is not considered that there will be an unacceptable impact on light or outlook, noting that a first floor window bathroom window is the closest fenestration on the rear elevation of number 50 to the development.

It is considered that there will be no unacceptable overlooking created by the development, the adjacent road to the north (The Crescent) and the west (Heol Fach) provide a buffer to surrounding residential dwellings located to the north and west. The proposed first floor fenestration is mainly on the front and rear elevations of the dwellings with side elevation windows serving bathrooms.

It is considered appropriate to restrict permitted development rights for the insertion of windows/dormers and extensions to enable the Local Planning Authority to consider the impact of future changes on the amenity of neighbouring properties and the character of the area noting its corner plot location.

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The impact of the proposed dwellings on the neighbouring dwelling to the south (1 Heol Fach) is considered acceptable. Number 1 Heol Fach is orientated at 90 degrees to the application site and has its side curtilage boundary around 20 metres from the proposed rear elevation of the new dwelling and the proposed garages will provide screening between the rear curtilage areas and number 1 Heol Fach.

The development is considered to be acceptable in terms of its visual appearance and impact on the character of the area according with adopted Local Development Plan Policy SP6 (Placemaking), and having an appropriate impact on the level of amenity currently enjoyed by neighbouring residential properties according with Policy CW2 (Amenity). The proposed parking accords with Policy CW3 (Highways). The application is recommended for approval accordingly.

Comments from consultees: These can be addressed by appropriate conditions.

Comments from public:

- There is only parking for one car per house at the front and the road width at Heol Fach is far too narrow for cars to be able to use the garages when the current residents park on that road where there are no double yellow lines.
- The plans do not provide enough off road parking for two 3-bed houses and will worsen the parking problems in the area.
- Why has a dropped kerb been put into the property on the side (Heol Fach) when this has not appeared either on the plans or in any planning application. The road is far too narrow to allow the safe use of any drive here as there is only room for 1 car to move up or down at one time as the one side is the only area available to serve the legal parking for the surrounding 6 houses due to extensive use of double yellow lines.

The application has been supported by a sustainability assessment which the Highway Authority has reviewed and determined that the provision of two parking spaces per property is acceptable. The provision of garages accessing onto Heol Fach has been subject to discussion with the applicant and the Highway Authority has considered that there is sufficient road width to provide satisfactory access to the garages even when a car is parked on the opposite side of the road.

- This plot is unsuitable for the development
- This development is totally out of the character for the area and will ruin the spacious feeling of the area as the development would be squashed in and give a terraced effect which was the reason for rejection of previous plans.

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- The developer is determined to stuff as much building into the space without thought or care about the detriment of the enjoyment of the area by existing neighbours as shown by the multiple applications to develop the land as other applications have been refused mainly for the reasons listed above.

The current application has included amendments listed in the officer report which have narrowed the width of the properties and increased the separation distance from the neighbouring dwelling. The development has been assessed in terms of its impact on the street scene, on the levels of amenity currently enjoyed by surrounding residents and whether it would constitute overdevelopment. The development is considered to have an acceptable impact on the character of the area and would not result in overdevelopment. The level of parking provided is acceptable.

- Development would result in a loss of view.

This is not a material planning consideration.

Other material considerations: 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. In reaching the recommendation below, the ways of working set out at section 5 of that Act have been taken into account, and it is considered that the recommendation is consistent with the sustainable development principle as required by section 8 of that Act.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

- 02) The development shall be carried out in accordance with the following approved plans and documents:
 - Site Location Plan, received 11.04.17
 - Proposed Plans and Elevations, drawing reference L(00) 201, revision P11, received 13.06.17
 - Proposed Site Plan and Garage Elevations, L(00)202 revision P11, received 13.06.17.REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

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- 03) Prior to the beneficial occupation of the dwellings hereby approved the areas for parking (including the garage spaces) as detailed on drawing reference L(00)202 revision P11 shall have been laid out in accordance with the submitted plans and made available for parking purposes. These parking areas shall not thereafter be used for any purpose other than the parking of vehicles.
REASON: In the interests of highway safety.
- 04) The use of the garages hereby approved shall be limited to that ancillary and incidental to the enjoyment of the dwellings for the parking of vehicles only and for no other purpose.
REASON: In the interests of highway safety.
- 05) Prior to their first use the garages, sited as shown on the submitted plan, shall be fitted with inward-opening doors or roller shutter, which will not open out over the highway.
REASON: In the interests of highway safety.
- 06) The entrance apron shall be constructed prior to the first use of the garage hereby approved and in materials as approved in writing by the Local Planning Authority.
REASON: In the interests of highway safety.
- 07) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) the first floor bathroom windows of the dwellings shall be glazed with obscure glass. Any replacement or repair shall only be with obscure glass.
REASON: In the interests of residential amenity.
- 08) Prior to the commencement of works on site a scheme of land drainage shall be submitted to and agreed in writing by the Local Planning Authority. All works that form part of the agreed scheme shall be carried out before any part of the development to which they relate is occupied.
REASON: To ensure the development is served by an appropriate means of drainage.
- 09) Prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved details before the occupation of the dwelling hereby approved.
REASON: In the interests of the visual amenities of the area.

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- 10) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order) with or without modification any boundary treatment fronting The Crescent shall be limited in height to 0.9m to ensure adequate visibility for emerging vehicles. Thereafter any replacement boundary treatment shall adhere to the height limit specified in this condition.
REASON: In the interests of highway safety.
- 11) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order) with or without modification, no windows or dormer windows, other than those expressly authorised by this permission, shall be constructed without the approval of the Local Planning Authority.
REASON: In the interests of residential amenity.
- 12) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order) with or without modification, no enlargement of the dwelling hereby approved shall be constructed without the approval of the Local Planning Authority.
REASON: In the interests of residential amenity.
- 13) Prior to the commencement of any works associated with the development hereby approved, a plan showing details of the provision of roosts and a means of access for bats on the new property at 50 The Crescent, Trecenydd, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new property hereby approved is first occupied.
REASON: To provide additional roosting for bats as a biodiversity enhancement, in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, and policy contained in Welsh Assembly Government's Planning Policy Wales (2016) and Tan 5 Nature Conservation and Planning (2009).

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- 14) Prior to the commencement of any works on site, details of the provision of nesting sites for bird species (House sparrow, House martin, Starling, Swallow and Swift) on the new property at 50 The Crescent, Trecenydd, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new property hereby approved is first occupied.
REASON: To provide additional nesting opportunities for birds as a biodiversity enhancement, in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, and policy contained in Welsh Government's Planning Policy Wales (2016) and Tan 5 Nature Conservation and Planning (2009).
- 15) Prior to the development commencing on the construction of any roads, drainage, or buildings hereby approved a scheme for noise mitigation shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the agreed scheme shall be employed as necessary to deal with noise arising from construction works.
REASON: In the interests of the amenity of the area.
- 16) Before any soils or hardcore that do not fall within the green category set out in Table 2 of the WLGA document 'Requirements for the Chemical Testing of Imported Materials for Various End Uses and Validation of Cover Systems 2013' are brought on to site, a scheme for their importation and testing for contamination shall be submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme.
REASON: To prevent contamination of the application site in the interests of public health.

Advisory Note(s)

Before any vehicle crosses the public footway, a properly formed vehicular crossover must be provided, the constructional details of which must be agreed with the Highway Authority. The applicant should ring (01495) 235323 in this regard. Should the applicant wish to undertake the work themselves, or employ a private contractor, a Licence to Excavate the Highway will be required. This licence will not be required if the work is undertaken by the Council's Network Contracting Services. It should be noted that any unlicensed work in, or disturbance of, the highway is an offence under the Highways Act 1980 and in such circumstances legal action may be undertaken in order to rectify matters.

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Please find attached the comments of Dwr Cymru, Senior Engineer Land Drainage, The Ecologist that are brought to the applicant's attention.

The following policy(ies) of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 is/are relevant to the conditions of this permission: Policies CW2 and CW3.

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

