

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
14/0536/RET 13.08.2014	Mrs P Rees 9 Golwg Y Coed Hendredenny Caerphilly CF83 2UA	Retain detached dwelling 37 Lon Yr Ysgol Bedwas Caerphilly CF83 8PE

APPLICATION TYPE: Retain Development Already Carried Out

SITE AND DEVELOPMENT

Location: On the north-eastern side of Pandy Road, at the junction with Lon Yr Ysgol, Bedwas.

Site description: The host site is a corner garden plot that at the entrance of Lon Yr Ysgol, Bedwas, on the northern side of Pandy Road. The site forms part of the road frontage of both Lon Yr Ysgol and Pandy Road and is surrounded on all sides by existing residential development. The land falls from north to south and from east to west with the proposed parking provision located to the rear.

Development: The proposal is for a four-bedroom dormer bungalow with an attached garage.

Dimensions: The proposed dwelling measures approximately 12.9 metres wide by 10.0 metres deep and 7.3 metres high to the roof apex (2.5 metres to eaves). The proposal also includes a single-storey rear projection housing the attached garage that measures 6.7 metres wide by 6.25 metres deep and 4.4 metres high to the roof apex (2.5 metres to the eaves). The proposal also includes two front and one rear dormer projection and each dormer measures 1.8 metres wide by 3.1 metres deep, by 2.7 metres tall and 6.35 metres high to the roof apex (5.2 metres to the eaves).

Materials: External finishes of the proposal are facing brickwork walls, concrete roof tiles, upvc windows and doors. The proposed boundary treatment would be feather edged fencing. Vehicle Access and hardstanding would be interlocking paviers.

Ancillary development, e.g. parking: None.

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PLANNING HISTORY

5/5/89/0794 - Erect 8'3" boundary wall - Granted 09.11.89.

P/00/0019 - Erect residential and ancillary development - Refused 02.03.00.

P/00/1094 - Erect 36 residential units - Granted 29.03.01.

P/99/0270 - Erect residential and ancillary development - Refused 23.09.99.

13/0014/FULL - Erect detached dwelling and garage - Granted 02.08.13.

13/0615/FULL - Erect detached dormer bungalow - Granted 27.03.14.

POLICY

LOCAL DEVELOPMENT PLAN:

Site Allocation: The land is within the settlement boundary.

Policies: SP6 (Place Making), SP7 (Planning Obligations), CW2 (Amenity), CW3 (Design Considerations - Highways). CW15 (General Locational Constraints), Supplementary Planning Guidance LDP6: Building Better Places to Live and Supplementary Planning Guidance LDP5: Car Parking Standards.

NATIONAL POLICY:

Planning Policy Wales (2014).
Technical Advice Note 12: Design (2009).

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? No report required, standing advice to be forwarded to applicant.

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CONSULTATION

Transportation Engineering Manager - Raises no objection subject to conditions regarding garage conversion, parking materials, parking provision, vision splays and gates and doors.

Head Of Public Protection - Has no adverse comments to make with respect to the development.

Senior Engineer (Land Drainage) - Raises no objection subject to a condition regarding surface water and land drainage.

Dwr Cymru - Raises no objection subject to conditions regarding foul, surface water and land drainage.

ADVERTISEMENT

Extent of advertisement: Seven neighbours notified, site notice posted.

Response: Three.

Summary of observations: The local residents' comments are as follows:

1. There are concerns that the proposed pedestrian access on to Pandy Road will become the main delivery point, a more convenient access for the occupants of the property who will choose to park on Pandy Road, having a detrimental impact on highway safety due to its proximity to the junction with Lon-Yr-Ysgol.
2. The submitted Design and Access Statement contains contradictions as it claims that the existing boundary wall would remain intact which would not be the case should the pedestrian access be implemented. This also raises questions over the accuracy of the remainder of the statement.
3. The proposed pedestrian access would lead to increased on-street parking which would exacerbate existing highway safety issues including congestion of traffic on a frequently used bus route.

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4. Clarification is sought regarding drainage. The applicant's builder has advised that there would be new drains to this property and that it would not be sharing drainage with the neighbouring property. This is not clear on the plans and mention is made of a connection being made to the adjoining property. There are issues with the drains in this area so assurance is required that the new house's waste would not be drained through the neighbouring property.
5. The build appears rather large for the size of the site and its unfortunate that the height is wrong, as this has reduced the light in a neighbour's garden more than was expected.

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? There are no specific crime and disorder issues in this instance.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No, but an advisory note will be attached to the consent and sent to the applicant as a precautionary measure.

Is this development Community Infrastructure Levy liable? This development is liable for CIL in this instance, the total being £8600.

ANALYSIS

Policies: The application seeks permission to retain, as built, a single dwelling house on land adjacent to 62 Pandy Road, Bedwas. It should be noted that the principle of residential development at this site has previously been established under planning consent 13/0615/FULL. As such the main consideration of this application is the increase in height of the proposed dwelling by approximately 400mm.

Policy CW2 of the Plan states that on such windfall sites within the settlement boundary, neighbouring land uses should not detract from the residential amenity of the proposed development, and the development should not result in an insensitive infilling which would spoil the character of the area.

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The submitted layout provided illustrates that the dwelling can be accommodated within the site, when considering the differing levels, with adequate privacy distances and separation from the existing dwellings. It is considered that the adjoining land uses would not detract from the residential amenity of the proposed property, as existing residential development is located to the north, south, east and west of the application site. It is considered that given the size of the application site, this development comprising of a four-bedroom dormer bungalow with an attached garage, does not represent an overdevelopment of the site, with a moderate amount of private amenity space and an appropriate level of off-street parking. Furthermore, a condition will be attached to any permission restricting the conversion of the proposed garage in the future.

In terms of the potential impact of the development on properties adjoining the application site, the development is surrounded by residential dwellings on all sides, albeit at varying distances and levels from the site. When considering the difference in levels between the application site and the property to the east of the site on Pandy Road it is felt that the development will not result in any overshadowing impact as the main body of the house would be positioned within the existing building line of 62 Pandy Road to the north-west of the property. Furthermore the proposed garage would be set off the boundary with a low-level pitched roof that falls to its lowest point at eaves level at the point where it is closest to the neighbouring property. As such the attached garage would not have a detrimental impact on the amenities of the neighbouring property at 62 Pandy Road.

In relation to the proposed privacy distances to the property to the north, although less than 21 metres, when taking account of the difference in levels, the location of a single first floor ensuite bathroom window in the gable wall facing the proposal, the existing boundary treatment and the angle of the proposed dwelling when facing the existing conservatory, it is considered that the development would not detract from existing levels of privacy currently enjoyed by the property. With regard to the properties to the south of the site on Pandy Road it should be noted that the distance from the windows in the front elevation to these properties exceeds the required 21 metres.

With respect to the property to the west on Lon Yr Ysgol it should be noted that there are no windows facing the application site. Despite the difference in levels between the site and the neighbouring properties it is also felt that the proposed development would not result in an overbearing impact on adjoining properties to a degree to warrant a refusal of planning permission.

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Policy CW3 states that development should have regard for the safe, effective, and efficient use of the transportation network. The applicant proposes to access the development off Lon Yr Ysgol to the western boundary. The Transportation Engineering Manager has assessed the proposal with regard to highway safety and found it to be acceptable subject to conditions regarding garage conversion, parking materials, parking provision, vision splays and gates and doors.

It is considered that the dwelling has been well designed in terms of its scale, siting and materials, and will integrate well with the surrounding area. Whilst the property at 62 Pandy Road would appear to be left with very little useable amenity space it should be noted that any land transaction relating to the splitting of the application site from 62 Pandy Road falls outside the realms of planning legislation. In view of the above the Local Planning Authority must assess the site on its own merits therefore it is not considered that the proposal would detract from the residential amenity of neighbouring properties, or the visual amenity of the area generally. Appropriate parking, access and amenity will be provided for the development, and it is considered that the proposal represents an appropriate development of the site.

Therefore when considering the proposal as a whole as well as its increase in height by 400mm it is felt that the proposal would be compliant with policies in the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010, Supplementary Planning Guidance LDP5 and LDP6, Planning Policy Wales (2014) and TAN 12: Design.

Comments from consultees: Transportation Engineering Manager raises no objection subject to conditions regarding garage conversion, parking materials, parking provision, vision splays and gates and doors.

Head of Public Protection has no adverse comments to make.

Senior Engineer (Land Drainage) raises no objection subject to a condition regarding surface water and land drainage.

Dwr Cymru raises no objection subject to conditions regarding foul, surface water and land drainage.

Comments from public: The Council's response to the local residents' comments is as follows:

1. Following the local residents' comments the applicant has amended the proposals to remove pedestrian access from the scheme.

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2. Following the local residents' comments the applicant has amended the Design and Access Statement to address the issues raised.
3. Following the local residents' comments the applicant has amended the proposals to remove pedestrian access from the scheme.
4. Following the local residents' comments the applicant has amended the proposals to indicate that the proposed drainage would connect in to the existing main public sewer.
5. As highlighted above it is not considered that the proposed dwelling is too large for the site; however, notwithstanding these comments it should be noted that the principle of residential development at this site has been previously established. With regard to the increased ridge height of the proposal it is considered that the impact of the additional 400mm of roof height on the amenities of the neighbouring properties would not be to a level that warrant refusal of the application in this instance.

Other material considerations: The development is considered acceptable in all other aspects.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) Prior to the commencement of the external surfaces of the development hereby approved details of the materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
REASON: In the interests of the visual amenity of the area.
- 02) Prior to the occupation 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 dwelling is first occupied
REASON: In the interests of the visual amenities of the area
- 03) Prior to the occupation of the development 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.

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- 04) 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), the garage hereby approved shall not be physically altered or converted to any other domestic purpose without the prior approval of the Local Planning Authority. The garage shall be made available at all times for the parking of motor vehicles associated with the residential use of the dwelling hereby approved.
REASON: In the interests of highway safety.
- 05) Prior to its first use the proposed parking area shall be completed in materials as agreed with the Local Planning Authority, to ensure loose or mud etc is not carried onto the public highway.
REASON: In the interests of highway safety.
- 06) The development shall not be beneficially occupied until the area indicated for the parking of vehicles has been laid out in accordance with the submitted plans and that area shall not thereafter be used for any purpose other than the parking of vehicles.
REASON: In the interests of highway safety.
- 07) Prior to the occupation of the development hereby approved the proposed means of access shall be laid-out, constructed and maintained thereafter, with vision splays of 2.4 metres x 3.3 metres. No obstruction or planting when mature exceeding 0.6 metres in height above the adjacent carriageway shall be placed or allowed to grow in the required vision splay areas.
REASON: In the interests of highway safety.
- 08) The gates hereby approved shall not open outwards over the public highway.
REASON: In the interests of highway safety.
- 09) 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.

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- 10) 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.
- 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 enlargement to the residential consisting of an addition to or alteration to its roof 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 building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of a dwelling house as such shall be constructed without the approval of the Local Planning Authority.
REASON: In the interests of residential amenity.
- 13) 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, no fences, gates, walls, hedges or other means of enclosure whatsoever shall be erected or planted without the approval of the Local Planning Authority other than those indicated on the approved plans.
REASON: To retain the open character of the development in the interests of visual amenity.
- 14) The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details: Location Plan, 01, 02, 05A and 06 received 5th August 2014 and Design and Access Statement and SK1 received 17th September 2014.
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

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Advisory Note(s)

Please find attached the comments of Transport Engineering Manager and Dwr Cymru/Welsh Water 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: SP6, CW2 and CW3.
