

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
19/0327/OUT 28.05.2019	Ms S Jones 45 Sannan Street Aberbargoed Bargoed CF81 9BH	Erect a detached 3-bed dormer bungalow Land Within Curtilage Of 45 Sannan Street Aberbargoed Bargoed CF81 9BH

**APPLICATION TYPE:** Outline Application

**SITE AND DEVELOPMENT**

Location: The application property is located on Sannan Street, Aberbargoed Bargoed.

Development: Outline planning permission is sought to construct a detached dormer bungalow within the rear curtilage of No. 45 Sannan Street. All matters are reserved. The application is reported to Planning Committee because the applicant is an employee of the Council.

Dimensions: The submitted plans indicate a dwelling with a footprint measuring 7 metres x 6 metres, with an overall height of 6.5 metres.

Materials: Not specified.

Ancillary development, e.g. parking: A parking area measuring 14 metres in length and 3 metres in width is shown along the south-western side of the proposed dwelling.

**PLANNING HISTORY 2005 TO PRESENT**

None.

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Application No: 19/0327/OUT Cont'd

## POLICY

### LOCAL DEVELOPMENT PLAN

Site Allocation: The site is located within the Settlement Boundary.

Policies: Policy SP6 (Place Making), CW2 (Amenity), CW3 (Design Considerations - Highways), CW4 (Natural Heritage Protection).  
Supplementary planning guidance contained in LDP6 - Building Better Places to Live, LDP5 - Parking standards.

NATIONAL POLICY Planning Policy Wales 10th Edition - December 2018 and TAN12 (Design).

### 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. The site is located in the Low Risk area.

### CONSULTATION

Ecologist - No objection subject to conditions relating to biodiversity.

Transportation Engineering Manager - No objection subject to the provision of three off-street parking spaces.

Head Of Public Protection - No objection.

Dwr Cymru - Provide advice to the developer regarding a public sewer that crosses the application site.

Senior Engineer (Land Drainage) - The Land Drainage section have requested a SuDs compliance statement to demonstrate how the proposed development will satisfy the recent SAB requirements. However, as this matter will be dealt with under separate legislation it should not delay the determination of the planning application.

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Application No: 19/0327/OUT Cont'd

Principal Valuer - No objection subject to advice being forwarded to the developer.

### ADVERTISEMENT

Extent of advertisement: Seven neighbouring properties were consulted by way of letter and a site notice was displayed near the application site.

Response: Two letters of objection have been received.

### Summary of observations:

- Existing on-street parking pressures;
- Loss of light/overshadowing of nearby properties and garden area;
- Loss of privacy by way of overlooking;
- Overbearing impact;
- Noise impact from vehicles using the driveway to the side of the proposed property;
- Lack of off-street parking provision;
- Undersized bedrooms proposed;
- Development would result in insufficient garden space for No. 45 Sannan Street.

### 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?

Crime and disorder are not considered to be an issue for this application.

### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

### COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? Yes. New residential development is CIL liable and the application site is located within the Lower Viability CIL zone where the chargeable rate is £0 per square metre.

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ANALYSIS

Policies: The application seeks outline planning permission to erect a detached dormer within the existing rear curtilage of No. 45 Sannan Street. The application site is located within the Settlement Boundary and therefore the principle of residential development is considered acceptable providing material planning considerations do not indicate otherwise. In this instance, those material considerations are the impact the proposed development will have on the residential and visual amenity of the surrounding area; and the impact on highway safety/parking provision.

In relation to amenity, Policy CW2 states that development proposals must have no unacceptable impact on the amenity of adjacent properties or land; would not result in the over-development of the site; and the proposed use is compatible with surrounding land uses. It is considered that the proposed development complies with this Policy for the following reasons:-

i) proposals must have no unacceptable impact on the amenity of adjacent properties or land.

In terms of the potential visual impact of a dormer bungalow it is noted that the area surrounding the application site is primarily defined by two storey semi-detached properties and semi-detached bungalows. Subject to an appropriate design that takes account of the setting of the site, it is considered that a dormer bungalow could be designed to acceptably integrate within the existing context. The development is therefore acceptable in visual amenity terms.

In terms of the potential impact on the residential amenity of nearby properties, the properties primarily impact by the proposal are No. 15 Rockleigh Avenue, a semi-detached bungalow to the south-west of the proposed plot; No. 45 Sannan Street, i.e. the applicants property, to the north-east; and No. 47 Sannan Street to the north of the site. With regard to Nos. 45 & 47 Sannan Street it is considered that subject to appropriate dwelling design at reserved matters stage, a dwelling on the plot could be acceptable from a privacy perspective, i.e. first floor windows could be sited and designed so as to not result in an unacceptable overlooking impact on No. 45 or the rear garden area of No. 47.

Application No: 19/0327/OUT Cont'd

No. 15 Rockleigh Avenue is a semi-detached bungalow set at a lower level than the application site (approximately 1.5 - 2.0 metres lower). No. 15 Rockleigh Avenue has a rear conservatory that projects towards the application site and acts as a dayroom for the occupiers. Based on the submitted plans the proposed development would be sited approximately 5.7 metres from the existing conservatory at its closest point. Given the existing difference in levels coupled with the proposed massing of the dormer bungalow, i.e. up to 6.5 metres in height, it is considered that the proposed development would have an unacceptable overbearing impact on the conservatory of No. 15 Rockleigh Avenue. The development would result in a loss of daylight and outlook to this dayroom to the detriment of the residential amenity of its occupiers. Such an impact is considered to be contrary to Policy CW2 of the Caerphilly LDP.

Whilst it is accepted that the proposed development could be moved north-west or north-east within the development plot, given that siting is a reserved matter, it is not considered that such a re siting would overcome this primary concern, i.e. the impact on No. 15. Furthermore, to move the development closer to No. 45 or No. 47 could result in an unacceptable impact on the amenity of those neighbours.

ii) proposals would not result in the over-development of the site.

The application site measures approximately 188 square metres. The proposed dwelling has a footprint measuring 42 square metres, and the area required for three off-street parking spaces is 37.44 square metres. This would result in 108 square metres of remaining curtilage/amenity area. Based on these figures it is not considered that the proposal represents overdevelopment of the site.

iii) the proposed use is compatible with surrounding land uses.

The site is bounded to the north, east, south and west by existing residential properties and therefore the proposal is compatible with surrounding land uses.

Policy CW3 of the Local Development Plan relates to highway considerations and states that development proposals should have regard for the safe, effective and efficient use of the transportation network. The Transportation Engineering Manager raises no objection to the proposed development subject to conditions, including the provision of replacement parking to serve the existing property, i.e. No. 8-9 Golden Grove. Therefore it is considered that the proposed development satisfies Policy CW3.

In light of the above, the proposed development is considered acceptable subject to conditions.

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Application No: 19/0327/OUT Cont'd

Comments from consultees:

- No objection subject to conditions.
- The Land Drainage section have requested a SuDs compliance statement to demonstrate how the proposed development will satisfy the recent SAB requirements. However, as this matter will be dealt with under separate legislation it should not delay the determination of the planning application.

Comments from public:

- Existing on-street parking pressures - This is not considered to be an issue for this application.
- Loss of light/overshadowing of nearby properties and garden area - This issue has been addressed above as well as in the reasons for refusal.
- Loss of privacy by way of overlooking - As the final design of the proposed dwelling is reserved for future approval, it is considered that dwelling could be designed that would not have an unacceptable overlooking impact on adjoining properties.
- Overbearing impact - This issue has been addressed above as well as in the reasons for refusal.
- Noise impact from vehicles using the driveway to the side of the proposed property - It is not considered that vehicles associated with a residential use would cause unacceptable levels of noise impact.
- Lack of off-street parking provision - The parking area shown on the submitted plans is only capable of accommodating two off-street parking spaces. The requirement for a three bedroom house would be three spaces, and therefore the proposal is unacceptable in this regard. Notwithstanding this, as layout in a reserved matter, the plot is capable of accommodating three cars and therefore it would not be reasonable to refuse the application for this reason.
- Undersized bedrooms proposed - The rooms as shown on the submitted plans are not considered to be unacceptable in terms of their internal dimensions.
- Development would result in insufficient garden space for No. 45 Sannan Street - No. 45 Sannan Street would retain a rear garden area measuring 8 metres x 13.4 metres. There is also a significant amount of private curtilage to the side and front of the property. Such provision is considered to be acceptable.

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Application No: 19/0327/OUT Cont'd

Other material considerations: None.

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.

The proposed development would provide an additional dwelling within the settlement boundary that would contribute to the Council' 5-year housing land supply. However, this does not outweigh the objections to the proposal.

**RECOMMENDATION that Permission be REFUSED**

This permission is subject to the following condition(s)

- 01) By virtue of its proposed massing and relationship with the rear conservatory of No. 15 Rockleigh Avenue, the proposed development would result in an unacceptable overbearing impact and a loss of outlook and daylight to this habitable dayroom contrary to Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021 - adopted November 2010.

