

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
13/0712/OUT 04.10.2013	Mr & Mrs M Watters Homeleigh 1 Tuckers Villas Blackwood NP12 1QH	Erect detached two bedroom dwelling Land At Homeleigh 1 Tuckers Villas And Adjacent To 13 Woodbine Road Blackwood Newport NP12 1QH

APPLICATION TYPE: Outline Application

SITE AND DEVELOPMENT

Location: Fronting the southern side of Woodbine Road between an end-of-terrace dwelling and a detached dwelling now occupied by a cancer charity.

Site description: The site comprises a narrow strip of land measuring 8.5m wide by 21m long between an end-of terrace dwelling fronting Woodbine Road (No. 13) and a detached property side on to Woodbine Road (No. 15). On the opposite side of Woodbine Road is a detached dwelling. The site affords pedestrian access to the front of Tuckers Villas, a line of six semi-detached dwellings to the rear of No. 15 Woodbine Road and also aligned at right-angles to Woodbine Road. The site is in the same ownership as No. 1 Tuckers Villas, with the rear of the site abutting the front boundary of No. 1. The site is predominantly grassed with a mature hedge abutting the eastern boundary (with No. 13 Woodbine Road). The front boundary of the site is formed by a low wall, with a gap ostensibly forming a vehicular access served by a dropped kerb.

Development: It is proposed to erect one detached 2-bedroom dwelling. The submitted block layout indicates the dwelling sited towards the rear part of the site with a small rear amenity area and two parking spaces on the frontage.

The vehicular access is indicated towards the western end of the site frontage. A 1m-wide pedestrian route to Tuckers Villas is indicated on the eastern edge of the site, abutting No. 13 Woodbine Road.

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Dimensions: Width: 4.5m-5.4m. Depth: 7.5m-9.5m. Height: 5.6m-7.8m.

Materials: Not stated.

Ancillary development, e.g. parking: Two parking spaces are indicated in front of the dwelling.

PLANNING HISTORY

None.

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: The site lies within the settlement boundary.

Policies: SP5 (settlement boundaries), SP10 (conservation of natural heritage), CW2 (amenity), CW3 (design considerations - highways), CW6 (trees, woodland and hedgerow protection) and CW15 (general locational constraints).

NATIONAL POLICY Planning Policy Wales.

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 lies in an area of low risk and standard advice would be issued in the event of permission being granted.

CONSULTATION

Blackwood Town Council - Objection on the basis of potential highway/access problems, overbearing impact on neighbouring dwellings and lack of amenity space.

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Principal Valuer - The proposed development may impact adversely on the value and amenity of the neighbouring Council-owned property No. 15 Woodbine Road.

Transportation Engineering Manager - Objection on the grounds that the development would intensify the use of a substandard access.

Head Of Public Protection - No objection.

Senior Engineer (Land Drainage) - Advises on the surface water and land drainage of the development and requests a comprehensive drainage scheme for consideration.

Dwr Cymru - Requests conditions regarding the drainage of the development and to protect a public sewer crossing the site.

ADVERTISEMENT

Extent of advertisement: The occupiers of 11 neighbouring properties were notified by letter and a site notice was displayed.

Response: 13 letters or e-mails representing 8 addresses.

Summary of observations:

1. Out of character with surrounding development.
2. Over-development of the site.
3. Substandard access from Woodbine Road.
4. Overbearing impact.
5. Overshadowing impact.
6. Loss of light.
7. Loss of privacy.
8. Impact on ability to maintain neighbouring property.
9. Loss of hedgerow.
10. Narrowing of private right of way to Tuckers Villas.
11. Potential damage to property and disturbance during construction phase.
12. The site has not been used for the parking of vehicles.
13. The applicant is not the sole owner of the land.
14. Devaluation of property.

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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 issues in this case.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

ANALYSIS

Policies: The site lies within the settlement boundary within a predominantly residential area, and as such the residential development of the site is acceptable in principle and in compliance with the provisions of Policies SP5 (settlement boundaries) and CW15 (general locational constraints) of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010, subject to compliance with other policies and other material planning considerations.

The site is narrow and elongated, with the sketch scheme indicating a dwelling occupying the major part of the width of the site, a minimal amenity area to the rear of the dwelling, parking provision (two spaces) occupying the major part of the front curtilage and a narrow pedestrian route to serve Tuckers Villas along the eastern edge of the site.

The plot has a narrow highway frontage (approximately 9m), with restricted visibility by virtue of the adjoining dwelling No. 13 Woodbine Road extending to the back of footway on the eastern side and the boundary wall to No. 15 Woodbine Road on the western side. While it would appear that a vehicular access to the site already exists, there is no evidence that the site has been regularly used for the parking of vehicles. Tuckers Villas are served by a rear lane which accesses ample parking provision for the dwellings. Further, even if it were to be accepted that the site already provides a parking facility, the erection of a dwelling would be likely to result in an intensification of use with additional vehicle movements onto Woodbine Road. The lack of adequate visibility renders such movements potentially hazardous, and the site layout does not allow for turning, resulting in the possibility of vehicles reversing onto Woodbine Road. For these reasons the Transportation Engineering Manager objects to the proposal, which is thus considered to be contrary to the provisions of LDP Policy CW3 (design considerations - highways).

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In terms of residential amenity, it is considered that the proposed siting of the dwelling is such that it would have an overshadowing and overbearing impact on the rear of the adjoining dwelling No. 13 Woodbine Road, contrary to the provisions of LDP Policy CW2 (amenity). While the dwelling would be immediately in front of No. 15 Woodbine Road (occupied by a cancer charity), the degree of separation and difference in levels are such that, subject to no windows in the western elevation, it is considered that the proposed dwelling would not have any adverse impacts on that property.

The private right of way to the front of Tuckers Villas would be narrowed to little more than 1m tight to the boundary with No. 13 Woodbine Road. Notwithstanding the residents' claims that the private right of way extends to vehicular traffic, it is considered that this visual 'closing-in' of the route would be detrimental to residential amenity, contrary to the provisions of LDP Policy CW2 (amenity).

The proposed development would result in the removal of the hedgerow within the eastern edge of the site. The development may also impact on a mature tree within the front curtilage of No. 15 Woodbine Road close to and overhanging the application site boundary. The applicant has been requested to provide a tree survey to identify the impact of the development on that mature tree and any mitigation required. This has not been submitted. Compliance with LDP Policies SP10 (conservation of natural heritage) and CW6 (trees, woodland and hedgerow protection) cannot, therefore, be assessed.

It is recommended that permission be refused on the grounds of detriment to highway safety, loss of residential amenity and lack of a tree survey.

Comments from Consultees: The comments of the Transportation Engineering Manager have been addressed above. The comments of other statutory consultees could be addressed by conditions in the event of permission being granted. Loss of property value is not a material planning consideration.

Comments from public: Each comment is considered in turn below:

1. Out of character with surrounding development - the site is surrounded by dwellings of differing sizes and alignments, thus it is not considered that the proposed development would necessarily be out of character.
2. Over-development of the site - while limited in size, the site is considered to be capable of accommodating a small dwelling.
3. Substandard access from Woodbine Road - this has been addressed in the analysis above.

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4. Overbearing impact - this has been addressed in the analysis above.
5. Overshadowing impact - this has been addressed in the analysis above.
6. Loss of light - it is possible that loss of light would arise by virtue of proximity to the rear windows of No. 13 Woodbine Road.
7. Loss of privacy - windows could be positioned such that loss of privacy would not arise.
8. Impact on ability to maintain neighbouring property - while not in itself a material planning consideration, it would appear that adequate space would remain for the maintenance of neighbouring properties.
9. Loss of hedgerow - this could be removed by the owner at any time and its loss is not considered to be a reason for refusal.
10. Narrowing of private right of way to Tuckers Villas - this has been addressed in the analysis above.
11. Potential damage to property and disturbance during construction phase - it would be the responsibility of the owner/developer to avoid damage and excessive disturbance.
12. The site has not been used for the parking of vehicles - this has been addressed in the analysis above.
13. The applicant is not the sole owner of the land - this matter has been raised with the applicant's agent but evidence has not been produced that would counter the submitted ownership certificate.
14. Devaluation of property - this is not a material planning consideration.

Other material considerations: None.

RECOMMENDATION that Permission be REFUSED

The reason(s) for the Council's decision is/are

- 01) The proposed development would lead to an intensification of use of a substandard access onto the highway including reversing movements, to the detriment of highway safety. The proposal is, therefore, contrary to the provisions of Policy CW3 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.
- 02) The proposed development by virtue of the siting of the dwelling would have an overshadowing and overbearing impact on the rear of the adjoining dwelling No. 13 Woodbine Road, to the detriment of residential amenity. The proposal is, therefore, contrary to the provisions of Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.

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- 03) The application has not been accompanied by a tree survey in respect of the mature tree within the front curtilage of No. 15 Woodbine Road and abutting the western boundary of the site, and the proposal cannot, therefore, be assessed in terms of compliance with Policies SP10 and CW6 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.
 - 04) The proposed development would result in a visually closed-in and cramped pedestrian access to the front entrances of Tuckers Villas, to the detriment of residential amenity. The proposal is, therefore, contrary to the provisions of Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.
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