

PREFACE ITEM

APPLICATION NO. 17/0723/FULL

APPLICANT(S) NAME: Mr A Jenkins

PROPOSAL: Construct four linked dwellings with associated ground and access works

LOCATION: 1st Oakdale Scout Group Oakdale Scout Hall
Kincoed Road Oakdale Blackwood

The above planning application for the construction of four two-storey link dwellings on the site of the existing Oakdale Scouts Hut was reported to Planning Committee on 23rd May 2018 with a recommendation for approval subject to conditions. A copy of the previous report is attached as an Appendix.

At the meeting, an amendment was moved and seconded that the application be deferred to allow Officers to produce reasons for refusal on the basis that members were of the opinion that Bedroom 2 in Plot 2 would result in an unacceptable loss of privacy to the rear orangery of No. 1 Hill View Lane; and the obscure glazing of Bedroom 2 in Plot 3 would result in unacceptable amenity for future occupiers of this proposed dwelling.

For the reasons outlined in the original officer's report it remains the recommendation that the application be approved. Whilst the distance between Bedroom 2 of Plot 2 and the side glazed door of the rear orangery of No. 1 Hill View Lane is approximately 16.2 metres, given the angle and levels difference between these two openings, the limited width of the orangery side door, as well as the likely use of Bedroom 2, this relationship is considered to be acceptable. Furthermore, in terms of the obscure glazing of Bedroom 2 of Plot 3, whilst it is acknowledged that this is not ideal in terms of residential amenity of future occupiers of Plot 3, it is considered to be an acceptable compromise to facilitate the delivery of four new dwellings within the settlement boundary given the significant shortfall in the provision of new housing in the County Borough as a whole.

RECOMMENDATION – That planning permission be GRANTED subject to the conditions contained in the original report. However, if Members are minded to refuse the application, the following reasons are suggested:

1. By virtue of its relationship with the rear orangery of No. 1 Hill View Lane, Bedroom 2 of Plot 2 to proposed development would result in a loss of privacy to No. 1 Hill View Lane to the detriment of the residential amenity of its occupier contrary to Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021 (Adopted November 2010).

Cont'd....

Application No. 17/0723/FULL

2. The proposed obscurely glazed window at Bedroom 2 of Plot 3, would lead to an unsatisfactory living environment for future occupiers of the dwelling, contrary to Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021 (Adopted November 2010).

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
17/0723/FULL 11.01.2018	Mr A Jenkins 36 Mountside Risca Newport NP11 6JG	Construct four linked dwellings with associated ground and access works 1st Oakdale Scout Group Oakdale Scout Hall Kincoed Road Oakdale Blackwood NP12 0LP

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: The application site is located on Kincoed Road, Oakdale.

Site description: The site currently comprises the former Scouts Hall building that has been vacant for some time.

Development: It is proposed to erect a terrace of four houses on the site.

Dimensions: The proposed block measures 24.6m in width, 10m in depth, with the dwellings having a height of 5m to eaves level and 8.5m to ridge level.

Materials: Roofs - Concrete interlocking roof tiles.

Walls - Facing brickwork quoin detailing around windows and doors, with render walls.
Upvc windows and doors.

Ancillary development, e.g. parking: Off-street parking provision for 2 cars per dwelling is proposed.

PLANNING HISTORY 2005 TO PRESENT

15/0439/FULL - Demolish former health centre building and construct a pair of semi-detached dwellings with associated ground and access works - Granted 25.08.15.

15/0440/CON - Demolish former health centre building - Granted 28.02.17.

Cont....

Application No. 17/0723/FULL Continued

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: The site is located within the Settlement Boundary as well as the Oakdale Conservation Area.

Policies: Policy SP6 (Place Making), CW2 (Amenity), CW3 (Design Considerations - Highways), CW4 (Natural Heritage Protection), CW5 (Protection of the Water Environment), CW15 (General Locational Constraints).

NATIONAL POLICY Planning Policy Wales (9th Edition) Chapter 6: The Historic Environment; TAN12: Design; TAN24: The Historic Environment.

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.

CONSULTATION

Head Of Public Protection - No objection subject to advice.

Senior Engineer (Land Drainage) - No objection subject to conditions and advice.

Transportation Engineering Manager - No objection subject to conditions.

Dwr Cymru - Provide advice to the developer.

Countryside And Landscape Services - No objection subject to conditions and advice.

Conservation & Design Officer - No objection subject to conditions and advice.

Cont....

Application No. 17/0723/FULL Continued

ADVERTISEMENT

Extent of advertisement: Eight neighbours were consulted by way of letter and a site notice was displayed near the application site.

Response: Four responses have been received. Two of the objections have been signed by two and three neighbouring properties respectively, so in total the occupants of six neighbouring properties have raised objection to the proposal. There was also a letter neither objecting nor supporting the proposal but suggesting certain improvements to the scheme as proposed.

Summary of observations:

Objection has been raised on the following grounds:

- Loss of privacy to gardens and bedrooms of nearby properties;
- The development would dominate the plot/represents over-development, that is not sensitive to the setting of the surrounding area;
- Loss of light and outlook to nearby properties;
- Increased pressure on on-street parking;
- Insensitive of the Council to approve two dwellings on the site then consider an application for four dwellings on the site.

Suggested improvements correspondence:

- Hill View Lane should be widened to the same width as the existing main portion (north-west);
- One-way system should be removed;
- Left over triangle of land should be incorporated into plot 1 to prevent it becoming overgrown and untidy in the future.

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. Conditions will be attached to any permission in the interests of biodiversity enhancement.

Cont....

Application No. 17/0723/FULL Continued

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? Yes. New residential dwellings located in the Mid-Range viability area where the chargeable rate per square metre in £25.

ANALYSIS

Policies: The planning application site is located within the settlement boundary as defined in the Adopted Caerphilly Local Development Plan, and therefore the presumption is in favour of development providing material planning considerations do not indicate otherwise. In this instance those material planning considerations are the impact of the proposal on the visual amenity of the surrounding Oakdale Conservation Area; the impact on the residential amenity of nearby existing properties; and the impact on highway safety.

In terms of the impact on the visual amenity of the area, it is noted that immediately to the west of the site are a block of 4 two-storey link properties that were constructed in approximately 2005/2006. These properties were constructed prior to the designation of the Oakdale Conservation Area and exhibit limited architectural merit in terms of fenestration or external finishes. To the east and north of the site are more traditional terraced and semi-detached properties that exhibit design features such as quoin detailing around windows and doors, with a mixture of slate or tiled roofs. It is considered that the proposed dwellings have been well designed in terms of their scale and external finishes, which include red brick quoin details around the windows and doors on the front elevations. On the basis of the submitted plans the Principal Conservation & Design Officer raises no objection to the proposal. The scheme will preserve the character and appearance of the area.

In terms of the potential impact on the residential amenity of nearby properties it is considered that the property most affected by the proposal would be No. 1 Hill View Lane that is located immediately to the west of the application site, and the property to the east of the site, i.e. No. 30 Llwyn-on Road. The rear and side garden of No. 30 Llwyn-on Road is located approximately 18 metres to the east of the front elevations of the proposed dwellings. This privacy distance from bedroom windows into a private garden area is considered acceptable.

Cont....

Application No. 17/0723/FULL Continued

No. 1 Hill View Lane is located 11-14 metres to the west of the proposed development, with no habitable room windows in its side, east facing elevation. There is a first floor landing window, but loss of privacy to a landing window is not considered to warrant a refusal of planning permission. The main impact of the proposed development is the potential loss of privacy to the rear orangery at No. 1 Hill View that was erected approximately 1 year ago. The nearest window in relation to the orangery is a first floor bedroom window in Plot 2, the distance being approximately 16.2 metres. However, views from this bedroom window into the orangery would be limited by virtue of the narrow glass door in the side elevation of the orangery being its only opening on that elevation. On the basis of these limited views, the difference in levels, and the fact that the bedroom will likely only experience limited use, it is not considered that this impact would warrant a refusal of planning permission. The first floor rear facing windows of Plots 3 and 4 are shown as being obscurely glazed and will therefore not impact on privacy. The distance from Plot 2 to the rear/side garden of No. 1 Hill View Lane is a minimum of 10 metres which is a very common relationship between bedroom windows and neighbouring gardens, and is therefore considered acceptable. The rear rooflights that serve the proposed bedrooms in the attic space of the development are at a height that will not facilitate direct overlooking. Furthermore, by virtue of their position and overall height, it is not considered that the development will result in an unacceptable loss of daylight or sunlight to the rear garden on No. 1 Hill View Lane, with any potential impact only being experienced during morning hours during winter's months when the sun is lower in the sky.

Policy CW3 of the Adopted Local Development Plan relates to parking provision and highway safety. Given the location of the proposed development in close proximity to Oakdale Village Centre and its range of facilities and public transport links, the provision of 2 off-street parking spaces per dwelling (as opposed to the 3 spaces per dwelling as required by the Adopted Car Parking Standards), is considered acceptable as the development score enough sustainability points to warrant a reduction in parking provision.

Comments from consultees: No objection subject to conditions and advice.

Comments from public:

Objections:

1. Loss of privacy to gardens and bedrooms of nearby properties - This issue has been addressed in the analysis section above.
2. The development would dominate the plot/represents over-development that is not sensitive to the setting of the surrounding area - This issue has been addressed in the analysis section above.
3. Loss of light and outlook to nearby properties - This issue has been addressed in the analysis section above.

Cont....

Application No. 17/0723/FULL Continued

4. Increased pressure on on-street parking - Adequate parking provision has been proposed to serve the development in accordance with the adopted car parking standards.
5. Insensitive of the Council to approve two dwellings on the site then consider an application for four dwellings on the site - each application must be judged on its own individual merits.

Suggested improvements:

- Hill View Lane should be widened to the same width as the existing main portion (north-west);
- One-way system should be removed;
- Left over triangle of land should be incorporated into plot 1 to prevent it becoming overgrown and untidy in the future.

Response: As the triangle of land is not within the ownership of the applicant it is not possible to undertake the road widening as suggested, and therefore the one-way system cannot be revoked as part of this development.

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.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The works hereby permitted shall be begun before the expiry of five years from the date of this permission.
REASON: To comply with the provisions of Section 18 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.
- 02) Prior to the commencement of the development, detailed specifications, materials and finishes to be used in the proposed development including roof tiles and ridges, rooflights, rainwater goods, brickwork and render shall first submitted to the local planning authority for approval.
REASON: To preserve or enhance the character or appearance of the conservation area and for the proper management of the historic environment.

Cont....

Application No. 17/0723/FULL Continued

- 03) The development shall be carried out in accordance with the following approved plans and documents:
Plot 2, Proposed Floor Plan, received 26.04.2018;
Proposed front and rear elevations, received 26.04.2018;
Proposed block layout plan, received 06.04.2018;
Proposed side elevations, received 18.08.2017;
Proposed ground floor plan, received 19.12.2017;
Proposed first floor plan Plot 1 & 2 (Plot 2 superseded by plan received 26.04.2018), received 19.12.2017;
Proposed attic plan, plots 1 & 2, received 19.12.2017;
Proposed ground floor plan, Plot 3 & 4, received 11.01.2018;
Proposed first floor plan, Plot 3 & 4, received 18.08.2017;
Proposed attic plan, Plot 3 & 4, received 18.08.2017;
Site Location Plan, received 18.08.2017.
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 04) The demolition or site/vegetation clearance associated with the development hereby approved shall not take place during the breeding season for birds, from March to August inclusive in any given year, unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure that breeding birds are protected. All British birds, their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000.
- 05) No development or site/vegetation clearance shall take place until a detailed reptile mitigation strategy has been prepared by a competent ecologist and submitted for the approval of the Local planning Authority. The approved measures shall be strictly complied.
REASON: To ensure that reptiles are protected.
- 06) Prior to the commencement of works on site details of the garden boundary fence to be erected along the inside of the existing hedgerow, in order to exclude the hedgerow from within the garden boundaries, shall be submitted to the Local Planning Authority for approval. The approved details shall be strictly complied with and shall be implemented before the new dwellings hereby approved are first occupied.
REASON: In the interest of biodiversity conservation and 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).

Cont....

Application No. 17/0723/FULL Continued

- 07) 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 in the new properties at the former Oakdale Scout Hall, Kincoed Road, Oakdale, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new properties hereby approved are 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).
- 08) Prior to the commencement of any works on site, details of the provision of nesting sites for bird species (House sparrow, Starling, Swift or House martin) in the new properties at the former Oakdale Scout Hall, Kincoed Road, Oakdale, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new properties hereby approved are 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).
- 09) Prior to the commencement of works on site a scheme of land and surface water drainage within the site 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 it relates is occupied.
REASON: To ensure the development is served by an appropriate means of drainage.
- 10) Prior to the commencement of the development a scheme depicting hard and soft landscaping shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be carried out in the first planting and/or seeding season following the occupation of the development. Any trees or plants which within a period of 5 years from the completion of the development die or are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.
REASON: In the interests of the visual amenity of the area.
- 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) the first floor west facing windows of Plots 2, 3 and 4, as shown on the submitted plans, shall be glazed with obscure glass and any replacement or repair shall only be with obscure glass.
REASON: In the interests of residential amenity.

Cont....

Application No. 17/0723/FULL Continued

Advisory Note(s)

Please find attached the comments of Welsh Water, Conservation & Design Officer, Senior Engineer (Land Drainage), Head of Public Protection, Countryside and Landscape Services 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:
Policy CW2, CW3, CW4, CW5.

