

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
14/0310/FULL 09.05.2014	Mr N Cleverley Gelli-haf Bungalow Rock Villas Argoed Blackwood NP12 0AD	Erect 2 two-bedroom semi-detached houses Land Adjacent To 1 Pantycelyn Street Ystrad Mynach Hengoed

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: Land adjacent to 1 Pantycelyn Street, Ystrad Mynach. The site is located within the settlement boundary. It is situated within a predominantly residential area and comprises an area of vacant land, located at the junction of Pantycelyn Street, Penallta Road and Railway Junction, Ystrad Mynach.

Site description: The side stone boundary wall of a terraced residential dwelling at 1 Pantycelyn Street abuts the western boundary of the site. A public wooden seat and a Post Office mail box are situated just outside the northern boundary of the site, and a traffic signal control box is located to the eastern boundary of the site with a traffic light controlled pedestrian crossing located to the southern boundary of the site. The Valleys Railway Line is located on higher ground to the south of the site. Two-storey residential dwellings are located to the east, opposite the site.

Development: Full planning permission is sought in respect of the construction of a pair of 2 bedroom, 2-storey, semi-detached dwellings. The internal layout of each dwelling comprises a lounge, kitchen/diner and wc on the ground floor and 2 bedrooms and a bathroom on the first floor.

Dimensions: Each dwelling measures 4.4m x 7.9m x 7.2m high.

Materials: External materials comprise facebrick in the walls, concrete tile roof, upvc double glazed doors and windows and tarmacadam vehicle access and hardstanding but no details of the colours to be used in the finishes have been provided.

Ancillary development, e.g. parking: Off-street parking spaces are to be provided.

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PLANNING HISTORY

11/0316/FULL Erect detached, four-bedroom dwelling with access, parking and turning area - Granted 21.01.2012.

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: Policy SP5 - within settlement boundary.

Policies: SP2 - Development Strategy - Development in the Northern Connections Corridor, SP6 - Place making, SP21 - Parking Requirements. CW2 - Amenity, CW3 - Design Considerations - Highways, CW7 - Protection of Open Space, CW15 - General locational constraints, supplementary planning guidance contained in LDP6 - Building Better Places to Live, LDP5 - Car Parking standards, LDP7 - Householder Developments.

NATIONAL POLICY: Planning Policy Wales, 7th Edition, July 2014, Chapter 4 - Planning for Sustainability, Chapter 8 - Transport, Chapter 9 - Housing. 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? There are no significant implications in relation to this planning application.

CONSULTATION

Head Of Public Protection - Has no objection to the development subject to conditions being attached to any consent that all windows are to be fitted with double glazing and acoustic trickle ventilation.

Senior Engineer (Land Drainage) - Requires a condition is attached to any consent requiring comprehensive proposals showing how surface water and land drainage flows from the site will be dealt with. He provides advice to be conveyed to the developer in respect of land drainage matters.

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Network Rail - No observations.

Transportation Engineering Manager - Has no objection to the development subject to conditions being attached to any consent in respect of access, visibility splays, the provision of a footpath along the frontage and off-street parking provision. He provides advice to be conveyed to the developer in respect of the provision of a vehicular crossover.

Gelligaer Community Council - Objection on the grounds of encroachment onto the public highway and highway safety. The site will be over developed, as there is insufficient space to erect 2 dwellings.

ADVERTISEMENT

Extent of advertisement: The application has been advertised on site and 12 neighbouring properties have been consulted.

Response: One

Summary of observations:

1. loss of light;
2. assurance that the appropriate notices will be served under the Party Wall Act and the legal requirements associated with that;
3. potential damage to existing stone boundary wall;
4. expect to be provided with full details of the foundations and soakaways;
5. request a disabled parking space be allocated to 1 Pantycelyn Street;
6. concerned about any disruption and nuisance resulting from development;
7. request clarification of previous approvals granted on the site.

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 implications material to the determination of this planning application.

EU HABITATS DIRECTIVE

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Does the development affect any protected wildlife species? No.

COMMUNITY INFRASTRUCTURE LEVY

Is this development Community Infrastructure Levy liable? Yes, the appropriate amount being £2,960.00.

ANALYSIS

Policies:

The application has been considered in accordance with local plan policies and national planning guidance.

The main issues to be considered in the determination of this planning application are in terms of the compatibility of the use with surrounding land uses, the design of the development and highway safety.

Given that the site subject of this application is included within the settlement boundary for Ystrad Mynach as identified in the LDP, it is considered that in policy terms the development of the site would be consistent with Policy SP5 of the LDP i.e. it promotes the full and effective use of urban land and serves to concentrate new development within the existing settlement. It is also noted that planning approval in respect of one detached 4-bedroom dwelling was previously approved on 21st January 2012 subject to conditions, (reference 11/0316/FULL).

General development control considerations are set out in Policies SP6 (Place making), CW2 (Amenity) and CW3 (Design considerations-Highways) of the LDP.

Strategic policy SP6 sets out criteria relating to place making, notably that development should seek an appropriate mix in respect of the role and function of its settlement, seek a high standard of design, seek locations and layouts that reflect sustainable transport and accessibility principles and realises the efficient use of land. The proposed development site lies to the north east of the A472 and to the west of the A469, within the settlement area of Ystrad Mynach, which is a Principal Town as identified in the LDP and offers the opportunity to provide housing, which will be close to residential areas and local facilities. In terms of access the development site is accessible by the existing highway network and established well-lit, footpaths. Off-street parking facilities are proposed within the site leading off a 4.7m wide driveway at the rear of the site. A bus stop and Ystrad Mynach Railway Station are within walking distance of the site. Access to and from the dwellings will be via paved gently graded footpaths ensuring safe access and egress for all.

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This is a full application for the erection of a pair of semi-detached 2-bedroom dwellings, offering off-street parking provision and turning facilities within the curtilage of the site. This is a revised scheme from that originally granted planning approval in respect of one detached 4-bedroom dwelling granted approval in 2012 (reference 11/0316). The proposal is considered to be acceptable in terms of scale, use, density and layout and adequate off-street parking and amenity is provided in respect of each dwelling. In consideration of Policy SP6 it is considered that the proposal satisfies the relevant factors in terms of a high standard of design, a sustainable location, accessibility and the efficient use of land.

Policy CW2 sets out criteria relating to amenity i.e. that there is no unacceptable impact on the amenity of adjacent properties or land, the proposal would not result in the over-development of the site, the proposal is compatible with existing uses and that the viability of existing neighbouring land uses would not be compromised. An objection has been received alleging that the proposed development would result in the loss of light to their neighbouring property at 1 Pantycelyn Street. The proposed development for a pair of semi-detached houses is adjacent to the end of a block of terraced housing and forms the corner plot of the street. Whilst being semi-detached, the proposed dwelling on plot 1 follows the building line of the existing street albeit its footprint is much smaller, in terms of its depth because no.1 Pantycelyn Street has a two-storey annex. The siting of the dwelling on plot 2 is constrained by the site's corner plot position and the presence of a post-box and public seat along its northern boundary and as such is set back 1.7m. The footprint of this development as a whole, when compared to the footprint of the detached dwelling subject of planning approval reference 11/0316 is smaller in terms of depth by some 5.55m and as such will have less impact. The street is orientated such that it is north facing. The proposed development is located 2m away from the blank gable end of 1 Pantycelyn Street and it is considered that the proposed development will not be overbearing or will have an adverse impact upon the amenity of residents occupying 1 Pantycelyn Street as a result of overshadowing. In addition the development will not adversely result in the loss of privacy or amenity in respect of residents of neighbouring dwellings.

It is considered that the proposed development is compatible with surrounding residential land uses and will not have an adverse impact upon the amenity or privacy of neighbouring residential properties. In terms of over-development, the proposal provides adequate off-street parking provision and amenity space and is considered acceptable in planning terms.

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At the southern end of the site (approximately 30m away) is the Valleys Passenger Railway Line and in this respect a previous TAN 11 Noise Assessment, concluded that the noise from the railway line was not intrusive but it is the traffic light junction positioned adjacent to the plot on Penallta Road that generated a greater degree of noise. To this end a higher specification window will be used in the development to mitigate any noise issues as required by this Council's Environmental Health Officer. This may be addressed by attaching an appropriate condition to any consent.

Policy CW3 sets out criteria in terms of highway design considerations. The revised layout allows for a number of existing street furniture items situated within the boundary of the site to remain. In this respect the Group Manager (Highways and Transportation) has raised no objection to the development subject to conditions being attached to any consent referred to above.

The objector has also raised the issue regarding notification under the Party Wall Act. The applicant has confirmed that the requisite notices will be served in accordance with the requirement of the Act.

The objector has requested that full details of the type of foundations to be constructed in the development should be made available to him. In this respect the detail and structural stability of the construction of the foundations of the dwellings will require Building Regulations approval and as such is not a material consideration in the determination of the planning application.

The objector has also raised concern regarding any potential damage to the existing stone boundary wall. In this respect any damage to a neighbour's property is a civil matter and not a planning consideration.

The objector has raised concern regarding the location of a proposed soakaway within the curtilage of the site. It is noted that any soakaway will be required to comply with the necessary building regulations and highway requirements.

The objector requests that a disabled car parking space is allocated to no.1 Pantycelyn Street because of current parking problems within the vicinity. The proposed development offers off-street parking for three vehicles and as such should not exacerbate any parking problems that may or may not exist. A request for a disabled car parking space at 1 Pantycelyn Street may be made to this Council's Highways Department and is not a matter for the Local Planning Authority.

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Finally the objector has commented that the proposed construction works will cause considerable distress and anxiety to the elderly occupiers of 1 Pantycelyn Street who suffer ill health and as a result may require an extended stay in a Care Home Unit, which they claim should be paid for by the developer. This is a civil matter and as such is not a material consideration in the determination of this planning application.

Comments from consultees: The concerns of the statutory consultees referred to above may be addressed by attaching appropriate conditions to any consent.

Other material considerations: None.

In conclusion it is considered that the proposed development, does not conflict with local plan policies and subject to the imposition of appropriate conditions is acceptable in planning terms.

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) 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.
- 03) The development hereby approved relates to the details received on 9 May 2014 - Block Plan, Floor Plan by the Local Planning Authority.
REASON: For the avoidance of doubt as to the details hereby approved.
- 04) Notwithstanding the submitted plans, the shared access to serve the proposed development shall not be less than 4.1 metre wide, which shall be maintained free of obstruction so that vehicles can both enter and leave the site in a forward gear at all times.
REASON: In the interests of highway safety.

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- 05) 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 site frontage metres. No obstruction or planting when mature exceeding 0.9 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.
- 06) The required access, together with vision splays of 2.4 metres x site frontage, shall be laid out in accordance with the approved drawings and constructed in materials to be agreed in writing with the Local Planning Authority prior to beneficial occupation of the development.
REASON: In the interest of highway safety.
- 07) The site boundary fronting Railway Junction shall be set back and a 2 metre wide footway provided along the frontage, to connect with the existing adopted footpath, which shall be constructed in permanent materials to be agreed in writing with the Local Planning Authority and completed prior to beneficial occupation of the development.
REASON: In the interests of highway safety.
- 08) Notwithstanding the submitted plans, no works shall commence until details have been submitted to and approved in writing by the Local Planning Authority, which provide 1 off-street parking space per dwelling, within the curtilage of the site. Such provision shall be completed in accordance with the agreed details prior to beneficial occupation of the development, and shall be maintained thereafter free of obstruction for the parking of motor vehicles only.
REASON: In the interests of highway safety.
- 09) Prior to their occupation all windows to the dwellings hereby approved shall be fitted with double glazing and acoustic trickle ventilation.
REASON: In the interests of residential amenity.
- 10) No gates shall be fitted which would open out over the highway.
REASON: In the interests of highway safety.

Advisory Note(s)

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: CW2 and CW3.

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The applicant is advised of the comments of Network Rail, Dwr Cymru/Welsh Water, Senior Engineer (Land Drainage), and Transportation Engineering Manager.
