

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
15/0126/FULL 04.03.2015	Mrs A Lessimore 2 Oakdale Terrace Penmaen Oakdale NP12 0DF	Erect dormer bungalow with parking Land Adjoining 19A Cwm Braenar Pontllanfraith Blackwood NP12 2DS

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: The site is located on the Cwm Braenar residential estate, adjacent to Newbridge Road, Pontllanfraith.

Site description: Left over vacant land within the residential estate partially used as garden.

Development: It is proposed to erect a single detached two-storey dwelling facing north/south. It will be accessed via the existing private driveway that serves 19A Cwm Braenar.

Dimensions: The dwelling has a footprint resembling an open 'L' shape and measures 8 metres in width before turning through approximately 45 degree for a further 6 metres. It has a depth of 6 metres, and a height of 3.6 metres to eaves level and 6.5 metres to ridge level.

Materials: Smooth render walls and slate or tile roof is proposed.

Ancillary development, e.g. parking: Off-street parking provision for 2 cars and private amenity space to the west of the proposed dwelling.

PLANNING HISTORY

P/03/0835 - Erect residential development of 57 2, 3 & 4 bedroom dwellings and all associated works - Granted 26.05.04.

P/04/0227 - Erect residential development of 24 one and two bedroomed apartments and one four bedroomed house - Granted 16.09.04.

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P/04/1399 - Erect single dwelling - Withdrawn 16.09.04.

07/0759/OUT - Erect detached dwelling - Refused 19.07.09.

09/0450/TPO - Lop branches of trees to reduce width and height of IBC TPO No. 6 dated 28.01.92. - Permitted Development 14.08.09.

13/0859/TPO - Remove dead branches and trim approximately 2.3m of branches close to the house (oak tree protected by Tree Preservation Order 6/92/IBC) - Granted 13.02.14.

14/0556/FULL - Increase section of boundary fence fronting adjacent road by 600mm - Granted 08.10.14.

POLICY

LOCAL DEVELOPMENT PLAN

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

Policies: Policy CW2 (Amenity), CW3 (Design Considerations - Highways), Supplementary Planning Guidance LDP6: Building Better Places to Live (November 2010), Supplementary Planning Guidance LDP7: Householder Development (November 2010).

NATIONAL POLICY Planning Policy Wales and TAN12 (Design).

ENVIRONMENTAL IMPACT ASSESSMENT

Did the application have to be screened for an EIA? No.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? The application site is not in an area considered to be at risk of coal mining legacy. However any issues will be controlled through the building regulations.

CONSULTATION

Transportation Engineering Manager - No objection subject to conditions relating to off-street parking provision and driveway materials/pedestrian access provision.

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Head Of Public Protection - No objection subject to a condition relating to acoustic glazing facing Newbridge Road.

Senior Engineer (Land Drainage) - No objection subject to advice and a condition to agree land drainage at the site.

Dwr Cymru/Welsh Water - No objection. Provide advice to the developer regarding foul drainage.

Senior Arboricultural Officer (Trees) - Awaiting formal comments at time of report

ADVERTISEMENT

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

Response: Two objections were received.

Summary of observations:

- Loss of privacy to gardens to the south;
- TPOs on-site;
- Devaluation of neighbouring properties;
- Detrimental impact on land drainage in area;
- Plot of land too small to accommodate new house.

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? Based on current evidence, this is unlikely to be a significant issue in this case, 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? Yes. However the applicant has submitted a CIL Self Build Exemption Form. The Levy otherwise would be £4000.00.

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ANALYSIS

Policies: The application seeks permission to erect a detached two-storey dwelling, incorporating rooms within the roof space on land to the west, and formerly in the ownership of No. 19A Cwm Braenar. The site is relatively flat, and located adjacent to Newbridge Road, opposite Sainsbury's Petrol Filling Station. 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.

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 - The proposed development has been designed to ensure that it does not have an unacceptable overbearing or overshadowing impact on the properties that adjoin the application site.

The properties most impacted by the development are 19A Cwm Braenar to the east, and 7 and 9 Cwm Braenar to the south. Although the proposed dwelling is located within 9 metres of the nearest windows of No. 19A it is not sited directly in front of this neighbouring property. Furthermore, the existing detached garage that serves No. 19A is sited between the existing and proposed dwellings with a ridge height of 4 metres. The proposed finished floor level for the new dwelling is 1 metre below that of the existing garage, and such a difference in levels further reduces the impact of the proposed dwelling on No. 19A.

In terms of the nearest neighbouring properties to the south, i.e. Nos. 7 and 9 Cwm Braenar, the nearest point between the proposed dwelling and No.7 is 17.5 metres. Given this distance, coupled with the limited eaves and ridge height of the proposed dwelling, i.e. 3.6 metres and 6.5 metres respectively, it is not considered that the proposal would have an unacceptable overbearing impact on these neighbours. Furthermore, as the development is located to north, there will be no overshadowing impact. It should also be noted that any south facing windows are obscurely glazed, and the south-east facing windows are at too great an angle (approximately 45 degrees) and distance (18 metres) to unacceptably impact on privacy of No. 9 Cwm Braenar. The main impact on Nos. 7 and 9 Cwm Braenar is a loss of view, however this is not a material planning consideration.

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In terms of the impact of the proposed dwelling in the existing street scene, the proposed dwelling will be located immediately adjacent to Newbridge Road. However, No. 19A Cwm Braenar is sited a similar distance off Newport Road, as is Cwmbrynar Cottage further to the east, and therefore it is not considered that the proposed siting of the dwelling is unacceptable in terms of its impact in the existing street scene. Although the submitted plans show smooth painted render as a proposed external finish, as the dwelling will essentially form part of the Cwm Braenar development, materials to match the existing, surrounding dwellings is considered to be more appropriate, and will ensure the development integrates into the existing area with time. The use of the most appropriate materials will be controlled by way of a condition attached to the planning permission.

ii) proposals would not result in the over-development of the site - The site is relatively narrow, with a varying depth of 8-10 metres, but it also measures over 30 metres in length. The house has been designed accordingly to make best use of this space, i.e. 14 metres in total length and 6 metres in depth. Adequate off-street parking provision is also provided, i.e. 2 parking space to serve the 2 bedroomed property, as well as a private amenity area exceeding 100 sq. metres. For these reasons, it is not considered that the proposal represents an over-development of the site.

iii) the proposed use is compatible with surrounding land uses - The site is bounded to the west, east, and south by existing residential properties and therefore the proposal is compatible with surrounding land uses. To the north is a petrol filling station, but the impact of this existing use on the amenity of future occupiers will be the same as that currently experienced by No. 19A Cwm Braenar. A condition will also be attached to the planning permission, at the request of the Head of Public Protection, requiring secondary glazing for all habitable room windows facing Newbridge Road.

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

Comments from public: The comments have been largely addressed above. The house will be a similar distance from TPOd trees as others on this site, and this matter can be resolved by condition, as can land drainage. Property value is not a material planning consideration.

Other material considerations: None.

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 construction 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.
- 03) Before any soils or hardcore that do not fall within the green category set out in Table 2 of the WLGA document 'Requirements for the Chemical Testing of Imported Materials for Various End Uses and Validation of Cover Systems 2013' are brought on to site, a scheme for their importation and testing for contamination shall be submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme.
REASON: To prevent contamination of the application site in the interests of public health.
- 04) 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.

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- 05) Prior to the construction of the foundations of the development hereby approved details showing the finished floor levels of the building hereby approved in relation to a fixed datum point off-site shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.
REASON: In the interests of the residential amenity of the area.
- 06) 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.
- 07) 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.
- 08) The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details: Elevations & Plan Sheet 2 of 3, Elevation & Plans Sheet 1 of 3, received 24 Feb 2015 (or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans).
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 09) Prior to the commencement 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 hereby approved is occupied.
REASON: In the interests of the visual amenities of the area.
- 10) 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 unless otherwise agreed in writing with the Local Planning Authority, all first floor south facing windows shall be obscurely glazed and non-opening at all times.
REASON: In the interests of neighbouring amenity.

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- 11) 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 property at land adjoining 19A Cwm Braenar, Pontllanfraith, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new property hereby approved is first occupied.
REASON: To provide additional roosting for bats as a biodiversity enhancement, in accordance with Section 40 Natural Environment and Rural Communities Act 2006, and policy contained in Welsh Assembly Government's Planning policy Wales and Tan 5 Nature Conservation and Planning.
- 12) Prior to the commencement of any works on site, details of the provision of nesting sites for bird species (House sparrow, House martin, Starling, Swallow and Swift) in the new property at land adjoining 19A Cwm Braenar, Pontllanfraith, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new property hereby approved is first occupied.
REASON: To provide additional nesting opportunities for birds as a biodiversity enhancement, in accordance with Section 40 Natural Environment and Rural Communities Act 2006, Planning Policy Wales and paragraph 1.4.3 of TAN 5 Nature Conservation and Planning.
- 13) Prior to commencement of development details of a scheme shall be submitted to and approved in writing by the Local Planning Authority to include secondary glazing systems in all windows to all habitable rooms facing Newbridge Road shall be capable of achieving an internal Lmax level of 45 dB(A). Development shall be carried out in accordance with the approved details before first use of the dwellings hereby approved.
REASON: In the interests of residential amenity.

Advisory Note(s)

The following policies of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 are relevant to the conditions imposed on this consent: CW2, CW3 and CW4.

Please find attached the comments of the Senior Engineer (Land Drainage) and Dwr Cymru/Welsh Water.

