

RECOMMENDATION : GRANT WITH CONDITIONS

REFERENCE: P/15/140/OUT
APPLICANT: MR WILLIAMS
C/O DAVIES EVANS PARTNERSHIP KINGSWAY HOUSE BANK
BUILDINGS BRIDGEND INDUSTRIAL ESTATE

LOCATION: TERFYN 2 HEOL EGLWYS PEN Y FAI

PROPOSAL: OUTLINE PLANNING FOR THE DEMOLITION OF TERFRYN AND BUILD
2NO. HOUSES ON THE LAND

RECEIVED: 3rd March 2015

SITE INSPECTED: 10th March 2015

APPLICATION/SITE DESCRIPTION

The application seeks outline consent with all matters reserved for subsequent approval, to demolish the existing vacant bungalow known as 'Terfyn' and to erect two dwellings. The site is located on Heol Eglwys, which is the main road through the settlement of Penyfai.

The applicant has submitted an indicative plan illustrating the potential layout, siting and height of the dwellings. In this respect, both dwellings would have identical dimensions with a maximum footprint of 10m x 12m and a maximum height of 7.5m. The indicative plan suggests a conventional layout, with the dwellings sited in a relatively central position within the plot and aligned on the same building-line. This enables spaces to be provided either side of the dwellings, catering for parking and outdoor amenity.

RELEVANT HISTORY

79/939 O/L RES DEV	REF	13-SEP-79
79/947 INC LAND INTO CURTILAGE	REF	13-SEP-79
80/536 INC OF LAND INTO CURTILAGE	CC	27-MAR-80
P/94/1132/FUL DEMOLISH EXISTING BUILDING AND CONSTRUCT FOUR NEW FLATS.	APPROVED +conditions	16-01-1995

PUBLICITY

The application has been advertised on site.
Neighbours have been notified of the receipt of the application.

Application Number

P/15/140/OUT



Scale 1:2,500

Date Issued:
24/08/2015

Development-Mapping
Tel: 01656 643176

Mark Shephard

Corporate Director-Communities

Communities Directorate,
Bridgend County Borough
Council, Civic Offices,
Angel Street,
Bridgend CF31 4WB.

O:/Drive/Plandraw/new MI layouts/
Committee DC Plan

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The period allowed for response to consultations/publicity expired on 2 April 2015.

NEGOTIATIONS

The agent was requested to:

1. Reduce the maximum height of the proposed dwellings
2. Submit site levels
3. Sign Certificate B and serve Notice on the Highways Authority.
4. Submit a bat survey

CONSULTATION RESPONSES

Town/Community Council Observations

Notified on 5th March 2015

Head Of Street Scene (Highways)

No objections to the proposal subject to a condition and advisory notes.

Destination & Countryside Management

No objections to the proposal subject to advisory notes.

Head Of Street Scene (Drainage)

No objections to the proposal subject to a condition and advisory notes.

Natural Resources Wales

No objections to the proposal subject to advisory notes.

Welsh Water Developer Services

No objections to the proposal subject to advisory notes.

Glamorgan Gwent Archaeological Trust

No objections to the proposal subject to an advisory note.

REPRESENTATIONS RECEIVED

Objections Have Been Received From:, -

Mr & Mrs D Murray: Hazeldene

Alistair Wilson: 2 Mount Pleasant

Alun M Hughes: 5 Mount Pleasant

The objections are summarised as follows:-

Overdevelopment;

Out of character with surrounding area;

Loss of amenity - privacy, light, overbearing/dominance;

Inadequacy of content of Design & Access Statement;

Impact on bats;

Loss of trees;

Drainage issues;

Precedence;

Highway safety;

C Edwards: The Stables supports the proposal.

COMMENTS ON REPRESENTATIONS RECEIVED

* Overdevelopment, Density and Out of Character with the surrounding area

Refer to the Appraisal section of the report.

* Impact on the residential amenity of Hazeldene

Hazeldene, is located south of the application site. The northern (side) elevation of this bungalow faces the application site. The Case Officer viewed the site from the grounds of this property and examined the plans of its redevelopment from a small bungalow to a tall dormer bungalow, granted consent in 2001 and 2002 (P/01/899/FUL and P/02/697/FUL refers).

The distance between the side elevation of Hazeldene and the boundary with the application site is approximately 4m.

According to the submitted plan, the floor level of the proposed dwellings would be 2m higher than Hazeldene. The boundary between the site and this neighbouring property consists of a substantial hedgerow which has become overgrown and due, to it being planted at a higher level, it currently extends beyond the eaves level of Hazeldene.

Between the side elevation of Hazeldene and the site boundary is a soft landscaped border and a narrow strip of hardstanding. It is considered to have limited recreational value and it was noted that it was used for the storage of bins and as a means of providing access to the primary amenity space which is to the rear and contains a large garden, a conservatory and typical garden features such as a shed and a glasshouse.

The side elevation of Hazeldene facing the application site contains three windows. One of the windows appears to serve a study, although the plan submitted in 2001/02 indicates a bedroom (P/01/899/FUL and P/02/697/FUL refers). Whilst this room is considered to be habitable in nature, it benefits from a substandard amount of amenity since it is a recessed window and hidden underneath a canopy-style feature of the dwelling. As such, it is not considered that the redevelopment of the site for two dwellings would have any unreasonable adverse effect on the amenities of this room or significantly harm the present situation.

The second window is fitted with obscure glazing and appears to serve a non-habitable room.

The third window serves an open-plan kitchen-diner. According to the indicative site layout, this window would not be positioned directly in-line with the proposed dwellings. Furthermore, this window faces north and has limited outlook and light. It is considered to be secondary to the window on the western (rear) elevation which enjoys a good standard of amenity, especially with regards to outlook and light. As such, the redevelopment of the site for two dwellings would not result in any unreasonable loss of amenity associated with the kitchen/dining room of Hazeldene

Although Hazeldene is a dormer bungalow, it has no dormers located on the roof slope facing the application site, however, it contains velux-type windows which serve non-habitable rooms.

Subject to boundary treatments and site/finished floor levels being agreed, it is considered that the site, in principle, is capable of accommodating two dwellings of the dimensions proposed without having such an adverse effect on the amenities of Hazeldene so as to warrant refusal of the application, with particular regards to light, dominance/overbearing, outlook and privacy. In this respect, the scheme generally follows the residential amenity principles outlined in SPG2.

* Loss of privacy

Whilst this application does not consider the positioning of windows, the proposed dwelling could position habitable room windows on the eastern and western elevations without resulting in any significant adverse effect on the amenities of neighbouring properties.

* Precedent

The application seeks outline consent with all matters reserved for subsequent approval, to demolish the existing vacant bungalow known as 'Terfyn' and to erect two dwellings. It is assessed on its own merits and in context to relevant current planning policies, guidelines and material considerations.

Any further development proposals at the site or on land adjacent to the site would require separate planning consent and, as such, cannot be considered in the determination of this application.

Notwithstanding the above, the land to the west of the site is located outside the settlement boundary of Penyfai, as defined by Policy PLA1 of the BLDP and is within a Special Landscape Area, as defined by Policy ENV3 of the BLDP.

* Highway safety

The Group Manager Transportation and Engineering (Highways) has no objections to the proposal subject to conditions and advisory notes. It is, therefore, considered that the scheme would not have any significant adverse effect on highway safety.

* Impact on Bats

A bat survey has been submitted which has been considered by the Council's Ecologist and Natural Resources Wales. No objections have been raised subject to advisory notes.

* Inadequacy of the Design and Access Statement

The Design and Access Statement meets the minimum requirements of the regulations and whilst the occupier of Hazeldene disputes its content and reasoning, it is a supporting tool and does not override the requirements of the Authority to assess the application against relevant planning policies, guidelines and other material considerations.

* Trees

There are mature trees located to the west of the site. Most of the trees are located outside the red-line boundary of the site and are outside the settlement boundary and within the Special Landscape Area (Policy ENV3 of the BLDP refers). However, several of the trees are coniferous in nature and do not have any significant public amenity value. Furthermore, the indicative layout plan suggests that the shortest distance between the western boundary and the proposed dwellings would be 9m.

The mature hedgerow between the application site and Hazeldene is a largely ornamental species and does not offer benefit from any significant amenity value. The remaining outdoor space within the application site is predominantly unkempt grassland, reflecting the vacant characteristics of the site.

* Drainage

The Land Drainage Section of the Council has no objection to the proposal subject to a condition and advisory notes, whilst Welsh Water also has no objections to the proposal subject to advisory notes. The site is within an urban area and already contains an existing dwelling house. It is considered that the site is within reasonable proximity to other utilities.

APPRAISAL

The application is referred to Committee due to three objections being received from local residents.

The application seeks outline consent with all matters reserved for subsequent approval, to demolish the existing vacant bungalow known as 'Terfyn' and to erect two dwellings. The site is located on Heol Eglwys, which is the main road through the settlement of Penyfai.

Policy COM3 of the Bridgend Local Development Plan (BLDP) permits small-scale housing development within the designated settlement boundary of Penyfai. The proposal may, therefore, be considered to represent an opportunity to develop under-utilised land within the urban area for residential development.

Whilst the principle for residential development has been established, the acceptability of the proposal is dependent on satisfying other relevant policies, guidelines and material considerations. In particular, the scheme is primarily considered against Policies SP2, PLA11, SP4, ENV6, ENV7 of the BLDP and the general principles and guidelines within Design Guide 1 and Supplementary Planning Guidance 2.

Policy SP2 of the BLDP specifies the acceptable criteria for the design of new development and sustainable place making.

In this particular case, since the applicant has reserved all matters for subsequent approval, much of the criteria under Policy SP2 cannot be fully assessed and will be the subject of a future application if planning permission is forthcoming.

Notwithstanding the above, the applicant has submitted an indicative plan illustrating the potential layout, siting and height of the dwellings. In this respect, both dwellings would have identical dimensions with a maximum footprint of 10m x 12m and a maximum height of 7.5m. The indicative plan suggests a conventional layout, with the dwellings sited in a relatively central position within the plot and aligned on the same building-line. This enables spaces to be provided either side of the dwellings, catering for parking and outdoor amenity.

Heol Eglwys consists of a variety of property styles ranging from bungalows, dormer bungalows, traditional terraced cottages and large detached dwellings. These properties have been built into the hillside and, as such, the property sited further up the hill (north) is generally higher than the one below it (south). Due to the diversity of property styles and changes in topography, there is no clearly defined character within the street-scene. This is supplemented by a mixture of external finishes, variation in building-lines and orientation of properties along the street.

It is noted that the four properties to the south of the application site are bungalows or dormer bungalows. Hazeldene, which is the property to the immediate south of the application site, is a tall dormer bungalow, reaching 6.9m in height. Notwithstanding the above, the application site is considered to denote the beginning or end of this section of Penyfai. The traditional side-on terraced cottages at Mount Pleasant to the north of the site are positioned on the plateau of the hill, with their long gardens backing onto the application site. These properties are considered to relate to that section of the street rather than those sited on the incline, including the application site. This allows a degree of flexibility in the proposed house type and design at the application site.

It is acknowledged that the density of the western side of Heol yr Eglwys is lower than the eastern side. Notwithstanding the above, given that there is such variation in property styles along this street and there is no clearly defined character or architectural rhythm to the street-scene, the inclusion of two dwellings on the site, in principle, would not appear out-of-character with the overall street-scene appearance.

Whilst these issues would be predominantly considered in the determination of a future

'reserved matters' application, this application is required to determine the suitability of the site to accommodate two dwellings of the dimensions proposed.

In spatial terms, the indicative plan successfully demonstrates that the site could accommodate two dwellings of the dimensions proposed with adequate space for off-street parking and provision of outdoor amenity space. This amenity space would be reasonably private and sufficient in size and shape, as expected for family-sized dwellings such as those proposed in this application.

A site level survey has been submitted which indicates that the floor level of the proposed dwellings would be sited 2m higher than Hazeldene. Furthermore, the proposed dwellings would be sited 2m below the garden level of the cottages of Mount Pleasant. This relationship reasonably respects the topography of the land, however, to avoid the proposed two-storey dwellings appearing excessively tall and visually prominent, the agent has lowered the maximum height of the dwelling from 9m to 7.5m.

Having regard to the above, it is considered that this outline application, with all matters reserved for subsequent approval, would not have such an adverse effect on the visual amenities of the area as to warrant refusal and satisfies the design criteria of SP2 and the general guidance given under Design Guide 1.

Whilst this application does not consider the positioning of windows, it is worth noting that the proposed dwelling could position habitable room windows on the eastern and western elevations without resulting in any significant adverse effect on the amenities of neighbouring properties. This is also likely to allow all habitable rooms to be capable of benefitting from a reasonable degree of amenity for the future occupiers of the proposed dwelling. Furthermore, each plot would have sufficient space for off-street parking and outdoor amenity space.

The application site is approximately 21m from 1-5 Mount Pleasant. These properties are located at a higher level than the application site, with the difference between the floor levels of the new dwellings and the gardens being approximately 2m. Supplemented by a low-level wall and fencing/hedgerows on top, it is not considered that the proposed development of the site for two dwellings would result in any unreasonable loss of amenity to these neighbouring properties.

A bat survey has been submitted and concludes that there is no evidence of bats occupying the existing bungalow. The Council's Ecologist and Natural Resources Wales also have no objections to the proposal subject to an advisory note.

The Group Manager for Transportation and Engineering (Highways) has no objections to the scheme subject to conditions and advisory notes. The Land Drainage Team of the Council and Welsh Water has no objections to the proposal subject to a condition and advisory notes.

CONCLUSION

This outline application with all matters reserved is recommended for approval because the development complies with Council policy and guidelines and does not adversely affect privacy, highway safety, ecology/biodiversity, drainage or visual amenities nor so significantly harms neighbours' amenities as to warrant refusal.

RECOMMENDATION

(R05) That permission be GRANTED subject to the following condition(s) in addition to the standard conditions:-

- 1 This consent shall be limited to two dwellings in conformity with the approved plan

'13:34:02 Proposed Site Layout' (received 19 May 2015) and with a maximum height of 7.5m.

Reason: To avoid doubt and confusion as to the nature and extent of the development hereby granted.

- 2** No development shall take place until a detailed specification for, or samples of, the materials to be used in the construction of the external surfaces of the dwellings hereby permitted have been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason: To ensure that the proposed materials of construction are appropriate for use on the development so as to enhance and protect the visual amenity of the area.

- 3** No development shall take place until there has been submitted to and agreed in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected and a timetable for its implementation. Development shall be carried out in accordance with the agreed plan and timetable.

Reason : To ensure that the general amenities of the area are protected.

- 4** Notwithstanding the requirements of condition 1, no development shall take place until details of the proposed floor levels of the buildings in relation to existing ground levels and the finished levels of the site have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

Reason: To ensure that the development relates appropriately to the topography of the site and the surrounding area and in the interests of residential amenities.

- 5** No development shall commence until a scheme for the comprehensive and integrated drainage of the site, showing how foul drainage, road and roof/yard (surface) water will be dealt with, has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented in full prior to the occupation of any of the dwellings hereby approved.

Reason: To ensure that effective drainage facilities are provided for the proposed development and that flood risk is not increased.

- 6** The vision splays of 2.4 metres x 33 metres to the north and 2.4 metres x 22 metres to the south shall be provided before the development is brought into beneficial use and retained as such thereafter.

Reason: In the interests of highway safety.

- 7** Notwithstanding the submitted plans, no development shall commence until a scheme has been submitted to and agreed in writing by the Local Planning Authority showing the site frontage boundary set back and the inclusion of a 1.8m wide footway from the Western side of Heol Eglwys. Such a scheme shall be fully implemented in accordance with the agreed details before the development is brought into beneficial use.

Reason: In the interests of highway safety.

- 8 Prior to the approved development being brought into beneficial use, turning facilities so as to enable vehicles to enter and leave in a forward gear, shall be provided within the curtilage, in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority. The turning facilities, as agreed, shall be retained thereafter.

Reason: In the interests of highway safety.

* THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

a. This outline application with all matters reserved is recommended for approval because the development complies with Council policy and guidelines and does not adversely affect privacy, highway safety, ecology/biodiversity, drainage or visual amenities nor so significantly harms neighbours' amenities as to warrant refusal.

b. Based on the submitted indicative site layout plan, the applicant/developer is advised that such a layout, if submitted as part of a reserved matters application, may require the imposition of a condition removing certain permitted development rights, including boundaries/means of enclosure (highway safety) and extensions/outbuildings (residential amenity).

c. Before creating, altering or reinstating any vehicular crossover, constructional details must be agreed with the Highway Maintenance Manager, Bridgend County Borough Council, Civic Offices, Angel Street, Bridgend. Telephone No. (01656) 642541.

d. Off street parking, both operational and non-operational must be provided to the satisfaction of the Local Planning Authority and the applicant's attention is drawn to Supplementary Planning Guidance 17: Parking Standards 2010.

e. Rainwater run-off shall not discharge into the highway surface-water drainage system. Failure to ensure this may result in action being taken under Section 163 of the Highways Act 1980.

f. Foul water and surface water discharges shall be drained separately from the site.

g. No surface water shall be allowed to connect, either directly or indirectly, to the public sewerage system.

h. Land drainage run-off shall not be permitted to discharge, either directly or indirectly, into the public sewerage system.

i. If a connection is required to the public sewerage system, the developer is advised to contact Dwr Cymru/Welsh Water's Developer Services on 0800 917 2652.

j. An adoption agreement from Dwr Cymru/Welsh Water may be required if a connection to the public sewerage system is required. For further information, please contact Developer Services.

k. Under the Water Industry Act 1991 Dwr Cymru/Welsh Water has rights of access to its apparatus at all times.

l. In respect of Condition Number 5 (Drainage) the applicant/developer is required to submit an assessment into the potential for disposing of surface water by means of a sustainable drainage system, in accordance with the principles set out in Technical Advice Note 15. The submitted details must include:

- (1) A ground investigation report sufficient to support the design parameters and suitability of the proposed system.
- (2) Information about the design calculations, storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures to prevent the pollution of the receiving groundwater and/or surface water.
- (3) A timetable for its implementation; and
- (4) A management and maintenance plan, for the lifetime of the development and any agreements to secure the operation of the scheme throughout its lifetime.

m. The applicant/developer is encouraged to raise the ecological/biodiversity values of the site by installing bat and bird boxes within the development site. Any external lighting must be low intensity and low-level to avoid undue light spillage.

n. All British bat species and their roost sites are fully protected under the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2010. The applicant/developer is advised of the possibility of encountering bats unexpectedly during works. If bats are encountered during works, the development must stop immediately and Natural Resources Wales contacted for advice.

o. If any unknown archaeological features are discovered during the development of the site, the development must stop immediately and advice sought from Glamorgan Gwent Archaeological Trust.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background Papers

None