

APPLICATION NO: P/16/80/FUL

APPLICANT NAME & ADDRESS:

MR MARK RICHARDS
ROYAL OAK, STATION ROAD

LOCATION:

LAND REAR OF ROYAL OAK, STATION ROAD, KENFIG HILL

DEVELOPMENT: ERECTION OF 2 DETACHED THREE BEDROOM DWELINGS

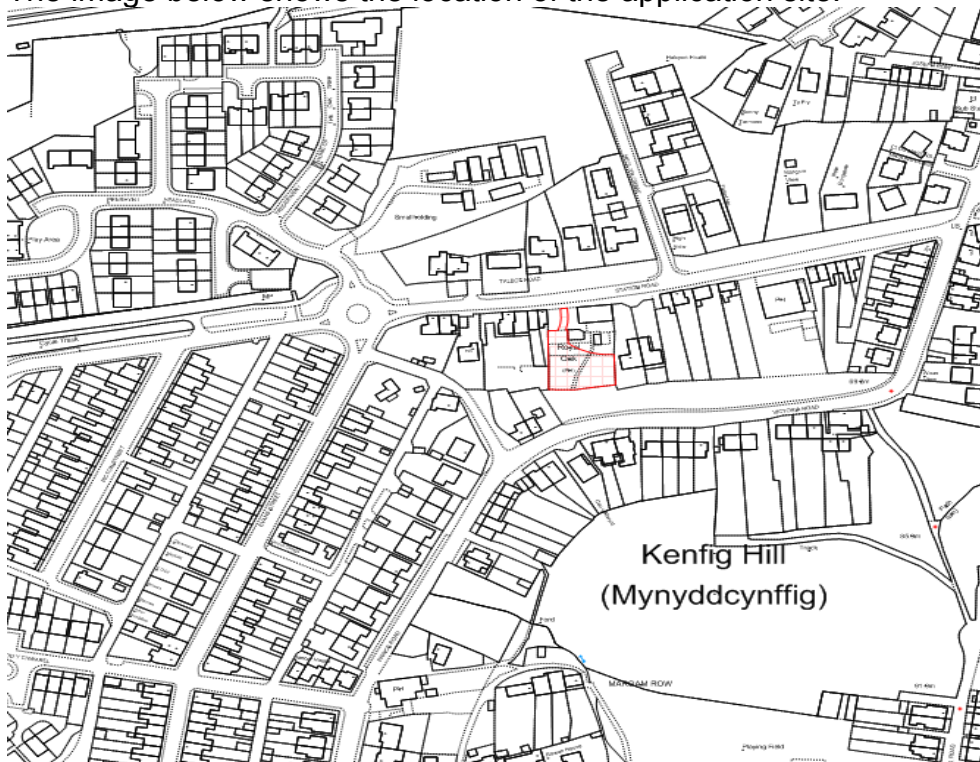
APPLICATION/SITE DESCRIPTION.

The application seeks planning permission for the erection of two detached split level dwellings to the rear of the Royal Oak Public House, Station Road, Kenfig Hill. The site is currently a grassed beer garden serving the Royal Oak and there is a path which provides access from Victoria Road to the public house. The land slopes from Station Road to Victoria Road.

The proposed split level dwellings will be two and a half storey to the front elevation and one and a half storey to the rear to reflect the sloping nature of the land. The proposed dwellings will measure 10m x 7.5m and will reach a height of 9.5m at the front elevation and 7m at the rear elevation.

The dwellings will each comprise a garage, utility, w.c. and hall at basement level, an open plan kitchen/living/dining area at ground floor level and 3 bedrooms, one of which will be ensuite, and a bathroom at first floor level. Access to the site will be gained via the existing hard standing to the west of the Royal Oak and additional parking for the Royal Oak will be provided either side of the shared access drive. An area is proposed towards the front of the site for bin storage. Each property will be served by off street parking provision for 3 cars and an area of amenity space to the rear.

The image below shows the location of the application site.



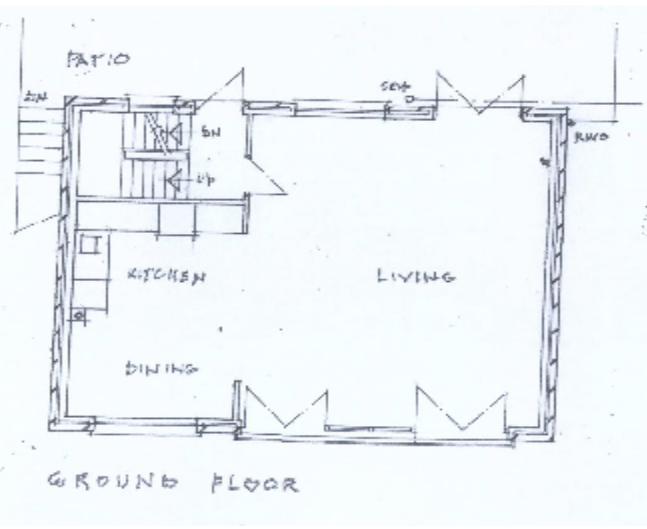
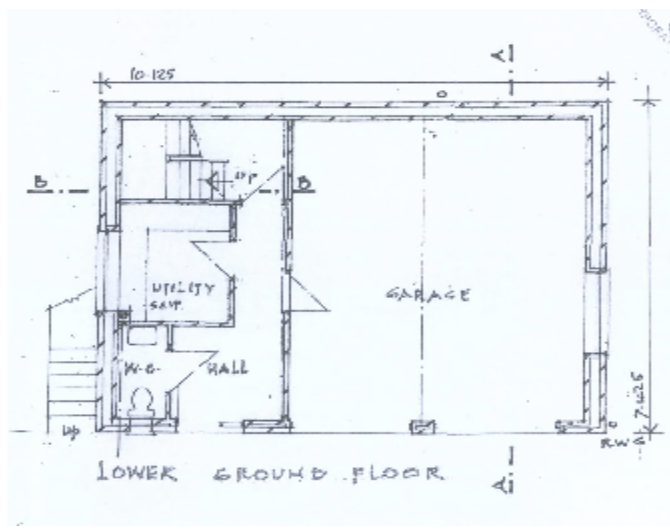
The illustration below shows the proposed front & rear elevations.



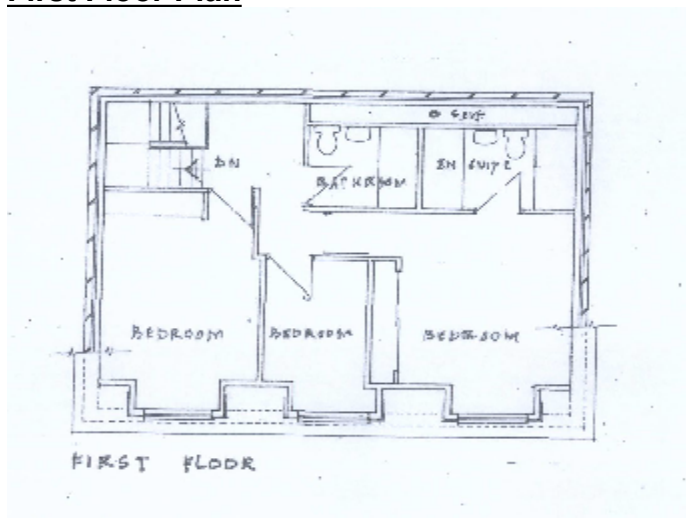
The proposed floor plans are as follows:-

Basement Plan

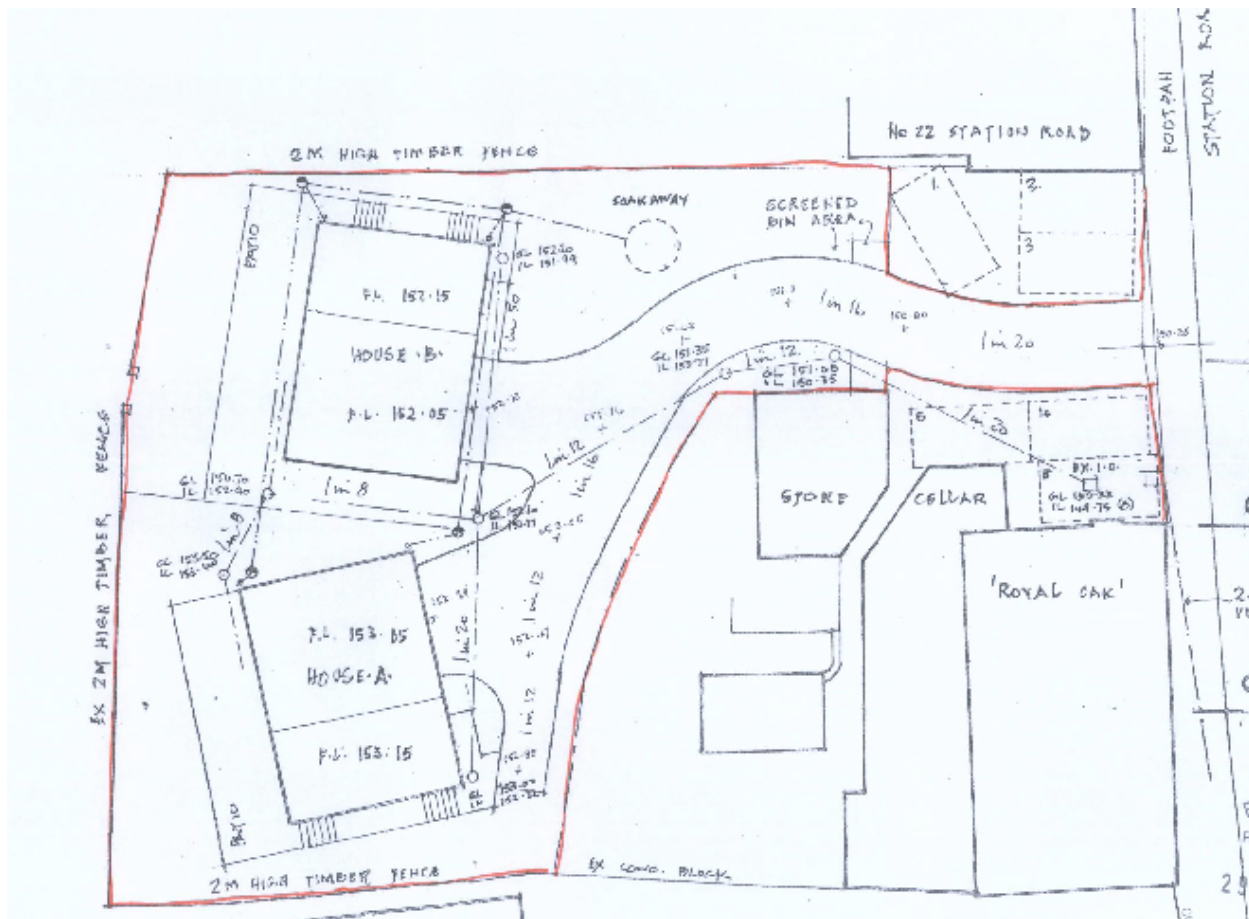
Ground Floor



First Floor Plan



The proposed layout of the site is as follows:-



RELEVANT HISTORY

None

SITE INSPECTED

The site was inspected on 18 February 2016.

NEGOTIATIONS

The agent entered into pre-application discussions with the Local Planning Authority.

PUBLICITY

The period allowed for response to consultations and publicity expired on 4 March 2016.

CONSULTATION RESPONSES

The Transportation Development Control Officer has no objection to the proposal subject to conditions.

The Drainage Officer has assessed the scheme and has no objection to the proposal subject to a condition.

Natural Resources Wales has no objection to the application.

Welsh Water advised on sewerage

REPRESENTATIONS RECEIVED

Objections were received from the following local residents:-

J K Adamson - 19 Station Road

R, N, E & C Downs - 3 Victoria Road (requested to speak at Committee)

A Thomas & S Bowen - 4 Victoria Road

M Richards - Can y Gwynt, Victoria Road

B Wakefield - 54 Prince Road

The objections are summarised as follows:-

- Concern in respect of the height and scale of the dwellings
- overlooking and overshadowing of properties on Victoria Road
- Impact on the character of Victoria Road
- Visual impact
- Overdevelopment of site
- Highway and pedestrian safety
- Potential car parking conflicts
- Lack of infrastructure to accommodate two dwellings
- Hedges/boundary treatment along the rear of Station Road should be no more than 2m in height
- Impact of reduced beer garden
- Request made that a 1m high boundary fence is erected along the boundary of the Royal Oak to the front elevation of 20 Station Road.
- Hope that the Public house will be converted to residential
- Disturbance caused during the construction phase
- Plans not drawn to scale
- Concern in respect of ground stability
- Potential impact on green area to the rear of the site.
- Loss of view from Victoria Road
- Potential devaluation of property and impact on future sale of property

COMMENTS ON REPRESENTATIONS RECEIVED

- The issues of scale, over development and the visual and residential impact of the development are addressed in the 'Appraisal' section of the report.
- The Transportation Development Control Officer has assessed the scheme and considers it acceptable in terms of highway and pedestrian safety and parking provision.
- In respect of nuisance caused by inappropriate parking this is a matter for the police.
- The proposed development of 2 dwellings is not considered to adversely impact the infrastructure of the local area to such a degree as to warrant refusal of the scheme.

- The Local Planning Authority cannot control the height of hedges along the rear of Station Hill and any fences/walls/railing in excess of 2m from ground level may require planning permission.
- In terms of the impact of the reduced size of the beer garden, there is an area that could continue to be used as outdoor seating. Whilst this will concentrate the area of the beer garden towards the neighbouring properties, as this area is already a beer garden and the public house is not being extended, it would be considered unreasonable to refuse planning permission for the potential impact of the reduced beer garden on the residential amenities of neighbours.
- The area where a 1m high fence is requested is outside the redline boundary and, as such, a condition for this fence cannot be imposed on any permission granted.
- The application does not include the change of use of the public house.
- The disturbance caused by the construction of the dwellings will be for a short time only and is not a reason to preclude planning permission.
- The plans have been drawn to scale and the scale is shown on the plans.
- The application site is not located in a Coal Mining risk referral area, however, a note will be attached to any permission granted advising the applicant to take appropriate investigations in respect of ground stability.
- Loss of view and future sale of property are not material planning considerations.

APPRAISAL

The application is referred to the Development Control Committee in view of the number of objections received from local residents.

The application seeks planning permission to erect 2 detached split level dwellings to the rear of the Royal Oak Public House, Station Road, Kenfig Hill.

The application site is located within the settlement boundary of Pyle/Kenfig Hill, as defined by Policy PLA1 of the adopted Local Development Plan ([LDP](#)), and, as such, the development of this site for residential purposes could be regarded as a 'windfall and small-scale' site in a settlement boundary under Policy COM3 of the [LDP](#).

Strategic Policy SP2 relates to design and sustainable place making and the proposed scheme should comply with the criteria of Policy SP2. Policy SP2 of the [LDP](#) states:-

'All development should contribute to creating high quality, attractive, sustainable places which enhance the community in which they are located, whilst having full regard to the natural, historic and built environment.'

In terms of the visual impact of the development when viewed from Station Road, the proposed dwellings will be set back 30m from Station Road and will be at a higher level than the existing properties which front Station Road. The proposed dwellings will be located on a similar level to the existing properties at 19 & 20 Station Road, which are set back approximately 28m from the highway

and are also at a higher level. Whilst, the highest part of the proposed dwellings will be approximately 1.4m higher than the ridge of 20 Station Road, the visual impact of the dwellings from Station Road is considered to be acceptable as it will be set against the back drop of the rising land towards Victoria Road and the properties on Victoria Road.

Station Road is comprised of a variety of house types of differing scale and design. The dwellings will be set back from the highway and will be screened, in part, by the existing public house. It is considered that the proposed dwellings will not have an adverse impact on the character or the visual amenities of the area.

In respect of the visual amenities of Victoria Road, given the sloping nature of the site and the rear boundary fence, the roofs of the proposed dwellings will be the most prominent feature of the development when viewed from Victoria Road. The Dutch hipped style roofs will slope away from Victoria Road and will be some 21m from the footpath and highway at Victoria Road and, therefore, the proposed development is not considered to have an adverse impact on Victoria Road in terms of visual amenity. The properties will front Station Road and are, therefore, considered to form part of the street scene of Station Road rather than Victoria Road.

View from Victoria Road



View from Station Road



A condition is attached to the recommendation requiring details of the materials to be used in the external surfaces of the dwellings to be submitted to and agreed in writing by the Local Planning Authority.

In terms of the impact of the development on residential amenities, the properties to the rear of the site on Victoria Road are over 21m from the site and are on a higher level and, as such, it is considered that the proposed development will not cause any adverse overshadowing or overlooking to the properties on Victoria Road.

The proposed dwelling at House A will be located at a similar level as the existing property to the east of the site, 20 Station Road. The dwelling (House A) is not considered to give rise to any concerns in respect of privacy and overlooking as the new dwelling is angled away from the existing property and there are no side facing habitable room windows proposed. Given the position of the dwelling in relation to No.20 it is considered that it would not cause any adverse overshadowing or dominance. Whilst there is an obscurely glazed window on the side elevation of No. 20 facing the proposed dwelling at House A this window is already partly screened by the existing boundary treatment and a 2m high boundary treatment could be erected, under permitted development rights, which would overshadow the window. Consequently, the proposed development is not considered to adversely affect the residential amenities of 20 Station Road to such an extent as to warrant refusal of the scheme.

In terms of the impact of the proposed development on the residential amenities of the staff accommodation at the Royal Oak, the proposed dwelling at House A has habitable room windows facing the rear first floor windows at the Royal Oak. However, the distance between the habitable room windows is 22m, which is in excess of the distance recommended by Note 6 of Supplementary Planning Guidance 02: Householder Development and, as such, the proposed development is considered acceptable.

22 Station Road is located to the north west of the site and the rear elevation will be 17m north of the front elevation of the dwelling proposed at House B. The dwelling at House B is angled away from the rear of No. 22 and, as such, the overlooking caused by the development is not considered to be so

significant as to warrant refusal of the scheme. Whilst, the proposed dwelling at House B will allow for indirect views over the rear garden of No. 22, overlooking of the garden already occurs from the beer garden. The overlooking of the garden of No. 22 is an existing situation and the proposal to replace the overlooking from the beer garden with indirect overlooking from a residential dwelling is considered to be less intrusive and acceptable in planning terms.

It is considered that the proposed development does not result in the over development of the site as both properties are served by a sufficient level of amenity space and parking provision and do not cause any adverse impacts on residential amenities.

Given the above, the proposed development is considered to comply with Policy SP2 of the [LDP](#).

The application proposes a shared private driveway and, as such, Policy ENV15 of the [LDP](#) is relevant. Policy ENV15 relates to waste management in new development and states that all proposals for new built development should include provision for the proper design, location, storage and management of waste generated by the development. The proposed application includes a bin store at the centre of the site and, in order to comply with Policy ENV15, a condition shall be attached to any permission granted requiring details of a relocated bin collection area.

The proposed scheme is considered to be acceptable in terms of parking provision, turning facilities and visibility for both the proposed dwellings and the Public House.

Whilst determining this application Policies PLA1, COM3, ENV15 & SP2 of the Bridgend [Local Development Plan \(2013\)](#) and Notes 1,2,6,8,10 & 11 of [Supplementary Planning Guidance 2: Householder Development \(2008\)](#) were considered.

CONCLUSION

This application is recommended for approval because the development complies with Council policy and Council's guidelines and is acceptable in terms of its impact on privacy, visual amenities and neighbours' amenities. The proposed dwellings are also considered to be acceptable in terms of highway safety and parking provision both for the dwellings and the existing public house.

The representations received have been taken into account however, on balance, it is considered that do not they outweigh the merits of the development.

RECOMMENDATION

R02: That permission be GRANTED subject to the following conditions:

1. The development shall be carried out in accordance with the following approved plans:-

Site Plan No. 14:04-3 (received on 29 January 2016)
Plans & Sections No. 14:04-4 (received on 29 January 2016)
Elevations No. 14:04-5 (received on 29 January 2016)
Site Sections No. 14:04-2 (received on 29 January 2016)

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

2. No development shall commence on site until a scheme for the comprehensive and integrated drainage of the site, showing how road and roof/yard water will be dealt with, including future

maintenance requirements, has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented prior to beneficial use.

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

3. No development shall commence on site until a ground investigation report and infiltration test, sufficient to support the design parameters and suitability of any proposed infiltration system, has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented prior to the beneficial use of the dwellings.

Reason: To ensure that effective satisfactory management and disposal of surface water is provided for the proposed development.

4. 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 buildings 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.

5. 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.

6. Notwithstanding the submitted plans, no development shall commence until a scheme showing a refuse collection area to the front of the site has been submitted to and agreed in writing by the Local Planning Authority. The refuse collection area shall be completed in accordance with the agreed layout prior to the development being brought into beneficial and thereafter retained as such in perpetuity.

Reason: In the interests of residential amenity.

7. No development shall commence until details of existing ground levels and proposed finished ground and floor levels 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 for a well planned and integrated development that is in keeping with the immediate area.

8. The parking areas for the Royal Oak and the approved dwellings shall be completed in permanent materials with the individual spaces clearly demarcated in permanent materials in accordance with the approved layout prior to the development being brought into beneficial use and retained thereafter.

Reason: In the interests of highway safety.

9. The access drive shall be completed in permanent materials for the first 10 metres in accordance with the details prior to the development being brought into beneficial use.

Reason: In the interests of highway safety.

10. No structure, erection or planting exceeding 0.9 metres in height above adjacent carriageway level shall be placed within the required vision splay areas at any time.

Reason: In the interests of highway safety.

THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

- a) Notwithstanding the objections received, This application is recommended for approval because the development complies with Council policy and Council's guidelines and does not adversely affect privacy or visual amenities nor so significantly harms neighbours' amenities as to warrant refusal.
- b) In respect of Condition 3 the applicant shall ensure that an assessment is carried out into the potential for disposing of the surface water by means of a sustainable drainage system, in accordance with principles set out in accordance with TAN15 and the results of the assessment provided to the Local Planning Authority. Where a sustainable scheme is to be provided, the submitted details shall:
- i) Provide 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 taken to prevent the pollution of the receiving groundwater and/or surface water.
 - ii) Provide a timetable for its implementation; and
 - iii) Provide a management and maintenance plan, for the lifetime of the development and any other arrangements to secure the operation of the scheme throughout its lifetime.
 - iv) Provide a ground investigation report sufficient to support the design parameters and suitability of the proposed system.
- c) The developer is advised that the presence of any significant unsuspected contamination which becomes evident during the development of the site should be brought to the attention to the Local Authority's Public Protection Section.
- d) The developer is advised to undertake appropriate ground investigations to ensure there is ground stability within the site.
- e) No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.
- f) The developer is urged to consider the advisory information on this application that has been received from consultees and which may be accessed via <http://www.bridgend.gov.uk/planningapplications/search.php>

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background Papers

None