

Application Number: DM/2018/01470

Proposal: Detached house

Address: Land Adjacent To The Beeches, Wainfield Lane, Gwehelog

Applicant: Ms T Branfield

Plans: Location Plan - , Site Sections SS.01 - A, Elevations - Proposed 02 - A, Topographical Survey 2115/001 A - , Site Plan Revised Site Plan SL.01 - C, Drainage Drainfield Soakaway Calculations - DWP Property Services dated 31.10.2018 - ,

RECOMMENDATION: Approved Subject To S106

Case Officer: Mrs Jo White
Date Valid: 13.09.2018

This application is being presented to Planning Committee due to a call-in by Cllr Val Smith and receipt of five objections.

1.0 APPLICATION DETAILS

1.1 This application relates to garden land belonging to The Beeches, Wainfield Lane, Gwehelog. The site is a large plot which currently houses a bungalow (with permission for a first floor extension to create a dormer bungalow, ref: DC/2017/01108) and a large detached double garage/store. A substantial, detached two-storey dwelling is located to the north, whilst a detached dormer bungalow is located to the south. The topography is such that properties along the eastern side of Wainfield Lane are at a higher level than those to the west. The site itself is partially screened from Wainfield Lane by high hedges.

1.2 Planning permission is sought to demolish the existing detached garage/store and existing single storey extension belonging to The Beeches to facilitate a new plot and construction of a 2-storey detached dwelling. The two separate planning units would be accessed off the existing entrance at Wainfield Lane.

1.3 The new plot would measure approximately 13m wide x 35m long. The proposed dwelling will be 9.4m long x 8.2m wide with a height of 7.3m to apex and will be set back from the existing dwelling and the adjacent property, Springfield. The proposed dwelling will provide a modest 3-bed property with parking for a minimum of 3 cars. The property will be approximately 3m from the existing dwelling and to the north and approximately 9.4m from the pine end of Springfield to the south.

1.4 A modern design is proposed with materials comprising of Redland 'Richmond' slate roof in grey, white uPVC windows, sandstone colour cills and ivory render with a brickwork plinth. Boundary treatments include a new hedgerow to the east (fronting the highway) with a 900mm high post and rail fence to the north (forward of the proposed dwelling) with a 2m high close-boarded timber fence to the rear (northern) boundary.

2.0 RELEVANT PLANNING HISTORY (if any)

Reference Number	Description	Decision	Decision Date
DM/2018/01917	Detached garage and retention of new drainage septic tank (The Beeches)	Approved	16.01.2019
DC/2017/01108	First floor extension above existing bungalow (The Beeches)	Approved	01.08.2018

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S13 LDP Landscape, Green Infrastructure and the Natural Environment
S17 LDP Place Making and Design
S1 LDP The Spatial Distribution of New Housing Provision
S4 LDP Affordable Housing Provision
S16 LDP Transport

Development Management Policies

DES1 LDP General Design Considerations
EP1 LDP Amenity and Environmental Protection
H3 LDP Residential Development in Minor Villages
MV1 LDP Proposed Developments and Highway Considerations

4.0 REPRESENTATIONS

4.1 Consultation Replies

Gwehelog Community Council: There was a general consensus that the foul drainage and rainwater run off was not specified and there was no detail or information supplied. The Beeches is not a new build. It is a small plot with a large house planned. It is difficult to make comment without all the drainage and plot detail but no Council member was in favour of the proposal.

MCC Highways: The existing vehicular access to/from the public highway "Wainfield Lane" into The Beeches property will be widened to facilitate a shared vehicular access with the new dwelling. The site layout drawing No. SL.01, submitted with the Application shows that a gravel parking area for 3 vehicles is to be provided and that the proposed driveway and vehicle hardstanding is to be constructed from permeable tarmac. The layout provided is sufficient to allow vehicles to turn within the property and exit onto the public highway in a forward gear. In light of the aforementioned there are no highway grounds to sustain an objection to the application.

MCC Building Control: Satisfied that drainage details submitted and percolation tests are adequate.

MCC Senior Housing Strategy and Policy Officer: It is a basic principle of Local Development Plan Policy S4 that all residential developments (including at the scale of a single dwelling) should make a contribution to the provision of affordable housing in the local planning area. The calculation of the financial contribution that will be required is £29,204.

MCC Ecology:

The application for the proposal is supported by an ecological assessment:

The report is informed by a preliminary roost assessment and three activity surveys. The surveys were undertaken by a suitably qualified ecologist in accordance with good practice guidelines, and is of an appropriate age with surveys undertaken this year. No desk study has been carried out but that is acceptable considering the scale of the site. The report is of sufficient standard to inform the scheme.

The garage is described as having low to negligible potential to support bats. Under good practice guidelines buildings a proportionate survey effort for low potential buildings is one activity survey; the garage was observed during the three activity surveys undertaken of the adjacent house and no evidence of roosting bats was observed.

Due to the way bats use buildings, and the presence of a known roost in the adjacent house, the precautionary method statement for demolition of the garage provided in Section 8 of the report should be followed.

I am satisfied that if the report recommendations are followed there should be no negative impacts on biodiversity as a result of the proposed development. If you are minded to grant planning permission for this development then suitable planning conditions and information notes are advised.

Local Member Cllr Val Smith: Does not support the proposal.

4.2 Neighbour Notification

Five letters of objection have been received, outlining the following concerns:

- The plot is far too small to comply with the requirements to avoid "cramming" and a "high level of privacy and spaciousness."
- My property is adjacent to The Beeches. The size and proximity of the new build, which is on the site of the existing garage, will have an overbearing and detrimental effect on my privacy and neighbours opposite.
- There is insufficient land (non-absorbent clay base) to ensure safe disposal of surface water, additional foul waste and grey water which may therefore flow illegally onto land owned by adjacent residents.
- The application fails to define how foul sewerage is to be disposed of other than that "every effort will be made to connect to the existing drainage system". The current septic tank on the property is in poor condition and designed for a single residence (The Beeches). It is unacceptable because it is most unlikely to accommodate the foul sewerage and grey water from an additional property together with that from the extended "The Beeches".
- A new, updated tank should be installed as part of the development in the same way as the applicant is proposing for The Beeches and as has been done for several other new developments in the lane.
- We are concerned with the management of surface water from the new development. The submitted plans expect surface water to be dispersed by soaking into "permeable tarmac" on the drive. We feel this will be inadequate to guard against flow of water downhill from the drive and property into the lane and properties opposite. Adequate underground drainage on the drive and its entrance, with a channel off to the (new) septic tank or another soak away needs to be installed. There are drainage problems in the lane due to the underlying red clay in the area and even water soaking through "permeable" tarmac will not drain into the clay.
- Due to the nature of the heavy clay soil, gardens can often become water-logged during very wet weather and the addition of another property will aggravate this problem.
- I have experienced leakage onto my property from the existing cesspit located in the front garden of The Beeches. Does this comply with environmental regulations considering all new infill properties recently built in Wainfield Lane have had to comply with these regulations?

5.0 EVALUATION

5.1 Principle of the proposed development

5.1.1 The site lies within the minor village settlement of Gwehelog as defined by Policy S1 of the Local Development Plan (LDP). As defined by Policy H3, the principle of development within minor villages is acceptable subject to material considerations. The principle of an additional dwelling on the site is therefore considered acceptable.

5.2 Visual Impact and Design

5.2.1 The proposed dwelling will be set back from the road sitting between the existing properties of The Beeches and Springfield the north and south of the site. Wainfield Lane has no dominant urban form, architectural style or characteristics, other than the properties are set back within the plots. Many plots along the street already benefit from infill development and as such there is a variation of plot sizes. Thus, the proposed dwelling will not have an adverse impact upon the existing urban form. The proposed ridge height follows the topography of the lane and as such will be lower than the existing dwelling to the north (as approved) but higher than Springfield to the south. Whilst the scale, form and design of the proposed dwelling is smaller than the adjacent dwellings, it is not considered to be unacceptable within the street scene, in accordance with LDP Policies DES1 and EP1.

5.2.2 A modern design is proposed for the dwelling, featuring half dormers (within the eaves line). Materials include Redland 'Richmond' slate roof in grey, white uPVC windows, sandstone colour cills, ivory render with a brickwork plinth. The design is considered to complement the adjacent property to the north (The Beeches) which features dormers and a front gable. However, a condition may be imposed requiring samples of proposed materials to be agreed to ensure they are respectful to the surrounding area.

5.3 Residential Amenity

5.3.1 Part of the footprint of the proposed dwelling will sit on the footprint of the existing garage/store with the proposed dwelling being 2.2m wider, 0.15m longer and 2.4m higher than the garage/store. However, the proposed footprint will be moved approximately 2.1m to the north, away from the boundary with Springfield.

5.3.2 It is acknowledged that the proposed dwelling is approximately 2.4m higher than the existing garage. However when considering any overbearing impact upon the neighbouring property to the south (Springfield), the increase in height is considered to be largely offset by the increased distance from the boundary. Having regard to the separation distance between the two properties the increase in mass is not considered to have an unacceptable adverse impact upon the neighbouring property. Furthermore, only a ground floor window and door are proposed in the side south elevation which serve a WC and utility room which would be largely screened by the existing boundary hedgerow. As such, there are no concerns regarding overlooking to Springfield. Should any first floor windows be proposed in the side elevation in the future, these would require planning permission under the current General Permitted Development Order (Amendment) 2013 and thus it is not considered necessary to impose such a condition.

5.3.3 Due to the positioning of the dwelling, height of boundary treatments and the design and positioning of windows, there is no concern of any unacceptable overlooking between the proposed dwelling and The Beeches (to the north) despite there only being 3m between the two plots. The boundary treatment between the two plots will be a 2m high close boarded timber fence to the rear gardens to maintain privacy with a 900mm post and rail fence between the front gardens. Given the scale and position of the proposed dwelling there are no concerns of overbearing or unacceptable overshadowing on The Beeches, in line with LDP Policy EP1.

5.3.4 With regards to the impact upon the property to the west (Swn Y Coed) the proposed dwelling will be located in excess of 30m away. In addition to the separation distance, the topography is such that Swn Y Coed is at a much lower level than the proposed dwelling and is separated by the lane

and high boundary treatments. Thus, there are no concerns that the proposed development will have a detrimental impact upon the privacy of this property, in accordance with LDP Policy EP1.

5.3.5 Despite the variance in plot sizes between the proposed plot and existing neighbouring plots, there is sufficient amenity space to avoid overdevelopment and the parking areas will provide sufficient parking in order in order to comply with LDP Policies MV1 and EP1.

5.4 Drainage

5.4.1 An existing cesspit is located to the south-west of the plot. However, this is no longer intended to be used in connection with the proposed dwelling (nor the existing dwelling). Instead, details have been provided for a proposed private treatment plant and a 'drainfield' to the rear of the proposed dwelling. Additional drainage measures include the provision of permeable tarmac to the front driveway. Building Control have been consulted on the application and are satisfied that the details submitted, including percolation tests, are adequate for the development. On this basis, it is considered that adequate drainage is proposed for the development and conforms to the Welsh Government Circular 008/2018 (July 2018). A condition will, however, be imposed requiring the drainage to be implemented in accordance with the details prior to the occupation of the proposed dwelling. Furthermore, a condition will be imposed requiring a permeable surface to be laid to the front driveway/parking area and will prevent surface water run-off onto the lane. This would be secured by a planning condition to ensure surface water run-off is appropriately controlled.

5.5 Affordable Housing

5.5.1 Developments considered under LDP Policy H3 are also subject to affordable housing contributions under Policy S4. Following receipt of a viability assessment, submitted by the applicant, it was agreed that the full contribution of £29,204 would not be viable. However, a financial contribution of £6,000 was negotiated with the applicant towards affordable housing.

5.6 Response to Third Party Representations

5.6.1 As discussed under Paragraphs 5.3.1 - 5.3.4 above, it is not considered that the proposed dwelling will have an unacceptable overbearing impact upon the adjacent property (Springfield) and nor the property opposite (Swn Y Coed) to warrant refusal. The dwelling will be located at sufficient distance so as to avoid any unacceptable overlooking and no side windows are proposed in the gable facing Springfield. Any windows proposed in that gable end in the future will require planning consent. The dwelling is set back from the front building line of Springfield and set further away from side boundary than the existing large double garage/store in order to minimise the impact upon Springfield in respect of overbearing impact, overlooking or overshadowing.

5.6.2 The majority of the concerns raised relate to drainage issues. The plans originally submitted intended to use the existing cesspit that serves the existing dwelling. However, during the application process, and following comments raised by local residents, revised details were submitted proposing new drainage for the proposed dwelling. This comprises a package treatment plant (Kingspan 'Klargester Biodisc') in the rear garden, a 'drainfield' and permeable tarmac to the front driveway. Percolations tests were also submitted, carried out by GWP Property Services, which include the manufacturers specification details of the treatment plant. The Building Control officer is familiar with the site and has confirmed he is satisfied with the details submitted. Furthermore, a package treatment plant features as the second preferred option of private sewerage in the sequential approach outlined by Welsh Government Planning Circular 008/2018 (paragraphs 2.3-2.5, page 5, July 2018) after connection to a public sewer. The regulation of this falls under the remit of Building Regulations and where necessary, Natural Resources Wales. The Building Control Officer has confirmed he is satisfied with the information provided and on this basis, there is no reason to refuse planning permission.

5.7 Conclusion

5.7.1 In conclusion, the provision of a new dwelling is not considered to be harmful to the character and appearance of the area. The position of the dwelling and windows have been carefully located so as not to have a detrimental impact upon the privacy of neighbouring properties, in accordance with LDP Policies DES1 and EP1. Sufficient parking provision has been provided whilst also retaining sufficient amenity space. New drainage to serve the dwelling is proposed which will be regulated under Building Regulations. The proposal is therefore considered acceptable, subject to conditions, and recommended for approval.

5.8 Well-Being of Future Generations (Wales) Act 2015

5.8.1 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 (the WBFG Act). In reaching this recommendation, the ways of working set out at section 5 of the WBFG Act have been taken into account and it is considered that this recommendation is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

6.0 RECOMMENDATION: APPROVE

Subject to a 106 Legal Agreement requiring the following:

Financial contribution of £6,000 towards affordable housing.

S106 Heads of Terms

If the S106 Agreement is not signed within 6 months of the Planning Committee's resolution then delegated powers be granted to officers to refuse the application.

Conditions:

1. This development shall be begun within 5 years from the date of this permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development shall be carried out in accordance with the list of approved plans set out in the table below.

REASON: To ensure the development is carried out in accordance with the approved drawings, for the avoidance of doubt.

3. Samples of the proposed external finishes shall be agreed with the Local Planning Authority in writing before works commence and the development shall be carried out in accordance with those agreed finishes which shall remain in situ in perpetuity unless otherwise approved in writing by the Local Planning Authority. The samples shall be presented on site for the agreement of the Local Planning Authority and those approved shall be retained on site for the duration of the construction works.

REASON: To ensure a satisfactory form of development takes place and to ensure compliance with LDP Policy DES1.

4. Prior to occupation of the dwelling hereby approved, the works for disposal of foul and surface water drainage shall be provided in accordance with the approved plans.

REASON: The foul sewer system is considered to have inadequate capacity to accommodate the surface water run-off anticipated from the development.

5. Notwithstanding the provisions of Article 3, Schedule 2, Part 2 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 gates, fences, walls or other means of enclosure (other than any expressly authorised by this permission) shall be erected or constructed within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a road.

REASON: In the interests of visual amenity and to safeguard the appearance of the area and to ensure compliance with LDP Policy DES1.

6. Before the dwelling hereby approved is first occupied provision shall be made within the site for the parking or garaging of a minimum of three cars. A minimum of three car parking or garage spaces shall be retained thereafter.

REASON: To ensure provision is made for the parking of vehicles in accordance with LDP Policy MV1.

7. Works shall be carried out in accordance with the mitigation described in Section 8 Recommendations of the submitted report The Beeches, Wainfield Lane. Bat Survey Issue 1, Version A. Produced by BE Ecological Ltd., dated June 2018.

REASON: To safeguard species protected under the Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended) and in accordance with LDP Policy NE1.

8. Notwithstanding the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) additional lighting on the any elevation of the building or within the building curtilage shall be low level (<2.4m) PIR lighting only which does not illuminate roost features and allows dark corridors for bats.

REASON: To safeguard roosts, foraging and commuting routes in accordance with Environment (Wales) Act 2016 and Conservation of Habitats and Species Regulations 2017 and in accordance with LDP Policy NE1.

9. The proposed driveway and parking areas shall be constructed using permeable materials. No surface water shall be permitted to drain from the site onto the adjoining highway or into the highway drainage system.

REASON: To ensure no surface water drains onto the highway and to ensure compliance with LDP Policy MV1.

Informatives

1. It should be brought to the attention of the applicant that in the event of a new or altered vehicular access being formed, the requirements of Section 184 of the Highways Act 1980 must be acknowledged and satisfied. In this respect the applicant shall apply for permission pursuant to Section 184 of the Highways Act 1980 prior to commencement of access works via MCC Highways.
2. The developer is advised to contact Natural Resources Wales (NRW) regarding the regulation of the package treatment plant method of drainage disposal.