

SECTION A – MATTERS FOR DECISION

Planning Applications Recommended For Refusal

<u>APPLICATION NO:</u> P2014/1064	<u>DATE:</u> 24/07/2015
PROPOSAL:	Residential Dwelling (Outline with all matters reserved).
LOCATION:	Plot Adjacent To Penrhiw, Woodbine Cottages, Melin Court, Neath SA11 4BA
APPLICANT:	Mr Ken Thomas
TYPE:	Outline
WARD:	Resolven

Background Information:

This application is being reported to Committee at the request of Councillor Des Davies in order that the highway and pedestrian issues can be further discussed.

Planning History:

The site has no relevant planning history.

Publicity and Responses:

Clyne Community Council: Reply received which is summarised as follows:

“The access to the proposed development is proposed by a restricted access, we suggest that appropriate conditions are attached to ensure road safety.

The local character and heritage of the area needs to be preserved and they do not want any development that will negatively impact on tourist potential. They have suggested constructing the property in traditional stone, in keeping with Penrhiw House circa 1841 and 1861.”

The Coal Authority: No objections

Head of Engineering and Transport (Drainage): No objections

Head of Engineering and Transport (Highways): Objection

Biodiversity Unit: No objection

Following notification of 2 adjacent residents and the display of a site notice, one neighbouring property has objected to the proposed development, on grounds relating to the potential overlooking of their rear garden and overlooking directly into their living area. Further issues were raised with regard to land values and the potential scenario whereby the neighbours will be forced to move away from the area.

Description of Site and its Surroundings:

The application site is located within the Neath Valley community of Melincourt. The plot has an overall area of approximately 0.065 hectares and is land within the curtilage of the donor property, Penrhiw House. The site fronts onto B4434 an adopted classified highway.

The land currently acts as a lawned garden area serving the applicants house and is elevated above the highway. Vehicular access to the site is via an access lane off the B4434 to off street parking located to the rear of the existing property. This lane currently serves six residential properties.

Brief description of proposal:

This application is made in Outline with all matters reserved for a single dwellinghouse.

The development parameters have been defined as follows: -

Maximum height: 8m
Minimum height: 8m
Maximum width: 10m
Minimum width: 9m
Maximum depth: 14m
Minimum depth: 10m

Vehicular parking is proposed to the rear of the plot.

Material Considerations:

The material issues relating to development on the site include the impact on visual and residential amenity as well as that on highway and pedestrian safety.

Policy Context:

Neath Port Talbot Unitary Development Plan

Policy GC1	New buildings/structures and changes of use
Policy H3	Infill and windfall development
Policy ENV17	Design
Policy T1	Location, layout and accessibility of new proposals

Technical Advice Note 18 Transport.

Principle of Residential Development

The site lies within the defined settlement limits for the area, as set out within the Neath Port Talbot Unitary Development Plan, wherein Policy H3 allows for infill and windfall development, subject to certain criteria.

The principle of residential development is therefore considered acceptable, subject to the following assessment of the detailed impacts of the proposals against Policies within the development Plan.

Visual Amenity:

The application is made in outline with all matters reserved and accordingly there are no formal details on the appearance of the development available. However the size of the site and indicative layout identifies that a building pattern in keeping with the adjacent properties can easily be achieved through a subsequent reserved matters application.

If constructed to its maximum height parameter of 8m (ridge 54.60AOD) the dwelling would be 1.3m higher than Penrhiw Cottage and 0.1m higher than No. 5. It is nevertheless considered that, subject to careful attention to detail within any subsequent reserved matters application, including eaves heights, roof form and materials, that a design of appropriate scale and form could be designed which would not look out of place within the streetscene. Accordingly it is concluded that there would not be any unacceptable impact on visual amenity or local character.

Residential Amenity:

The parameters of the development set out the scope of the proposal, and limit any future reserved matters to these limitations. Although in indicative layout form, the submissions indicate that separation distances of 2.5m between side elevations of Number 5 and almost 4m between the donor property could be achieved. These distances are considered acceptable and will reduce the properties ability to have any overbearing impact, with final control over such impacts to be considered at reserved matters stage. In this regard, it is noted that the indicative site plan has been mindful to position the property in such a way that no part of the property will cut a 45 degree angle taken from the centre of the nearest habitable room of the neighbouring property (Number 5). This 45 angle if maintained would ensure there is not an unacceptable level of over overshadowing or overbearing impact on the neighbouring dwellings' habitable rooms.

The design of the dwelling, including the location of windows would be considered in detail under any subsequent reserved matters application. However it is considered that the principle of development on this site, limited to the parameters defined can accommodate a dwelling of this size on site without detrimentally impacting on the amenity of the existing residents.

Highway Safety (e.g. Parking and Access):

The application site is located at a higher level than the adjacent B4434 classified road, and can only be accessed via the use of the existing vehicular access which already serves 6 dwellings.

The Head of Engineering and Transport (Highways) objects to the proposal on highway and pedestrian safety grounds. In this respect it is noted that the existing (proposed) vehicular access has inadequate visibility in both directions, with currently limited or no visibility from either the left or the right when exiting the site. In order to comply with Technical Advice Note 18: Transport, the visibility required for any access onto a classified road such as the B4434 is as follows:

- (a) 2.4 metres by 90 metres
- (b) Where the road traffic speed is known (i.e. speed camera survey) this can be reduced to 2.4 metres by 70 metres, and in exceptional circumstances the visibility could be considered to be reduced down to 2.0 metres x 70 metres.

The existing access, however, does not achieve any of these requirements.

Although for a single additional dwelling, nevertheless the proposal would generate additional traffic flow which will lead to the increased likelihood of vehicle conflict due to the increased number of vehicles entering/exiting the access. Accordingly, it is strictly necessary to prevent further development from using this access, since any increase in vehicular movement would be detrimental to the safety of both pedestrian and vehicle users and to the safe and free flow of traffic along the B4434 classified road.

While it may be possible to undertake engineering works to achieve the desired visibility splays, only land to the northeast of the access is in the control of the applicant while in any event works to this land (forming the frontage to Penrhiw Cottage) would be extremely likely to have an adverse impact on the character and appearance of the streetscene as they will involve extensive alterations to the front of the plots which could potentially unacceptably alter the character and appearance of the area and therefore in turn create a new and extremely valid reason for a refusal recommendation.

Having regard to the above, it is concluded that the intensification in use of an existing substandard access onto the classified B4434 road would be detrimental to the safety of both pedestrian and vehicle users and to the safe and free flow of traffic

Drainage

The Head of Engineering and Transport (Drainage) section offer no objection subject to the imposition of suitable conditions.

Coal Mining

The land is situated in area designated as high risk in terms of coal mining. The applicant subsequently submitted a Coal Mining Risk Assessment to assess the suitability of the land for development bearing in mind its risk designation. The Coal Mining Authority is now satisfied after a number of revisions that there would be no risk posed by developing the site and offer no objections to the proposal.

Objections

Two letters have been received with regard to this application. The letters consisted of a detailed response from the Community Council and an objection from a neighbouring property.

The Community Council did not raise any objections, they did however provide three recommendations. The first was concerned with access and suggested that conditions be attached to ensure road safety is maintained. The second stressed the need to retain the character and heritage of the area when it comes to designing the dwelling and offered advice on use of materials and some brief history facts. Finally they outlined that in their opinion they did not want any development that could potentially detract from the natural heritage and negatively impact on tourist potential. While highway matters have been raised in the report in detail, it is noted that the detailed design for the dwelling would need to have regard to the local context described by the Community Council.

The second letter raised issues of overlooking of private space and loss of light, and these issues have been addressed within the residential amenity section of this appraisal. Further issues were raised with regard to land values and the potential scenario whereby the neighbours will be forced to move away from the area. These issues, however, are not material planning considerations and cannot be taken into account in the determination of this application.

Conclusion:

While it is possible to design a dwelling of appropriate design, scale and siting which would adequately protect local character and residential amenity, by reason of the need for the new dwelling to be accessed via an existing substandard access onto the classified B4434 road, with inadequate visibilities in both directions, it is concluded that the introduction of an additional dwelling using this access would unacceptably intensify the use of the access and lead to increased vehicle conflict, and would be detrimental to the safety of both pedestrian and vehicle users and to the safe and free flow of traffic, contrary to Policy T1 of the Neath Port Talbot Adopted Unitary Development Plan and Technical Advice Note 18 – Transport.

RECOMMENDATION: Refusal

- (1) The proposed development would result in the introduction of an additional dwelling using an existing substandard access onto the classified B4434 road, with inadequate visibilities in both directions, which would unacceptably intensify the use of the access and lead to increased vehicle conflict, detrimental to the safety of both pedestrian and vehicle users and to the safe and free flow of traffic. The proposal is therefore contrary to Policy T1 of the Neath Port Talbot Adopted Unitary Development Plan and Technical Advice Note 18 - Transport.