Dear Councillor

You are invited to attend a MEETING of the PLANNING COMMITTEE to be held in the Council Chamber, Civic Centre, Pontypool on Tuesday 15 January 2008 at 4.00 pm.

Members of the public, who have objected to a planning application, can exercise their Third Party Speaking Rights, provided they have given 2 working days notice to Democratic Services. Members of the public have the right to speak in English or Welsh; instantaneous translation facilities will be provided in Welsh as long as this is requested at the time of notifying Democratic Services that they wish to speak at the meeting. The applicant has the right of reply to the objector.

Yours sincerely

Rosalyn Gwynn
Assistant Democratic Services Officer
On behalf of
Alison Ward
CHIEF EXECUTIVE

To:

Councillors: John Marshall (Chair), Gwyn Coles (Vice Chair), Ron Burnett, Stuart Cameron, Ken Clark, Leonard Constance, Gwilliam Evans JP, Stuart Evans, Joyce Gregory, Nye James, Agnes MacGill, Maurice Morgan, Mervyn Reece, Sarah Richards MBE, Philip Seabourne and Kathleen Williams.

Officers: Chief Planning & Protection Officer, Head of Development Control, Team Leader (Highways and Transportation) and Chief Legal Officer and Monitoring Officer

For Information Only: All Other Members and all other Directors

For Information: Principal Democratic Services Officer (Members’ Services) and Senior Assistant to the Leader
AGENDA

1. Apologies for absence

2. Declarations of interest

3. Minutes of planning committee 11 December 2007
   To follow and will be distributed prior to the meeting

4. Planning Appeals
   1 - 3

5. Delegated Applications
   4 - 9

6. Planning Applications
   10 - 125

7. Date of the next meeting – Tuesday 19 February 2008
   -

Members are reminded to consider any possible declarations of interest and to seek advice on these before the committee meeting or site visit.

Please contact Lynda Willis on 01495-76373 or Tim James on 01495-766384 if you would like to discuss any issues.
1 Purpose of Report

1.1 To inform members of planning appeals which have been made to the Welsh Assembly Government and their subsequent determination.

2 Report

2.1 Appeals Decided

2.1.1 APPEAL BY MR K FORTEY AND MS S COURTNEY AGAINST THE REFUSAL OF PLANNING PERMISSION FOR A CHANGE OF USE OF OPEN SPACE AMENITY LAND TO DOMESTIC CURTILAGE WITH BOUNDARY ENCLOSURE AT LAND ADJACENT TO 36 TON ROAD, HOLLYBUSH, CWMBRAN.

DECISION: APPEAL DISMISSED

The original application was refused by this Council for the following reason:

“The application comprises the enclosure and use of an important area of landscaped public open space located at the prominent corner junction of Sandybrook Close and Ton Road as part of the garden curtilage of No. 36 Ton Road. The proposal would therefore result in the adverse impact upon the character and setting of the street scene, detrimental to visual and residential amenity, which would be contrary to Policies G1 (A) and L6 of the Adopted Torfaen County Borough Local Plan and paragraph 1.1 of the Council’s Policy on sale of small areas of land.

The proposal includes the erection of a combined brickwork wall and railing boundary enclosure to a height of 1.81 metres around the perimeter of the site immediately abutting the adjacent footways. It is contended the scale and size of development would result in an overbearing feature prejudicial to visual and amenity interests and contrary to policy G1A of the Local Plan.”

In dismissing the appeal the Inspector commented as follows:

“Main issues

The main issues in this case are the effect of the proposed enclosure of the land on the character and appearance of the street scene and on visual amenity.
**Reasons**

The land in question fronts Sandybrook Close and is owned by the Council. It has agreed to sell the land to the appellants subject to certain conditions and to the grant of planning permission. However, that decision does not prejudice my consideration of the planning merits of the proposal, which hinge on the proposed enclosure of the land with a brick wall and fence.

Although the Appellants describe the area of the land as poorly maintained and located and subject to antisocial use by youths, that is not supported by comments from other local residents. On the contrary, I consider the open area of land to make an important contribution to the character of the street scene. It gives an open aspect to the junction of Sandybrook Close and Ton Road, and its loss would be detrimental to the character of the area.

The Appellants argue that the land has little purpose and that adequate supply of open space is available in the nearby park. However, that argument has little relevance to the importance of an area of land where its siting on the corner of 2 roads is its main attribute. The nearby park makes little contribution to the character of the street scene at this junction.

In addition, the proposed wall would enclose a length of footpath along the rear boundaries of Nos. 1-3 Sandybrook Close, which also provides pedestrian access to several other properties. Although the proposed would be of limited height, it would reduce the open nature of the entrance to that footpath and, whilst I would not go so far as to describe it as having an overbearing impact, I consider it would significantly reduce its attractiveness as a thoroughfare, particularly at night. Thus, it would harm the visual amenity of the area.

I have taken into account all other matters raised but nothing outweighs the considerations that have led me to my main conclusions that the proposed enclosure of the land in question would unacceptably harm the character and appearance of the street scene and the visual amenity of the immediate area. This would be contrary to Local Plan policy G1. For the above reason I conclude that the appeal should be dismissed.”
Recommendation(s):

1. That the contents of the above report be noted.

<table>
<thead>
<tr>
<th>Appendices</th>
<th>None</th>
</tr>
</thead>
</table>

**Background Papers**  
Note: Members of the public are entitled, under the Local Government Act 1972, to inspect background papers to reports. The following is a list of the background papers used in the production of this report.  
None

For a copy of the background papers or for further information about this report, please telephone: Richard Lewis, Head of Development Control (Tel. 01633 648033)
PLANNING COMMITTEE
15 JANUARY 2008

DELEGATED APPLICATIONS

Report submitted by: Duncan Smith, Chief Officer Planning & Public Protection Officer
Report written by: Richard Lewis, Head of Development Control

THE FOLLOWING APPLICATIONS WERE AVAILABLE FOR CONSIDERATION BY THE CHIEF PLANNING & PUBLIC PROTECTION OFFICER, IN CONSULTATION WITH THE CHAIRMAN OF PLANNING COMMITTEE, ON 2 - 28 NOVEMBER 2007

07/P/15004(W) – Erection of a single detached residential dwelling at Land at the former Prince of Wales PH, Pontypool for Asset Management Resources Department c/o Alan Davies, Capita Symonds – APPROVAL

07/P/15097(W) – Erection of a two storey three bedroom detached dwelling at 26 Hawkes Ridge, Ty Canol, for Mr J & G Senior – REFUSAL

Reason for Refusal:-

1. The site of the proposal forms part of an enclosed grassed embankment adjacent to the communal parking courtyard adjacent to Nos. 26 & 27 Hawkes Ridge, in an established residential neighbourhood. It is considered that the erection of a new dwelling within this area would result in an unsatisfactory form of development layout poorly related to existing residential properties and would therefore impact adversely upon the character of the area prejudicial to the landscape and residential amenities of the adjacent occupiers and Tree Preservation Order No. 68. Furthermore when property allowance is made for the provision of adequate space about buildings, access and car parking with the presence of adverse difference in levels, it is too cramped and restricted for the erection of a new dwelling. The proposal would therefore conflict with Policies G1 (A, B, G, H) and S3 (A, C and D) of the approved Torfaen County Borough Local Plan and also contrary to Government Guidance Planning Policy Wales TAN 12 Design.

2. The proposed means of access to the site is via an existing communal parking courtyard at the end of the cul-de-sac Hawkes Ridge. It is considered that the development of an additional dwelling served by a restricted access arrangement would be contrary to policies G1(G) (H), G5 (A, B, D) and S3 (C) of the adopted Torfaen County Borough Local Plan in that it would result in an increased number of vehicles and pedestrians and give rise to increased traffic hazards and dangers for all classes of road users.

07/P/00012(W) – Removal of one large limb over garden area of 94 Daffodil Court (T1) and crown lift, incorporating removal of five branches overhanging garden area of 63 Daffodil Court (T2) at Rear Of 94 Daffodil Court, Ty Canol, Cwmbran for Mr GL Turner – APPROVAL
07/P/00017(W) – Proposed replacement dwelling at New Cottage, British, Pontypool for Mr D Quigley – REFUSAL

Reason for Refusal:-

1. The proposed development represents the erection of a substantial two storey dwellinghouse to replace an existing dilapidated single storey cottage situated in an area of open countryside to the west of the established urban settlement of Talywain and beyond the nucleus of The British village. It is contended that the scale and size of the proposal which is far in excess of the existing building structure, would neither preserve or enhance the character of this open countryside setting and would be detrimental to visual amenity and contrary to Policies G1(A), (B), G2(B), S7(C), (D) and Supplementary Planning Guidance (Replacement Dwellings in the Countryside) of the adopted Torfaen County Borough Local Plan.

07/P/00065(E) – Proposed change of use from shop to takeaway (ground floor) and erection of extraction flue at 87 Broad Street, Blaenavon for Mr G Karakaya – REFUSAL

Reason for Refusal:-

1. The proposed extraction/ventilation flue is a modern structure which would be installed on a traditional building in a prominent position within the Blaenavon Town Centre Conservation Area and within the setting of a listed building. The flue would be detrimental to the visual appearance of the Conservation area and the setting of the adjacent listed Chapel. The proposal is therefore contrary to Policies G1A (ii) and H1 of the Local Plan.

07/P/00218(E) – Formation of 8 new parking bays to ground level, new retaining walls and hardstanding areas for skips and improvements to roadway through site at Gwent Police Headquarters, for Kieran Mchugh c/o Mark Davies – WITHDRAWN

07/P/00231(W) – Two storey rear extension at 2 Beechleigh Close, Greenmeadow, Cwmbran for Mrs Deborah Smith – REFUSAL

Reason for Refusal:-

1. It is considered that the proposed development by virtue of its scale, location and elevated position in relation to the properties to the east (Nos. 3, 4 and 5 Beechfield Close) would have an unacceptable overbearing relationship to these properties and would be detrimental to the amenities of the occupants, contrary to Policy G1 A i) and v) of the adopted local plan.

07/P/00254(E) – Conversion of barn, stables and adjoining lean to, into 1 self contained residential unit at Lasgarn Farm, Trevethin, Pontypool for Mr T Davies – APPROVAL

07/P/00266(W) – Refurbishment, extension and change of use to Exhibition area, business start up area and education and training area at The Corn Bin, Stanley Road, Garndiffaith for Mr A Morgan - APPROVAL
07/P/00300(E) – Enveloping works at 87-89 Broad Street and 2 Cross Street, Blaenavon for Torfaen County Borough Council – APPROVAL

07/P/00307(E) – Retain temporary office accommodation for 12-24 months at Unit 5, Gilchrist Thomas Industrial Estate, Blaenavon for Abergavenny Fine Foods Ltd – APPROVAL

07/P/00316(E) – Erection of a conservatory at 2 Oak View, Blaenavon for Mr Williams – APPROVAL

07/P/00317(E) – Change of use from joinery workshop to warehouse at Unit 16, Abersychan Industrial Estate, Abersychan, Pontypool for Mr D Pearson – APPROVAL

07/P/00327(W) – Single storey side extension for garage with attic room and two storey rear extension at 24 Daffodil Court, Ty Canol, Cwmbran for Mr & Mrs G Hawksworth – REFUSAL

Reason for Refusal:-

1. The proposed extension, by reason of its size and relationship with the adjacent dwellings, will result in loss of privacy to the occupier of No. 11 Daffodil Court, by reason of overlooking, and will have an overbearing impact on the occupier of the adjoining dwelling, No. 25 Daffodil Court, by reason of the length of the two storey blank elevation adjacent to the boundary, to the detriment of their residential amenities. This proposal is therefore considered to be overdevelopment of this site resulting in an adverse impact on the residential amenities of the occupiers of the neighbouring dwellings contrary to Policy G1A (i) & (v) of the Adopted Torfaen Local Plan.

07/P/00328(W) – Installation of four antennas at a height of approx 17m at South Wales Fire and Rescue, Communications Mast, Penryheol, Torfaen - APPROVAL

07/P/00334(E) – Two storey rear residential extension at Clovermead, 83 Usk Road, Pontypool for Mr G Sanford – APPROVAL

07/P/00336(W) – Two storey extension at 50 Heather Court, Ty Canol, Cwmbran for Mr M Eckley – APPROVAL

07/P/00338(E) – Single storey extension to rear at 1 Plas Cwrt, Oakfield, Cwmbran for Mr and Mrs R Shottle – APPROVAL

07/P/00346(E) – Erection of sun lounge at 124 Golf Road, New Inn, Pontypool for Mr T Yates – APPROVAL

07/P/00347(W) – New car parking spaces (23 no) including landscaping, railings, floor markings etc at Lower Ground Floor, Glyndwr Car Park, Cwmbran for PRUPIM Managers Ltd – APPROVAL

07/P/00348(W) – Single storey extension at side of existing house at Nant Ddu Farm, Pentrepond, Pontnewynydd, Pontypool for Mr A Loveday – APPROVAL
07/P/00349(W) – Single storey rear extension at 55 Hawthorn Road, Sebastopol, Pontypool for Rob Harris and Sue Gillard - **APPROVAL**

07/P/00353(W) – One residential dwelling at 89 Picton Road, Abersychan, Pontypool for Mr W J Butt – **REFUSAL**

**Reason(s) for Refusal:**

1. The erection of a dwelling on this site will by reason of its relationship with the rear of properties at Manor Road, result in a cramped and un-coordinated form of development on a restricted garden area that would be detrimental to the residential amenities of the occupiers of these properties causing potential overshadowment and overbearing affect. It is considered this proposal would be out of character with the existing settlement pattern, not taking into account the adverse difference in levels and adequate distance and space about buildings. The development is therefore contrary to Policy G1 (A) and S3 (A) of the adopted Torfaen Local Plan.

2. The proposed means of access to the site from the adopted highway, Picton Road is via a private unmade forecourt area which serves other garage buildings and is for the most part badly aligned, without adopted standard vehicle manoeuvring area. It is contended that the perpetuation of a substandard, uncoordinated access arrangement is completely inadequate to serve as a primary means of access to facilitate new additional residential development, which could lead to increased traffic hazards and dangers at this point for all classes of road users contrary to policies G1 (G and H), G5 (A, B and E) and S3 (C) of the approved Torfaen County Borough Local Plan as well as Government Guidance PP Wales TAN 18 (Transportation).

07/P/00355(E) – Change of use of office to a professional tutoring centre (D1 use) education consultancy at Unit 14, Coed Arian House, Oldbury Road, Cwmbran for Mr Bard – **APPROVAL**

07/P/00361(E) – Retention of existing garage and conservatory as built at Fairview 180a, The Highway, New Inn, Pontypool for Mr B Roberts – **APPROVAL**

07/P/00362(W) – Construction of 4 x 4m conservatory, 600mm high trellis extension to perimeter wall, construction of utility room, erection of garden shed, installation of second mini satellite dish, construction of low wall and hard landscape front lawn to provide off road parking at 29 Birch Grove, Henllys, Cwmbran for Mr and Mrs Leung – **APPROVAL**

07/P/00365(W) – Two storey side extension at 6 Crown Close, Pontnewydd, Cwmbran for Mr Robert Kemp – **REFUSAL**

07/P/00368(E) – Bedroom/shower extension at 46, Ty Mynydd, Cwmbran for Mrs D Whitlock - **APPROVAL**

07/P/00369(W) – Bridge for disabled access, from main entrance to club car park at Pontnewydd Constitutional Club, 9 Lowlands Road, Pontnewydd, Cwmbran for Pontnewydd Constitutional Club - **APPROVAL**
07/P/00370(E) – Single storey extension at rear at Glenthorne, Hospital Road, Pontnewynydd, Pontypool for Mr G Allford – APPROVAL

07/P/00373(E) – Proposed cloakroom and porch to provide ground floor toilet facilities at Life Style Express, Woodland Street, Blaenavon for Mr B Patel – APPROVAL

07/P/00374(W) – Removal of existing single storey extension and erection of two storey rear extension at 20 Bushy Park, Wainfelin, Pontypool for Mr D J Parry – REFUSAL

Reason for Refusal:

1. The proposed development, by reason of its scale, location and orientation in relation to the adjacent property will have an unacceptable adverse impact on the amenities of the occupants of that property, resulting in loss of light and overbearing impact, contrary to Policy G1(A) of the adopted Torfaen Local Plan.

07/P/00375(W) – Borehole for domestic water supply to replace shared, unreliable well at Pensarn Cottage, Henllys, Cwmbran for Mr M Rose – APPROVAL

07/P/00378(W) – Garage, porch and bay window roof alteration at 39 Clark Avenue, Pontnewydd, Cwmbran for Mr A Tovey - APPROVAL

07/P/00380(E) – Single storey bedroom extension on east side of existing house at 66 Usk Road, Pontypool for Diane Richards c/o Mr Owen – APPROVAL

07/P/00381(E) – Staircase and small balcony to rear of property providing secondary access to first floor flat at Dahlia Cottage, Caerleon Road, Ponthir for Alice Sutton – REFUSAL

Reason for Refusal:

1. It is considered that the proposal would have a detrimental impact upon the amenities of the adjoining occupier primarily through overlooking and is therefore contrary to Torfaen Local Plan Policy G1, Part A (v).

07/P/00382(W) – Single storey rear extension at 72 Trinity Road, Pontnewydd, Cwmbran for Mr Beecham - APPROVAL

07/P/00383(W) – Remove existing garage and rebuild with a larger garage at 28 Penywain Street, Wainfelin, Pontypool for Mr Nathan Jones and Miss Zoe Price – APPROVAL

07/P/00387(W) – Amended siting of lockable storage container at Ysgol Gymraeg, Greenmeadow Way, Cwmbran for Governors of Ysgol Gymraeg - APPROVAL

07/P/00389(W) – Amendment of approval 06/P/14173(W) to include 2no. dormer windows in place of front and rear elevations at Pencoed House, Upper Cwmbran, Cwmbran for Mrs Pengelly – APPROVAL

07/P/00394(W) – Conversion of garage to utility room and study at 8 Dorallt Close, Henllys, Cwmbran for Mr C Loder c/o David Kinnafick Architect – APPROVAL
07/P/00399(E) – Two storey front elevation extension, plus single storey side extension at Willow Tree House, Caerleon Road for Mr Kershaw-Naylor c/o Dean Hunt – APPROVAL

07/P/00400(W) – Proposed storm porch and replacement garage at 47 Trem Twyn Barlwm, Two Locks, Cwmbran for Mr & Mrs Baker c/o K W Dorrington – APPROVAL

07/P/00414(W) – Cut out wall to create a new opening (insert new lintel) and erection of conservatory at 5 Heath Court, Ty Canol, Cwmbran for Mr & Mrs Hobby c/o Greenway Products – CERTIFICATE OF LAWFULNESS BE GRANTED

Recommendation(s):

1. That the contents of the above report be noted.

Appendices

None

<table>
<thead>
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<th>Background Papers</th>
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For a copy of the background papers or for further information about this report, please telephone: Richard Lewis, Head of Development Control (Tel. 01633 648033)
AGENDA ITEM NO. 6
PLANNING COMMITTEE
15 JANUARY 2008

PLANNING APPLICATIONS

Report submitted by:  Duncan Smith, Chief Planning & Public Protection Officer
Report written by:  Richard Lewis, Head of Development Control

1  Purpose of Report

1.1  To present details of and recommendations on, planning applications which this Committee has powers to determine.

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<td>Construction of a detached dwelling at Land at, The Mews, Caerleon Road, Ponthir</td>
<td>Llanyrafon South</td>
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<td>Change of use of land for take away van 17.30pm till 23.00pm at Ironspray Ltd, Ty Coch Way, Cwmbran</td>
<td>Llantarnam</td>
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<td>Llantarnam</td>
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<td>07/P/00105(E)</td>
<td>Covered dog run including kennel at 2 Varteg Terrace, Cwmavon, Pontypool</td>
<td>Abersychan</td>
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<td>Abersychan</td>
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<td>07/P/00312(E)</td>
<td>Amendment to application 01/P/04984, to retain front porch and pitched roof over existing garage, amended roof design of single storey extension and insertion of roof lights at 25, Cardigan Crescent, Croesyceliog</td>
<td>Croesyceliog North</td>
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<td>Proposed four bedroom detached house with detached double garage at Land at the rear of Glen Ivor, Kears Row, Varteg, Pontypool</td>
<td>Abersychan</td>
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<td>07/P/00379(E)</td>
<td>Change of use of domestic garage to hairdressing studio (retrospective) at Cherryoak, The Highway, Croesyceiliog</td>
<td>Croesyceiliog South</td>
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<td>07/P/00416(W)</td>
<td>Two storey extension to side elevation at 4, Littledene, Greenmeadow, Cwmbran</td>
<td>Greenmeadow</td>
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<td>Erection of close boarded fence at Hafren, Open Hearth Close, Griffithstown</td>
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<td>Timber constructed smoking shelter (pre-fabricated) at Rising Sun, Cwmavon Road, Abersychan</td>
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<tr>
<td>07/P/00477(E)</td>
<td>Front extension and porch at 26, Radnor Way, Cwmbran</td>
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<tr>
<td>07/P/00491(W)</td>
<td>Erection of a summerhouse in the rear garden measuring 3m X 1.8, 2.4m high at Kensford, Park View, Pontypool</td>
<td>Pontypool</td>
<td>Approve with Conditions</td>
<td></td>
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</tbody>
</table>
Recommendation(s):

1. That the contents of the above report be noted.

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For a copy of the background papers or for further information about this report, please telephone: Richard Lewis, Head of Development Control (Tel. 01633 648033)
PROPOSAL: Construction of a detached dwelling

LOCATION: Land at, The Mews, Caerleon Road, Ponthir, Newport, NP181PN

APPLICATION TYPE: Outline Planning

APPLICANT: Mr & Mrs T Adams The Mews, Caerleon Road, Ponthir, Newport, NP181PN

AGENT: Mrs L Hernon, Hernon Associates The Old Shop, Kingcoed, Usk, Monmouthshire, NP15 1DS

REPORT

SITE HISTORY

07/P/14929(E) Proposed dormer windows to existing roof and provide new roof with dormers over garage/kitchen Approved 17/08/07

BACKGROUND

Permission was granted to extend the living accommodation of the existing property into the roof space in April 2007. The application relates to a section of the garden of that property.

LOCATION AND DESCRIPTION OF SITE

The Mews Caerleon Road is a detached residential property within a substantial flat plot. The property is L-shaped facing into the site / garden with the garage forming the return directly adjacent to the main road. The property is substantially south-east facing. The property was originally single storey but recent refurbishment works have extended accommodation into the attic. The garden of the property is a flat grassed area with a number of mature shrubs.

PROPOSED DEVELOPMENT

Outline permission is sought for the development of this site for one dwelling. Matters to be considered at this stage include layout (siting) and access, with all other matters to be considered at a later stage.

The site measures approximately 720 square metres. The proposed dwelling would have a footprint of 8.5 x 10 metres (maximum) and would include an internal garage. The dwelling would be set back in the plot, resulting in a front garden measuring...
approximately 6 metres in length and a rear garden measuring between approximately 9 (minimum) and 16 (maximum) metres.

The plot would share the existing vehicular access off Caerleon Road with The Mews which would be widened. Parking provision for three vehicles within the site would be provided – one within the internal garage and two within the front garden. A vehicular turning area would also be located within the front garden. A vehicular turning facility and a level of car parking, in line with South Wales Parking Guidelines, would also be retained within grounds of The Mews.

POLICY CONTEXT

The site of the proposal is situated within the urban boundary of the adopted Torfaen County Borough Local Plan but not in an area designated for any specific proposals. Nevertheless general policy G1 will be of particular relevance in the consideration of the proposals as far as design, appearance, space about buildings and impact upon neighbouring properties are concerned.

The Welsh National Assembly’s Planning Policy - Paragraph 2.9 emphasises the importance of design, supplemented by TAN 12. The appearance of the proposed development, its scale and its relationship to its surroundings are material considerations.

Policy G5, as relates to access arrangements and parking provision is also considered applicable.

Policy S3 relates to residential development within the Urban Boundary. In particular this requires proposals to respect the existing character of the area, can be accessed safely and provides an adequate level of off road parking.

CONSULTATIONS

HIGHWAYS:

“There is sufficient parking and turning space for the new dwelling and the existing dwelling.

The drawing is now to scale and the red line area of the application has been amended to include the existing property ‘The Mews’. I have previously requested that the turning area for the existing dwelling be demarcated with flush kerbs, to ensure it remains available for use by that property, should either plot be sold. The plan does not indicate this, however providing it is conditioned as part of any consent then I would not oppose the application from a highway standpoint, I however would wish to see the following conditions attached to any grant of approval:-

1. The required visibility splays for the access shall be a minimum of 2.4 metres x 90 metres to the right from the centre line of the access and 2.4 metres x 90 metres to the centre line of the opposite carriageway to the left from the centre line of the access.
2. Any wall/fence within the visibility splay must not exceed 0.9 metres in height above the existing carriageway level and any planting within the visibility splay must not exceed 0.6 metres above the existing carriageway level prior to the beneficial occupation of the dwelling.

3. A turning facility and parking provision in accordance with the South Wales Counties Parking Guidelines shall be provided within the curtilage of the site, for the new dwelling and also the existing dwelling ‘The Mews’.

4. The turning area for the existing dwelling must be demarcated with flush kerbs

5. If gates are to provided they must be inwardly opening and set back a minimum distance of 5 metres from the back of the footway,

6. No surface water from the site shall drain onto the highway or into highway drainage.

I would also wish to see the following Grampian condition attached to any grant of approval:-

Prior to commencement of works on site, the existing vehicular footway crossing must be extended and constructed to a highway specification agreed by an Officer from the Highways Development Control Section, Operational Services, County Hall, Cwmbran NP44 2WN (Tel. 01633 648395)."

WALES AND WEST: No objection raised.

PONTHIR COMMUNITY COUNCIL:

“Concern about extra traffic on a very busy road. Entering and leaving could be become a local traffic hazard. Area is already congested, future of these need protection.”

WELSH WATER:

“We would request that of you are minded to grant Planning consent for the above development that the Conditions and Advisory Notes listed below are included within the consent to ensure no detriment to existing residents or the environment and Dwr Cymru Welsh Water’s assets.”

**SEWERAGE**

**Conditions**

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

Reason: To protect the integrity of the Public Sewerage System.
No Surface water shall be allowed to connect (either directly or indirectly) to the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.

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

Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment.”

WESTERN POWER: No objections raised.

PUBLICITY

SITE NOTICE: Posted 15 March 2007

NEIGHBOUR CONSULTATIONS: 19 Moyle Grove, Rothery, Caerleon Road. 100, 96, Candwr Park, 12 Hafod Close

REPRESENTATIONS RECEIVED

Two neighbours who live in properties immediately to the rear of the site have written with concerns regarding the proposals. Both consider that if a high boundary hedge between the application site and their property were removed there would be an adverse impact upon their privacy.

ASSESSMENT AND CONCLUSION

The two matters to be considered as part of this application are access and siting / layout.

Access

In terms of vehicular access the Authority’s Highways Officers are satisfied that satisfactory visibility splays can be achieved when exiting the site onto Caerleon Road. They are also satisfied that the proposal would include a sufficient level of parking and vehicle turning facilities for both the existing and proposed dwellings.

Siting / Layout

This section of Caerleon Road includes a mixture of dwelling types, footprints and sizes and there is a varied building line. Therefore the proposed footprint and siting of the dwelling is acceptable. The proposal includes an adequate level of private amenity space for both the existing and proposed dwellings.
The potential for overlooking of existing properties either side of the plot on Caerleon Road can be addressed at the detailed design stage through an appropriate window arrangement on the side elevations of the new dwelling.

Neighbours to the rear have raised concerns regarding potential overlooking of their garden if the rear boundary hedge of the plot were removed. The submitted plans show the hedge to be retained and in any event landscaping would be considered at a later stage. Also, the dwelling would be located between approximately 9 (minimum) and 16 (maximum) metres from this rear boundary which is considered to be satisfactory. It is also worth noting that these distances are similar to the existing relationships between other dwellings in this vicinity.

In view of the above, the proposal is considered to be in accordance with the policies of the Local Plan. It is therefore recommended consent be granted.

IT IS RECOMMENDED: Approve subject to Conditions

1. This consent shall not permit the house design illustrated in drawing 1838-01 submitted to the Local Planning Authority on 21 February 2007 which shall be for indicative purposes only.

   REASON: The application is in outline only and further details are resolved for further consideration and approval.

2. Prior to the beneficial occupation of the proposed dwelling, parking facilities for both the existing and new dwellings shall be provided within the curtilage of the site layout in accordance with drawing No. 1838-02 and retained in perpetuity, otherwise agreed in writing with the Local Planning Authority.

   REASON: In the interests of highway safety.

3. Approval of the details of the design and external appearance of the building and the landscaping of the site (thereinafter called the reserved matters) shall be obtained from the Local Planning Authority, in writing, before any development is commenced.

   REASON: The application is in outline only and the details are reserved for subsequent approval.

4. Plans and particular of the reserved matters relating to the design and external appearance of the buildings to be erected and the landscaping of the site shall be submitted, in writing, to the Local Planning Authority and shall be carried out as approved.

   REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

5. Visibility splays shall be provided of 2.4 metres x 90 metres to the right from the centre line of the access and 2.4 metres x 90 metres to the centre line of the opposite carriageway to the left from the centre line of the access.
Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order, with or without modification) no fences, gates, walls, hedges or other obstruction exceeding 900mm high above the level of the adjoining carriageway shall be erected, placed or allowed to grow within these splays.

REASON: In the interests of highway safety.

6. Prior to commencement of works on site, details of a scheme to extend the existing vehicular footway crossing shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the works should be undertaken in accordance with the agreed details and completed prior to the beneficial occupation of the dwelling hereby approved.

Reason: in the interests of highway safety.

7. The proposed development is to be carried out and completed in accordance with the application as amended by the plan(s) received on 14 December 2007, Drawing No(s). 1838-02 Rev C.

REASON: To ensure compliance with the approved plan.

8. The reserved matters referred to in this decision notice shall be submitted for approval not later than the expiration of three years beginning with the date of the grant of outline planning permission and the development to which the permission relates must be begun not later than whichever is the later of the following dates:

   (i) The expiration of five years from the date of the grant of outline planning permission; or

   (ii) The expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

REASON: To comply with the requirements of Section 92, Town and Country Planning Act 1990.

9. Detailed plans showing the layout of the site, siting of all buildings and the proposed foul and surface water drainage arrangements to serve the development hereby permitted shall be submitted for the consideration and approval of the Local Planning Authority.

REASON: The application is in outline only and further details are reserved for further consideration and approval.

Note(s) to Applicant

1. If a connection is required to the public sewerage system, the
The developer is advised to contact Dwr Cymru Welsh Water’s Network Development Consultants on Tel: 01443 331155.

2. Any works carried out within the highway must be completed by an approved term contractor who is licensed to work in the highway and carries public liability insurance. The approved term contractors are:
   - DT Civils Ltd, Westgate Yard, Llanfoist, Abergavenny NP7 9LH (Tel. 01873 859025);
   - Operational Services Department, Torfaen County Borough Council, Central Depot, Panteg Way, New Inn, Pontypool (Tel 01495 766816);
   - Galboola Ltd 23, Blenheim Road, St Dials, Cwmbran NP44 4NA (Tel. 01633 862853);
   - A.J.Quinn Building Contractors Ltd, Storage Warehouse, Railway Terrace, Sebastopol, Pontypool, Torfaen NP4 5EJ Tel/fax 01495 785198
   - Lee North and Chris Palfrey, Masterpave Paving Solutions 9 The Walk, New Inn, Pontypool, Torfaen NP4 OPU TEL. 01495 757259 - MOBILES 07717 061418 AND 077726 93662

   Also when the applicant proposes to proceed with the work on the footway crossing, 7 days notification of commencement should be given to an Officer from the Highways Development Control Section, Operational Services Department, County Hall, Cwmbran Tel. 01633 648395. It is essential that the appropriate notification of commencement is given. Failure to do so could make the applicant liable for any costs involved in exposing covered up work.

3. The developers are to ensure that any existing public services which pass through the site are not interfered with or damaged and any diversions or alterations to such services must be carried out in agreement with the responsible Authorities before such work commences.

4. The Development Plan covering Torfaen County Borough is the Gwent Structure Plan and Torfaen Local Plan. The following policies were relevant to the consideration of this application:

   a) Torfaen Local Plan, Policies G1, S3 and G5
DATE OF COMMITTEE: 15-Jan-2008

APPLICATION NO. 07/P/14991(W) RECEIVED: 23-Feb-2007

PROPOSAL: Change of use of land for take away van 17.30pm till 23.00pm

LOCATION: Ironspray Ltd, Ty Coch Way, Cwmbran, NP44 7HB

APPLICATION TYPE: Full Planning

APPLICANT: Mr Feredun Yavuzel 20, Croeswen, Oakfield, Cwmbran, NP443DS

AGENT:

REPORT

SITE HISTORY

04/P/10587 Siting of hot food takeaway kebab Temporary Consent 07/01/05 van

BACKGROUND

The casual or temporary parking of a mobile hot food vehicle, whether it be in a street, a main road lay-by or on other land is not likely to be deemed a material change of use. Neither is the stationing of a wheeled vehicle or caravan operational development. However, the regular parking of such a vehicle for long periods may create a material change in the use of the land on which it is stationed. Even if a vehicle is moved onto a site only during daily trading hours, breach of the 28 days permitted development rights under Class IV of the Town and Country Planning (General Development Order) is likely. A Scottish Local Planning Authority rejected a mobile snack van on an industrial estate because it would cause a road safety hazard, lead to indiscriminate clutter of parked vehicles and visually incongruous.

There were a number of issues that arose from the assessment of the previous application identified above in the site history. These related to the impacts on residential amenity, litter and rats and issues of road safety.

The first issue was that of residential amenity. The nearest residential accommodation to this site is within 40m of this proposal and objections to this application were received from local residents. These objections related to noise, litter, health and safety and the presence of rats.

The second issue was that of safety and noise associated with cars parking along Llandowlais Street. The trailer was sited adjacent to the highway separated by the shoulder and a grassed area. However, the applicant’s trailer was to be sited in a
car park off the main road, accessed by a lane which runs off Llandowlais Street and the Highways Authority did not object to the application as long as the trailer is operated outside working hours for this industrial estate.

In general the objections against the scheme were not overwhelming enough to warrant a refusal. Accordingly it was decided that the application be granted a temporary consent to enable the Local Planning Authority to monitor any implications. That consent expired 17 December 2005. Planning enforcement enquiries have been made in respect of unlawful occupation at the site and exceeding the permitted hours of operation, previously imposed in the temporary approval.

LOCATION AND DESCRIPTION OF SITE

The site of the application comprises part of the car park and vehicle manoeuvring area associated with the adjacent industrial premises which are located at the roundabout junction with Ty Coch Way and Llandowlais Street. It is also situated opposite the junction which provides access to Chapman House, Territorial Army base and Hill Street Industrial Estate. To the east between this junction and the road bridge over the Cwmbran Drive are mixed commercial and residential properties around Tranquil Place including an established hot food takeaway. Continuous roadside traffic restrictions are in existence along both sides of the highway.

PROPOSED DEVELOPMENT

The proposal comprises the retention of a mobile catering trailer measuring 3.1 metres x 2.5 m x 1.9m located in the north east corner of the car park. A 5 metre wide landscaped open space strip exists between the car park and footway of Llandowlais Street. Although the applicant is different to that previously granted temporary consent the intention is to continue the similar operating arrangements i.e. 17.30 hours until 23.00 hours and the removal of the trailer during non daytime trading hours.

POLICY CONTEXT

NATIONAL GUIDANCE: Planning Policy Wales, paragraphs 7.6.2, 7.6.3 and Chapter 13 advises Local Planning Authorities that policies should have regard to the impact of commercial development upon the environment and residential amenity of an area.

Technical Advice Note (Wales) 18 (Transport) para 10. Annexe B, C and D advises Local Planning Authorities to provide adequate highway infrastructure and design criteria to ensure that a development does not prejudice highway safety.

Technical Advice Note 4 Retailing and Town centres and in particular paragraph 10 is relevant to the proposal. Technical Advice Note 4 states “change of use can create new concentrations of single uses such as restaurants and takeaway food outlets, where the cumulative effects can cause local problems. Such proposals should be assessed against development plan polices, on their contribution to
diversification and on the cumulative effects on matters, such as parking and local residential amenity.”

CIRCULARS: Welsh Office Circular 33/95 (The use of conditions in planning permission) would of relevance should the application be favourably determined.

GWENT STRUCTURE PLAN: Policy SH4 recognises local shopping facilities as a key element in the support of local community. There is a defined hierarchy and provision in a local centre should not be out of scale with the locality.

TORFAEN LOCAL PLAN: The application site is located within the urban boundary of the adopted Torfaen County Borough Council Local Plan, but not in an area designated for any specific proposals. Nevertheless, general Policy G1 will be particularly relevant in the consideration of these proposals in terms of its impact upon residential amenity and general character of an area. Policies G5 and R5 area also significant in terms of highway safety and appropriate development to its surroundings.

RELEVANT POLICIES OR OTHER GUIDANCE: The Standing Conference on Regional Policy in South Wales (Parking Guidelines) advises Local Planning Authorities to ensure adequate parking facilities are incorporated into any new development schemes.

CONSULTATIONS

PLANNING AND PUBLIC PROTECTION (HEALTH):

“Food, Health and Safety comments: Applicant has already contacted Food, Health and Safety Team to discuss his business.

Housing and Pollution comments: More information is required from the applicant concerning the measures that will be taken to keep the area around the takeaway van free from litter.”

OPERATIONAL SERVICES (HIGHWAYS): “I refer to the letter of objection, dated from the Territorial Army Centre regarding the above planning application.

I note that one reason for objection is access: I was previously consulted on this proposal under code no. 04/P/10587, however I am unaware if consent was granted: given this current application I can only assume that either it was refused or that it was granted a temporary consent.

The Highways and Traffic Engineer has confirmed to me that his Section have received no complaints regarding any indiscriminate parking on Llandowlais Street, therefore if the van has been operating on temporary basis, then it would seem that vehicles associated with this use have not been parking illegally.

I have not opposed this or the previous application providing the opening times differ from that when the industrial units are occupied and although this business could lead to vehicles parking on Llandowlais Street, it would be difficult for me to oppose
the application on that basis given that there will be parking provision close to the van. Also should any indiscriminate parking occur fronting the access then this can be dealt with by Heddlu Gwent Police.”

TRADING STANDARDS: No comments.

CWMBRAN COMMUNITY COUNCIL: Cwmbran Community Council objects to this proposal as councillors consider the site unsuitable in terms of the environmental impact. The Council believe there will be an increase in litter and rubbish if the application is approved.

LOCAL WARD COUNCILLOR: If planning permission is granted should be for a temporary period of 12 months with a time condition. Previous condition limit opening hours was not observed of complaints were received regarding public nuisance. This use subsequently ceased.

PUBLICITY

ADVERTISEMENT: None.


NEIGHBOUR CONSULTATIONS: T. A Centre, Ty Coch Way, Printpac, Reldas Head Grade Ltd, P & C Pallets Ltd, Castle Forge, Caste Forge Flat, 53, 52a, 52b, 47 Llandowlais Street, 1 Tranquil Place, Jaden Garden, Phoenix Cars, C & E Properties Ltd, Llandowlais Street.

REPRESENTATIONS RECEIVED

Letters of objection have been received from 5 nearby residents, including the Territorial Army Centre at Chapman House. The Territorial Army Centre is directly opposite the siting of the catering van whose objections are:-

“May I at this point bring to your attention that we are a Territorial Army Centre (TAC) and also have a caretaker who lives on site and whose accommodation will be within 40 metres of the take away van. I have passed a copy of your letter to Mr Hockey but unfortunately he is on an extended holiday and will not return until the end of March. I trust you will take into account his comments which will be submitted when he returns from abroad.

Meanwhile as the site manager for Cwmbran TAC we object to the proposed planning application on the following grounds:

General: Take away vans are notorious for attracting the unruly element of our society, usually during silent hours and in cars with loud exhausts and ear splitting stereos. They also care little for the rubbish and the like they leave behind.

Noise: As mentioned above the clients of take away vans are renowned for driving cars with open exhausts which are generally not road legal. This level of noise
created during the hours of darkness is unacceptable for anyone working or living in the vicinity.

**Security:** We raise our concerns regarding breaches of our physical security by adventurous clients. The TAC houses sensitive items and any breaches always involve my chain of command and the civilian police.

**Access:** We have an access point to the TAC again within 40 metres of the proposed site of the takeaway van. We require unrestricted access to this gate and are therefore concerned that customers of the van will park their cars in and around this area which could prevent the movement of our vehicles and the entry of the emergency services.

**Litter:** Our security fence is an efficient ‘litter catcher’ especially when the wind is blowing, our caretaker is currently engaged in a constant battle keeping our outside areas clean and in a condition that befits a Ministry of Defence establishment. The siting of a take away van will exacerbate this as there is always indiscriminate dumping of take away consumables by the clients of this type of catering establishment.

**Light Pollution:** We are also concerned about the light pollution created by the movement of cars in the area and during the hours of darkness. This will undoubtedly affect the sleeping quarters of our caretaker’s accommodation.

I assume a temporary permit has been granted as the takeaway van is already trading and therefore some of the points raised in the above paragraphs have already been proven.

Finally, I trust we have put up a reasonable argument why planning permission should not be granted and again point out that our caretaker will be responding to Reference A on his return from holiday.”

Other objections from local residents are as follows:

- Such a business does not contribute anything positive to the community and does not comply with any of the local authority legislation.
- Being set up in close proximity to existing businesses.
- No sanitation with the vans. All waste poured down drains
- Parking of customers vehicles will be a hazard on busy main road near roundabout.
- Security concerns specifically at unsocial hours.
- Meeting point for individuals who congregate until early hours creating noise and nuisance problems.
- Such businesses do not comply with health and environment regulations and are a health hazard.
- Request a meeting with residents to discuss these problems.
- Intimidation of existing businesses.
- Based on previous takeaway van parked on site will trade until after midnight.
• Existing catering businesses pay tax, rent, licence, etc. to local authority, but catering van has limited overheads.
• No reason for it being sited on this estate
• Existing problems with parking in the area and this will be made worse.
• No public toilets in proximity and increased public health risks.
• Business would threaten sustainability of our takeaway.
• One already operates until 00.30am.
• Close proximity to wood yard creates health and safety issues.
• Pest control problems.

ASSESSMENT AND CONCLUSION

The establishment of mobile food facilities situated in or adjacent to highways may cause congestion and additional turning movements thereby creating a traffic hazard, particularly if they are sited for prolonged periods of time. However in this instance, it coincides with the closure of the industrial and commercial units of the estate.

No objections are raised to the proposal by the Council Highway Officers, and as the unit is located clear of the public highway within a private car parking area it is considered that no objections can be raised to the proposal on these grounds. Any parking on the adjacent highway would be a matter for the police to enforce the existing parking restrictions.

With regards to residential amenity, the nearest residential properties are situated some 40 metres away on the opposite side of a busy road adjacent to non-residential uses such as the TA Centre and retail units. It is not considered that the proposed use will adversely affect the occupants of these properties. No objections to the proposal have been raised by Environmental Health, although more information is requested regarding control of litter. This can be the subject of a condition attached to any consent requiring this information be provided.

Objections raised by local residents and occupants of the industrial units relate partly to non-planning concerns such as costs, competition and non-compliance with separate legislation. With regard to highway concerns these have already been addressed to the Council’s Highways Officer who has raised no objections to the proposal subject to the control of opening hours. Health and Environmental issues as well as pest control are matters controlled under Environmental Health legislation and requirements. Limiting the operating hours to 11.00pm will reduce the impact of the proposed on local residents and help overcome objectors to late night noise and unruly behaviour. The provision of a litter bin will ensure that a receptacle in its place to collect waste.

It is, therefore, considered that the objectors to the scheme are not of such a magnitude is to warrant refusal of the scheme, specifically as no objectors are raised to the proposed by the Councils enquirers or Environmental Health Officers. However, it is again recommended that a temporary consent only be given for this use.
IT IS RECOMMENDED: Approve subject to Conditions

1. Consent is limited to a temporary period terminating on 31 January 2009 by which time the use of the land for the sale of food and drink shall cease and the hot food trailer shall be removed unless a further permission is granted by the Local Planning Authority.

   REASON: To monitor the effects of the use on adjacent and nearby occupiers.

2. The hot food trailer hereby permitted shall not operate from the site other than between the hours of 17.30 to 23.00 on any day of the week, and shall be removed from the site outside those hours.

   REASON: In the interest of residential amenity and highway safety.

3. This permission allows only one hot food trailer to be operated from the site.

   REASON: To safeguard highway and amenity interests.

4. A litter bin shall be provided adjacent to the hot food trailer and shall remain in place during such time that the hot food trailer is open for business. The bin shall be emptied and removed at the end of each evening on which the hot food trailer is permitted to operate.

   REASON: In the interests of the amenities of the area.

Note(s) to Applicant

1. The Development Plan covering Torfaen County Borough is the Gwent Structure Plan and Torfaen Local Plan. The following policies were relevant to the consideration of this application:

   a) Torfaen Local Plan, Policies G1 and G5.
DATE OF COMMITTEE: 15-Jan-2008

APPLICATION NO. 07/P/00002(W) RECEIVED: 11-Dec-2007

PROPOSAL: Outdoor enclosed drinking area (Amended Plans)

LOCATION: Square Inn, 47-49, Gwent Square, Cwmbran, NP441PL

APPLICATION TYPE: Full Planning

APPLICANT: Foxstead Ltd Bankside, Bowl Hill, Kingscourt, Stroud, Glos, GL5 5DS

AGENT:

REPORT

SITE HISTORY

95/P/20403 Comprehensive landscaping and upgrading of Gwent Square including a new water feature Approved 12/02/96

BACKGROUND

This application was reported to Planning Committee on 29 October 2007, where it was deferred for a site visit which took place on 28 November 2007. Since this site visit the applicant has amended the proposal to consist of a mono pitched roof canopy fixed to the front elevation of the building as opposed to the large umbrellas as previously proposed.

LOCATION AND DESCRIPTION OF SITE

This application site relates to an area of land outside the Square Inn on Gwent Square, Cwmbran Town Centre.

PROPOSED DEVELOPMENT

This proposal is for the creation of an outdoor drinking area outside of the existing pub. It was originally submitted to comply with the smoking regulations. However, the Environmental Health Section have stated that it does not comply with these regulations. The area affected by this proposal will measure 5.9m by 11.8m. This area will be enclosed by timber bollards measuring 0.6m by 0.6m with a height of 1m. Seven of these will be placed at regular intervals and will have a canvas barrier in between. The previously submitted scheme consisted of two large canvas umbrellas will be located within this area together with eight timber tables with fixed timber stools. However, the applicant has now amended this application to consist of a mono pitched roof canopy fixed to the front elevation of the building. This
canopy will measure 5.9, by 8m. It has a mono pitched roof with a height of 2.25m to the eaves and 3.25m to the ridge. All three sited will be open. At the time of the Planning Committee Site Visit the majority of the structure had been erected.

POLICY CONTEXT

NATIONAL GUIDANCE: None.

CIRCULARS: None.

GWENT STRUCTURE PLAN: None

TORFAEN LOCAL PLAN: Policy G1 is a general policy and states that in considering planning applications the impact of the proposal on existing and proposed uses must be taken into account, particularly of adverse effect on residential amenity. The proposal must be consistent with the principles of sustainable development, and not prejudice landscape or natural features on the site and the surrounding area. The proposed development should sustain or enhance existing community facilities, and be readily accessible by public transport. Access to the site must be achieved without detriment to highway safety, and the road network must be capable of sustaining additional traffic generated by the proposal.

SUPPLEMENTARY PLANNING GUIDANCE: None.

RELEVANT POLICIES OR OTHER GUIDANCE: None.

CONSULTATIONS

HIGHWAYS: ‘The site does not abut the public highway.

I would not oppose this application form a highway standpoint and there are no specific conditions that I would wish to see attached to any grant of approval.’

ENVIRONMENTAL HEALTH: ‘The applicant is advised to contact the Licensing Team, as the proposed area does not appear to be suitable for use as a smoking area. Issues with licensing objectives may also arise.

The applicant must provide information about the measures that will be taken to control littering in vicinity of the enclosure.’

CWMBRAN COMMUNITY COUNCIL: Cwmbran Community Council objects to the proposal in that it is counter productive to the spirit of the recent introduction of the non-smoking ban in Wales and that there are real concerns over the nature of the proposal as it is likely to affect adjacent premises, including the Congress Theatre.

PUBLICITY

ADVERTISEMENTS: None.

SITE NOTICES: None.

REPRESENTATIONS RECEIVED

One letter has been received stating that following a meeting with the applicant their concerns regarding any public nuisance, disorder and drinking have been responded to satisfactorily.

ASSESSMENT AND CONCLUSION

The main considerations with regard to this proposal are the visual impact of the structure, whether it will cause any obstruction to pedestrians, whether it will have an adverse impact on the vitality and viability of this part of the town centre and whether it would have an adverse impact on any occupiers of adjacent properties. The proposed enclosed area and canopy will be located within a corner of the square and will be tucked in against the blank wall of the Congress Theatre and the Square Inn itself. It is considered that the erection of the timber and canvas barriers together, with the canopy are structures which are often seen outside pubs and restaurants. For this reason, together with their location, it is considered that this proposal will not have an adverse impact on the visual amenities of the area. As it is located in a corner of the square it is considered that this proposal will not have an adverse impact on the pedestrian movements in this pedestrianised area.

Street furniture and outdoor uses such as this can add to the vitality of the town centre. There are several other premises in the town centre where outdoor seating has been provided which adds to the vibrancy of the town centre. The nearest dwellings to this proposal are the flats at Monmouth House. However, it is considered that as this is an existing use and due to the location of these flats in relation to this pub, it is considered that their residential amenities would not be affected by this proposal. The adjacent Congress Theatre has raised concerns regarding noise and disorder affecting their performances. However, the proposed canopy is adjacent to a blank elevation of the theatre and is adjacent to the foyer. The Cwmbran Community Council have raised concerns regarding this proposal as they are of the opinion that this proposal is counter productive to the spirit of the smoking ban. Whilst their concern is noted, the smoking ban is a separate piece of legislation which does enable the provision of smoking areas outside. This concern is therefore given limited weight. They have also raised concerns regarding the proposal’s impact on the adjacent properties, in particularly The Congress Theatre. This issue has been referred to above and is no longer considered relevant as the Congress Theatre have withdrawn their objections.

It is therefore considered that this proposal is acceptable and it is recommended that planning permission be granted subject to the following conditions.

IT IS RECOMMENDED: Approve subject to Conditions
1. The proposed development is to be carried out and completed in accordance with the application as amended by the plan received on 11 December 2007, Drawing No. 01 and plans received on 27 November 2007, Drawing Nos 02 and 03.

   REASON: To ensure compliance with the approved plan.

Note(s) to Applicant

1. The Development Plan covering Torfaen County Borough is the Gwent Structure Plan and Torfaen Local Plan. The following policies were relevant to the consideration of this application:

   a) Torfaen Local Plan, Policies G1.

2. The applicant is advised that the canopy does not comply with the Smoking Regulations and the applicant is advised to contact the Environmental Health Department to discuss this issue.
DATE OF COMMITTEE: 15-Jan-2008

APPLICATION NO. 07/P/00105(E) RECEIVED: 23-May-2007

PROPOSAL: Covered dog run including kennel

LOCATION: 2, Varteg Terrace, Cwmavon, Pontypool, NP4 8UR

APPLICATION TYPE: Full Planning

APPLICANT: Miss C Morton 2, Varteg Terrace, Cwmavon, Pontypool, NP4 8UR

REPORT

SITE HISTORY

95/P/20445 kitchen/bathroom extension Approved 21/12/95
89/P/14371 Extension Approved 06/07/89

LOCATION AND DESCRIPTION OF SITE

The application relates to development within the residential curtilage of a semi-detached cottage within the Cwmavon Conservation Area and the Blaenavon World Heritage Site. The application site is in a prominent elevated location on the western side of the valley within the sporadic settlement village and open countryside. The applicant’s garden slopes downwards from the front of the property towards the rear.

PROPOSED DEVELOPMENT

Retrospective consent is sought for the construction of a dog run adjacent to the rear boundary of the applicant’s garden.

The run measures 8.5 metres in length and 4.3 metres in width. Given that it is located on sloping ground the maximum height of the building is 2.6 metres and the minimum height is 1.98 metres. The building is constructed predominantly of wood with trellis and mesh windows. The roof of the building would be finished in slate grey coloured metal sheeting.

The applicants indicate that the building is used to house four dogs. The applicants state that the dogs are pets but that two of them are used for the Search and Rescue Association, a voluntary organisation which searches for missing people.

The applicants are willing to plant native trees in the vicinity of the run to soften the impact of the structure on the landscape.
POLICY CONTEXT

The site of the proposal is situated outside the urban boundary of the adopted Torfaen County Borough Local Plan in an area designated as a special landscaped area E2/4 and Cwmavon Conservation area APP/9/2. Nevertheless general policies G1 and H1 will be of particular relevance in the consideration of the proposals as far as design, appearance, space about buildings and impact upon neighbouring properties are concerned.

The application site is located within the Blaenavon World Heritage Site. Therefore Policy H7 is relevant which

CONSULTATIONS

PONTYPOOL COMMUNITY COUNCIL: no objections raised

CONSERVATION:

“This application relates to the construction of a covered dog run in the garden of an unlisted house within the World Heritage Site.

I assume that this structure/shed will replace the existing dog pen and I recommend that this is a condition of any approval to prevent the continued proliferation of sheds and structures in this area.

I do not believe that the proposal will have a detrimental effect on the World Heritage Site and I therefore raise no objection to this application”.

ENVIRONMENTAL HEALTH: no objections raised

PUBLICITY

SITE NOTICE: Posted 20 June 2007

PRESS NOTICE: Advertised in the local press on 13 June 2007

NEIGHBOUR CONSULTATIONS:

Silver Birch, Dan y Coed, Grove House, Old Shop Farm, Tyr Y Mynydd, Shop Road Incline Cottage & 1 Varteg Terrace

REPRESENTATIONS RECEIVED

Two letters of objection to the proposal have been received from local residents on the following grounds:

- it is a large intrusive and high structure within the Conservation Area
- proximity to the boundary with the curtilage of an adjacent property
Potential noise disturbance as the dogs already bark and the run could allow a greater number of animals to be kept there
- Devaluation of property

**ASSESSMENT AND CONCLUSION**

The main considerations of this application are;

- whether the visual impact the dog run has upon the amenities of the Conservation Area and World Heritage Site is acceptable, and
- the potential impact upon the amenities of adjacent properties.

In terms of visual impact, whilst this building has a fairly large footprint it is single storey and has a shed-like appearance which is not out-of-place within a domestic curtilage. The application site is a large residential garden which is capable of comfortably accommodating this building. The Authority's Conservation Officer considers that the dog run is acceptable and would not have a significant adverse impact upon the Conservation Area or the World Heritage Site. He has raised concerns regarding the possible proliferation of sheds and structures within the area and therefore a condition should be attached to any consent granted removing the permitted development rights for further curtilage buildings.

In terms of impact upon the amenities of adjacent properties the dog run is over 20 metres away from the closest neighbouring dwelling, which is considered acceptable. Neighbours have raised objections regarding noise disturbance from the dogs but Environmental Health have raised no concerns regarding the proposal: It seems reasonable for four dogs to be kept at a property of this size and, even though two of them are used for mountain rescue, it is not considered a change of use has occurred at the property. In any event a condition can be attached to any consent granted limiting the structure to domestic use.

It is therefore considered the proposal is acceptable and recommended consent be granted.

**IT IS RECOMMENDED:** Approve subject to Conditions

1. The dog run hereby permitted shall be used only for purposes incidental to the existing dwelling house, known as 2 Varteg Terrace. No consent is hereby granted for any commercial use of the dog run.

   **REASON:** In the interests of residential amenity.

2. Notwithstanding the provisions of Class A and E of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enaching that order, with or without modification) no buildings or extensions to buildings other than those expressly authorised by this permission shall be constructed within the curtilage of the property without the prior approval of the Local Planning Authority.
REASON: To safeguard the visual amenities of the Conservation Area and Blaenavon World Heritage Site.

3. Within 2 months of the date of this consent a landscaping scheme shall be submitted to and approved by the Local Planning Authority, which shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development.

   REASON: To safeguard landscape and amenity interests.

4. All planting and grass seeding or turving comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the approval of the landscaping scheme by the Local Planning Authority; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

   REASON: To safeguard landscape and amenity interests.

Note(s) to Applicant

1. The Development Plan covering Torfaen County Borough is the Gwent Structure Plan and Torfaen Local Plan. The following policies were relevant to the consideration of this application:

   a) Torfaen Local Plan, Policies G1, H1 and H7.
DATE OF COMMITTEE: 15-Jan-2008

APPLICATION NO. 07/P/00259(W) RECEIVED: 02-Aug-2007

PROPOSAL: Proposed 2 new detached dwelling

LOCATION: Site between Victoria Road and Old School Lane, Abersychan, Pontypool, NP4 8QR

APPLICATION TYPE: Full Planning

APPLICANT: Mr D Black Hillgrove, Victoria Road, Abersychan, Pontypool, NP4 8QR

AGENT: David Kinnafick Architect 11, The Highway, Croesyceiliog, Cwmbran, NP442BG

REPORT

SITE HISTORY

<table>
<thead>
<tr>
<th>Application No.</th>
<th>Description</th>
<th>Outcome</th>
<th>Date</th>
</tr>
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<tbody>
<tr>
<td>89/P/14018</td>
<td>Two pairs of semi-detached dwellings</td>
<td>Refused</td>
<td>25/07/1989</td>
</tr>
<tr>
<td>89/P/14019</td>
<td>Residential development 2, 3 or 4 units</td>
<td>Refused</td>
<td>25/07/1989</td>
</tr>
<tr>
<td>90/P/15660</td>
<td>Pair of semi-detached dwellings</td>
<td>Refused</td>
<td>20/12/1990</td>
</tr>
<tr>
<td></td>
<td>Welsh Office Appeal</td>
<td>Dismissed</td>
<td>09/7/1991</td>
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<tr>
<td>06/P/13974 (W)</td>
<td>Pair of semi-detached dwellings</td>
<td>Refused</td>
<td>04/12/2006</td>
</tr>
</tbody>
</table>

BACKGROUND

The site has been the subject of several previous applications for similar development to that currently proposed, except that the 2 dwellings proposed are now detached and the proposed access arrangements have changed over time. The previous application that was refused in 2006 was refused mainly because the access arrangements were considered inadequate. The previous application site was approximately half the size of the current application site.

LOCATION AND DESCRIPTION OF SITE

The site of the proposal comprises an irregular shaped area of steeply sloping vacant land measuring approximately 0.146 hectares on the south side of Victoria Road and directly opposite the junction of Greenwood Road. Much of the area is densely overgrown with regenerated tree and bush species. The site slopes from Victoria Road, south, down to School Lane, with a difference of level of
approximately 8 metres. This landscape feature continues westward along Victoria Road. To the south-west and east of the application plot are sporadic old established settlement pattern of semi-detached and detached dwellings of 1 and 2 Riverside Cottages and Hill Grove accessed via School Lane and Victoria Road respectively.

The Nant Ffrwd stream flows in a west to east direction to the south of the site. A 24 metre wide highway frontage exists along Victoria Road enclosed by 1 metre high concrete posts and metal rail fence. The maximum depth of the site measures approximately 26 metres and a difference in levels of 7.8 metres, which is also 1.6 metres below the level of carriageway and extremely narrow footpath verge at Victoria Road.

**PROPOSED DEVELOPMENT**

The proposals comprise the erection of 2 detached dwelling houses. The application has been submitted in outline only with siting, design and means of access considered within this application. Landscaping and the external appearance will be considered as reserved matters. Foul sewerage is proposed to be connected to the main public sewerage system and surface water discharged via soakaway.

The proposal is for 2 new detached dwellings to be sited on land between Victoria Road and School Lane in a site which measures approximately 0.146 hectare. The vehicle access will be via a shared drive off Victoria Road and the existing footpath on the application side will be increased to 1.8 metres. The front elevations of the dwellings face School Lane and overlook the valley with 5 windows on the front elevation of each property and no windows on the rear elevation facing Victoria Road. The kitchen, dining room and lounge of both properties will be located at first floor level (entrance level) on the front elevation with vehicle access at the rear, facing Victoria Road. Each property will have an integral garage adjacent to the lounge and the dwellings are a mirror image of each other. Four bedrooms will be provided at ground floor level (garden level), one with an en-suite bathroom and a separate bathroom on this level.

Steps lead down between the two dwellings to the rear garden of the property. The parking forecourt will accommodate external parking for 2 vehicles per dwelling (measuring 2.4 metres x 4.8 metres) with the additional space provided in the garage. The vehicle entrance to the site is 9 metres wide and the forecourt measures 21 metres wide in total. A rear patio will be provided at the rear of the garages for each property. No details have been provided with regard to landscaping, external appearances or the boundary treatments.

**POLICY CONTEXT**

**NATIONAL GUIDANCE:** Planning Policy Wales (March 2002) also needs to be considered when determining this application, in particular Section 9, paragraphs 9.3.2 and 9.3.3. These paragraphs state that sensitive infilling of small groups of houses or minor extensions to groups may be acceptable though much will depend upon the character of the surroundings and number of small groups in the area. Insensitive infilling or the cumulative effects of development or redevelopment, should not be allowed to damage an area’s character and amenity endorsed by TAN.
12 (Design). This includes any such impact on neighbouring dwellings, such as serious loss of privacy and overshadowing. TAN 18 (Transport) Paragraph 10, Annexe B, C and D advises Local Planning Authorities to provide adequate highway infrastructure and design criteria to ensure that a development does not prejudice highway safety nor should standards be reduced to such a level that danger is likely to be caused. Local Highway Authorities are free to adopt their own policies, standards and design of non-trunk roads.

CIRCULARS: Welsh Office Circular 33/95 (The use of conditions in planning permission) would be of relevance should applications be favourably determined.

Policy G1 requires new development proposals to have an acceptable impact on the general character and appearance of the area, having regard to such matters as density, design, massing, form, layout and materials. Proposals must also respect the urban fabric of the area in terms of the space around and between buildings and the impact on the amenities of adjoining neighbours.

Policy G1 also provides that proposals should be consistent with the principles of sustainable development, should not pollute the environment or prejudice the landscape and natural features of the site and, together with Policy G5, also seeks to ensure that there will be no detriment to highway safety.

Policy G5 lists the highway criteria against which proposals will be considered, including, the proposal can be accessed safely, the proposal is compatible with the existing road network and satisfactory parking can be made on the site.

Policy S3 relates to residential development within the urban boundary and lists specific criteria which need to be complied with including, the proposal pays due regard to the integrity and character of the area, the proposal can be accessed without detriment to highway safety and is in accordance with current adoptable highway standards.

Policy E5 relates to the reclamation of derelict land and states that the proposal must enhance and improve the environment and has regard to the existing nature conservation of the site, the underlying archaeology and historic buildings on the site and respects the site and its surroundings. Policy E8 states that trees and hedgerows that are not formally protected should be protected if they have importance in terms of their amenity value.

RELEVANT POLICIES OR OTHER GUIDANCE: The Standing Conference on Regional Policy in South Wales (Parking Guidelines) 1993 advises Local Planning Authorities to ensure adequate parking facilities are incorporated into any new development schemes. The Supplementary Guidance (2000) shows no deviation from this standpoint in so far as residential development is concerned.


CONSULTATIONS
HIGHWAYS: “This is an outline application and the applicant has indicated that he wishes means of access, siting and design to be considered at this stage.

I note that a 1.8 metre wide footway is to be constructed along the majority of the frontage, this footway must be constructed within the site and then put forward for adoption as public highway under Section 228 of the highways Act 1980.

I would require a turning facility and parking provision for both properties in accordance with the South Wales Counties Parking Guidelines. Drawing No. 539-10 indicates 2 car parking spaces for each plot together with a single garage. There is however insufficient space for vehicles exiting the garages to turn within the site, and they will need to be set back a minimum of 6 metres from the edge of the carriageway. I would therefore ask that the access is amended to allow vehicles to turn within the site, I would also wish to see the vehicular footway crossing decreased in width to 4.55 metres (3 dropped kerbs, 2 dipper kerbs).

I am concerned that the garage is only 2.4 metres wide and because of the cramped nature of the site I would ask that this is increased to 3 metres. Given the layout of the site it is likely that these garages will come in for conversion, however given the constraints of the site, I would not wish to see them used for any other purpose other than the storage of a vehicle.

Furthermore the plan shows no boundary fronting Victoria Road and given the difference in level between the road and the site any wall/fence must be more than 1.1 metres in height to ensure pedestrian safety on the footway. This enclosure will however need to be set back to the rear of the visibility splays.

It is my preference to see an amended plan in line with my requirements, however if you are minded to put this application forward for approval without this plan then I would wish to see the following conditions attached to any grant of approval:-

1. The visibility requirements are 2. 4 metres x 70 metres to the right from the centre line of the access and 2. 4 metres x the distance to the boundary of the site to the left from the centre line of the access.

2. Any wall/fence within the visibility splay must not exceed 0.9 metres in height above the existing carriageway level and the centre line of any planting must be a minimum distance of 1 metres from the back of the splays prior to and following the formation of the access into the site.

3. There shall be no vehicular access to the site from Old School Lane.

4. A 1.8 metre wide footway must be constructed along the entire frontage of the site by the applicant and upon satisfactory completion put forward for adoption by the Highway Authority as Public Highway under Section 228 of the Highways Act 1980. The works must be supervised by an Officer from the Highways Development Control Section and all costs involved in the construction and adoption process must be borne by the applicant.

4. A turning facility and parking provision in accordance with the South Wales
Counties Parking Guidelines shall be provided within the curtilage of the site, for each unit. The garages must be set back a minimum distance of 6 metres to enable exiting vehicles to turn within the site.

5. A vehicular footway crossing must be provided to a highway specification in accordance with Drawing No. 1173/B which is attached prior to beneficial occupation of the dwelling.

6. The gradient of the drive must not exceed 1 : 8 (12%).

7. No surface water from the site shall drain onto the highway or into highway drainage.

8. The applicant shall take positive measures to prevent surface water from the adjacent highway ingressing into the site of the proposal.

9. Garages are to remain for the storage of a vehicle and must not be converted at a later date to residential.”

ECOLOGY: “There are a couple of features that I would like the developer to design into the development. The developer should consider keeping connectivity from the east to the west by either a new planted native species-rich hedgerows or a dry stone wall. There is a remnant dry stone wall at the rear of the site and there is a small possibility that it could harbour bats which are protected under UK and European legislation. However, in this case, there is no need to undertake a bat survey but the developers should be aware that if they come across any bats all works should stop and TCBC and CCW should be contacted where they will advise accordingly. The dark pathway at the rear should be retained as it is a flight path for bats so lighting should be looked in to so not to become a barrier.

There is a small chance of coming across reptiles protected under the Wildlife and Countryside Act 1981 such as slow worm and common lizard. In much the same way as bats, work should stop if found and TCBC and CCW should be contacted where they will advise accordingly.

Also, any site clearance will have to take place outside bird breeding period.”

ARBORICULTURAL OFFICER: “I can confirm that the area is vastly overgrown with self-seeding trees, predominantly willow.

There are no mature trees worthy of retention.

Recommend: No objection to the proposal”

DRAINAGE: “Percolation test results required and locations of soakaway pits to be included with details of depths and sizes (must be 5 metres from proposed or existing structures).”

ENVIRONMENT AGENCY: “The development is shown to lie in Zone C2 on the development advice map (DAM) referred to under TAN 15 Development and Flood
Risk (July 2004). Following a site visit by Development Control Engineer, we can make the following comments:

The DAM map shows the area of land adjacent to the minor watercourse (the Nant Ffrwd) as being in the C2 Zone. We consider this to be incorrect as the watercourse itself is not included in the C2 Zone. In addition, the view from Victoria Road looks over the top of properties named Riverside Cottages (which it is claimed have never flooded).

In the light of this, we would have no objection to the proposed development, subject to the inclusion of the following conditions in any planning permission granted:

CONDITION: The top storey (third floor level) of any proposed dwelling should be at least 150mm above the level of the adjacent Victoria Road.
REASON: To protect the development from flooding

CONDITION: The second floor level of any proposed dwelling should be constructed at a level 2.6 metres below the third floor level.
REASON: To protect the development from flooding.

CONDITION: Any first floor (or basement) rooms must not be used as habitable rooms.
REASON: To protect the development from flooding.

CONDITION: There must be no ground raising or construction of any proposed building on the lowest part of the garden (i.e. that part of the property nearest to the Nant Ffrwd) which also should not be used for overnight car parking.
REASON: To protect the development from flooding.

CONDITION: No development approved by this permission shall be commenced until a scheme for the disposal of foul waters has been approved by and implemented to the reasonable satisfaction of the Local Planning Authority.
REASON: To prevent pollution of the water environment.

CONDITION: No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water regulation system has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall be implemented prior to the construction of any impermeable surfaces draining to the system unless otherwise agreed in writing by the Local Planning Authority.
REASON: To prevent the increased risk of flooding.”

A list of general considerations is also included with the Environment Agency response.

WALES AND WEST UTILITIES: Include a location plan of their apparatus within the area.

WESTERN POWER: Include a location plan of their apparatus within the area.
WELSH WATER: No objections, although requirements are necessary for foul and surface water discharges.

COUNTRYSIDE COUNCIL FOR WALES: “We can inform you that there are no Sites of Special Scientific Interest (SSSI), Special Areas of Conservation (SAC), Special Protection Areas (SPA) or Ramsar sites within the area of search.

We have no records for any protected species within the search area. However, the Nant Ffrwd is in close proximity to the proposed development and the possible presence of otter (lutra lutra) along these watercourses should be considered. As you may be aware, the otter is a priority species, with a species action plan in the UK and Local Biodiversity Action Plans. Otters are protected under Schedule 5 of the Wildlife and Country Act 1981 as substituted by Schedule 9 The Countryside and Rights of Way Act 2000 and Schedule 2 of the Conservation (Natural Habitats, and c.) Regulations 1994. The full legislative requirements in relation to European Protected Species are provided in Annex A.

We recommend that you contact the recently established South East Wales Biodiversity Records Centre (SEWBReC) for further information regarding protected species records.

Please note that we may not be aware of information that could be held by other organisations or individuals, and it is always possible for previously unrecorded features of nature conservation interest to be present. Please note that if any protected species are thought to be present, CCW should be reconsulted.”

GWENT WILDLIFE TRUST: “Gwent Wildlife Trust would like to issue a holding objection to the above development on grounds of the need to retain certain wildlife features within the site.

The site is considered to be derelict land and as such Local Plan Policy E5 applies. ‘The reclamation of derelict land will be permitted where the proposal enhances and improves the environment and satisfies all of the following criteria. The proposal has regard to the existing nature conservation value of the site…’

There are three features of the site that have nature conservation value that should be conserved, protected and enhanced:

1. A remnant of dry stone wall. Dry stone walls provide habitat for insects, reptiles, amphibians, lichens, ferns and mosses. Dry stone walls are listed in the Torfaen Local Biodiversity Action Plan under ‘Boundary and Linear Features.’ The wall should be retained, or restored as a dry stone wall. If this is not possible, it should be reconstructed with integral spaces to provide habitats.

2. A section of species rich grassland. Nationally, 97% of the species-rich grassland resource has been lost, and continues to decline. Species-rich grassland is also listed in the Torfaen LBAP. We propose that this feature be retained and appropriate management be secured.
3. **Scrub/hedgerow.** This site currently forms part of the wildlife corridor that runs through Abersychan following a tributary of the Afon Llwyd. This corridor is characterized by trees and dense scrub. We suggest that some of the tall scrub is retained providing valuable habitat for birds, insects and small mammals, especially to the south of the site (School Lane side). The value of the site could be further improved by planting additional native species to form a hedge.

Please note that the Torfaen LBAP has been adopted as Supplementary Planning Guidance.

In conclusion, we would like to draw your attention to LDP Policy E8:

‘Proposals for development in areas not formally designated as being of nature conservation importance will only be permitted where they satisfy all of the following criteria:

A. Trees considered to be of high amenity value, on the site, are retained as far as is reasonably practicable and are protected during any construction periods
B. The existing hedgerows on the site are retained as far as is reasonably practicable and are protected during any construction periods
C. Wetland habitats, watercourses, geological features and other important natural features are retained as far as is reasonably practicable and are protected during any construction periods
D. Landscaping schemes, submitted as part of the proposals, include appropriate native species, except where special requirement of purpose and location dictate otherwise.’

We recommend that you discuss this case with your in-house ecologist for further information and advice. We will gladly withdraw our objection on receipt of a sensitive landscaping plan.”

GLAMORGAN GWENT ARCHAEOLOGICAL TRUST: “The information in the Regional Sites and Monuments Record curated by this Trust shows that the south-eastern corner of the proposed development area was the first of short terrace of former cottages (3) which are noted on the First Edition OS map, though are not thought to date earlier than the 19th century. The Site and Monuments Record contains no information suggesting that these were built on the site of any previous structure nor does it suggest that any archaeological features are present in the vicinity. Enough information survives of this form from other standing buildings to negate the need for recording of any surviving below ground structures. Therefore we have no objection to the positive determination of this application.

The record is not definitive, and therefore the possibility exists that previously unknown archaeological features may be disturbed during the course of any proposed development. Should this occur, please contact this Division of this Trust. However, as the archaeological advisors to your members, we have no archaeological objection to this application.”

PONTYPOOL COMMUNITY COUNCIL: No objections.
PUBLICITY

SITE NOTICE: An Article 8 Town & Country Planning (General Development Procedure) Order 1995

NEIGHBOUR CONSULTATIONS:
1 and 2 Riverside Cottages, School Lane, Abersychan
4, 5, 6, “Hill Grove” and “Greenbank”, Victoria Road, Abersychan,
1 and 28 Greenwood Road, Abersychan

REPRESENTATIONS RECEIVED

None to date.

ASSESSMENT AND CONCLUSION

The application should be assessed against the detailed criteria contained within Policies G1, G5, S3, E5 and E8. The main issues to consider when determining this application are; whether the site is adequate to accommodate two dwellings without having an adverse impact on the residential amenities of the occupiers of the adjacent dwellings, whether the development of this land will have an adverse effect on the visual amenities of the character of the area, highway issues and ecological issues. In assessing this proposal due regard and consideration needs to be made of national guidance, local plan policies and representations and consultations received.

This application site is located within the Flexible Urban Boundary and a residential area. It is therefore considered that the principle of residential development in this location is acceptable. It is considered that the developable area of the site is of an adequate size for the siting of two dwellings with the required amenity space and whilst there were originally concerns over the horizontal emphasis of the buildings, these have been overcome through negotiation with the agent. The site is on a steep slope and the dwellings have been designed to respond to the physical constraints of this particular site.

There are two dwellings at the rear of the site, at a lower level than the Victoria Road which are accessed via School Lane. There will be windows in each dwelling, however the nearest windows to the River Cottages will be approximately 18 metres away from these habitable windows. This distance is towards the lower acceptable threshold, however the orientation of the windows reduces the concerns of overlooking. It is therefore considered that the proposals will not have a detrimental impact on the residential amenities of the occupiers of the adjacent dwellings or have a negative impact on the character of the area.

Permission to erect two dwellings on the site will result in the loss of an area of scrubland and a holding objection has been raised by the Gwent Wildlife Trust with regard to the loss of land of conservation importance. The letter states that the objection will be withdrawn upon receipt of a sensitive landscaping plan. As has previously been mentioned, the landscaping element is not for consideration within
this application and so this can be dealt within the reserved matters application. However, the Countryside Council for Wales states that they have no records for any protected species within the search area. In addition, the Council’s ecologist states that the site has some interest but states that features can be designed in to mitigate these and a condition can be attached in case any protected species are found during construction. The Council’s Arboriculturalist has stated that the trees on site are self-seeding and not worthy of retention.

The Glamorgan Gwent Archaeological Trust have no objections to the proposal and it is important to find an appropriate use that is sensitive to the ecology of the site and any archaeological features found within it. The land is brownfield land and it has been established that two new dwellings are an appropriate use for a site such as this and landscaping can be carefully considered to take into account the concerns of the Gwent Wildlife trust. It is therefore considered that the proposals are in accordance with Policy E5.

The Council’s Highways Officer has raised no objection to the use of this access to serve two dwellings but has raised several concerns with regard to access and parking arrangements within the site. There is concern with regard to the entrance to the site, manoeuvring within the site and visibility splay when entering or exiting the site. The Highways Officer has recommended that the proposals can be altered to provide more room to turn vehicles within the site and a condition can be attached to ensure that the access is designed to an acceptable standard. The entrance width of 9 metres is considered too large from a highway perspective and this can be overcome in the design of the access. It is important that the garage is retained as vehicle accommodation and a condition will be attached to ensure that the garages are retained as such and enlarged to ensure they are practical for storing vehicles.

Concerns from the Environment Agency have been carefully considered, however as stated in the response, the C2 flood zone map is inaccurate as it does not include the stream itself and the conditions are considered to be too onerous to include. The cross sections show the top floor ground level as 1 metre below the level of Victoria Road and it is considered that to raise the ground floor level above the adjacent road level would require major engineering works. These works would result in a more prominent building that would have a greater visual impact and could prohibit development. Other properties within the area are set below road level and it is important to ensure this brownfield land can be brought into beneficial use. The Environment Agency recommends that the ground floor level is not habitable accommodation; however these rooms are proposed bedrooms. The ground floor level of the proposed dwelling is approximately 5.8 metres above the level of the Old School Lane, with the Nant Ffrwd located further away at a lower level again and it is considered that this is a sufficient level above the stream to alleviate concerns over flooding.

Foul water is to be discharged via mains sewer and Welsh Water have not raised an objection to this or recommended any conditions with regard to foul water being connected to the mains sewer. Surface water will be discharged via a soakaway and a condition will be attached to ensure the necessary percolation tests are undertaken to ensure this will provide an adequate surface water regulation system. An advisory
note has also been attached to ensure the developers are aware of the general development advice and recommendations of the Environment Agency.

In conclusion, the proposal is not considered to be harmful to the character of the site or the surrounding area and the development of two dwellings on brownfield land will improve the overall environment within this area. A landscaping scheme and details of external finishes will be submitted as a reserved matters application and highways concerns can be overcome using conditions.

It is therefore considered that the application is in accordance with Local Plan Policy and is acceptable.

IT IS RECOMMENDED: Approve subject to Conditions

1. In respect of any condition that requires the written approval of the Local Planning Authority, the works thereby approved shall be carried out in accordance with that approval unless subsequently otherwise approved, in writing, by the Local Planning Authority.

   REASON: To ensure the development is carried out in accordance with the approved details.

2. Where any species listed under Schedules 2 or 4 of The Conservation (Natural Habitats etc) Regulations 1994 is present on the site (or other identified part) in respect of which this permission is hereby granted, no works of site clearance, demolition or construction shall take place in pursuance of this permission unless a licence to disturb any such species has been granted in accordance with the aforementioned Regulations and a copy thereof has been submitted to the Local Planning Authority.

   REASON: To ensure that animal and plant species which come within the terms of the Regulations are effectively protected and to comply with National Assembly planning guidance.

3. Notwithstanding the provisions of Article 3, Schedule 2, Part 1 of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) no extensions or alterations to the dwellinghouse hereby approved shall be erected or constructed without the express consent of the Local Planning Authority.

   REASON: In the interest of visual amenity and to protect the amenities of existing adjacent dwellings.

4. A vehicular footway crossing shall be provided to a highway specification in accordance with Drawing No. 1173/B (attached) prior to the first beneficial occupation of either dwelling.

   REASON: In the interest of highway safety.

5. No surface water from the site shall drain onto the highway or into highway drainage.
REASON: In the interest of highway safety.

6. The garage shall only be used for the storage of private motor vehicles or for purposes incidental to the enjoyment of the dwelling house. The garage shall not be used for residential occupation or as separate living accommodation without the prior written consent of the Local Planning Authority.

REASON: For the avoidance of doubt and to ensure adequate parking within the site.

7. Notwithstanding the details already submitted, the internal width of the garage shall measure 2.7m.

REASON: To safeguard highway interests and ensure adequate vehicle parking within the site.

8. Prior to the commencement of development, full drainage details relating to the soakaway shall be submitted to and approved, in writing, by the Local Planning Authority. This aspect of the development shall then be drained in accordance with the approved details prior to the occupation of either one of the dwellings hereby permitted unless otherwise agreed in writing with the Local Planning Authority.

REASON: To ensure adequate drainage of the site.

9. Details of all new boundary walls, fences and other means of enclosure to be erected on the site, showing the height, design and materials, are to be submitted for the consideration and approval of the Local Planning Authority.

REASON: To safeguard amenity interests.

10. There shall be no vehicular access to the site from Old School Lane.

REASON: In the interest of highway safety.

11. Prior to the occupation of either one of the dwellings hereby permitted, a 1.8m wide footway shall be constructed to an adoptable standard along the entire frontage of the site in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

REASON: In the interest of highway safety.

12. The gradient of the drive shall not exceed 1:8.

REASON: In the interest of highway safety.

13. Detailed plans showing the external appearance and materials to be used in the construction of the proposed dwellings shall be submitted for the consideration and approval of the Local Planning Authority.
REASON: The application is in outline only and further details are reserved for further consideration and approval.

14. The reserved matters referred to in this decision notice shall be submitted for approval not later than the expiration of three years beginning with the date of the grant of outline planning permission and the development to which the permission relates must be begun not later than whichever is the later of the following dates:

(i) The expiration of five years from the date of the grant of outline planning permission; or

(ii) The expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

REASON: To comply with the requirements of Section 92, Town and Country Planning Act 1990.

15. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development.

REASON: To safeguard landscape and amenity interests.

16. All planting and grass seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

REASON: To safeguard landscape and amenity interests.

17. 2.4m x 70m visibility splays shall be provided to the right from the centre line of the access and 2.4m x the distance to the boundary of the site to the left from the centre line of the access in accordance with the approved plan prior to occupation of the dwellings. Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order, with or without modification) no fences, gates, walls, hedges or other obstruction exceeding 0.9m above the level of the adjoining carriageway shall be erected, placed or allowed to grow within these splays.

REASON: In the interests of highway safety.

18. Provision shall be made within the curtilage of the site for a vehicle turning area to enable all vehicles entering and leaving the site to do so in a forward direction at all times. Notwithstanding the approved plans, full details of the access and entrance arrangements shall be submitted for the written approval of the of the Local Planning
Authority prior to the commencement of development.

REASON: To safeguard highway interests.

19. No surface water from the site shall drain onto highway or into highway drainage.

REASON: In the interest of highway safety.

Note(s) to Applicant

1. The developer is advised to take note of the comments and recommendations of the Environment Agency (a copy of which is attached).

2. The developers are to ensure that any existing public services which pass through the site are not interfered with or damaged and any diversions or alterations to such services must be carried out in agreement with the responsible Authorities before such work commences.

3. The Development Plan covering Torfaen County Borough is the Gwent Structure Plan and Torfaen Local Plan. The following policies were relevant to the consideration of this application:

   a) Torfaen Local Plan, Policies E5, E8, G1, G5 and S3.
DATE OF COMMITTEE: 15-Jan-2008

APPLICATION NO. 07/P/00312(E) RECEIVED: 29-Nov-2007

PROPOSAL: Amendment to application 01/P/04984, to retain front porch and pitched roof over existing garage, amended roof design of single storey extension and insertion of roof lights

LOCATION: 25, Cardigan Crescent, Croesyceiliog, Cwmbran, NP44 2QG

APPLICATION TYPE: Full Planning

APPLICANT: Mr & Mrs G Prosser 25, Cardigan Crescent, Croesyceiliog, Cwmbran, NP442QG

AGENT:

REPORT

SITE HISTORY

01/P04984 front porch, two and single storey rear extension with first floor side extension over garage Approved 1/3/01
P/18037 Erection of Garage Approved 18/6/93

BACKGROUND

This application has been made as a result of enforcement investigation. The previously approved extension, which is currently under construction, has not been developed in accordance with the approved plans. This application has been made in order to regularise the current situation.

LOCATION AND DESCRIPTION OF SITE

The application site lies within the predominantly residential area of Cardigan Crescent. The property itself is an end of terrace residential dwelling located on the corner of Cardigan Crescent and Cardigan Close. The row of terraced properties is staggered with the front of this property projecting forward of the adjoining residential dwelling. To the south west of the property there is a row of domestic garages.

There are currently no other two storey rear extensions within this row of terraced properties.

PROPOSED DEVELOPMENT
Permission is sought for the construction of a front porch, single storey rear extension, two storey rear extension and first floor side extension over the existing garage. Some of the works subject to this application have been completed, including the porch and the garage, works on the rear extension have already begun.

The roof of the front porch differs from the approved replacement porch, a hipped roof has been built instead of the approved mono pitch roof. In addition a canopy to the west of the approved porch has been built increasing the approved footprint of the porch which measured 2.1 meters in width, 1.5 meters in depth and 3.25 meters high, to measuring 6.5 meters by 1.5 meters.

The footprint of the single storey kitchen extension remains the same as that already approved, measuring 3.1 meters wide and 4 meters deep to a height of 3.6 meters. The design of the roof is to be altered from the approved scheme with the roof sloping towards the main body of the dwelling. The extension is to remain to be set off the shared side boundary by 250 mm.

The two storey rear extension is not to be altered from that which has been approved in application 01/P/04984. The extension is to measure 3.75 meters in width, 4 meters in depth and would stand 6.2 meters in height and would allow the creation of a dining room on ground floor and a larger bedroom on first floor. The proposed rear elevation would feature a set of patio doors on the ground floor and a window on the first floor.

**POLICY CONTEXT**

**NATIONAL GUIDANCE:** Both Planning Policy Wales and TAN 12 emphasise the importance of design. The visual appearance of the proposed development, its scale, and its relationship to its surroundings are material considerations.

**TORFAEN LOCAL PLAN:** The site is within the defined Urban Boundary and therefore the application falls to be determined within the context of Policy G1 of the Adopted Local Plan. Policy G1 states that the following must be considered:

- The proposal does not constitute over development of the site in terms of the density, massing and form of development,
- The design and visual appearance of the proposal, including materials, respect the existing architecture of the area,
- The proposal respects the setting of the site in terms of proposed layout, massing and form,
- The proposal respects the urban fabric of the area in terms of space around and between buildings,
- The proposal does not have an unacceptable impact upon amenities of the residents in adjoining or neighbouring properties.

**CONSULTATIONS**

**HIGHWAYS:** I would not oppose this application from a highway standpoint, however I would wish to see the following condition attached to any grant of approval:-
1. No surface water from the site shall drain onto the highway or into highway drainage.

CROESYCEILIOG COMMUNITY COUNCIL: No objection in principle

PUBLICITY

SITE NOTICE: An article 8 site notice was placed on site on the 12 September 2007

NEIGHBOUR CONSULTATIONS:
2, 4, 6, 8, 10, Cardigan Close, Cwmbran
23, 26, 28, 30, 32, Cardigan Crescent, Cwmbran,

REPRESENTATIONS RECEIVED

One letter has been received from the occupier of 23 Cardigan Crescent objecting to the application due to the change to the proposed roof of the single storey extension to the rear of the property. The objection is made because the occupiers of the adjoining property believe there will be a significant loss of light to their living room, caused by the alteration to the roof design, as the roof will no longer slope away from the adjoining property.

ASSESSMENT AND CONCLUSION

The main issues to consider in the determination of the application are visual amenity, neighbour amenity and highway safety.

The alterations to the design of the approved extensions are not considered to harm the visual amenity of the property or the surrounding area. The scale of the porch has increased from that which was previously approved, the increase in the size of the porch is mainly by a canopy which extensions across the width of the original property. As a result of the increase in the scale of the porch the design of the roof structure differs from that which has been approved with a hipped roof as opposed to a mono pitch roof. The alterations to the garage roof complement the roof structure of the porch.

The alterations to the extension to the rear of the property would not result in the neighbouring property being overlooked as no windows are proposed on the side elevations. The first floor element of the extension remains to be 3.2 metres away from the adjoining residential dwelling. The alteration to the design of the single storey extension roof may reduce the light to the adjoining property, however, it is not considered that the loss would be significant enough to cause harm to the amenity of the adjoining residents or to warrant a refusal of the application. It is considered that the proposed extension will not have a harmful affect on the adjoining occupiers and as a result the application is considered to be in accordance with policy G1 of the adopted Local Plan.

IT IS RECOMMENDED: Approve subject to Conditions
1. The external finishes for the extensions hereby approved shall match the existing dwelling unless otherwise agreed in writing with the Local Planning Authority.

   REASON: In the interests of the appearance of the development.

Note(s) to Applicant

1. The applicant/developer is advised that a Section 18 Agreement under the Building Act 1984 is required to build over the existing sewer. The applicant/developer is strongly advised to contact the Local Authority's Drainage Section prior to the commencement of works.

2. The developers are to ensure that any existing public services which pass through the site are not interfered with or damaged and any diversions or alterations to such services must be carried out in agreement with the responsible Authorities before such work commences.
DATE OF COMMITTEE: 15-Jan-2008
APPLICATION NO. 07/P/00350(E) RECEIVED: 19-Sep-2007

PROPOSAL: Proposed four bedroom detached house with detached double garage

LOCATION: Land at the rear of Glen Ivor, Kears Row, Varteg, Pontypool, NP4 8UH

APPLICATION TYPE: Full Planning

APPLICANT: Mr Rees Glen Ivor, Kears Row, Varteg, Pontypool, NP4 8UH
AGENT: Mr W Scorey 1, Glanynys Cottages, Cwmbach Road, Aberdare, CF44 0NN

REPORT

SITE HISTORY

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<td>Outline application for one house and one bungalow</td>
<td>Refused 25/9/09</td>
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BACKGROUND

Outline planning permission for the erection of two residential dwellings has been sought on two previous occasions. This application site differs from the previous refusals with the site not extending to the access lane onto shop road. The two previous applications proposed to gain access to the dwellings from Shop Road and due to the substandard visibility of this proposed access the applications were refused on highway grounds.

This application has been made following pre application discussions on the proposed revised scheme with the case officer.

LOCATION AND DESCRIPTION OF SITE

The application site is located at the edge of the flexible urban boundary and is situated to the rear of the property known as Glen Ivor. The existing property Glen Ivor is set back nearly 40 metres from the adjoining highway. To the northwest of the application site there is a row of terraced properties which front onto the adjoining highway to the north and east there is open countryside which has a number of detached properties spread across a wide area. The site is currently
covered in rough grass land. There is a gradient across the site which falls away from east to west.

PROPOSED DEVELOPMENT

This application is for a single residential dwelling with a detached garage and the provision of a parking and turning area.

Due to the change in levels across the application site the majority of the plinth for the proposed dwelling will be excavated with part of the original ground level being raised to provide a level base for the proposed dwelling. The two storey element of the property has a maximum height of 7.5 metres to the ridge of the roof. The dwelling is to be sited approximately 21 metres from the existing dwelling to the west of the application site Glen Ivor. The majority of the windows are to the front and rear of the property. There is one windows on the western elevation at first floor level serving the en suite bathroom.

The proposed dwelling has a footprint that covers an area of approximately 120m$^2$ and has a total floor area of approximately 225m$^2$. The dwelling consists of a kitchen/family room, utility room, dinning room, lounge, hall and garden room at ground floor level, at first floor level there are four bedrooms two with en-suite facilities and one with a dressing room and a family bathroom. In addition a detached garage is proposed to the west of the main dwelling. The garage measures 6 metres by 6 metres and has a maximum height of 4.6 metres.

The proposed access to the site is from the west of the application site to the south of the adjoining property Glen Ivor. The proposal is to utilise the existing access road which currently serves Glen Ivor. In addition the proposal includes a turning area to the south of the proposed dwelling. The majority of the amenity space with the dwelling is to the south east of the application site.

The external materials of the dwelling consist of painted render with brick coins and reveals. The roof is to be constructed of artificial slates.

POLICY CONTEXT

NATIONAL GUIDANCE: Both Planning Policy Wales and TAN 12 emphasise the importance of design. The visual appearance of the proposed development, its scale, and its relationship to its surroundings are material considerations.

Paragraph 9.2.12 of Planning Policy Wales: “Sensitive design and good landscaping are particularly important if new buildings are to be fitted successfully into small vacant sites in established residential areas. ‘Tandem’ development consisting of one house immediately behind another and sharing the same access, may cause difficulties of access to the house at the back and disturbance and lack of privacy to the house in front and should be avoided.’

Paragraph 9.3.3 of Planning Policy Wales: “Insensitive infilling or the cumulative effects of development …should not be allowed to damage an area’s character and
amenity. This includes any such impact on neighbouring dwellings, such as serious loss of privacy or overshadowing.'

GWENT STRUCTURE PLAN: The relevant policy is H2 which refers to housing development being located in existing urban areas in suitable locations.

TORFAEN LOCAL PLAN: Policy S3 relating to building residential properties within the urban boundary and general policies G1 and G5 are relevant in the consideration of this application. The application site is within the World Heritage Site to the west of Cwmavon Conservation Area therefore policy H7 is relevant.

Policy S3 of the local plan states that Residential development within the designated Urban Boundary on sites not identified in the local plan will be permitted where the proposal satisfies all of the following criteria:-

- The proposal pays due regard to the integrity and character of the area.
- The Proposal can be accessed without detriment to highway safety and is in accordance with current adoptable highway standards.
- Parking provisions can be made available on the site to a standard approved by the County Borough Council.
- The proposal incorporates a landscaping scheme that respects the sites surroundings and has the approval of the County Borough Council.

Policy G1 States that proposals for development will be permitted where they satisfy the related policies of the local plan and the following criteria in so far as they apply:-

- The proposal does not constitute over development of the site in terms of the density, massing and form of development,
- The design and visual appearance of the proposal, including materials, respect the existing architecture of the area,
- The proposal respects the setting of the site in terms of proposed layout, massing and form.
- The proposal respects the urban fabric of the area in terms of space around and between buildings,
- The proposal does not have an unacceptable impact upon amenities of the residents in adjoining or neighbouring properties.

Policy G5 supplements the above criteria in terms of access and highway safety.

The site is located within the World Heritage Site of Blaenavon.
Policy H7 states that development proposals will not be permitted if they are of a scale which would adversely affect or visually impinge upon the overall integrity of the ‘Landscape of Historic Interest’ at Blaenavon.

CONSULTATIONS

HIGHWAYS: I was previously consulted on a planning application to develop this site, under code no 06/P/14321; vehicular access was proposed off Shop Road, however it is my understanding that my visibility requirements could not be achieved in land which the applicant controlled.

This current proposal is for access off Kears Row via the existing access which serves Glen Ivor. It is unlikely that my normal visibility requirements could be achieved due to existing frontages, however the road fronting the access is lightly trafficked and traffic speeds are low, as such I would be prepared to accept the principle of development from this access, however I would not wish to see more than one dwelling.

The Access Statement refers to dropped kerbs being installed to the site entrance, however there is no existing footway on Kears Row, I would instead wish to see the access hard surfaced from the edge of the public highway for a minimum distance of 5 metres.

The plan shows a double garage with parking space fronting the garage together with a turning area, as such is in accordance with the South Wales Counties Parking Guidelines.

I would not oppose this application from a highway standpoint, however I would wish to see the following conditions attached to any grant of approval:-

1. A turning facility and parking provision in accordance with the South Wales Counties Parking Guidelines shall be provided within the curtilage of the site

2. The access must have a maximum gradient of 1 : 8 and be hard surfaced from the edge of the public highway for a minimum distance of 5 metres into the site. The works must tie in with the existing public highway to the satisfaction of an Officer from the Highways Development Control Section, Operational Services.

3. Gates, if provided must be set back a minimum distance of 5 metres from the edge of the public and be inwardly opening.

4. The applicant shall take positive measures to prevent surface water from the adjacent highway ingressing into the site of the proposal.

CONSERVATION OFFICER:
Initial comments
“\This planning application relates to the construction of a house on land to the rear of Glen Ivor Kears Row, Varteg. As the site is situated on the edge but within the Flexible Urban Boundary no objection is raised in principle to the construction of a
new dwelling. However, the application site is just outside the Cwmavon Conservation Area and the Special Landscape Area, and therefore the proposed development may have an impact on these.

A Design Statement has not been provided for the proposed development. However, the drawings submitted and the notes contained on them, confirm that the applicant has not drawn on references from the local vernacular; simple well proportioned design, provision of chimneys, general detailing and materials. Also in view of the proximity of the Cwmavon Conservation Area and the Special Landscape Area it is considered that the scale of the development is out of character with the locality.”

Subsequent comments
“The latest scheme is a visual improvement on the previous proposals, should you be minded to recommend planning permission it is suggested that the following conditions be attached:

1. That the applicant must submit, and have approved, by this Local Planning Authority prior to the commencement of works on site, the following samples:
   i) artificial slate (proposed slate to have a textured not matt finish).
   ii) ridge tile
   iii) face brickwork

2. Rainwater goods in black to traditional profiles.

I would prefer to see fenestration, door and fascias in white; especially as the property is in an exposed location, and the tendency of wood coloured UPVC to fade over time. However given that the building is not in the WHS or a conservation area I can not insist on this being a condition of the planning approval.”

PROW OFFICER: No comments

BLAENAVON PROJECTS: This site is within the World Heritage site boundary, the area here has a historic character with the buildings designed around the village green area. I would not wish to object to a suitably designed dwelling on this site however the character, design, scale and landscaping should respect the historic character.

PONTYPOOL COMMUNITY COUNCIL: No objection

ARCHAEOLOGICAL TRUST: No response

ELECTRICITY: Apparatus may be at risk

GAS: Apparatus within the vicinity of the application site.

WATER:
- Foul water and surface water discharges shall be drained separately from the site.
No surface water or land drainage shall be allowed to connect (either directly or indirectly) to the public sewerage system unless otherwise approved.

The proposed development site is crossed by a public sewer/rising main/disposal main. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times. No part of the building will be permitted within 3 metres of the centreline of the public sewer.

PUBLICITY

SITE NOTICE: An article 8 site notice was placed on site on the 3 October 2007

NEIGHBOUR CONSULTATIONS:
Bryn Avelon, Shop Road, Varteg, Pontypool,
Bythyn, Shop Road, Varteg,
Brodowel, Varteg, Pontypool,
1,2, & 3 Kears Row, Varteg, Pontypool,

REPRESENTATIONS RECEIVED

Two letters have been received objecting to the development. The first letter states the following reasons;
- Privacy & view
- Water pressure and supply
- Noise and dirt from construction machinery.

The objector also raises questions over applicants right to access the application site from Shop Road and queries the amount of land the applicant owns. The objector has been advised that the applicant does not propose to access the proposed dwelling from Shop Road and that the Local Planning Authority are unable to confirm the amount of land owned by the applicant.

The second letter raises concerns over construction traffic and the possible damage which would be caused to the neighbouring properties foundations and inconvenience caused through the construction of the proposed dwelling. Concerns are also raised over the future conversion of the proposed garage to separate residential accommodation.

ASSESSMENT AND CONCLUSION

The main issues to consider in the determination of this application are highway safety, neighbourhood amenity, design and visual appearance of the proposed development.

In respect of the design and visual appearance of the property, the design of the proposed property reflects the general design of the detached residential properties in the area. The specific details of the dwelling have been amended such as the addition of a chimney and alterations to fenestration details at the request of the Councils Conservation Officer. The scale of the proposed dwelling reflects the size of the plot and the adjoining property Glen Ivor. It is considered that the proposal provides an adequate level of private amenity space given the scale of the proposed
property. The proposed scheme is not considered to constitute overdevelopment of the site in terms of either density or massing. It is considered that the proposed dwelling will not have a harmful effect on the visual character of the World Heritage site or the Cwmavon conservation area to the east of the application site.

The siting and the internal layout of the dwelling ensures that the proposed dwelling would not directly overlook the existing neighbouring property (and vice-versa). The distance between the proposed dwelling and the existing dwelling to the west of the site is approximately 21 metres. In addition the change in levels and position of the proposed garage ensures that habitable rooms and private amenity space are not overlooked.

The scale of the proposed dwelling is not considered to have an overshadowing or overbearing effect on the existing residential properties in the area. The reduction in the scale of the dwelling has ensured that the proposal will not have a harmful effect in the wider area of the World Heritage site. Therefore, it is deemed that the proposed development is in accordance with both policy G1, S3 and H7 of the Adopted Local Plan, as the scheme is considered not to have a harmful effect upon residential amenity of the adjoining properties.

In terms of highway safety, the Councils Highway Officer has not objected to the proposed dwelling or the details of the proposed access. A garage and turning area has been provided within the application site which will ensure that the property has sufficient parking space and allow vehicles to access and egress the site in a forward gear. The highways officer has indicated that the gradient of the access shall be a maximum if 1:8 and that the first five metres of the access from the highway shall be hard surfaced, these details can be imposed by conditions.

RESPONSE TO OBJECTIONS

The objections raised refer to the construction of the proposed development, whilst it is noted that development may cause disruption to neighbouring properties this does not warrant refusal as the disruption is for a temporary period only. If the development of the site causes damage to the adjoining properties this would be a private civil matter between those concerned. The proposed dwelling and garage is not sited abutting neighbouring properties and there is no evidence to suggest that the erection of the property will inevitably cause damage to neighbouring properties.

With respect of the conversion of the garage, conditions can be attached to ensure that the garage is retained for the storage of vehicles to protect highway safety. Furthermore conditions can be imposed to ensure that the property is not accessed from Shop Road.

IT IS RECOMMENDED: Approve subject to Conditions

1. Notwithstanding any other details which may be given in the application, no development shall take place until details including a sample of the proposed material of all new boundary enclosures to be erected on the site has been submitted to and approved, in writing, by the Local Planning Authority. Thereafter,
the development shall not be carried out other than in accordance with the approved
details.

REASON: To secure a satisfactory external appearance.

2. Permission is granted subject to the provisions of Section 91(1) of the Town and
Country Planning Act 1990, namely that the development to which the permission
relates must be begun not later than the expiration of five years beginning with the
date on which the permission is granted.

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

3. The proposed development is to be carried out and completed in accordance with
the application as amended by the plan(s) received on 5 December 2007. Drawing
numbers 07/09/01Rev C, 07/09/02, 07/09/03 RevC

REASON: To ensure compliance with the approved plan.

4. Notwithstanding any other details which may be given in the application, no
development shall take place until a sample of the external materials and finishes for
the development has been submitted to and approved, in writing, by the Local
Planning Authority. Thereafter, the development shall not be carried out other than
in accordance with the approved details.

REASON: To secure a satisfactory external appearance.

5. No development shall take place until there has been submitted to and approved by
the Local Planning Authority a scheme of landscaping, which shall include
indications of all existing trees and hedgerows on the land and details of any to be
retained, together with measures for their protection in the course of development.

REASON: To safeguard landscape and amenity interests.

6. All planting and grass seeding or turfing comprised in the approved details of
landscaping shall be carried out in the first planting and seeding seasons following
the occupation of the buildings or the completion of the development, whichever is
the sooner; and any trees or plants which within a period of 5 years from the
completion of the development die, are removed or become seriously damaged or
diseased, shall be replaced in the next planting season with others of similar size
and species, unless the Local Planning Authority gives written consent to any
variation.

REASON: To safeguard landscape and amenity interests.

7. The access shall have a maximum gradient of 1 : 8 and be hard surfaced from the
edge of the public highway for a minimum distance of 5 metres into the site. The
works shall tie in with the existing public highway.
8. Any gates installed as a result of the proposal hereby permitted shall be set back a minimum distance of 5 metres from the edge of the public highway.

REASON: In the interests of highway safety to prevent any obstruction to the highway.

9. Provision shall be made within the curtilage of the site for a vehicle turning area to enable all vehicles entering and leaving the site to do so in a forward direction at all times.

REASON: To safeguard highway interests.

10. There shall be no vehicular or pedestrian access to the dwelling hereby approved onto or from Shop Road.

REASON: In the interests of Highway Safety.

11. The proposed private garage is to be used only for the storage of private motor vehicles and/or purposes which are incidental to the enjoyment of the associated dwelling. Notwithstanding the provisions of Article 3, Schedule 2, Part 1 of the Town & Country Planning (General Permitted Development Order 1995, the proposed garage shall not be converted to habitable accommodation without the express consent of the Local Planning Authority.

REASON: To ensure that the Local Planning Authority retains strict control over the future use of the site/buildings.

12. 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) no development falling within Classes A, B, C, D and E of Part 1 of Schedule 2 shall be carried out without the prior, express planning permission of the Local Planning Authority.

REASON: In the interest of visual amenity. In order to ensure the character and the quality of the World Heritage Site is maintained.

Note(s) to Applicant

1. The developers are to ensure that any existing public services which pass through the site are not interfered with or damaged and any diversions or alterations to such services must be carried out in agreement with the responsible Authorities before such work commences.

2. Welsh Water have advised:

a) Foul and surface water discharges must be drained separately from
the site.
b) No surface water discharges will be permitted to discharge into the public surface water sewerage system.
c) No land drainage run-off will be permitted to discharge to the public sewerage system.
d) The proposed development site is crossed by a public sewer/rising main/disposal main. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times. No part of the building will be permitted within 3 metres of the centreline of the public sewer.

3. The Development Plan covering Torfaen County Borough is the Gwent Structure Plan and Torfaen Local Plan. The following policies were relevant to the consideration of this application:

a) Torfaen Local Plan, Policies G1, S3, H7
b) Gwent Structure Plan, Policies H2
DATE OF COMMITTEE: 15-Jan-2008

APPLICATION NO. 07/P/00379(E) RECEIVED: 01-Oct-2007

PROPOSAL: Change of use of domestic garage to hairdressing studio (retrospective)

LOCATION: Cherryoak, The Highway, Croesyceiliog, Cwmbran, NP442HD

APPLICATION TYPE: Full Planning

APPLICANT: Mr J & J Matthews Cherryoak, The Highway, Croesyceiliog, Cwmbran, NP442HD

AGENT: Derek Prosser Associates 6, Rose Court, Ty Canol, Cwmbran, NP446JH

REPORT

SITE HISTORY

00/P/04444 Full: New dwelling Approved subject to Conditions 28/11/00

BACKGROUND

This application seeks to regularise the existing operation of a hairdressing studio at the premises and as such it is a retrospective application.

LOCATION AND DESCRIPTION OF SITE

The application site comprises a large detached residential dwelling with integral double garage. The dwelling is of modern construction and features one and a half storeys with a gable and dormer windows serving the first floor.

The dwelling is constructed of red brick with buff brick detailing and cream painted render to the gables and dormer windows. The roof is constructed of red concrete tiles. The residential curtilage is enclosed by a matching brick wall of approximately 1 metre and wrought iron entrance gates up to approximately 2 metres. There is existing parking and turning space to accommodate four vehicles outside of the double garage.

The site is located on The Highway, a through-road from Cwmbran to the A4042. The surrounding development is predominantly residential ranging from large detached dwellings to low rise flatted developments. Access to the site is from The Highway.
PROPOSED DEVELOPMENT

This application seeks retrospective planning permission for a change of use of the double garage (Class C3) into a hairdressing studio (Class A1). Supporting information submitted with the application states that the business is operated on an appointment system with no ‘walk-in’ custom. There are two chairs and each customer generally is dealt with on a one-hour appointment. The business operates from 9am to 7pm Tuesday to Saturday inclusive.

Given that the use is already operational, there would be no development works required. Internal alterations have already been undertaken with minimal changes to the external appearance of the property. There is no external indication of the business use.

The hairdressing studio comprises the former garage and is accessed directly via a side entrance. Ancillary facilities comprise a studio kitchen, cupboard and WC. An internal connection provides access to the kitchen of the dwelling house.

POLICY CONTEXT

NATIONAL GUIDANCE:

Planning Policy Wales (PPW) (2002) advocates high quality design that applies to all development proposals at all scales (pp 2.9.1).

Paragraph 9.3.3 states that:

“Insensitive infilling or the cumulative effects of development … should not be allowed to damage an area’s character and amenity. This includes any such impact on neighbouring dwellings, such as serious loss of privacy or overshadowing.”

TORFAEN LOCAL PLAN:

The application site is within the urban boundary as designated by the adopted Torfaen Local Plan (2000) and comes within the remit of the general development policies G1 and G5.

Policy G1 comprises a comprehensive set of criteria with which a proposal should comply. These include the impact of the proposed development on existing uses and the character of the area, impact on the environment, impact on services and community facilities, considerations of accessibility and highway safety, impact on open space or woodland and provision of appropriate landscaping; considerations of drainage and flood risk.

In particular, criterion A relates to the impact of the proposed development in relation to existing / proposed uses and the general character of the area:

i. The proposal does not constitute over development of the site in terms of the density, massing and form of development;

ii. The design and visual appearance of the proposal, including materials, respect the existing architecture of the area;
iii. The proposal respects the setting of the site in terms of proposed layout, massing and form;
iv. The proposal respects the urban fabric of the area in terms of space around and between buildings; and
v. The proposal does not have an unacceptable impact upon amenities of the residents in adjoining or neighbouring properties.

Policy G5 sets out highway criteria against which proposals will be assessed. These include highway safety, compatibility with the existing road network, parking provision, access for servicing, pedestrian provision and access to public transport. Criteria A and B, relating to safe access and the existing road network, are of particular relevance.

CONSULTATIONS

CROESYCEILIOG AND LLANYRAVON COMMUNITY COUNCIL: Council objects due to the close proximity to hairdressers at North Road, Edlogan Square, Ashford Close and The Highway opposite Upper Cock Inn. This was built as a dwelling with garage, not for business purposes; it is on a busy road approaching a hill where any additional parking on the road constitutes a major hazard. (Has there been any retrospective business valuation from VLO advised to date) as this would impact on services used for business purposes.

HIGHWAYS: A minimum of 3 car parking spaces are required for a residential property of this size, together with a turning facility. The plan attached to the application indicates 4 car parking spaces, as such the hair studio would only have the benefit of 1 space which is not enough to accommodate this use.

Given the lack of sufficient parking provision within the site, this change of use would inevitably lead to customers or residents parking on the highway fronting the site which would be detrimental to highway safety.

Notwithstanding these comments, it is my view that garages should remain for the storage of a vehicle and planning consent for the dwelling included the construction of the double garage with additional parking provision and turning facility within the site.

Given the above, I have no option but to oppose the application from a highway standpoint.

3/12/07 Further to my memo dated 12 October 2007 regarding the above planning application. The layout plan now shows 5 parking spaces, which would be acceptable; three for the existing residential use and 2 for the retail use.

The gates to this property currently open outwards which does not allow a vehicle to park in the splay whilst the gates are being opened, the vehicle has to park on the highway. Gates fronting a public highway should be inwardly opening, however should the gates be re-hung then they would obstruct access to the parking spaces, therefore in order to provide the necessary spaces, the gates must be removed.
Notwithstanding the above comment, it was a condition of the planning consent 99/P/03213 (outline) for the construction of the dwelling that the gates must be inwardly opening.

My concerns remain regarding the location; I would not wish to see any parking take place fronting the site as it would be detrimental to highway safety. It also remains my view that garages constructed to provide parking for a dwelling should remain for the storage of a vehicle.

Furthermore it is my understanding that the applicant’s have confirmed that the premises work on an appointment basis and that only two customers are at the premises at one time, however I am worried that customers arriving for the next appointment may have no space to park and will therefore park on the highway. Also if consent is granted to change the use to retail then it could be changed from a hairdresser to another form of retail attracting more vehicular trips to the site.

However, providing the gates are removed and 5 car parking spaces are provided within the site then it would be difficult for me to oppose the application on the basis that there is a shortfall in parking provision. I would ask however that any consent is conditioned to a personal consent which would go some way in alleviating my concerns regarding the change of use to retail.

Therefore, if you are minded to put this application forward for approval then I would wish to see the following conditions attached to any grant of approval:-

1. A turning facility and a minimum of 5 parking spaces must be provided within the curtilage of the site. Each hard surfaced space must be clearly marked out on the ground.
2. A personal consent must be issued.
3. Gates must be removed.

ENVIRONMENTAL HEALTH: There are no objections in principle however the premises will need to comply with the Health and Safety at Work Act 1974 relating to ventilation.

PUBLICITY

ADVERTISEMENT: Not applicable.

SITE NOTICE: Not applicable.

NEIGHBOUR CONSULTATIONS: Entrance House, 15, 17 and 19 The Highway; 17 and 18 Rose Gardens

REPRESENTATIONS RECEIVED

One letter of objection has been received from the Secretary of Rose Gardens Management Committee on behalf of the residents of Rose Gardens. The objection is based on the view that the additional traffic to the premises will be dangerous and the additional parking on The Highway will exacerbate current visibility problems.
seeing oncoming traffic when leaving North Road and when leaving Rose Gardens onto The Highway.

**ASSESSMENT AND CONCLUSION**

This application seeks retrospective planning permission to regulate a change of use of the integral double garage at Cherryoak (Class C3) to a hairdressing studio (Class A1).

The planning permission granted for the dwelling itself (RM: 00/P/04444) was approved 28 November 2000 and as such, was approved within the current policy context. Two conditions were attached to the permission as follows:

7. The proposed private integral garage is to be used only for the storage of private motor vehicles and / or purposes which are incidental to the enjoyment of the associated dwelling.

   **REASON:** To ensure that the Local Planning Authority retains strict control over the future use of the site / buildings.

10. The proposed parking spaces including integral garage shall be constructed in accordance with the approved plan dated 12 October 2000 prior to the beneficial occupation of the dwelling hereby permitted. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order revoking or re-enacting that order, any such spaces shall be retained for that purpose in perpetuity unless an express grant of planning permission is made to the Local Planning Authority.

   **REASON:** To safeguard highway interests.

Comments from the Authority’s Highways Department state that a minimum of three parking spaces are required for a dwelling of this size and that garages built in conjunction with dwellings should be retained for vehicle storage purposes.

The Parking Guidelines adopted by the Authority (Standing Conference on Regional Policy in South Wales) (as amended 2001), requires one space per 60m² for employees and one space per 20-40m² for customers. The planning application form states that the area of the hairdressing studio is 48m² therefore one space for employees plus two / three spaces for customers are required.

The employee parking requirement is incorporated within the allocation for the dwelling based on the two current employees living at the premises and there is therefore sufficient parking allocation within the site. A key consideration however is the entrance gates which are currently opening outwards which has consequences in terms of highway safety with cars parked on the highway prior to entering the site. If the gates were altered to open inwards, access to the parking spaces would be severely restricted. As such, in order to comply with highway safety requirements and provide sufficient parking space, the gates must be removed.
Additional policy based considerations relate to the potential impact on the environment, the character of the area, the visual appearance within the local context and the amenities of surrounding occupiers.

It is considered that the hairdressing use would have no detrimental impact on the environment. Supporting information submitted with the application states that there are no designs or visual implications because the existing appearance of the garage has been retained with no intention to change it.

The predominant use within the locality is residential with some supporting commercial services. Croesyceiliog and Llanyrafon Community Council identify existing hairdressing salons at North Road, Edlogan Square, Ashford Close and The Highway opposite Upper Cock Inn. It is considered that limited commercial use is acceptable within the residential character of the area.

In terms of potential impact on the residential amenities of neighbouring occupiers, it is considered that there will be no excessive noise, emissions, dust or general disturbance as a result of the proposal. No building works are proposed and no impact on privacy or light would occur.

The property was constructed with the garage for the purpose of storing private vehicles. The change of use is directly contrary to these conditions and it is considered necessary to restrict the future use of the site so that no other retail use can be operated and the integral parking be restored.

It is considered therefore that the application should be approved subject to conditions.

In addition it is considered that whilst the use has operated without complaint to date, approved on a temporary basis would be justified so that the site can be monitored and the implications with regard to amenity and highway safety be reasoned following an 18 month permission.

IT IS RECOMMENDED: Approve subject to Conditions

1. The integral garage shall be used for a hairdressing salon operated on an appointment basis and for no other purpose (including any other purpose in Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order), unless an express grant of planning permission is given on an application made in that behalf.

   REASON: To ensure that the Local Planning Authority retains strict control over the use of the premises and site.

2. The five parking spaces shown on the approved block plan shall be retained for that purpose in perpetuity unless an express grant of planning permission is made to the Local Planning Authority.
REASON: To safeguard highway interests.

3. Provision shall be made within the curtilage of the site for a vehicle turning area to enable all vehicles entering and leaving the site to do so in a forward direction at all times.

REASON: To safeguard highway interests.

4. The existing gates shall be removed within 3 months of the date of this permission. Thereafter, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (Schedule 2, Part 2, Class A), no barrier or gate shall be erected at the vehicular entrance of the site unless otherwise agreed in writing with the Local Planning Authority. The vehicular entrance shall be maintained free of any obstruction and available for the ingress and egress of vehicles while the hairdressing use is in operation.

REASON: To encourage customers to use the on-site parking provision and so that customers do not obstruct the highway while gates are opened and closed, in the interests of highway safety.

5. Consent is limited to a temporary period terminating on 15 July 2009 by which time the hairdressing use shall cease unless a further permission is granted by the Local Planning Authority.

REASON: To allow the Local Planning Authority to monitor the impact of the development.

6. In addition to Condition 5 above, the use hereby permitted shall be carried out only by the applicants, Mr Julian Matthews and Mr James Matthews, and only for as long as they reside at the site, Cherryoak, as their main residence. Once the applicants cease to occupy the premises as their sole or main residence the use of the garage for hairdressing shall cease unless an express grant of planning permission is obtained from the Local Planning Authority.

REASON: In the interests of residential amenity and highway safety.

Note(s) to Applicant

1. The Development Plan covering Torfaen County Borough is the Gwent Structure Plan and Torfaen Local Plan. The following policies were relevant to the consideration of this application:

   a) Torfaen Local Plan, Policies G1 and G5
DATE OF COMMITTEE: 15-Jan-2008

APPLICATION NO. 07/P/00416(W) RECEIVED: 17-Oct-2007

PROPOSAL: Two storey extension to side elevation

LOCATION: 4, Littledene, Greenmeadow, Cwmbran, NP444SU

APPLICATION TYPE: Full Planning

APPLICANT: Mr M Shave 4, Littledene, Greenmeadow, Cwmbran, NP444SU

AGENT: Mr K Assender 9, St Cenydd Close, Pontllanfraith, Blackwood, NP12 2FG

REPORT

SITE HISTORY

07/P/00133(W) Two storey extension to side and rear, Refused 17.07.07 form pitched roof to property and formation of vehicle access

BACKGROUND

A recent application 07/P/00133(W) was refused permission in July 2007 for a substantial development that included an extension measuring 7.9 metres in length by 3.4 metres wide to be carried out on the western side elevation of the dwelling, but also projected beyond the rear building line by 1.8 metres, together with a pitched roof over both the extension and replacing the existing shallow mono-pitch of the main dwelling. A vehicle access was to be formed from the rear garden onto the adjacent resident’s communal parking area. It was considered the proposals would in terms of the scale and roof design introduce a discordant architectural feature that would detract from the appearance of the property and terraced row. In particular it failed to respect the character and design of the existing street scene and surrounding estate generally. Provision of parking in the rear garden would have resulted in the loss of facilities within the communal parking forecourt, thus creating casual overfill parking onto the adjacent highway detrimental to the free flow of traffic and highway safety. This would have been contrary to Policies G1 and G5 of the Torfaen Local Plan. Neighbour letters of objection and representations from the Council’s Transportation Officers had been received which were taken into account.

LOCATION AND DESCRIPTION OF SITE

The premises to which the application relates is the western end terrace of four properties located towards the end of a short cul-de-sac off the Main Estate Road,
Byways, which terminates in a communal car parking area and a row of private lock-up garages. There is a distinct regimented pattern of high density housing layout in this part of Greenmeadow neighbourhood. Each of the short terraced rows are uniformly spaced apart at a distance of approximately 12-13 metres, and orientated in a north-south facing direction. The general topography of the area is steeply sloping in a north-west to south-east direction, with an average difference in levels between each of the nine rows of properties measuring 2 metres. Number 4 Little Dene has a rear garden depth of 7 Metres, with a 2 metre wide sloping grass embankment between the rear garden boundary fence and the public footway in front of the properties at Deerbrook. In each of the properties the south facing elevation contains all the habitable windows, in contrast to the north elevation consisting of the main front entrance door, first floor landing, bathroom and kitchen. The latter forms part of a combined kitchen/dining room arrangement. Unlike its neighbouring properties number 4 Little Dene has additional garden space to the side of the dwelling between the west elevation and rear of the adjacent garages/car park. This is a three bedroom property that is designed with a flat roof.

PROPOSED DEVELOPMENT

The proposal comprises a revised scheme to that previously refused permission, which has omitted the pitched roof over the main dwelling and extension and the new access. The overall size of development remains the same as before, 7.9 metres in length, 3.4 metres across the rear elevations which projects beyond the rear building line 1.8 metres. The external side elevation wall of the dwelling is to be removed, in order for the existing internal layout to be arranged, accommodating a maximum extension new build 2.4 metres wide on the side, almost abutting the rear elevation of the garage block. This will enable a second living room and a new study at ground floor with a master 4th bedroom/en-suite at first floor. The external elevations are to be completed in rendered pebble dash finish to match the existing dwelling. However, there is no indication of how this will be completed on the area immediately abutting the garage block. Window openings are to be installed on both front and rear elevations at ground and first floor levels.

POLICY CONTEXT

The site of the proposal is situated within the Urban Boundary of the adopted Torfaen County Borough Local Plan, but not in any area designated for any specific proposals. Nevertheless general policy G1 will be of particular relevance in the consideration of the proposals as far as design, appearance, space about buildings and impact upon neighbouring properties are concerned, Policy G5, addresses the need for satisfactory access and adequate parking.

The Governments Planning Policy Wales paragraph 2.9 emphasises the importance of design supplemented by TAN 12. The appearance of the proposed development, its scale and its relationship to its surroundings are material considerations. Local Planning Authorities should reject obviously poor designs, but should not seek to control the detail design of buildings unless the sensitive character of the area and the setting justifies it.
CIRCULARS:  35/95 – The use of conditions in planning permission will be of relevance should the proposed be favourably considered.

SUPPLEMENTARY PLANNING GUIDANCE:  No Supplementary Planning Guidance’s are deemed relevant.

RELEVANT POLICIES OR OTHER GUIDANCE:  The Standing Conference on Regional Policy in South Wales (Parking Guidelines) 1993 advises Local Planning Authorities to ensure adequate parking facilities are incorporated into any new development schemes. The Supplementary Guidance (2000) shows no deviation from this standpoint in so far as residential development is concerned.

CONSULTATIONS

OPERATIONAL SERVICES HIGHWAYS:

“I was previously consulted on a similar proposal under code 07/P/00133(W), to extend this property and construct an alternative hardstanding in the rear of the property with vehicular access of the communal parking area located at the side of the property.

I was opposed to the creation of the new hardstanding as it would have resulted in the loss of the existing parking space and the space to the rear has been omitted.

Whilst I would not wish to see the loss of any parking space it would be difficult for me to oppose the application on this basis given that the property originally did not have any parking provision, the applicants have provided their own. The existing vehicular footway crossing is of substandard construction and I would wish to see full height kerbs reinstated across the access.

I would not oppose the application from a highway standpoint, however I would wish to see the following conditions attached to any grant of approval:-

1. Full height kerbs must be installed across the existing vehicular access to the satisfaction of an Officer from the Highways development Control Section, Operational Services, County Hall, Cwmbran NP44 2WN (Tel. 01633 648395).

2. No surface water from the site shall drain onto the highway or into highway drainage.

CWMBRAN COMMUNITY COUNCIL: “Cwmbran Community Council has carefully considered this application and has no objections to make on this occasion”.

WELSH WATER HYDER: No reply received.

PUBLICITY

ADVERTISEMENT: None
SITE NOTICE: None

NEIGHBOUR CONSULTATIONS:

2,3,4 The Twinings, 3 Little Dene, 23,25 Deerbrook, Greenmeadow, Cwmbran

REPRESENTATIONS RECEIVED

A letter of objection has been received from a neighbour opposite the site at Deerbrook on the grounds that the proposal would adversely impact upon the day light to the property which is at a lower level. In addition there is likely to be disruption to the car park facilities as a result of construction works.

ASSESSMENT AND CONCLUSION

The proposal relates to a substantial extension of the side and projecting beyond the rear building line of a terraced row of dwellings. However, in the consideration of the previous application, the merits of the proposal were considered unacceptable in terms of design, appearance and access, not in terms of scale and massing. The reasons for refusal have now been addressed in the current re-submission, although one of the three neighbours previously objecting have reiterated their concerns. There will be a reduction in the distance between the two terraced rows of dwellings at Deerbrook from a minimum of 12.8m to 11m with a projection of 1.8m. Nevertheless, this is likely to set a precedent as no other property in this neighbourhood has been developed with a two storey rear extension. However, as there are no habitable windows on the north elevation, except for a secondary kitchen window and at an oblique angle and distance of 14m, such is the orientation of the extension, there would be no overshadowment. On balance therefore it is considered that the detriment to residential amenity interests should not significantly outweigh the merits of the revised proposals and would accord with the policy criteria of the adopted Local Plan.

IT IS RECOMMENDED: Approve subject to Conditions

1. The external finishes for the proposed extension shall match the existing dwelling unless otherwise agreed in writing with the Local Planning Authority.

   REASON: In the interests of the appearance of the development.

2. Permission is granted subject to the provisions of Section 91(1) of the Town and Country Planning Act 1990, namely that the development to which the permission relates must be begun not later than the expiration of five years beginning with the date on which the permission is granted.

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

3. The Local Planning Authority shall be given not less than seven clear days notice in
writing by the applicant of his/her intention to set out the position of the building and site included in this permission prior to the commencement of any such work.

REASON: To ensure that the development is carried out in accordance with the approved plan.

Note(s) to Applicant

1. The developers are to ensure that any existing public services which pass through the site are not interfered with or damaged and any diversions or alterations to such services must be carried out in agreement with the responsible Authorities before such work commences.

2. The Development Plan covering Torfaen County Borough is the Gwent Structure Plan and Torfaen Local Plan. The following policies were relevant to the consideration of this application:

   a) Torfaen Local Plan, Policy G1
DATE OF COMMITTEE: 15-Jan-2008

APPLICATION NO. 07/P/00420(W) RECEIVED: 19-Oct-2007

PROPOSAL: Erection of close boarded fence

LOCATION: Hafren, Open Hearth Close, Griffithstown, Pontypool, Torfaen

APPLICATION TYPE: Full Planning

APPLICANT: Mr K Haven Hafren, Open Hearth Close, Griffithstown, Pontypool, Torfaen

AGENT: Mr G Martin 11, Heol Madoc, New Inn, Pontypool, Torfaen, NP4 OQQ

REPORT

SITE HISTORY

P/06260 Residential Development (outline) Approved 15/05/1981
P/10467 Residential Development (outline) Approved 16/07/1985
P/12763 Erection of 2 dwellings Refused 22/03/1988
01/P/05916 Two bedroom bungalow Withdrawn 22/02/2002
02/P/06429 Two bedroom bungalow (Outline) Approved 23/04/2003 With S106 Agreement
03/P/08436 Two bedroom bungalow Approved 20/06/2003
04/P/10748 Retrospective consent to incorporate land within dwelling plot Approved 10/10/2004

BACKGROUND

Enforcement proceedings were initiated following a complaint about the size of the fence that had been erected between the rear of the applicant’s property and the rear of properties along Museum Court (ref: 07/ENF/294 (W)). The applicant was informed that the fence would require planning permission due to its height and this planning application has been submitted in response.

LOCATION AND DESCRIPTION OF SITE

The application site is known as ‘Hafren’ and is located at the entrance of Open Hearth Close, off Station Road, in Griffithstown. The site has been subject to several previous planning applications and the two bedroom bungalow has now been completed in red brick with a pitched roof. Whilst the dwelling has been completed, the landscaping around the house has not been although parking space has been laid out at the front of the bungalow. The land is on a slightly higher level than the
rear gardens of properties on Museum Court at the rear. The garden has not currently been completed.

The fence at the side of the property was previously permitted in the detailed application for the bungalow. This wooden fence measures approximately 1.8 metres high and has an area of Council owned land adjacent to it, separating the property from Station Road.

**PROPOSED DEVELOPMENT**

Retrospective permission is sought for the construction of a rear boundary fence measuring 2.7 metres from ground level on the adjacent side of the fence. A retaining breeze block wall has been installed to a maximum height of 0.9 metres and 1.8 metre close boarded fencing has been placed on the top of this wall, giving a total height of 2.7 metres. However, following discussions with Officers, amended details have been provided reducing the height of the close boarded fencing to between 1.6 metres and 1.3 metres (Station Road side). The fencing has been stained on the applicant’s side of the fence but not on the side facing the rear of properties on Museum Court. The fencing ties in with the adjacent property, No. 1 Open Hearth Close although the wall is currently at a higher level where it adjoins the side fence fronting onto Station Road. The amended plans now show that the difference in levels will be reduced by 500mm and will tie in with the side boundary fences.

The agent has confirmed that the application relates only to the erected fence on the southern boundary.

**POLICY CONTEXT**

NATIONAL GUIDANCE: The Welsh National Assembly’s Planning Policy - Paragraph 2.9 emphasises the importance of design, supplemented by TAN 12. The appearance of the proposed development, its scale and its relationship to its surroundings are material considerations.

TORFAEN LOCAL PLAN: The site of the proposal is situated within the Urban Boundary of the adopted Torfaen County Borough Local Plan but not in an area designated for any specific proposals. Nevertheless general policy G1 will be of particular relevance in the consideration of the proposals as far as design, appearance, space about buildings and impact upon neighbouring properties are concerned.

**CONSULTATIONS**

HIGHWAYS: “I would not oppose this application from a highways standpoint and there are no specific conditions that I would wish to see attached to any grant of approval.”

PONTYPOOL COMMUNITY COUNCIL: “No objections provided the fence is within planning regulations.”
WELSH WATER: Have been consulted on this application but no reply has been received to date.

PUBLICITY

NEIGHBOUR CONSULTATIONS:
1 Open Hearth Close, Griffithstown, Pontypool
4, 5 and 6 Museum Court, Griffithstown, Pontypool

REPRESENTATIONS RECEIVED

One letter of objection has been received from the resident of the adjacent property at the rear (No. 6) who writes on behalf of himself and his neighbour (No. 5) who are in agreement that the structure is too high and therefore wish to object. The main points of the objection are as follows:

- The structure is well in excess of 1800mm- probably in the region of 2700mm
- The structure consists of a retaining wall which has been used to landscape and level the land within their property
- The retaining wall is taller than the landscaped/ levelled ground on the applicants side of the property, which can clearly be seen from the road
- Cosmetic appearance of the fence is poor with an “untidy/ ugly” step in the horizontal top line of the fence
- It is my opinion that the structure that has been built feels imposing due to its excessive height and will have a negative impact on our enjoyment of our garden due to its height and the imposing feeling it creates.

The letter also states that the objector’s have no issues with the applicant building a perimeter boundary at the rear but the boundary should be of an appropriate height; in relation to the natural ground level and other boundary fences within the area. It should follow a similar and continuous line to the boundary fences that it backs onto and those to its left and right. The concerned neighbours would like to see the existing boundary reduced in height to an acceptable level, which relates well to other boundary fences in the vicinity.

Following this objection, amended details have been provided which reduce the height of the fence by between 200mm and 500mm. The neighbours were notified of these amendments and no further comments have been received on the revised proposals. If any comments are subsequently received, they will be conveyed at planning committee.

ASSESSMENT AND CONCLUSION

The amended proposal relates to the erection of a fence measuring 2.2 metres in height constructed of breeze block and close boarded fencing on top at the rear boundary of the property ‘Hafren’ within the Urban Boundary. Therefore the application is to be determined within the context of Policy G1 of the Adopted Local Plan. Policy G1 states that the proposals are acceptable subject to the following criteria:
- The proposal does not constitute over development of the site in terms of the density, massing and form of development,
- The design and visual appearance of the proposal, including materials, respect the existing architecture of the area,
- The proposal respects the setting of the site in terms of proposed layout, massing and form,
- The proposal does not have an unacceptable impact upon amenities of residents in adjoining or neighbouring properties.
- The proposal respects the urban fabric of the area in terms of the space around and between buildings.

The main considerations in relation to this application are design/visual appearance, the scale of development and the impact on residential amenity. In assessing this proposal due regard and consideration needs to be made of national guidance, local plan policies and representations and consultations received.

The design of the fencing is similar to that of the other fences within the area which are wooden, close boarded fencing; however, this fence has not been stained on the side facing properties at the rear of ‘Hafren’. As a result, the fence is more prominent in the landscape and does have a detrimental visual impact, but this can be overcome by including a condition stating that the fence must be stained in a darker colour.

There have been concerns regarding the scale of the development which was one of the main concerns of the objectors who state that the fence is imposing. These concerns were relayed to the agent with the recommendation that the height be reduced. Amended plans have now been received showing that the close boarded fence will be reduced in height to a maximum height of 2.2 metres for the close boarded fencing and retaining wall. As a result of this, the ‘untidy step’ that the neighbours objected too has been removed, the fence relates well to the natural ground level and will also tie in with the height of the side boundary fences of ‘Hafren’ and No. 5 Museum Court. Therefore the design and scale of the fence are considered acceptable and are in accordance with Local Plan policy.

The adjacent neighbours had concerns regarding the overbearing nature of the fence due to its height. The amended plans show that the fence will now be 2.2 metres in height and will measure slightly larger than the rear boundary fences of properties along Museum Court. Reducing the fence to 2.2 metres will reduce the overbearing impact of the fence. When measured from ground level of the application site, the fence will measure between 1.3 metres and 1.6 metres which will minimise overlooking from the applicant’s property, whilst also providing a degree of privacy for the residents of Museum Court. It is therefore considered that the height of 2.2 metres is acceptable and reduces the overbearing nature of the fence and provides privacy for the application site and the properties at the rear of the application site.

On balance, it is considered that the amended plans overcome the concerns of the objectors and are now in accordance with Local Plan policy and should be recommended for approval.
IT IS RECOMMENDED: Approve subject to Conditions

1. The proposed development is to be carried out and completed in accordance with the application as amended by the plan(s) received on 11 December, Drawing No(s). KH/01/07 Rev B.

   REASON: To ensure compliance with the approved plan.

2. Within three months of the date of this permission, the entire wooden fence hereby approved shall be completely finished in dark wood stain and maintained as such in perpetuity, unless otherwise agreed in writing with the Local Planning Authority.

   REASON: In the interests of visual amenity.

3. Within three months of the date of this consent, the fence shall be reduced in height in accordance with the approved plans so that no part of it will be higher than 2.2 metres above the ground level of the adjoining neighbouring land, No's. 5 and 6 Museum Court measured from the base of the wall. Thereafter, the fence shall be retained at the approved height in perpetuity.

   REASON: In the interests of residential amenity.

Note(s) to Applicant

1. The Development Plan covering Torfaen County Borough is the Gwent Structure Plan and Torfaen Local Plan. The following policies were relevant to the consideration of this application:

   a) Torfaen Local Plan, Policy G1.
DATE OF COMMITTEE: 15-Jan-2008

APPLICATION NO. 07/P/00438(E) RECEIVED: 26-Oct-2007

PROPOSAL: Proposed two storey extension consisting of kitchen, dining and first floor bedroom extension

LOCATION: 132, Chester Close, New Inn, Pontypool, NP4 0LW

APPLICATION TYPE: Full Planning

APPLICANT: Mr J Jones 132, Chester Close, New Inn, Pontypool, NP4 0LW

AGENT: Mr G Jones 13, Church Road, Pontnewydd, Cwmbran, NP441AT

REPORT

SITE HISTORY

None.

LOCATION AND DESCRIPTION OF SITE

The site comprises of a detached, modern, two-storey red brick house in a cul-de-sac in an area of detached residential dwellings in New Inn, Pontypool. The adjacent house has a garage side extension close to the boundary with the applicant property.

PROPOSED DEVELOPMENT

Full permission is sought for a two storey extension consisting of a kitchen, dining room and first floor bedroom. Amended plans following negotiations show the extension proposed to be 3.2 metres wide, 7.4 metres deep and 7.3 metres high.

These show the extension set back by 0.7 metres from main wall of the front elevation and set down by 0.3 metres from the existing roof line.

The extension would be erected over side driveway and would lead to the loss of one parking space, plans show two further spaces to be created at the rear from a new access.

POLICY CONTEXT

NATIONAL GUIDANCE: Section 2.9 of The Welsh Assembly Government’s national planning guidance, ‘Planning Policy Wales’, gives advice on promoting sustainability through good design. This is supplemented by Technical Advice Note 12: ‘Design’. The guidance advises that the design of any development should take into
consideration such issues as sustainability, safety and visual appearance. This includes consideration of scale and the relationship of the development to its surroundings.

TORFAEN LOCAL PLAN (adopted 27 July 2000): The proposal site is situated within the Urban Boundary (Policy G3), although it has no other land allocation or specific proposal designation in the plan. General Policy G1 is the most relevant policy in the consideration of the proposal, which assesses the impact of the development against a number of broad criteria. Highways considerations are also considered under Policy G5.

CONSULTATIONS

HIGHWAYS: the authority have recommended conditions to be attached to an approval, relating to: surface water runoff, the provision of a vehicular footway, the provision of parking spaces and the setting back of an adjacent fence.

COMMUNITY COUNCIL: no objection.

WELSH WATER: no response.

PUBLICITY

NEIGHBOUR CONSULTATIONS:

122, 123, 124, 125, 130, 131 and 133 Chester Close, New Inn, Pontypool.

REPRESENTATIONS RECEIVED

Concerns have been raised by the occupiers of 123 Chester Close relating to the possibility of construction vehicles blocking access to the cul-de-sac and the possible increased presence of vehicles on the road outside the property.

ASSESSMENT AND CONCLUSION

In assessing the proposal, due regard and consideration needs to be made of national guidance, local plan policies and consultation responses received.

As the proposal is within the Urban Boundary, it will be assessed against the criteria of Policy G1 of the Torfaen Local Plan. The relevant criteria that apply to the proposal are contained within section A of the Policy, and relate to the impact of the proposal in relation to existing/proposed uses and the general character of the area. These criteria are as follows:

“i) The proposal does not constitute over development of the site in terms of the density, massing and form of the development.

ii) The design and visual appearance of the proposal, including materials, respect the existing architecture of the area.

iii) The proposal respects the setting of the site in terms of the proposed layout, massing and form.”
iv) The proposal respects the urban fabric of the area in terms of the space around and between buildings.  
v) The proposal does not have an unacceptable impact upon the amenities of the residents in adjoining or neighbouring properties."

The extension is of a layout, massing and form that is appropriate to the context of the site and does not constitute over development. It complements the existing architecture of the house as it appears subservient to the main dwelling and therefore also respects both the urban fabric and character of the area. Its design and overall visual appearance, including the roof style and fenestration, are congruent with the property and the materials used in the extension would match those that are already present on the building.

Although there is a proposed window in the side elevation, it faces onto the blank side elevation of the neighbouring dwelling. The extension does not have any windows that would be closer to neighbouring windows than those on the existing dwelling. There is also good screening of the property to the rear (No. 133 Chester Close). Therefore, it is considered that there are no issues of overlooking or loss of light to neighbours, or any other unacceptable impacts on neighbourhood amenity.

For the above reasons, the proposal accords with the requirements of both Technical Advice Note 12 and Policy G1.

As additional parking spaces are being provided as part of the proposal, it meets the requirements of Policy G5, subject to the advice and conditions recommended by the Highways Authority.

There are no other constraints applicable to the site and no other representations were received.

On the basis of the reasons outlined above, it is considered that the application should be approved.

**IT IS RECOMMENDED: Approve subject to Conditions**

1. Permission is granted subject to the provisions of Section 91(1) of the Town and Country Planning Act 1990, namely that the development to which the permission relates must be begun not later than the expiration of five years beginning with the date on which the permission is granted.

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

2. The proposed development is to be carried out and completed in accordance with the application as amended by the plan(s) received on 19th December 2007, Drawing No(s). 'Revised Drawing B 14/12/07'

   **REASON:** To ensure compliance with the approved plan.
3. The external finishes for the extension shall match the existing dwelling unless otherwise agreed in writing with the Local Planning Authority.

   REASON: In the interests of the appearance of the development.

4. Three hard surfaced parking spaces shall be provided within the curtilage of the site in accordance with the approved plans prior to beneficial occupation of the extension. Each space shall be a minimum of 2.4 metres wide by 4.8 metres in length and shall thereafter be maintained as such soley for the parking of vehicles associated with the dwelling.

   REASON: To safeguard highway interests.

5. Where access crosses the public highway, a vehicular footway crossing shall be provided to a highway specification in accordance with Drawing No. 1173/B1 prior to any vehicle using the new drive. The crossing shall tie in to the existing crossing serving No.133 Chester Close as indicated on Drawing No. 1396.

   REASON: to safeguard highway interests.

6. Prior to the beneficial use of the 2 parking spaces to be created adjacent to No. 133 Chester Close, as required by Condition 4 above, the existing fence shall be set back a minimum distance of 1 metre from the back edge of the footway fronting the application site, unless otherwise agreed in writing with the Local Planning Authority.

   REASON: To safeguard highway interests.

7. No surface water shall be permitted to drain from the site onto the adjoining highway, or from thence into any highway drainage system.

   REASON: To safeguard highway interests.

Note(s) to Applicant

1. The developers are to ensure that any existing public services which pass through the site are not interfered with or damaged and any diversions or alterations to such services must be carried out in agreement with the responsible Authorities before such work commences.

2. The Development Plan covering Torfaen County Borough is the Gwent Structure Plan and Torfaen Local Plan. The following policies were relevant to the consideration of this application:

   a) Torfaen Local Plan, Policies G1 and G5
DATE OF COMMITTEE: 15-Jan-2008

APPLICATION NO.  07/P/00453(W)          RECEIVED:  06-Nov-2007

PROPOSAL: Garage and conversion of roof space

LOCATION: Edlogan Cottage, Avondale Road, Sebastopol, Pontypool, NP4 5EL

APPLICATION TYPE: Full Planning

APPLICANT: Mrs C Evans Edlogan Cottage, Avondale Road, Sebastopol, Pontypool, NP4 5EL

AGENT:

REPORT

SITE HISTORY

95/P/19730 Change of use to garden land from Approved 30/03/95 former railway
03/P/09214 Pitched roof to garage and first floor Withdrawn 15/12/03 extension
04/P/09833 New pitched roof and rear extension Approved 04/05/04

BACKGROUND

The premises has been the subject of previous planning decisions and enforcement investigations regarding the construction of a steep pitched roof. A revised scheme was considered acceptable in May 2004 following submission of more appropriate and sympathetic design details. An adjacent resident has objected to the proposals on the grounds of loss of privacy, boundary encroachment, and restricting development on own property.

LOCATION AND DESCRIPTION OF SITE

The premises to which the application relates is a detached two storey dormer bungalow that has been recently extended. It is located in the western side of Avondale Road opposite the southern entrance of former Avesta Sheffield premises. The site is located between Edlogan Villa a large three storey Victorian period dwelling on the south side and Cherry Hinton Bungalow to the north. The National Cycle Route/Footway runs to the rear and along the western boundary of the site. The curtilage of Edlogan Cottage was extended in 1995 when permission was given to change the use of the former railway land to garden. Edlogan Cottage appears originally to have been a modest dwelling which has been the subject if various extensions over the years, that apart from the most recent application 04/P/09833, no records exist of any other permissions for these extensions. The dwelling is
located on a relatively small curtilage with most of its garden area on the north side adjacent to Cherry Hinton. Access to the property is from a shared entrance driveway which runs along the northern boundary of Edlogan Villa, a combination of block work wall and timber fence. The rear boundary is primarily a timber fence adjacent to hedgerow along the cycle track.

**PROPOSED DEVELOPMENT**

The proposals comprise the erection of a two storey extension attached to the side/rear south –west corner of the existing dwelling. This will occupy the full extent of the corner plot, adjacent to the cycle track and adjacent property Edlogan Villa boundaries respectively, resulting in no external access between the driveway and rear garden from the south side of the building. The overall dimensions measure 3.5 metres wide by 5.5 metres in length, providing for a garage at ground floor and a bedroom/extension into the restricted roof space 3.5 metres by 3 metres above to be utilised as a dressing room. A dormer window was originally intended to be installed on the front east elevation of the steep sloping roof, but has subsequently been repositioned to the rear west overlooking the cycle track in revised drawings. It is anticipated the external materials of slate and render block work finish will match the existing features of the dwelling, however, the elevations will be difficult to satisfactorily complete so close to the adjacent boundaries.

**POLICY CONTEXT**

The site of the proposal is situated within the Urban Boundary of the Torfaen County Borough Local Plan, but not in an area designated for any specific proposals. Nevertheless general Policy G1 will be of particular relevance in the consideration of the proposals as far as design, appearance, space about buildings and impact upon neighbouring properties are concerned, Policy G5, addresses the need for satisfactory access and adequate parking.

The Governments Planning Policy Wales paragraph 2.9 emphasises the importance of design supplemented by TAN 12. The appearance of the proposed development, its scale and its relationship to its surroundings are material considerations. Local Planning Authorities should reject obviously poor designs, but should not seek to control the detail design if buildings unless the sensitive character of the area and the setting justifies it.

**CIRCULARS: 35/95 –** The use of conditions in planning permission will be of relevance should the proposal be favourably considered.

**SUPPLEMENTARY PLANNING GUIDANCE:** No Supplementary Planning Guidance’s are deemed relevant.

**RELEVANT POLICIES OR OTHER GUIDANCE:** The Standing Conference on Regional Policy in South Wales (Parking Guidelines) 1993 advises Local Planning Authorities to ensure adequate parking facilities are incorporated into any new development schemes. The Supplementary Guidance (2000) shows no deviation from this standpoint in so far as residential development is concerned.
CONSULTATIONS

HIGHWAYS:

“I would not oppose this application from a highway standpoint, however given the close proximity of the rear of the garage to the existing cycle way I would advise that the following condition is attached to any grant of approval:

1. No surface water shall drain onto the cycle way”.

PONTYPOOL COMMUNITY COUNCIL: No objections

WELSH WATER (HYDER):

“We would inform you that a public sewer is crossing the application site. We have attached a copy of the public sewer record indicating the location of these assets. We would therefore request that the following condition be included in any planning consent you are minded to grant:

1. The proposed development site is crossed by a public sewer with the approximate position being marked on the attached record plan. No development (including the raising if lowering of ground levels) will be permitted within the safety zone which is measured either side of the centre line. For details if the safety zone please contact Dwr Cymru Welsh Water’s Network Development Consultants on 01443 331155.

The Developer must contact us if a sewer connection is required under Section 106 of the Water Act 1991 or any alteration to our apparatus is proposed prior to any Development being undertaken”.

PUBLICITY

ADVERTISEMENT: None

SITE NOTICE: None

NEIGHBOUR CONSULTATIONS: Edlogan Villa, Cherry Hinton, Avondale Road, Sebastopol, Pontypool.

REPRESENTATIONS RECEIVED

A letter of objection has been received from the occupier of Edlogan Villa on the grounds that the development intrudes onto his property, and any works or maintenance would necessitate access. A 6 foot wall has already been erected close to the boundary.

ASSESSMENT AND CONCLUSION

Although the application premises has already been extensively altered and extended in the past, this current addition occupies a redundant corner of the plot
which should not directly impact upon the amenities of adjacent properties as it
would be located to the north and west of the existing dwelling. A tall conifer
hedgerow in the rear garden of the adjacent Edlogan Villa along the side boundary
currently screens the application site. Therefore loss of amenity because of
overshadowment, overlooking will be negligible as a result of the proposed
development. Concerns of land ownership are matters not under the jurisdiction of
the Local Planning Authority and will need to be resolved by respective parties,
which would not be of significant weight in the determination of this application. On
balance it is considered the amended proposals are acceptable which do not conflict
with the policy criteria of the adopted Local Plan and should accordingly be
favourably determined.

IT IS RECOMMENDED: Approve subject to Conditions

1. The roof materials of the proposed extension shall be dark blue/grey slates to match
   existing roof material of the adjoining dwelling.

   REASON: To safeguard amenity interests.

2. The external elevations of the proposed extension shall be constructed in natural
   stonework to match the adjoining dwelling or suitable alternative substitute brickwork
   with stonework, the colour and texture of which are to be agreed with the Local
   Planning Authority prior to the commencement of development. A sample of
   brickwork to be used shall be submitted to the Local Planning Authority for further
   consideration.

   REASON: To safeguard amenity interests.

3. The proposed development is to be carried out and completed in accordance with
   the application as amended by the plan(s) received on 19 December 2007, Drawing
   No. Revision B.

   REASON: To ensure compliance with the approved plan.

4. Permission is granted subject to the provisions of Section 91(1) of the Town and
   Country Planning Act 1990, namely that the development to which the permission
   relates must be begun not later than the expiration of five years beginning with the
date on which the permission is granted.

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

5. The Local Planning Authority shall be given not less than seven clear days notice in
   writing by the applicant of his/her intention to set out the position of the building and
   site included in this permission prior to the commencement of any such work.

   REASON: To ensure that the development is carried out in accordance with the
   approved plan.
Note(s) to Applicant

1. The proposed development site is crossed by a public sewer with the approximate position being marked on the attached record plan. No development (including the raising or lowering of ground levels) will be permitted within the safety zone which is measured either side of the centre line. For details of the safety zone please contact Dwr Cymru Welsh Water's Network Development Consultants on 01443 331155.

   The Developer must contact us if a sewer connection is required under Section 106 of the Water Act 1991 or any alteration to our apparatus is proposed prior to any Development being undertaken.

2. The developers are to ensure that any existing public services which pass through the site are not interfered with or damaged and any diversions or alterations to such services must be carried out in agreement with the responsible Authorities before such work commences.

3. The Development Plan covering Torfaen County Borough is the Gwent Structure Plan and Torfaen Local Plan. The following policies were relevant to the consideration of this application:

   a) Torfaen Local Plan, Policies G1 and G5.
DATE OF COMMITTEE: 15-Jan-2008

APPLICATION NO. 07/P/00463(W) RECEIVED: 13-Dec-2007

PROPOSAL: Erection of 5No. Bungalows and 2No. two storey dwellings (Revised Scheme)

LOCATION: Land adjacent, Severn View, Garndiffaith, Torfaen

APPLICATION TYPE: Full Planning

APPLICANT: Melin Homes Ltd Ty'r Efail, Lower Mill Field, Pontypool, Torfaen, NP4 0XJ

AGENT: FAO A W Rees, Pentan Partnership Ltd Beaufort Studio, 1, Atlantic Wharf, Cardiff, CF10 4AH

REPORT

SITE HISTORY

00/P/04323 Demolition and cleared site to be graded and grassed

Prior Approval Not Required 25/07/00

BACKGROUND

This application was originally submitted on 12 November 2007, however, on 13 December 2007, the applicants submitted a revised scheme to include the provision of 5No. bungalows and 2No. two storey dwellings. The previously submitted scheme which has now been superseded by the amended plans, was for the erection of 2No. bungalows and 5No. two storey dwellings.

LOCATION AND DESCRIPTION OF SITE

This application site is located off Severn View, Garndiffaith, and is surrounded by residential properties and a primary school. The site previously consisted of a block of 20 flats which were demolished in 2000. Following their demolition, the site was grassed and has remained as such since that time. There are one or two trees within the site and a row of conifers on the south eastern boundary. The site slopes from Severn View down to the rear of the properties on Gelli Rhyw Road. The site has a number of different levels with some graded banks.

PROPOSED DEVELOPMENT

This revised application is a full planning application for the erection of a total of 7No. dwellings, consisting of 5No. bungalows (a pair of semi-detached bungalows and a terrace of three bungalows) and a pair of semi detached two storey dwellings.
Access to the site will be gained via a new access point off Severn view. This new access road will lead to a turning area in the southern section of the site with driveways serving each dwelling directly off this access road. There are currently several different levels of the site which will be altered slightly to accommodate this development. The maximum difference in the existing levels and the proposed level is an increase in height by approximately 1.4m. This is limited to a small section of the site towards the south eastern part of the site where the gradient of the existing bank will be increased slightly. The levels of the central part of the site remain similar to the existing levels.

**POLICY CONTEXT**

**NATIONAL GUIDANCE:** Paragraph 9.3.1 of Ministerial Interim Planning Policy Statement 01/2006 states that new housing developments should be well integrated with and connected to the existing pattern of settlements. Where housing developments are of a significant scale, it should be integrated with existing or new industrial, commercial and retail development and with community facilities.

Paragraph 9.3.4 states that in determining planning applications for new housing, local planning authorities should ensure that the proposed development does not damage an area’s character and amenity.

Paragraph 9.3.5 states that where development plan policies make it clear that an element of affordable housing, or other development contributions are required on specific sites, this will be a material planning consideration in determining relevant applications.

**CIRCULARS:** None.

**GWENT STRUCTURE PLAN:** Policy H2 states that housing will generally be located in or immediately adjoining urban areas. Housing will be mainly on land with planning permission, suitable derelict, underused or vacant land. The over development of land should be avoided.

**TORFAEN LOCAL PLAN:** Policy G1 is a general policy and states that in considering planning applications the impact of the proposal on existing and proposed uses must be taken into account, particularly of adverse effects on residential amenity. The proposal must be consistent with the principles of sustainable development, and not prejudice landscape or natural features on the site and the surrounding area. The proposed development should sustain or enhance existing community facilities, and be readily accessible by public transport. Access to the site must be achieved without detriment to highway safety, and the road network must be capable of sustaining additional traffic generated by the proposal.

Policy G5 specifies the highway criteria against which all proposals will be considered against.

Policy S3 states that residential development within the urban boundary will be permitted provided that it satisfies all of the following:
A. The proposal pays due regard to the integrity and character of the area;
B. The proposal is compatible with adjoining uses;
C. The proposal can be accessed without detriment to highway safety and is in accordance with current adoptable highway standards;
D. Adequate parking can be provided;
E. The proposal incorporates a landscaping scheme which respects the site’s surroundings.

Policy S4 states that in the event of there being a demonstrable need in the County Borough for affordable housing, the provision of such housing within large sites and the means of ensuring the continued occupation of such housing by those for whom it was intended, will be negotiated with the developers of those sites.

SUPPLEMENTARY PLANNING GUIDANCE: None.

RELEVANT POLICIES OR OTHER GUIDANCE: None.

CONSULTATIONS

HIGHWAYS:

“Access to this site is off the bus turning circle which was constructed to accommodate the adjacent school; this section of road fronting the site is one-way.

It remains my view that the existing highway layout is unsuitable to provide access to residential development, and the comments I made in my previous memo dated 29 November 2007 regarding this are unchanged.

Notwithstanding the above, it would appear from Drawing No. 26.20/PA/003 C that plots 1-3 have been reduced in size but without floor plans I cannot confirm this and cannot properly assess the parking provision for this site.

Due to the nature of the highway layout and close proximity to the school, (details of my concerns are contained in my previous memo), it is essential that parking provision is in accordance with the South Wales Counties Parking Guidelines and it would appear that there remains a significant shortfall in parking provision for this site.

I have no option but to oppose the application, however if you are minded to put it forward for approval then I would wish to see the following conditions attached to any grant of approval:-

1. The required visibility splays for the access shall be in accordance with SK/01.
2. Any boundary walls/fences must be set back behind the splays and the splays must be grassed and kept free from obstruction, prior to and following beneficial occupation of the dwellings.
3. The road, footways and ancillary features must be constructed to adoptable standards. A turning facility capable of accommodating one of the turning movements of a refuse vehicle contained in Design Bulletin 32 must be provided at the termination of the cul-de-sac.
4. **Parking provision in accordance with the South Wales Counties Parking Guidelines shall be provided within the curtilage of the site.**

5. **No surface water from the site shall drain onto the highway or into highway drainage.**

**LAND DRAINAGE:** No comment.

**ENVIRONMENTAL HEALTH:** No objection subject to standard conditions to minimise the impact of the construction phase on existing residents.

**FORWARD PLANNING:** No reply received.

**PROPERTY SERVICES:** The land is in Council ownership but subject to a cabinet report for its disposal to Melin Homes at nil value. No other estate management issues although would be concerned to ensure development does not impact on the access of the school.

**HOUSING:** *‘I would advise that the housing department are aware and have been working jointly with the developer on this site. All units will be affordable.’*

**WELSH WATER:** No objection subject to conditions regarding foul and surface water and provided that no development is located within 3m of the centreline of the public sewer which crosses the site.

**WESTERN POWER DISTRIBUTION:** Identify their apparatus in the area.

**WALES AND WEST UTILITIES:** Identify their apparatus in the area.

**PONTYPOOL COMMUNITY COUNCIL:** No objection.

**PUBLICITY**

**ADVERTISEMENTS:** None.

**SITE NOTICES:** An Article 8 site notice was erected at the site on 20 December 2007.

**NEIGHBOUR CONSULTATIONS:** 47 – 54 Hillcrest; 29 – 38, Tregary House & Verdun House, Gelli Rhyw Road; 5, 7 & Greenfield Bungalow, Top Road; 1 – 4 (inc), 11 – 14 (inc), 16, 17, 20 – 23 (inc) Severn View.

**REPRESENTATIONS RECEIVED**

One letter has been received stating the following:

- There are concerns that the back of our property will be overlooked.
- Not sure what will happen to the site’s boundaries and the trees that surround the site.
- If the trees are to be removed this will cause concern.
- I was previously told that this site was to be used for bungalows.
ASSESSMENT AND CONCLUSION

This application site is located within the urban boundary as identified in the Adopted Torfaen Local Plan and is located on the site previously occupied by a block of flats which were demolished in 2000. The site is currently grassed over following the demolition of the flats. Whilst this site is currently an area of informal open space within the street scene, it is considered that as it previously housed a substantial block of flats which were only demolished fairly recently, an objection to its loss would be difficult to sustain. It is therefore considered that the principle of residential development on this site is acceptable. Therefore the main considerations with regard to this proposal are whether adequate access and parking arrangements can be provided; its impact on the character and appearance of the area; and its impact on the residential amenities of the occupiers of adjacent dwellings.

With regard to the first issue, the proposed access will be constructed directly off Severn View. A visibility splay of 2.4m by 34m to the left and 2.4m by 25m to the right can be provided. Access to this site is off the bus turning circle which was constructed to accommodate the adjacent school. The section of the road fronting onto the site is one way. The Council’s Highway Officer has concerns with regard to the suitability of the existing highway layout and is of the opinion that it is inevitable that vehicles travelling to the site will take the quickest route which is the wrong way around the turning area. They have identified the required visibility splays and require any walls to be outside of these areas. The amended plan reflects this requirement.

With regard to parking a total of 11No. parking spaces can be provided to serve the 7No, proposed dwellings, two of which are visitor parking spaces. This will result in five of the dwellings only having one parking space each. The South Wales Parking Guidelines allows for a relaxation of the parking requirement where it can be proved that there is a low level of car ownership by the proposed occupiers. As this development is for affordable dwellings, it is generally accepted that car ownership for occupiers of affordable homes who are over 60 years old is generally low and it has been previously accepted that the provision of one space per property is acceptable provided that a condition is attached limiting the occupation of the dwellings with reduced parking provision to be occupied by residents who are over 60 years of age. However, the Highway Officer has concerns regarding the lack of parking. As the proposed dwellings are affordable units and their occupation can be restricted to groups of low car ownership, it is considered that the refusal on lack of parking would be difficult to justify.

The application site is located within a residential area which is characterised by a variety of types and sizes of dwellings. Due to the levels of the site being slightly lower than the adjoining highway, the proposed dwellings will be at a lower level. Although the site is at present a grassed area, it was previously occupied by a block of flats. It is therefore considered that although this grassed area adds to the attractiveness of this area, it is considered that its loss would be difficult to oppose. A comprehensive landscape scheme can also be required by condition which would soften the impact of the development. The majority of the trees on the boundary of the site will be retained; only three small trees in the central part of the site are to be
felled. It is also considered that the design and layout of the development is acceptable. This proposal will therefore not have an adverse impact on the character or appearance of the area.

With regard to the proposal’s impact on residential amenities of adjacent occupiers, the properties most likely to be affected by this development are No. 53 Hillcrest, to the north west of the site, and Tregary House, Verdun House and 33 - 35 Gelli Rhyw Road, which are to the south west of the site. The five bungalows are at right angles to No. 53 Hillcrest and run parallel to the boundary of this adjacent property. The previous scheme included two storey dwellings in this location which raised concerns with regard to overlooking into the rear garden. This amended proposal however, has replaced these with bungalows. A 2m fence can be erected along this boundary preventing any overlooking from the bungalows. It is also considered that due the limited height of the bungalows, their distance from the boundary and the level of the site, this proposal will not have an overbearing impact on the amenities of the occupiers of No. 53 Hillcrest.

The other dwellings referred to on Gelli Rhyw Road are located to the south west of the site and are located approximately 4m below the level of the main section of the site. The gradient of the bank leading down to Tregary House and Verdun House will be increased slightly to allow for the levelling out of part of the site. This will result in this area being raised by a maximum of 1.4m. The nearest dwelling to these properties are bungalows and their gable end will be 20m away. Although this bungalow is at a higher level than these adjacent dwellings, it is considered that by reason of its distance away and the limited height of the bungalow, this proposal will not have a detrimental impact on the residential amenities of the existing residents. Other dwellings adjoining the site on Gelli Rhyw Road are screened from the site by a row of conifer trees which are to be retained as part of this development. It is therefore considered that this proposal will not adversely affect the amenities of any surrounding dwellings.

Welsh Water have identified a sewer which runs through the site. The applicants have confirmed that this sewer will be re-aligned as part of this development. Full details of this re-alignment can be required to be submitted by a condition.

It is therefore considered that this proposal complies with the national and local plan policies referred to above and it is recommended that planning permission be granted subject to the following conditions.

**IT IS RECOMMENDED:** Approve subject to Conditions

1. Permission is granted subject to the provisions of Section 91(1) of the Town and Country Planning Act 1990, namely that the development to which the permission relates must be begun not later than the expiration of 5 years beginning with the date on which the permission is granted.

   **REASON:** To comply with the requirements of Section 91, Town and Country Planning Act 1990.
2. Prior to commencement of development, samples of the materials for the external finishes shall be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interest of visual amenity.

3. The proposed development is to be carried out and completed in accordance with the application as amended by the plans received on 13 December 2007, Drawing Nos. 2620/PA/001A, 002A, 003C, 004A, 005B and 006B.

REASON: To ensure compliance with the approved plan.

4. Notwithstanding the provisions of Article 3, Schedule 2, Part 1 of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) no extensions or alterations to the dwellinghouses hereby approved shall be erected or constructed without the express consent of the Local Planning Authority.

REASON: The dwellings hereby approved is of the maximum size which can be satisfactorily accommodated on the site in the interests of residential and visual amenity.

5. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development.

REASON: To safeguard landscape and amenity interests.

6. All planting and grass seeding or turfi ng comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

REASON: To safeguard landscape and amenity interests.

7. The Local Planning Authority shall be given not less than seven clear days notice in writing by the applicant of his/her intention to set out the position of the building and site included in this permission prior to the commencement of any such work.

REASON: To ensure that the development is carried out in accordance with the approved plan.

8. Where any species listed under Schedules 2 or 4 of The Conservation (Natural Habitats etc) Regulations 1994 is present on the site (or other identified part) in respect of which this permission is hereby granted, no works of site clearance, demolition or construction shall take place in pursuance of this permission unless a
licensure to disturb any such species has been granted in accordance with the aforementioned Regulations and a copy thereof has been submitted to the Local Planning Authority.

**REASON:** To ensure that animal and plant species which come within the terms of the Regulations are effectively protected and to comply with National Assembly planning guidance.

9. 2.4m by 34m and 2.4m by 25m visibility splays shall be provided to the left and to the right respectively in accordance with drawing No. SK01 which is attached to this decision notice prior to the occupation of the dwellings hereby approved. Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order, with or without modification) no fences, gates, walls, hedges or other obstruction exceeding 0.9m above the level of the adjoining carriageway shall be erected, placed or allowed to grow within these splays.

**REASON:** In the interests of highway safety.

10. No surface water shall be permitted to drain from the site onto the adjoining highway, or from thence into any highway drainage system.

**REASON:** To safeguard highway interests.

11. Detailed plans showing the layout of the site, siting of all buildings and the proposed foul and surface water drainage arrangements to serve the development hereby permitted shall be submitted for the consideration and approval of the Local Planning Authority.

**REASON:** To ensure the provision of an adequate drainage scheme.

12. The main occupier of the dwellings on plot No's. 01, 04, 05, 06 and 07 shall be restricted to the age of 60 or above.

**REASON:** These plots have only provided one parking space per plot and therefore the occupation of these dwellings needs to be restricted to ensure the provision of adequate off street parking.

13. In respect of any condition that requires the written approval of the Local Planning Authority, the works thereby approved shall be carried out in accordance with that approval unless subsequently otherwise approved, in writing, by the Local Planning Authority.

**REASON:** To ensure the development is carried out in accordance with the approved details.

14. Prior to the commencement of development full details of the re-alignment of the existing sewer running through the site shall be submitted to and approved in writing by the Local Planning Authority. This sewer shall then be re-aligned in accordance with the approved details prior to the occupation of the dwellings.
REASON: To ensure the existing sewer is re-aligned in a satisfactory manner.

Note(s) to Applicant

1. The developers are to ensure that any existing public services which pass through the site are not interfered with or damaged and any diversions or alterations to such services must be carried out in agreement with the responsible Authorities before such work commences.

2. The Development Plan covering Torfaen County Borough is the Gwent Structure Plan and Torfaen Local Plan. The following policies were relevant to the consideration of this application:

   a) Torfaen Local Plan, Policies G1, G5, S3 and S4
   b) Gwent Structure Plan, Policies H2.
DATE OF COMMITTEE: 15-Jan-2008

APPLICATION NO. 07/P/00468(W) RECEIVED: 19-Nov-2007

PROPOSAL: Timber constructed smoking shelter (pre-fabricated)

LOCATION: Rising Sun, Cwmavon Road, Abersychan, Pontypool, NP4 8PP

APPLICATION TYPE: Full Planning

APPLICANT: Mr N Pipe Rising Sun, Cwmavon Road, Abersychan, Pontypool, NP4 8PP

AGENT:

REPORT

SITE HISTORY

91/P/16500 Full: Ladies and gents toilets and front extension for children’s room Approved subject to Conditions 08/11/91
01/P/05170 Full: Create new access, extend existing car park, using stone from new access and block up old access Approved subject to Conditions 09/04/01
01/P/05184 Full: Alterations and extension to existing buildings to provide letting and managers accommodation Approved subject to Conditions 16/04/01
02/P/06393 Full: Proposed conservatory as dining area Refused 11/06/02
03/P/08338 Full: Proposed rear extension and parking area Approved subject to Conditions 11/06/03

BACKGROUND

None

LOCATION AND DESCRIPTION OF SITE

The application site comprises a Public House called Rising Sun Inn on Cwmavon Road (A4043) to the north of Abersychan. The pub has a children’s play area and outside seating area, also a car park for the use of patrons.

The building is two storey with a single storey rear extension and is constructed of grey slate roof and white rendered elevations. There is a garden area to the south of the building and car park to the north with vehicular access to Cwmavon Road (A4043). A dismantled rail line runs to the east of the site.
A newly constructed residential dwelling is located to the north of the Rising Sun and several well established properties are positioned on the opposite side of Cwmavon Road. The site is semi-rural in character with fields to the east.

**PROPOSED DEVELOPMENT**

This application is for a pre-fabricated timber smoking shelter to be positioned adjacent to the south elevation of the public house.

The shelter would be rectangular and constructed of timber with a shallow pitch roof of green mineral felt. It has dimensions of 2.4 metres width, 3.1 metres depth and 2.7 metres height. The side elevations have part timber railings of 1 metre in height with an enclosed section of depth 1.3 metres to the rear. The front elevation is entirely open.

The proposed smoking shelter is to be located to the east of the established conifer tree on the southern elevation of the building. The entrance is proposed to face the east towards the rear of the site.

**POLICY CONTEXT**

NATIONAL GUIDANCE: Planning Policy Wales (2002) advocates high quality design that applies to all development proposals at all scales (pp 2.9.1).

TORFAEN LOCAL PLAN: The application site is within the urban boundary as designated by the adopted Torfaen Local Plan (2000) and comes within the remit of the general development policies G1 and G5. G1 comprises a comprehensive set of criteria with which a proposal should comply. These include the impact of the proposed development on existing uses and the character of the area, impact on the environment, impact on services and community facilities, considerations of accessibility and highway safety, impact on open space or woodland and provision of appropriate landscaping; considerations of drainage and flood risk.

Policy G5 sets out highway criteria against which proposals will be assessed. These include highway safety, compatibility with the existing road network, parking provision, access for servicing, pedestrian provision and access to public transport.

**CONSULTATIONS**

ENVIRONMENTAL HEALTH: The applicant is advised to discuss these plans with the Licensing Team in order to ensure that they comply with the Smoking Regulations and with the appropriate Licensing objectives. The applicant must provide details of the measures that will be employed to control littering in the vicinity of the smoking shelter.

PONTYPOOL COMMUNITY COUNCIL: No objections.

**PUBLICITY**

ADVERTISEMENT: Not applicable.
SITE NOTICE: An Article 8 site notice was placed on a telegraph pole by the vehicular access on Cwmavon Road on the 17 December 2007.

NEIGHBOUR CONSULTATIONS: Kenrick, Poyston, Erlesmere, Rosslyn, Y-Frondirion, Milton Lilbourne, Bron-y-glyn, Ty Gwent, Lynn Bungalow, The Nook, and Cefn Coed, all Cwmavon Road, Abersychan

REPRESENTATIONS RECEIVED

One letter of representation has been received from the occupier of Milton Lilbourne. The representation expresses objection to the proposal on the grounds of increased noise and rowdy behaviour until after 11pm outside the public house, especially in the summer.

ASSESSMENT AND CONCLUSION

This application relates to the construction of a timber framed smoking shelter within the grounds of the public house.

Policy based considerations relate to the potential impact on the residential amenities of surrounding occupiers and visual appearance within the local context. The smoking shelter does not impact either the parking area or local public highway. As such, the Authority’s Highways Dept has not been consulted.

The principle of the shelter is considered acceptable within the context of the Public House use of the site. The materials used are considered appropriate to the immediate vicinity and the shelter is of an appropriate size. No details of the timber finish has been provided however this could be dealt with via condition.

The construction of the shelter is not considered to substantially impact the numbers of people who might expect to use the external areas of the Public House and the proposed shelter would be positioned further from residential dwellings than the existing external seating area. The distance from the current external seating area to the nearest residential property would not change. There is some screening between the external seating area and the public realm and the proposed shelter would not be visually prominent from outside of the site.

In conclusion, it is considered that there is no over-riding unacceptable impact arising from the proposal and therefore the proposal meets the requirement of Policies G1 and G5 of the adopted Torfaen Local Plan (2000) and should be approved subject to conditions.

IT IS RECOMMENDED: Approve subject to Conditions

1. Permission is granted subject to the provisions of Section 91(1) of the Town and Country Planning Act 1990, namely that the development to which the permission
relates must be begun not later than the expiration of five years beginning with the
date on which the permission is granted.

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

2. Details of the external finishes of the smoking shelter hereby approved shall be
submitted to and approved in writing by the Local Planning Authority prior to
construction. The development shall be carried out in accordance with the approved
details.

REASON: In the interests of visual amenity.

3. Details of the measures that will be employed to control littering in the vicinity of the
smoking shelter shall be submitted to and approved in writing by the Local Planning
Authority prior to construction. The approved measures shall be implemented prior
to the use of the shelter and thereafter retained as such.

REASON: In the interests of visual amenity.

Note(s) to Applicant

1. The Development Plan covering Torfaen County Borough is the Gwent
Structure Plan and Torfaen Local Plan. The following policies were
relevant to the consideration of this application:

   a) Torfaen Local Plan, Policies G1 and G5

2. You are advised to discuss these plans with the Licensing Team in
order to ensure that they comply with the Smoking Regulations and
with the appropriate Licensing objectives.
DATE OF COMMITTEE: 15-Jan-2008

APPLICATION NO. 07/P/00477(E) RECEIVED: 26-Nov-2007

PROPOSAL: Front extension and porch

LOCATION: 26, Radnor Way, Cwmbran, NP443QX

APPLICATION TYPE: Full Planning

APPLICANT: Mr G Boyland 26, Radnor Way, Cwmbran, NP443QX

AGENT: Dr C J Powell Architect Great Oak Farm Cottage, Great Oak, Raglan, Monmouthshire, NP15 2AN

REPORT

SITE HISTORY

No relevant site history.

LOCATION AND DESCRIPTION OF SITE

The site comprises of a two storey mid terraced dwelling within a ‘staggered-terrace’ formation. The property has a pebble-dash finish and cladding below some windows. The door and windows are UPVC and the pitched roof is finished with grey concrete tiles.

PROPOSED DEVELOPMENT

Full permission is sought for a front single storey extension to the living room with the construction of a porch.

The extension features a pebble-dash finish to match the existing dwelling, a rectangular porch entrance, which has internal dimensions of 2.7 metres by 1.1 metres whilst the extension to the living room would increase the floor area by 1.65 metres by 2.8 metres.

POLICY CONTEXT

NATIONAL GUIDANCE: Section 2.9 of The Welsh Assembly Government's national planning guidance, 'Planning Policy Wales', gives advice on promoting sustainability through good design. This is supplemented by Technical Advice Note 12: ‘Design’. The guidance advises that the design of any development should take into consideration such issues as sustainability, safety and visual appearance. This includes consideration of scale and the relationship of the development to its surroundings.
TORFAEN LOCAL PLAN (adopted 27th July 2000): The proposal site is situated within the Urban Boundary (Policy G3), although it has no other land allocation or specific proposal designation in the plan. General Policy G1 is the most relevant policy in the consideration of the proposal, which assesses the impact of the development against a number of broad criteria.

CONSULTATIONS

COMMUNITY COUNCIL: no objection.

WELSH WATER: no response.

PUBLICITY


REPRESENTATIONS RECEIVED

An objection has been received from the occupiers of No. 24 Radnor Way on the original plans submitted showed the extension covering land that is in contested ownership between the applicant and the occupiers of No. 24. However, the amended plans submitted on 17th December show the proposed extension as having been reduced so that it does not appear to encroach on the neighbouring property.

The objector has been re-notified with amended plans and has maintained an objection stating that if the proposal went ahead then it would make maintenance of the existing drain difficult and maintenance to paint their property impossible due to the restricted access.

The objector also notes the existence of a second downpipe from the new extension and questions whether this will be going onto their property, and state they do not want a connection made to the existing system. The objector would wish for some form of guarantee as to who was responsible for maintenance.

ASSESSMENT AND CONCLUSION

In assessing the proposal, due regard and consideration needs to be made of national guidance, local plan policies and consultation responses received.

As the proposal is within the Urban Boundary, it will be assessed against the criteria of Policy G1 of the Torfaen Local Plan. The relevant criteria that apply to the proposal are contained within section A of the Policy, and relate to the impact of the proposal in relation to existing/proposed uses and the general character of the area. These criteria are as follows:

“i) The proposal does not constitute over development of the site in terms of the density, massing and form of the development.
ii) The design and visual appearance of the proposal, including materials, respect the existing architecture of the area.
iii) The proposal respects the setting of the site in terms of the proposed layout, massing and form.
iv) The proposal respects the urban fabric of the area in terms of the space around and between buildings.
v) The proposal does not have an unacceptable impact upon the amenities of the residents in adjoining or neighbouring properties.”

The style, massing, layout and size of the extension are considered to be acceptable, given the staggered nature of the terrace. There are also examples of similar extensions in the area.

With regards to neighbourhood amenity, there would be no unacceptable impact from the development as it would not cause any significant loss of light or privacy to neighbouring residents. Although the window in the front elevation would be less than 21 metres from the windows of the house opposite, this would not adversely impact upon the occupier’s privacy as there is a public highway between the windows.

The concerns raised by the neighbour are considered to relate solely to ownership, the application property has its rainwater from the front of the main roof already going to the system which appears to be on land claimed by the neighbour. The question of access for maintenance is also considered to be a private matter to which little weight can be afforded in terms of determining the planning merits. The objection in respect of this is not considered to significantly impact on the consideration of the planning merits. A note advising the applicant highlighting ownership issues is attached, and the objector has been advised to seek legal advice on the matter.

For the above reasons, the proposal accords with the requirements of both Technical Advice Note 12 and Policy G1.

There are no other constraints applicable to the site and no other representations were received.

On the basis of the reasons outlined above, it is considered that the application should be approved.

IT IS RECOMMENDED: Approve subject to Conditions

1. Permission is granted subject to the provisions of Section 91(1) of the Town and Country Planning Act 1990, namely that the development to which the permission relates must be begun not later than the expiration of five years beginning with the date on which the permission is granted.

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

2. The proposed development is to be carried out and completed in accordance with the application as amended by the plan(s) received on 17th December 2007.
REASON: To ensure compliance with the approved plan.

3. The external finishes for the extension shall match the existing dwelling unless otherwise agreed in writing with the Local Planning Authority.

REASON: In the interests of the appearance of the development.

Note(s) to Applicant

1. The grant of planning permission does not confer any rights to connect stormwater into the existing system and the applicant is advised to seek legal clarification with regard to this matter prior to development commencing.

2. The Development Plan covering Torfaen County Borough is the Gwent Structure Plan and Torfaen Local Plan. The following policies were relevant to the consideration of this application:

   a) Torfaen Local Plan, Policy G1
DATE OF COMMITTEE: 15-Jan-2008
APPLICATION NO. 07/P/00491(W) RECEIVED: 27-Nov-2007

PROPOSAL: Erection of a summerhouse in the rear garden measuring 3m X 1.8, 2.4m high

LOCATION: Kensford, Park View, Pontypool, NP4 5JT

APPLICATION TYPE: Full Planning

APPLICANT: Mr A Lester Kensford, Park View, Pontypool, NP4 5JT

AGENT: Julie Gough The Old Surgery, Cartrefi Cymru, Mill Road, Pontnewynydd, Pontypool, Torfaen, NP4 6NG

REPORT

SITE HISTORY

None recorded on the site since 1974.

Adjacent Site:

84/P/9447 Erection of double garage (Stanmore) Approved 13/04/84
04/P/10521 Erection of double garage (Lynwood) Approved 09/08/04

BACKGROUND

The development subject to this current application has been the subject of a recent Enforcement investigation. The agent had been informed that planning permission was necessary for the retrospective proposal which had been erected since the summer 2007.

LOCATION AND DESCRIPTION OF SITE

The premises to which the application relates is an inter-war period two storey semi-detached dwelling house located in an old established residential neighbourhood of Cwmfields, Pontypool. The properties in Park View are either detached or semi-detached with average plot depth of 30-35 metres, serviced by a rear access lane linked between St. Matthews Road and Victoria Road. Kensford has a rear garden depth of approximately 15 metres with three distinct terraced areas across a gently sloping gradient. An area immediately abutting the access lane is a driveway hardstanding that is screened from the remainder of the garden and rear elevations of the dwelling by 1.8 metres high timber fence and shrub foliage. A small greenhouse is situated towards the rear boundary. On each adjacent property, a double garage building is located in similar position in their respective gardens,
accessed from the rear lane. The middle section of the applicants garden is mainly lawn, leading down to a patio area around the rear elevation of the dwelling.

PROPOSED DEVELOPMENT

The proposals comprise the retention of an unauthorised garden summer house building which has been erected immediately adjacent to the existing 1.8 metre high timber panel fence on a low base brickwork wall which forms the eastern boundary enclosure of ‘Stanmore’. The dimensions of the timber structure measures 3 metres in length by 1.8 metres wide, with a maximum height of 2.4 metres to the ridge line of a shallow pitched roof. The majority of the west elevation overlooking the lawn garden is predominantly fitted with Georgian window glazing panels that includes double opening doors. On both the north and south elevations a narrow glazed window panel is centrally positioned, while the rear elevation is completely clad in timber. Curtains are draped on the inside of the windows overlooking the rear of properties in Park View.

POLICY CONTEXT

The site of the proposal is situated within the Urban Boundary of the adopted Torfaen County Borough Local Plan, but in an area designated for any specific proposals. Nevertheless general policy G1 will be of particular relevance in the consideration of the proposals as far as design, appearance, space about buildings and impact upon neighbouring properties are concerned.

The Government Planning Policy Wales paragraph 2.9 emphasises the importance of design supplemented by TAN 12. The appearance of the proposed development, its scale and its relationship to its surroundings are material considerations. Local Planning Authorities should reject obvious poor designs, but should not seek to control the detail design of buildings unless the sensitive character of the area and the setting justifies it.

Welsh Office Circular 35/95 – The use of conditions in planning permission will be of relevance should the proposal be favourably considered.

SUPPLEMENTARY PLANNING GUIDANCE: No Supplementary Planning Guidance’s are deemed relevant.

CONSULTATIONS

PONTYPOOL COMMUNITY COUNCIL: No objections.

WELSH WATER (HYDER): No reply received.

PUBLICITY

ADVERTISEMENT: None.

SITE NOTICE: None.
NEIGHBOUR CONSULTATIONS:

22, 23, 24, 25, 26, 27 - Victoria Road,
Aelybryn, Stanmore, Lyndhurst, Lynwood – Park View, Pontypool.

REPRESENTATIONS RECEIVED

Two neighbouring letters have been received from adjacent residents, one supporting the proposals, while another not objecting in principal, nevertheless has expressed concerns regarding the position of the building so close to the boundary fence, unable to satisfactorily maintain it in the future, and the use/occupation of the summerhouse which could prejudice residential amenities.

ASSESSMENT AND CONCLUSION

The siting of the building and its maintenance as well as adjacent boundary enclosures are civil matters that are dealt with under the Part Wall Act. However, the siting and physical presence of the summerhouse is considered in the context of its impact upon residential amenity. In this instance the summer house is modest in size, does not detract from the appearance of the premises, nor does it overshadow adjacent properties. There is however a marginal affect upon the privacy and overlooking from a side window to the first floor windows of adjacent properties but not to such an extent that would be unacceptable. On balance it is considered the proposals are in accord with the policy criteria of the adopted Local Plan and should favourably determined.

IT IS RECOMMENDED: Approve without condition

Note(s) to Applicant

1. The developers are to ensure that any existing public services which pass through the site are not interfered with or damaged and any diversions or alterations to such services must be carried out in agreement with the responsible Authorities before such work commences.

2. The Development Plan covering Torfaen County Borough is the Gwent Structure Plan and Torfaen Local Plan. The following policies were relevant to the consideration of this application:

   a) Torfaen Local Plan, Policy G1.