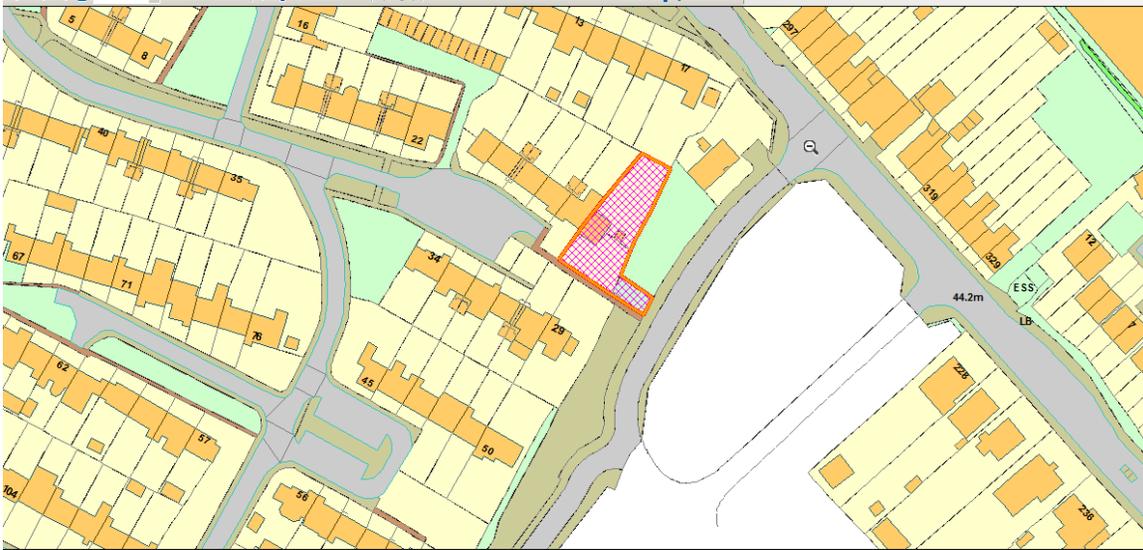


OFFICER REPORT

Application Number: 18/P/0215/HH
Received Date: 25th April 2018
Proposal: To develop a new access and driveway
Site Address: 28 Court Farm Road Llantarnam Cwmbran Torfaen
Ward: Llantarnam
Applicant: Miss Danielle Richards **Agent:** N/A



BACKGROUND

This application has been amended since initially being submitted. The position of the proposed driveway has been moved so that it would be further away from the existing pedestrian link between Court Farm Road and James Prosser Way.

DESCRIPTION OF SITE

The application relates to an end of terrace property which is located in the residential area of Llantarnam. The property has no vehicular access and no designated parking space at present and does not front onto the highway. The property has a pedestrian access from Court Farm Road. The side elevation and the side and rear garden of the property is adjacent to James Prosser Way and the recently constructed housing estate beyond. The side and rear garden is enclosed by a mature hedge with the front of the property being open. To the front of the dwelling (southwest) there is a pedestrian link between Court Farm Road and James Prosser Way.

Photo 3b-3b (Vis-Proposal shows the entire crossing including the footway in cellular grass paving and I am assuming this is an error.

It also appears to indicate that the grass verge between the footway and the boundary of the Property has been put forward for adoption, however this grass verge will not be included in any highway adoption agreement and will remain with Barratt Homes or their Management Company.

It is my preference to see an amended plan showing a 4.55 metre wide crossing.

If you are minded to put the application forward for approval without this plan then I would not want to see this plan stamped 'Approved' and I would wish to see the following conditions attached to any grant of approval:-

1. The maximum width of the crossing at the kerb edge should not exceed 4.55 metres (3 dropped kerbs and one dipper kerb either side). Please see attached drawing no 1173/B.

2. The access/vehicular footway crossing must be located a minimum distance of 3 metres north east of the existing footpath linking James Prosser Way to Court Farm Road. Agreement will be needed with Barratt Homes.

3. If James Prosser Way is adopted as Public Highway prior to the works to construct the vehicular footway crossing being the works then prior to vehicular use of the access where the access crosses the footway a vehicular footway crossing must be provided to a highway specification in accordance with Drawing No. 1173/B. The works must be supervised by an Officer from the Highway Development Control Section, Neighbourhood Services, Ty Blaen Torfaen, Panteg Way, New Inn NP4 0LS (Tel. 01495 742434) and must be carried out by an Approved Term Contractor.

If James Prosser Way is not adopted as Public Highway then the applicant will need to contact Barratt Homes with regard to consent to cross their land and construct on their land.

4. No surface water from the site shall drain onto James Prosser Way or into highway drainage on James Prosser Way. No soakaway may be constructed within 5 metres of James Prosser Way or within 5 metres of an existing or proposed structure, (above or below ground).

5. Gates must be inwardly opening.

PUBLICITY

A site notice was posted outside the site on 4.5.18
Six neighbouring properties were consulted on the application

REPRESENTATIONS RECEIVED

Four objections have been received from occupiers of the new Barratt development on the former Llantarnam School site on James Prosser Way. The objections have raised the following issues;

- Conflict with local plan
- Close to adjoining properties
- Loss of privacy, Car lights will impede privacy.
- Residents pay a management fee to maintain the area of land proposed to be used.
- Residents had assurances from Barratts that no further development would take place.
- Reduction in security, concerned that residents from Court Farm Road and Oakfield could gain easier access.
- Would result in one interconnected huge estate.
- The driveway would be over a pathway used by school children.
- Reduces level of on street parking
- The tenant already has parking outside their property at the end of the Cul-de-sac
- The proposal is opposite an existing driveway and will affect the parking.
- Only one access/egress from the estate, which is proposed to be used,
- The road is already congested by school traffic as the school does not allow drop off and parking in the school grounds,
- Other properties will apply to do the same increasing traffic chaos.
- Out of keeping with character of the area. Removal of hedge removes the visual barrier between the new estate and the adjacent estate.

One email of support has been received from an individual from the Community Council. The email highlights the parking issues within Court Farm Road and how the proposal would help to alleviate this.

ASSESSMENT AND CONCLUSION

The main issues to be considered are visual appearance/design character of area, residential amenity and highway safety.

Visual Appearance/Design Character of area

The proposal is to provide a domestic off street parking area and vehicular cross over within an existing residential property and off an access road through a recently constructed housing estate. The proposal is not considered to be out of character with the wider residential area.

There are a number of driveways onto James Prosser Way, which serve the new housing estate. It is noted that the proposal would result in the loss of part of the existing hedgerow, however, permission would not be required to remove this domestic hedge and therefore this fall back position has to be considered to have weight in the determination of this application. The approved landscaping scheme for the Barratts estate includes a tree which is in the position of the proposed driveway. This element of the landscaping scheme has not been implemented and the reduction of the planting by a single tree is not considered to be harmful to the character of the wider area. In addition, the removal of the hedge would not be out of character in this area where there are a variety of boundary enclosures at Court Farm Road and particularly along James Prosser Way where the recently constructed dwellings are open fronted.

Residential amenity

The proposed development would not have a negative impact on residential amenity, and the development would not result in the loss of privacy for the existing occupiers. The new housing estate has open plan design where front gardens do not have a physical boundary enclosure, the front gardens of the properties are therefore not considered to be private amenity space due to the visibility from the public domain along the pavement.

The existing property would retain adequate amenity space to provide bin storage, external drying space and private amenity space. It is not considered that the additional off street parking would reduce the amenity space of the existing property to a level which would be considered to be harmful.

Highway Safety

The proposal would result in additional off street parking provision. It is envisaged that the levels of on street parking would be reduced from Court Farm Road, where the application property fronts onto. However, there are no parking restrictions along James Prosser Way and given that there is an existing footpath link between the application property and James Prosser Way the applicant may already utilise James Prosser Way for on street parking.

The crossover has been relocated away from the footpath link between Court Farm Road and James Prosser Way and as a result it is not considered that the proposed crossover would be harmful to other road users and specifically to pedestrians and those using the adjacent footpath link. The additional vehicles crossing over the pavement is not considered to be excessive furthermore there are much fewer driveways on the west side of James Prosser Way than the eastern side of the road. It is not considered to be dangerous to pedestrians to have an additional vehicle crossover, the street is residential where there are multiple driveways and traffic speeds of those using the driveways would be low.

The Highways Officer has indicated that they would not object to the application but would want to see the width of the driveway to be reduced to 4.55m wide. This can be controlled via condition attached to an approval.

Response to objections

It is not considered that the proposal would have a negative impact of the privacy of the properties in the area, the proposal is to cross a footway which is on the opposite side of the access road to the new dwellings. A pavement abuts the new dwellings on James Prosser Way

whereas the proposed driveway would be 10m away from the residential curtilage and 21m from the front of the properties. The introduction of lights from a car using an access to a residential property on the opposite side of the road would not justify a refusal on grounds of loss of privacy or disturbance, within a housing estate domestic vehicle activity is expected.

The recently constructed dwellings on James Prosser Way have driveway access across a pavement onto the street, this pavement will also be used by children accessing the school. As a result the proposed development is not considered to be out of character to the area as individual driveways' rather than blocks of separate garages are common in the vicinity of the application site.

The security of the area is not considered to be compromised by providing a new access to a private domestic property, furthermore there is already pedestrian access through the adjacent footpath link into Court Farm Road.

RECOMMENDATION: Approve with Conditions

CONDITIONS:

1. Unless otherwise specified by another condition of this Notice, the development shall be carried out in accordance with the following approved plans and documents submitted 19.9.18

Reason: To ensure the development is carried out in accordance with the approved details. Any material alteration to the approved details may have an impact that has not been assessed.

- 2 The development shall begin not later than five years from the date of this permission.

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

- 3 No vehicles shall park on the vehicle crossover from the existing residential curtilage of 28 Court Farm Road onto James Prosser way. Vehicles shall use the vehicular crossover as an access to the hardstanding within 28 Court Farm Road only and for no other purpose.

Reason: In the interest of visual amenity and highway safety.

INFORMATIVES:

- 1 Torfaen Local Development Plan covers Torfaen County Borough. The following policy/policies is/are relevant to the consideration of this application: BW1
- 2 The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also

conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com

The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

Sarah Hensby

Appendices	None
Background Papers	<p>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.</p> <p>Planning Application File: 18/P/0215/HH</p>

For a copy of the background papers or for further information about this report, please telephone: Richard Lewis, Head of Development Management (Tel. 01633 647628)