

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 18TH NOVEMBER 2014

ITEM 1

APPLICATION NO.

2014/1269

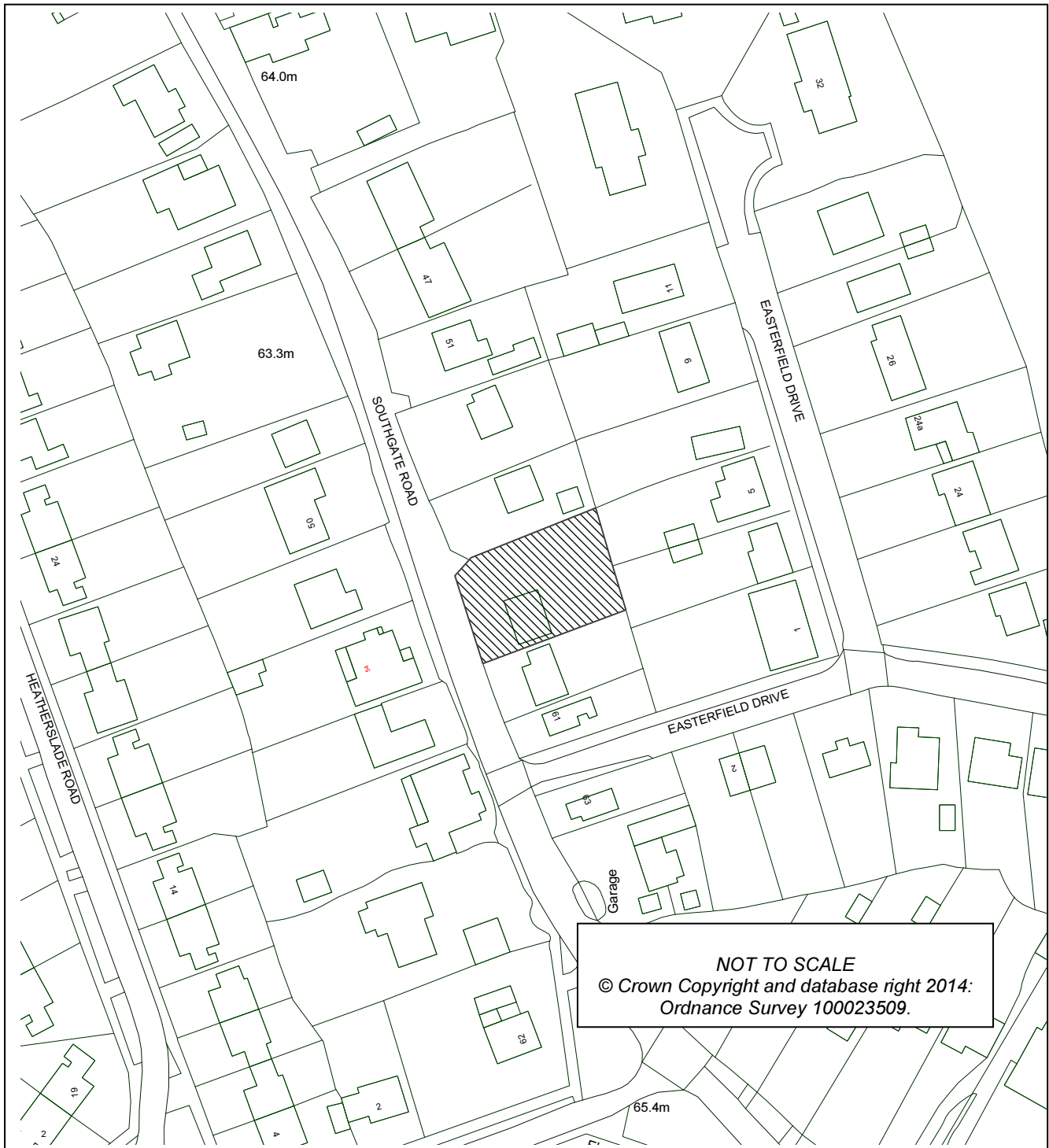
WARD:

Pennard
Area 2

Location: 57 Southgate Road, Southgate, Swansea, SA3 2DA

Proposal: Retention and completion of detached dwelling, detached garage and front boundary wall

Applicant: Mr Chris Rees



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BACKGROUND INFORMATION

POLICIES

Policy	Policy Description
Policy EV26	Within the Gower AONB, the primary objective is the conservation and enhancement of the area's natural beauty. Development that would have a material adverse effect on the natural beauty, wildlife and cultural heritage of the AONB will not be permitted. (City & County of Swansea Unitary Development Plan 2008)
Policy AS6	Provision of car parking in accordance with adopted standards. (City & County of Swansea Unitary Development Plan 2008)
Policy EV1	New development shall accord with a defined set of criteria of good design. (City & County of Swansea Unitary Development Plan 2008).
Policy EV2	The siting of new development shall give preference to the use of previously developed land and have regard to the physical character and topography of the site and its surroundings. (City & County of Swansea Unitary Development Plan 2008).
Policy EV3	Proposals for new development and alterations to and change of use of existing buildings will be required to meet defined standards of access. (City & County of Swansea Unitary Development Plan 2008)
Policy HC2	Housing development within the urban area will be supported where the site has been previously developed, its development does not conflict with other policies, does not result in ribbon development, and the coalescence of settlements, overintensive development, loss of residential amenity, adverse effect on the character and appearance of the area, loss of urban green space, harm to highway safety, adverse effects to landscape, natural heritage, security and personal safety, infrastructure capacity, and the overloading of community facilities and services. (City & County of Swansea Unitary Development Plan 2008)

SITE HISTORY

App No.	Proposal
2013/1572	Increase in eaves and ridge height to provide first floor living accommodation, two storey side/front/rear extension and detached garage Decision: Grant Permission Conditional Decision Date: 23/01/2014

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2006/0517	Demolition of existing bungalow and construction of replacement detached dwelling Decision: Grant Permission Conditional Decision Date: 04/09/2006	
89/0270/03	21M BAY EXTENSION - TO INCREASE FACILITIES Decision: *HGPC - GRANT PERMISSION CONDITIONAL Decision Date: 04/04/1989	
89/1072/03	ERECTION OF CONSERVATORY TO REAR OF LOUNGE (FOR JOINT USE BY REGISTERED DISABLED ELDERLY) Decision: *HGPC - GRANT PERMISSION CONDITIONAL Decision Date: 22/09/1989	

RESPONSE TO CONSULTATION

Three neighbouring properties have been consulted and the proposal was advertised on site. TWO LETTERS OF OBJECTION (both from the occupier of 5 Easterfield Drive) have been received which are summarised as follows:

- 1) If windows were to be inserted above the first floor windows to serve the attic space, this will affect my privacy

Pennard Community Council - objects on the following grounds:

- 1) The front boundary wall is not in keeping with the surroundings and is too high
- 2) The development is out of character with the area
- 3) Greenery has been removed from the site
- 4) The development has commenced
- 5) The garage cannot be accessed by a car

The Council's **Head of Transportation and Engineering comments** - Parking on the drive and in the garage is sufficient together with on site turning facilities. I recommend no highway objections.

APPRAISAL

This application is reported to Committee for determination at the request of Councillor Lynda James, in order to assess whether the scheme is built in accordance with the submitted plans. Cllr James has also requested a Committee site visit.

Full planning permission is sought for the retention and completion of a detached dwelling, detached garage and front boundary wall at 57 Southgate Road, Southgate.

The main issues for consideration with regard to this application relate to the impact of the proposal upon visual and residential amenities in respect of Policies HC2, EV1, EV2, EV3 and AS6 of the City and County of Swansea Unitary Development Plan 2008 and the Supplementary Planning Guidance documents entitled 'Gower Design Guide' and 'Infill and Backland Design Guide'.

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There are in this case considered to be no additional issues arising from the provisions of the Human Rights Act, nor are there any highway safety issues to consider.

A previous planning application (ref: 2013/1572) relating to the original (now demolished) dwelling on the site, was granted planning consent for an increase in the eaves and ridge height of the dwelling (to provide first floor living accommodation), the erection of a two storey side/front/rear extension and detached garage. Following the commencement of these approved works, the property was substantially demolished and works commenced on the new dwelling now under consideration. For this reason, the original consent became void and a new application has been submitted to regularise the situation. At the time of writing this report, works are at an advanced stage, with the majority of the shell of the dwelling complete

The original property was a detached single story dwelling with accommodation in the roof space. The site is located in an established residential area within the Gower AONB. The street scene through this part of Southgate is mixed in character with a range of dwelling types from traditional two storey buildings to bungalows.

It should be noted that the current proposed plans are almost identical to the previously approved plans (subject of the 2013/1572 planning permission) with the exception of some fenestration detailing. It is therefore considered that the proposed dwelling and garage have previously been deemed acceptable by the Local Planning Authority, and their impacts on the visual and residential amenities of the area have been fully assessed and deemed appropriate at this location. The highway safety implications of the scheme are also considered acceptable. As there are no material changes in circumstances since the granting of the previous permission, in terms of the dwelling and garage, the proposed dwelling and garage are considered acceptable in this instance and are therefore not given any detailed further assessment or comment here.

In summary, it is considered that the proposed dwelling and garage do not adversely impinge on the living conditions of neighbouring occupiers to such an extent that warrants the refusal of the application on such grounds subject to the imposition of suitable conditions. Furthermore it is considered that the proposed garage and dwelling are acceptable in visual/design terms and they respect the character and visual amenities of the area generally.

The fenestration changes now proposed are minor in nature. They relate to the substitution of the originally approved full length doors and Juliet balconies featured within the rear elevation of the originally approved scheme with conventional windows, together with some minor amendments to previously approved rooflights. It is worthy to note that all of the rooflights shown in this new scheme are a minimum height of 1.7m above internal floor level in order to avoid overlooking issues arising. These changes are considered to be acceptable in visual/design terms. Furthermore, they are not considered to have an unacceptable impact on the amenities of neighbouring occupiers.

The main change from the original consent is that of the front boundary wall. Previously it was proposed to retain the hedge to the front of the property. However a 1.1m high blue pennant stone wall has been erected spanning the frontage of the site. This matter is discussed below.

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The area contains a wide variety of boundary treatments fronting Southgate Road ranging from traditional stone walls, embankments, timber fences and hedgerows. Immediately adjacent to the application site is a red brick front boundary wall. It is acknowledged that a 1m high front boundary wall could be erected without the need for planning permission, utilising any material. It is also noted that there is no footway along this stretch of Southgate Road and therefore the ground level is slightly lower than opposite the application site.

In light of the above, it is considered that the retention of the wall would not give rise to any adverse impact upon the character and appearance of the wider surrounding area that would warrant a refusal of the application.

With regard to residential amenity and in particular the front boundary wall, due to its restricted height and location it is not considered to result in any adverse impact upon the occupiers of the neighbouring properties by virtue of overbearing or overshadowing.

With regard to the dwelling, as conditioned in the previous consent, all windows on the north facing elevation are to be obscure glazed and should the proposal receive the grant of consent, this should be secured in perpetuity by way of condition.

With regard to highway safety, the Head of Transportation and Engineering raises no highway objection to the proposal.

Turning now to the issues raised in the letters of objection, points 2, 3 and 6 have been addressed above.

With regard to point 4, the removal of the shrubs and hedgerows within the site did not require planning permission.

Point 5 relates to works commencing without permission. The commencement of works without planning permission is regrettable. They are carried out at the applicant's own risk. However, the fact that the works have already commenced should not influence or prejudice the planning process or decision outcome.

Point 1 is largely irrelevant as the submitted plans indicate a rear gable feature with no windows at second floor level. Any windows inserted in this gable would result in the building not being completed in accordance with the approved plans and therefore enforcement action could be taken.

In conclusion and having regard to all material considerations including the Human Rights Act, the proposal is considered to represent a satisfactory form of development which complies with current development plan Policies HC7, EV2, EV3, AS6 and EV1 of the City and County of Swansea Unitary Development Plan 2008, the Supplementary Planning Guidance documents entitled the 'Infill and Backland Design Guide' and 'Gower Design Guide' and has an acceptable impact on the character and visual amenities of the street scene and area in which it is situated and the residential amenity of neighbouring occupiers. Approval is therefore recommended.

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RECOMMENDATION

APPROVE, subject to the following conditions;

- 1 The development hereby permitted shall be completed in accordance with the approved plans.
Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act, 1990.
- 2 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking or amending that Order), Classes A and B of Part 1 of Schedule 2 of Article 3 shall not apply.
Reason: The development hereby approved is such that the Council wish to retain control over any future development being permitted in order to ensure that a satisfactory form of development is achieved at all times.
- 3 Foul water and surface water discharges shall be drained separately from the site.
Reason: To protect the integrity of the Public Sewerage System.
- 4 No surface water shall be allowed to connect (either directly or indirectly) to the public sewerage system unless otherwise approved in writing by the Local Planning Authority.
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.
- 5 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.
- 6 The first floor windows in the north facing side elevation, as indicated on Plan No: HG.13.57.02 Rev10 shall be obscure glazed and unopenable below a height of 1.7m from internal floor level, and shall be retained as such at all times unless otherwise agreed in writing with the Local Planning Authority.
Reason: In the interest of residential amenity.

INFORMATIVES

- 1 This consent is issued without prejudice to any other consents or easements that may be required in connection with the proposed development.
- 2 The development plan covering the City and County of Swansea is the City and County of Swansea Unitary Development Plan. The following policies were relevant to the consideration of the application: Policies EV1, EV2, EV3, EV26, HC2 and AS6 of the City and County of Swansea Unitary Development Plan 2008.

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- 3 Bats may be present. All British bat species are protected under Schedule 5 of the Wildlife & Countryside Act 1981 (as amended) and are listed in Schedule 2 of the Conservation of Habitats and Species Regulations 2010. This legislation implements the EC Habitats & Species Directive in the UK making it an offence to capture, kill or disturb a European Protected Species or to damage or destroy the breeding site or resting place of such an animal. It is also an offence to recklessly / intentionally to disturb such an animal.
If evidence of bats is encountered during site clearance e.g. live or dead animals or droppings, work should cease immediately and the advice of the Natural Resources Wales sought before continuing with any work (01792 634960).
- 4 Birds may be present in this building and grounds please note it is an offence under the Wildlife & Countryside Act 1981 (as amended) to intentionally (intentionally or recklessly for Schedule 1 birds) to:
- Kill, injure or take any wild bird
 - Take, damage or destroy the nest of any wild bird while that nest in use or being built
 - Take or destroy an egg of any wild bird
- Care should be taken when working on buildings particularly during the bird nesting season March-August.

PLANS

HG.13.57.OS-site location plan & block plan, dated 29th August 2014; HG.13.57.02-Rev10 proposed plans & elevations received 22nd October 2014.
