

APPLICATION NO:
P/2019 /0327

LOCATION:
1 THE ELMS TALLARN GREEN
MALPAS
SY14 7HL

DATE RECEIVED:
25/04/2019

COMMUNITY:
Willington and
Worthenbury

DESCRIPTION:
APPLICATION FOR APPROVAL OF
RESERVED MATTERS PURSUANT
TO OUTLINE PLANNING
PERMISSION P/2017/0794, LAYOUT,
SCALE, APPEARANCE,
LANDSCAPING (1 NO. DWELLING
ON LAND ADJOINING 1 THE ELMS)

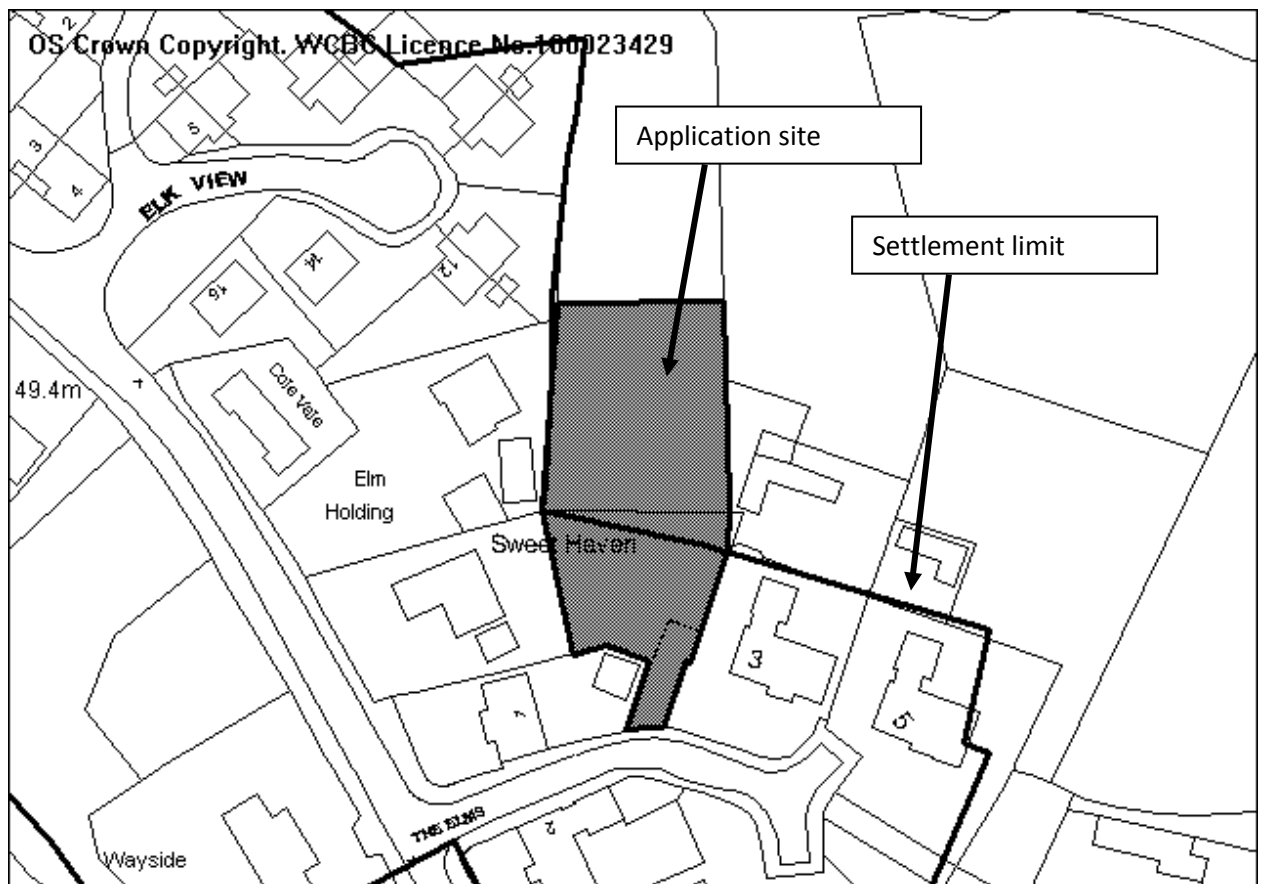
CASE OFFICER:
MP

WARD:
Bronington

AGENT NAME:
MR MICHAEL PATON

APPLICANT(S) NAME:
MR MICHAEL PATON

THE SITE



PROPOSAL

As above. The applicant has indicated on the application form that approval is sought for access, however this is unnecessary because access was approved at outline permission stage.

HISTORY

P/2001/0452 Change of uses of land from agriculture to domestic & grazing for horses. Granted 3.7.2001
P/2017/0794 Outline application for 1 no. dwelling on land within the curtilage of 1 The Elms. Granted 6.11.2017

PLANNING POLICY

Partly within settlement limit, partly outside. Part of site also lies within a Special Landscape Area. Policies GDP1, EC4, EC5, EC6, H2, H5 and T8 apply.

CONSULTATIONS

Community Council: Consulted 26.4.2019
Local Member: Notified 26.4.2019
Public Protection: No comments
Highways: Have made the following comments:

- The existing/proposed shared private driveway intended to serve the proposed dwelling is 4.5m wide, hard paved and provides splays in excess of 2.4 x 18m in both directions. The access width and splays are considered adequate;
- There would appear to be adequate parking and turning space
- No private water to run-off shall be permitted to flow from the site onto the adjoining highway.

NRW: No objection. With respect to the discharge of effluent to ground or surface water, the Applicant will need to apply for an environmental permit or register an exemption with us.

Senior Flood Officer: I have reviewed the submitted information from a surface water perspective and have significant reservations regarding to proposed means of managing surface water. An alternative proposal to manage surface water should be proposed unless the appropriateness of the proposed system to manage surface water flows can be demonstrated.

Welsh Water: No comments.
Site Notice: Expired 23.5.2019
Neighbours: The owners/occupiers of 7 nearby properties notified 2.5.2019 and notified about amended plans 10.5.2019

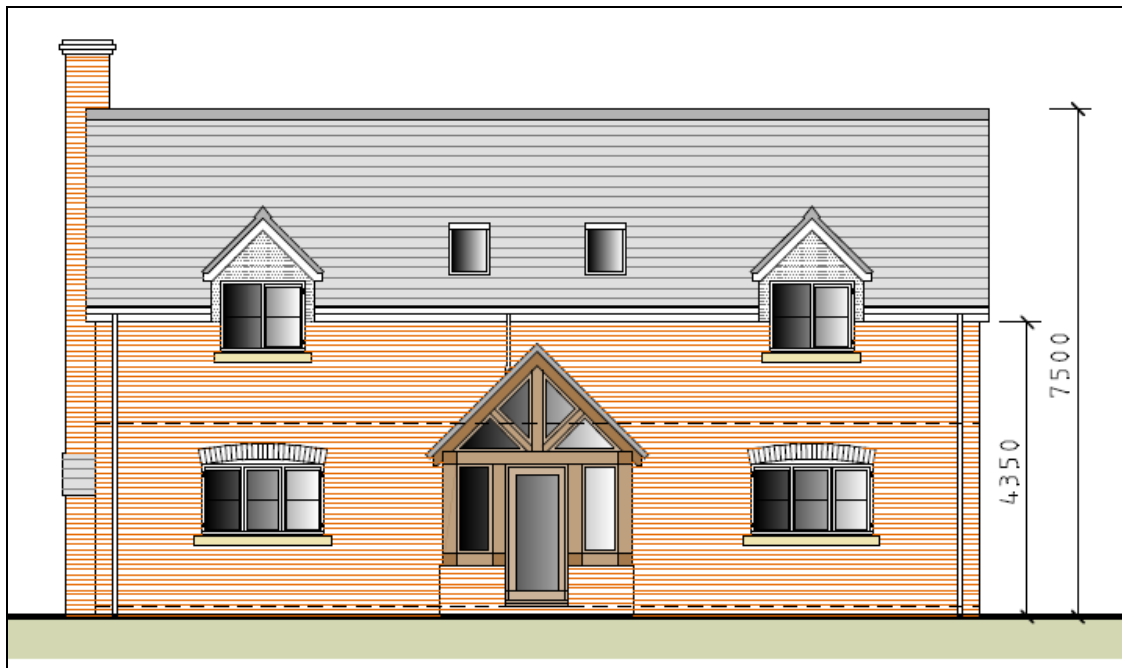
- 2 objections received expressing the following concerns:
- Overlooking - separation distances not in accordance with LPG21;
 - The proposed method of foul and surface water drainage.

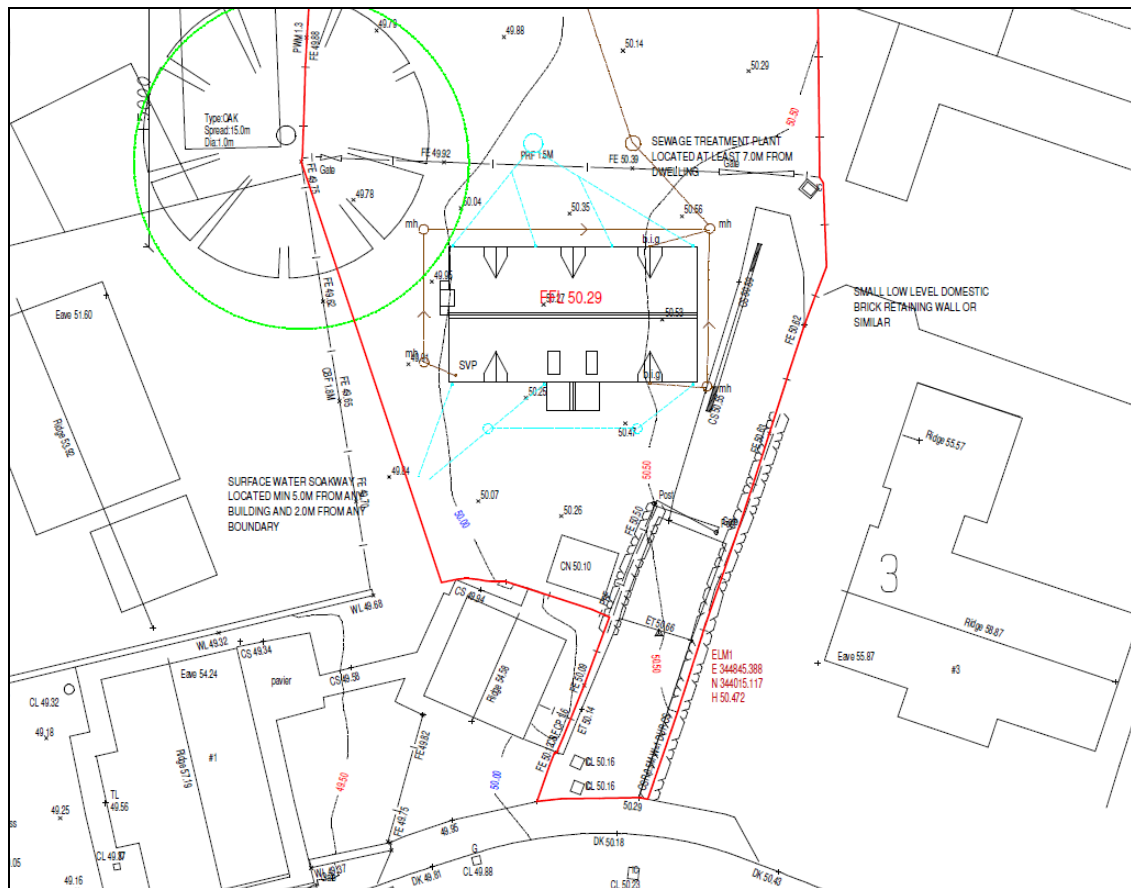
SPECIAL CONSIDERATIONS

Policy: The site benefits from outline planning permission therefore the principle of developing the site is already established. In dealing with this reserved matters application, the Council is limited to considering the merits of the development in respect of layout, scale, appearance and landscaping.

Design: The dwelling will be situated on a back land plot located immediately to the rear no.1 The Elms and Sweet Haven, both of which front onto Tallarn Green Road. To the east of the dwelling lies no. 3 The Elms.

The proposed front elevation and site plans are shown below:





The external appearance of the dwelling is acceptable and will not appear out of place when viewed in the context of the wider locality where there is a range of architectural styles.

The submitted plans confirm the materials to be used, the existing boundary enclosures will be retained, confirms the extend of a lawn garden area and that the driveway will be surfaced using stone. The materials and landscaping of the site are generally in keeping with the locality.

Amenity: The property will have three side windows at ground floor level facing towards the Sweet Haven situated to the west. One will serve a wash room/WC (a non-habitable room) and will be approximately 15m from Sweet Haven, whilst the other two will be secondary windows to a lounge and due to the orientation of the proposed dwelling, will be 17m away. Taking into account ground level differences between the two properties, LPG21 recommends 24m for the lounge windows, however I do not consider the shortfall to be a concern in this instance. Despite the ground level differences I am satisfied that an existing boundary fence will provide a sufficient degree of screening to prevent the significant degree of overlooking.

The development accords with LPG21 in terms of its relationship with other neighbouring properties. In light of this and the I am satisfied that it will not unacceptably impact upon the standard of amenity afforded to the occupiers of neighbouring dwellings by way of loss of light, privacy or by being overbearing.

Trees: There is a large mature oak tree of reasonable amenity value in the garden of a neighbouring property but immediately adjacent to the north-west corner of the site. The submitted plans confirm that the dwelling will lie outside of the root protection area of the tree. The outline permission is also subject to a condition to require the development to be carried out in strict accordance with a tree protection plan and arboricultural impact assessment. I am therefore satisfied that adequate provision is made for the protection of the tree.

Access and Parking: Highways have confirmed that the site access is adequate in respect of width and visibility, however access was approved at outline planning permission stage and is therefore not under consideration.

The dwelling will have 4 bedrooms therefore in accordance with LPG16 a maximum of 3 parking spaces would be permitted. There is sufficient space within the intended curtilage of the dwelling to provide that number of spaces.

Drainage: The applicant initially sought approval for the details required by condition 05 of the outline planning permission in respect of foul and surface water drainage. Following the comments made by the Senior Flood Officer these will now be the subject of a separate application for the discharge of that condition. As such, drainage is not a material consideration in the determination of this application.

CONCLUSION

The development of the site is unlikely to harm the character of the area, unacceptably harm the amenity afforded to the occupiers of neighbouring properties or give rise to highway safety issues. As such it accords with the relevant UDP policies.

RECOMMENDATION: The Reserved Matters are **Approved**

CONDITION(S)

1. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered HS098/01 Revision A, HS098/02 Revision A and HS/098/LP01 Revision A and as contained within the application documentation.

REASON(S)

1. To comply with section 71ZA (2) of the Town and Country Planning Act 1990.
