

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
13/0222/FULL 28.03.2013	Mr M Nelson Llaregyb 1 Pentwyn Isaf Caerphilly CF83 2NR	Erect ground floor extension and new roof Llaregyb 1 Pentwyn Isaf Caerphilly CF83 2NR

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: On the north-western side of Pentwyn Isaf, Caerphilly, at the junction with Heol Las.

House type: The host dwelling is a detached bungalow.

Development: Erection of a ground floor extension and new roof.

Dimensions: Single-storey extension - The proposed ground floor extension is effectively 'squaring off' the existing staggered design and would measure 4.45 metres wide at its widest point and 11.39 metres deep at its deepest point and 6.1 metres high to the ridge of the hipped roof extension.

Roof extension - 8.2 metres wide, by 10.5 metres deep and 6.7 metres high to the ridge at its highest point above ground level.

Materials: Single-storey extension - Rendered walls, roof tiles and white upvc windows and doors, all to match the existing.

Roof extension - Rendered walls, roof tiles and white upvc windows, all to match the existing.

Ancillary development, e.g. parking: None.

PLANNING HISTORY

07/0490/FULL Erect ground floor extension - Granted 29.01.08.

12/0879/FULL - Erect ground floor extension and new roof - Refused 05.02.13.

POLICY

LOCAL DEVELOPMENT PLAN:

Site Allocation: The land is within the settlement boundary.

Policies:

CW2 (Amenity) and CW3 (Design Considerations - Highways).

Guidance Note 2 of Supplementary Planning Guidance LDP7 Householder Development.

NATIONAL POLICY:

Planning Policy Wales (2012).

Technical Advice Note 12: Design (2009).

ENVIRONMENTAL IMPACT ASSESSMENT

Did the application have to be screened for an EIA? No.

Was an EIA required? Not applicable.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? As this is a householder development this matter will be considered through the Building Regulations if necessary.

CONSULTATION

None.

ADVERTISEMENT

Extent of advertisement: Ten neighbours notified, site notice posted.

Response: Three.

Summary of observations: The local residents' comments are as follows:-

1. The first floor bedroom window to the front elevation would have a detrimental impact on the privacy of the bedroom, kitchen and dining room windows of the neighbouring properties.

2. The extended roof height would have a detrimental impact on the light received by the neighbouring property.
3. When considering the existing difference in levels the increased ridge height would have an overbearing effect on the neighbouring property to the detriment of residential amenity.
4. Contrary to the submitted block plan the neighbouring bungalow has a window in the side elevation serving a bedroom that would lose natural light should the proposal go ahead.

SECTION 17 CRIME AND DISORDER ACT

What is the likely effect of the determination of this application on the need for the Local Planning Authority to do all it reasonably can to prevent crime and disorder in its area? There are no specific crime and disorder issues in this instance.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? Based on current evidence, this is unlikely to be a significant issue in this case, but an advisory note will be attached to the consent and sent to the applicant as a precautionary measure.

ANALYSIS

Policies: Policy CW2 of the Adopted Local Development Plan states that development proposals should ensure that there is no unacceptable impact on the amenity of the adjacent properties or land. By virtue of the proposed extension's scale, massing, and position close to the boundary with the neighbouring property, when considered alongside the existing difference in levels, the proposed roof extension would have an overbearing and overshadowing effect on the neighbouring property, dominating the outlook from the existing ground floor windows. This would have a detrimental impact on the residential and visual amenity of the neighbouring properties and is contrary to the aforementioned policy.

Furthermore it is evident when viewing the properties in the street that the bungalow design of the application site and neighbouring properties was borne out of the significant variation in levels along Pentwyn Isaf. Their low profile design ensures that the roof lines of the properties on the north-western side of Pentwyn Isaf remain relatively constant. In view of this the proposed roof extension would raise the ridge line of the host dwelling to a level that would be

out of character with the surrounding properties and introduce an incongruous element in to the street scene.

Guidance Note 2 of Supplementary Planning Guidance LDP7 states that extensions and conservatories should not cast large shadows onto neighbour's houses or gardens. As a general rule single-storey extensions near to a ground floor window of any principal room in an adjoining property, should be no longer than 4 metres, whilst two-storey extensions in the same circumstances should be longer than 2 metres. By virtue of the projection of the proposed roof extension past the rear of the adjacent property by approximately 2.2 metres, when considered alongside the existing difference in levels and its position close to the boundary with the neighbouring property, it is felt that the proposal would have a detrimental impact on the light received by the neighbouring property to the north-east and in particular the windows located in the rear and side elevations, to the detriment of residential amenity. This is contrary to the guidance.

Guidance Note 2 of Supplementary Planning Guidance LDP7 also states that extensions and conservatories should not be overbearing to your neighbours. As a general rule, two-storey extensions should not be positioned very close to the boundary adjacent to the garden of a neighbour's property. By virtue of the proposed extension's scale, massing, and position adjacent to the boundary with the neighbouring property, and close to the boundary with the neighbour to the opposite side, when considered alongside the existing difference in levels, the proposed extension would be out of character with the host dwelling and surrounding properties and would have an overbearing effect on the neighbouring properties dominating the outlook from the existing ground floor window to the rear. This is contrary to the guidance.

Paragraph 6.7 of Technical Advice Note 12: Design states that the appearance and function of a proposed development, its scale and its relationship to its surroundings are material considerations in determining planning applications and appeals. Developments that do not address the objectives of good design should not be accepted.

By virtue of the proposed extension's scale, massing, and position close to the boundary with the neighbouring property, when considered alongside the existing difference in levels, the proposed roof extension would have an overbearing and overshadowing effect on the neighbouring property, dominating the outlook from the existing ground floor windows. This would have a detrimental impact on the residential and visual amenity of the neighbouring properties and is contrary to TAN 12: Design (2009) and Paragraph 4.10.9 of Planning Policy Wales (2012).

It should be noted that the application was accompanied by a supporting statement from the applicant's agent. The points raised relating to character, scale and massing have already been addressed above; however, the Council's response to the remainder of the agent's statement is as follows:-

Dormer Windows - As dormer windows no longer form part of the proposal the Council has no comment to make with regard to this issue as they are not a material planning consideration of this application.

Impact on adjoining properties - As was highlighted in the officer's report relating to the previously refused application and reiterated below it is not considered that the proposal would have a detrimental impact on the privacy received by the properties to the south-east. Moreover, when taking into account the distance from the host dwelling to the aforementioned properties, it is not considered that the proposal would have an overbearing or overshadowing impact on 7 and 8 Pentwyn Isaf. However, the agent's comments relating to the impact on 2 Pentwyn Isaf are disputed. Whilst the neighbouring property has erected a carport and extension to the side nearest the application site that may have reduced some of the light received it is evident when standing within the carport itself that the materials used in its construction are translucent in nature. As such a significant amount of daylight continues to be enjoyed by the window serving the bedroom in the side elevation of 2 Pentwyn Isaf. As has been highlighted above the proposed roof extension would have an overshadowing impact on the carport and the aforementioned window, reducing the light received, to the detriment of residential amenity.

Secondly, when considering the close proximity of the proposal to the side boundary shared with 2 Pentwyn Isaf, the significant difference in levels and the projection of the proposed roof extension past the rear of the adjacent property by approximately 2.2 metres, it is felt that the proposal would have a detrimental impact on the light received by the neighbouring property to the north-east and in particular the windows located in the rear and side elevations, dominating their outlook, to the detriment of residential amenity.

Finally, with regard to the agent's statements relating to the developments carried out at the neighbouring property it should be noted that these are not a material planning consideration of this planning application.

Comments from consultees: None.

Comments from public: The Council's response to the local residents' comments is as follows:-

1. Whilst the first floor window to the front elevation would offer the host property views of the properties to the south-east that could not have been seen previously it should be noted that, despite the difference in levels, the privacy distance from the proposed window to the neighbouring properties is far in excess of the minimum requirement detailed in the Council's design guidance.

2. This is supported by the Local Planning Authority's comments detailed above.
3. This is supported by the Local Planning Authority's comments detailed above.
4. This is supported by the Local Planning Authority's comments detailed above.

Other material considerations: None.

RECOMMENDATION that Permission be REFUSED

The reason(s) for the Council's decision is/are

- 01) By virtue of the proposed extension's scale, massing, and position close to the boundary with the neighbouring property, when considered alongside the existing difference in levels, the proposed roof extension would have an overbearing and overshadowing effect on the neighbouring property, dominating the outlook from the existing ground floor windows, having a detrimental impact on the residential amenity of the neighbouring property. This is contrary to Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010, Guidance Note 2 of the Local Planning Authority's Adopted Supplementary Planning Guidance LDP7, Technical Advice Note 12: Design (2009) and Planning Policy Wales (2012).
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