

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
17/0550/FULL 19.07.2017	Mr & Mrs Burns Brynderwen 30 Cefn Road Blackwood NP12 1QA	Erect single storey extension to rear elevation, garage to side elevation and raised decking and steps to rear Brynderwen 30 Cefn Road Blackwood NP12 1QA

**APPLICATION TYPE:** Full Application

### SITE AND DEVELOPMENT

Location: The application property is located on the eastern side of Cefn Road, Blackwood.

House type: A detached dwelling with double frontage.

Development: The removal of the existing rear conservatory and the erection of a single storey rear and part side extension that incorporates space left by the existing garage. Decking and steps are included to enable access to the rear garden.

Dimensions: The rear extension (incorporating the side extension) measures 3.2 metres long by 12.8 metres wide. The side extension measures 3.3 metres wide by 9.2 metres. The height to the eaves is 2.2 metres and to the ridge is 3.2 metres. The decked area measures 2.8 metres long by 8.5 metres at its widest. The height of the decking is 0.9 metres.

Materials: The extension will be finished in render and UPVC windows and doors (that matches the host dwelling), with a low pitch plane tile roof. Details of the obscure glazing and decking materials are not provided.

Ancillary development, e.g. parking: The proposed decking will join up with the existing rear outbuilding.

### PLANNING HISTORY 2005 TO PRESENT

None.

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Application No. 17/0550/FULL Continued.

## POLICY

LOCAL DEVELOPMENT PLAN Caerphilly County Borough Local Development Plan, up to 2021 - Adopted November 2010.

Site Allocation: The site lies in the settlement boundary of Blackwood.

Policies: Policy (CW2 Amenity), and guidance contained in Supplementary Planning Guidance LDP7: Householder Development.

NATIONAL POLICY Planning Policy Wales (9th Edition) and Technical Advice Note 12: Design (2016).

## 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? The site lies in a low coal mining risk area. Information will be provided to the applicant should planning permission be recommended for approval.

## CONSULTATION

Transportation Engineering Manager - No objection subject to conditions.

## ADVERTISEMENT

Extent of advertisement: The application was advertised by means of site notice and neighbourhood letters to 8 nearby properties.

Response: One letter of objection was received.

## Summary of observations:

1. Light and view to No. 32 may be compromised.
2. Buildings have already been erected in the garden which have impacted upon the views.

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Application No. 17/0550/FULL Continued.

3. Glass conservatory causes no problems, but any larger solid construction would considerably affect the light and quality of view to the premises of No. 32;
4. Garages are alongside each other - development needs to ensure that access to the garage of No. 32 is maintained.

#### 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?  
Crime and disorder are not considered to be issues in the determination of this application.

#### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

#### COMMUNITY INFRASTRUCTURE LEVY

Is this development Community Infrastructure Levy liable? The application site does lie within the mid-range viability zone however as the proposed increase in floorspace would be less than 100sqm CIL is not charged.

#### ANALYSIS

Policies: This application is put before Planning Committee as the Agent is related to a member of staff.

This application has been considered in accordance with Local Plan Policy and Supplementary Planning Guidance. The main points to consider in the determination of this application are whether the proposal is acceptable from a design perspective, and whether the proposal would have an overbearing impact on the adjacent dwellings at No. 32 and 28 Cefn Road.

In terms of design, the scheme is considered acceptable as the materials proposed are to match the existing dwelling house. The pitch of the lean-to roof is relatively low however this is due to the size of the projecting extension, and the size of the first floor windows which are not being replaced. The UPVC windows and patio doors do not provide an unbalanced view. The proposed extension is therefore acceptable in design terms.

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Application No. 17/0550/FULL Continued.

With regard to the potential overbearing impact on No. 32 and 28 Cefn Road, consideration must be given to the existing conservatory and development that can be erected under permitted development rights. Given that the applicant could erect an extension up to 4 meters in length at the rear, the main consideration in the determination of this application is whether there would be any overbearing impact created by the side extension, and whether the proposed development creates unacceptable overlooking into the gardens or dwellings of the neighbouring properties.

The side extension is on the eastern elevation, closest to No. 32 Cefn Road. As it involves the demolition of the existing detached garage and the creation of an integral garage, this will see the garage moved eastward by approximately 1.5 metres from the site boundary. In terms of the potential overbearing impact, as there is an existing garage along the boundary with No. 32, coupled with the existing outbuilding and No. 32 being set further back than the application property, the additional impact would not be significantly more overbearing so as to warrant a refusal of this application. However, there is a window proposed on this elevation which will directly overlook the kitchen of No. 32. It is therefore considered necessary to impose a condition that this window is obscurely glazed, so as to protect the privacy of No. 32 Cefn Road.

With regards to the privacy and overlooking on the western elevation, another window is proposed that will also directly overlook the kitchen of No. 28. It is therefore considered necessary to impose a condition that this window also is obscurely glazed, so as to protect the privacy of No. 28 Cefn Road.

In relation to the raised decking, this will result in an unacceptable overlooking and privacy impact on to No. 28 as the topography of the area means the garden of No. 28 is set lower and will therefore be directly overlooked. The application proposes a 2 metre privacy screen to the side of the property, however this will not minimise this impact. It is therefore deemed necessary to impose a condition relating to a 2 metre privacy screen to be erected on the side of the raised decked area, so as to minimise this impact.

On balance therefore the proposed development is recommended for approval subject to conditions.

Comments from consultees: The Transportation Manager raises no objections subject to a condition to retain the garage parking space.

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Application No. 17/0550/FULL Continued.

Comments from public:

1. Light and view to No. 32 may be compromised - The proposed side and rear extension will not impact upon the 45 degree rule as set out in LDP7: Householder Development. The amount of light reduction, if any, would not be sufficient in itself to warrant a refusal.
2. Buildings have already been erected in the garden which have impacted upon the views. - There is no Planning right to a view.
3. Glass conservatory causes no problems, but any larger solid construction would considerably affect the light to the premises of No. 32; - As mentioned above, the 45 degree rule is not breached at the property, and as the development is broadly in line with what could be erected under permitted development regulations.
4. Garages are alongside each other - development needs to ensure that access to the garage of No. 32 is maintained - It is advisable for the applicant to enter into a Third Party Wall agreement with the adjoining property.

Other material considerations: The duty to improve the economic, social, environmental and cultural well-being of Wales, has been considered in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015. In reaching the recommendation below, the ways of working set out at section 5 of that Act have been taken into account, and it is considered that the recommendation is consistent with the sustainable development principle as required by section 8 of that Act.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.  
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

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Application No. 17/0550/FULL Continued.

- 02) The development shall be carried out in accordance with the following approved plans and documents:  
Drawing No. 1 "As Existing" received 29/06/2017;  
Drawing No. 2 "As Proposed" Elevations (Amended plans) received 17/08/2017;  
and  
Drawing No. 3 "As Proposed" Floor Plan (Amended plans) received 17/08/2017.  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building.  
REASON: In the interests of the visual amenities of the area.
- 04) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) the windows on the eastern elevation (closest to No. 32 Cefn Road) and on the western elevation (closest to No. 28 Cefn Road) shall be glazed with obscure glass and any replacement or repair shall only be with obscure glass.  
REASON: In the interests of residential amenity.
- 05) Notwithstanding the submitted details, revised details of the glazed screen to the western side of the raised platform (as shown in drawing number 3, as Amended) shall be submitted to and approved in writing with the Local Planning Authority. Those revised details shall include obscure screening to the western edge of the raised platform that shall be of a height of no less than 2 metres. Those details shall be submitted to the Local Planning Authority and shall be fully constructed in accordance with the approved details and the screen shall thereafter be maintained in perpetuity in accordance with the approved details.  
REASON: In the interest of privacy.
- 06) Prior to the construction of the decking hereby approved details of the materials to be used, in electronic or printed format shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.  
REASON: In the interests of the visual amenity of the area.

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Application No. 17/0550/FULL Continued.

- 07) 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), the garage hereby approved shall not be physically altered or converted to any other domestic purpose without the prior approval of the Local Planning Authority. The garage shall be made available at all times for the parking of motor vehicles associated with the residential use of the dwelling hereby approved.  
REASON: In the interests of highway safety.

Advisory Note(s)

The following policy(ies) of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 is/are relevant to the conditions of this permission: CW2.

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:  
[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority).

The homeowner/developer is advised that any development that involves work to a party boundary may require an agreement under the Party Wall Act. This planning permission is issued having regard to the land ownership certificate submitted by the applicant.

