

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
18/0318/RET 02.05.2018	Mrs M Silcocks 2 Laburnum Houses St David's Avenue Woodfieldside Pontllanfraith Blackwood NP12 0PQ	Landscape garden to include the retention of the raised decking and balustrade 2 Laburnum Houses St David's Avenue Woodfieldside Pontllanfraith Blackwood NP12 0PQ

APPLICATION TYPE: Retain Development Already Carried Out

SITE AND DEVELOPMENT

Location: The application property is located on St David's Avenue, Woodfieldside.

House type: Two storey semi-detached cottage with sloping gardens to the front and rear.

Development: Full planning permission is sought to retain the raised decking platform forward of the principal elevation.

Dimensions: The raised decking measures 9.2 metres in width by 4.2 metres in depth and the outer edge of the decking is located approximately 1.07 metres off the sloping ground with a timber balustrade measuring 0.96 metres in height. This application is reported to committee as the applicant is related to an employee of this council.

Materials: Wooden decking and timber balustrade.

Ancillary development, e.g. parking: Landscaping works to the front garden.

PLANNING HISTORY 2005 TO PRESENT

None.

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: The site is located within settlement limits.

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Policies: SP5 (Settlement Boundaries), SP6 (Place Making), CW2 (Amenity) and advice contained in the Local Planning Authority's adopted Supplementary Planning Guidance LDP 7: Householder Developments (January 2017).

NATIONAL POLICY Planning Policy Wales Edition 9 (November 2016) and TAN 12: Design (March 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? Not applicable due to the nature of the application.

CONSULTATION

Senior Engineer (Land Drainage) - No adverse comments to make in respect of this application.

Rights Of Way Officer - No objection but the applicant should be made aware of the public right of way abutting the site.

ADVERTISEMENT

Extent of advertisement: The application was advertised by means of a site notice and two neighbours were notified by letter

Response: None.

Summary of observations: Not Applicable.

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 implications material to the determination of this application.

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EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? No the development is not CIL liable as there is no proposed increase in floor area.

ANALYSIS

Policies: The application has been considered in accordance with national planning guidance, local plan policies and supplementary planning guidance.

The application seeks planning permission to retain the decking and balustrade as constructed as a result of an enforcement investigation. The main considerations in the determination of this application is whether the decking is considered to be acceptable in terms of its scale and setting.

Policy CW2 sets out the criteria relating to amenity and the Local Authority's adopted Supplementary Planning Guidance LDP7: Householder Developments (2017) has a general presumption against development forward of the principal elevation, but guidance note 2 states that exceptions can be made where the context is appropriate.

In that respect the application property is located at a much higher level than St David's Avenue and is set back into the site with the garden sloping in a north-easterly to south-westerly direction. A considerable amount of occupiers along the lane spend the majority of their dwelling time within their front curtilages as the rear gardens are steeply sloping and unusable to a certain degree, furthermore the adjacent cottages to the north have tiered front gardens. Whilst the overall scale of the development introduces a new feature along this lane, the development is sufficiently set back and is subdued and neutral in colour. Nonetheless, the exposed void underneath the decking is clearly visible from the lane and does cause concern given that it measures approximately 1.07 metres in height above the sloping ground directly below it. However, on balance it is not considered reasonable to warrant refusal of the application on this basis as the development could be made acceptable by attaching appropriate conditions relating to a planting scheme to mitigate against the adverse impacts and soften the appearance of the overall structure.

Subject to the imposition of appropriate conditions to enhance the appearance of the structure within the street scene, the development is considered to comply with policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021 (adopted November 2010).

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Comments from consultees: The Public Rights of Way Officer raised no objection but requested to attach advisory notes to any permission to advise the applicant that there is Public Right of Way adjacent to the application site. In this instance the development does not affect the Public Right of Way and as such these advisory comments are not required.

Comments from public: None

Other material considerations: None.

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) Notwithstanding the development hereby approved, within two calendar months from the date of this consent a scheme for the planting of a hedgerow to screen the decking void (planting scheme) shall be submitted to and agreed in writing by the Local Planning Authority.
REASON: In the interests of visual amenity.
- 02) The agreed planting scheme shall be carried out within three calendar months from the date that the submitted details have been agreed unless another timescale is agreed in writing with the Local Planning Authority.
REASON: In the interests of residential amenity.
- 03) Following the implementation of the approved planting scheme any plants which within a period of 5 years from their planting, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
REASON: To ensure that the works are carried out as approved in the interests of the visual amenity of the area.

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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.

