

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
18/0668/FULL 27.07.2018	Mr N Liversuch Meadow Side Windy Ridge Pontllanfraith Blackwood NP12 2DR	Erect single storey kitchen extension and change use of land to side of dwelling to domestic curtilage Meadow Side Windy Ridge Pontllanfraith Blackwood NP12 2DR

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: The application property is located at the most southern point along Windy Ridge, Pontllanfraith.

House type: The application property is semi-detached dormer bungalow elevated above the highway.

Development: Planning permission is sought to erect a single storey side extension and change the use of the land to side of the dwelling to domestic curtilage. The extension will provide an enlarged kitchen/diner and utility room.

Dimensions: The proposed single storey side extension measures 4.3 metres in width by 3.1 metres in depth with a height of 2.4 metres to the eaves and 3.7 metres to ridge height. The application is reported to Planning Committee because the applicant is related to an employee of this Council.

Materials: Rendered concrete blockwork, concrete roof tiles with upvc windows and doors to match existing.

Ancillary development, e.g. parking: Extend the existing retaining wall to wrap around the extension works and demolish the garden store.

PLANNING HISTORY 2005 TO PRESENT

None.

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POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: The site is located within settlement limits.

Policies: Policy SP5 (Settlement Boundaries), SP6 (Place Making), CW2 (Amenity), CW7 (Protection of Open Space), CW15 (General Locational Constraints) and advice contained within Supplementary Planning Guidance LDP7: Householder Developments and LDP8: Protection of Open Space.

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? The application site is located within an area where no coal mining report is required, however standing advice will be provided.

CONSULTATION

None.

ADVERTISEMENT

Extent of advertisement: A site notice was displayed near the application site and five neighbours were notified by letter.

Response: None.

Summary of observations: Not Applicable.

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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.

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.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? No the development is not CIL liable as the proposal intends to create less than 100 square metres of additional floor space.

ANALYSIS

Policies: This application proposes to erect a single storey side extension and change the use of the land to the side of the dwelling to domestic curtilage. As such the main considerations in the determination of this application are the loss of the open space, the design of the proposed extension and whether there would be any adverse impacts in terms of amenity.

The application site is located within settlement limits and the proposal involves incorporating previously undeveloped land into domestic curtilage, as such there is a requirement to undertake an Open Space Assessment (OSA) in accordance with policy CW7 and the accompanying Supplementary Planning Guidance LDP8: Protection of Open Space. Outputs from the OSA provide a robust assessment of needs and deficiencies within communities in order to provide an up to date evidence base, which can be maintained to aid implementation of the policies and the provision of open spaces during the Local Plan period. In areas of limited open space, it is important that the creation of new provision is encouraged and that existing spaces are retained and improved where possible. Valuable existing facilities should be protected whilst the provision of new and improved open spaces should be facilitated.

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In that regard the land subject to this application is private and has no significant value as a recreational resource or as an area of visual amenity. Furthermore, the land has been enclosed with a hedgerow and the applicant can demonstrate a continuous and uninterrupted use of the land for garden purposes for over ten years. In that regard the change of use of land to domestic curtilage is now lawful and the Local Planning Authority is unable to afford any weight to the loss of this small parcel of open space. Nonetheless an OSA has been undertaken and the analysis confirms that there is still sufficient recreational provision and visual amenity space in the area as a result of the loss of this land. As such the proposal accords with policy CW7.

With regards to the proposed side extension, it is considered that the design, materials, scale and setting will integrate well with the host dwelling and street scene subject to a condition imposed to any permission ensuring matching materials are used in the external surfaces of the development. Furthermore there would be no undue harm caused to neighbouring amenity.

In conclusion the proposal accords with Policies CW2 and CW7 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.

Comments from consultees: There was no requirement for statutory consultees to comment on this application.

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) 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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- 02) The development shall be carried out in accordance with the following approved plans and documents:
Site Location Plan received on 27.07.2018;
Drawing No. 4 Proposed Part Ground Floor Plan received on 27.07.2018;
Drawing No. 5 Proposed Elevations received on 27.07.2018; and
Drawing No. 6 Proposed Part Roof Plan received on 27.07.2018.
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.

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 and CW7.

Many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Bats are protected under The Conservation of Habitats and Species Regulations 2010 (as amended), which implements the EC Directive 92/43/EEC in the United Kingdom, and the Wildlife and Countryside Act 1981 (as amended). Please be advised that, if bats are discovered, all works should stop immediately and Natural Resources Wales (NRW) should be contacted for advice on any special precautions before continuing.

Please also be advised that works should not take place that will disturb nesting birds from March to July inclusive. All British birds (while nesting, building nests and sitting on eggs), their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000. If birds are nesting on/in or within the vicinity of the proposed development, work should be undertaken outside the breeding season for birds to ensure their protection, i.e. works should only be undertaken between August and February. Further advice on the above can be sought from the local authority ecologists (01495 235253) or Natural Resources Wales (NRW) (029 20 772400).

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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.

