

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
17/0015/FULL 24.04.2017	Mr & Mrs T Brewer Brewers Lodge Gordon Road Blackwood NP12 1DS	Erect extension to side of property to form restaurant and function room Brewers Lodge Gordon Road Blackwood NP12 1DS

**APPLICATION TYPE:** Full Application

### SITE AND DEVELOPMENT

Location: The application premises are located on Gordon Road, Blackwood.

Site description: Detached two-storey public house set within its own grounds.

Development: Planning permission is sought to erect a single storey extension to the side of the premises to provide an enlarged restaurant and function room.

Dimensions: The proposed extension measures 11.7 metres at its widest and 26.5 metres in length.

Materials: Rendered concrete block work, concrete roof tiles and upvc triple glazing.

Ancillary development, e.g. parking: Eight additional parking spaces are proposed.

### PLANNING HISTORY 2005 TO PRESENT

None.

### POLICY

#### LOCAL DEVELOPMENT PLAN

Site Allocation: The site is located within settlement limits.

Policies: CW2 (Amenity) and CW3 (Design Considerations: Highways).

NATIONAL POLICY Planning Policy Wales Edition 9 (November 2016) and TAN 12: Design (March 2016).

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### 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 applicant has submitted a coal mining risk assessment and the Coal Authority raises no objection subject to the imposition of a condition prior to commencement that the developer shall carry out an investigation of the underground strata in order to satisfy himself as to the stability of the site and the measures which should be taken to mitigate against the risk of subsidence.

### CONSULTATION

Glam/Gwent Archaeological Trust - No objection subject to the developer undertaking a watching brief for the duration of any excavational work.

Senior Arboricultural Officer (Trees) - There should not be any immediate impact on trees at the application site, but there are protected ash trees at the adjacent property of Cherry Orchard. The protected maple and the protected group of ash trees are both downhill of a large embankment. Phytotoxic runoff from cement for example might cause significant damage to trees and roots.

Transportation Engineering Manager - No objection.

Senior Engineer (Land Drainage) - No objection.

The Coal Authority - The Coal Authority considers that the content and conclusions of the Coal Mining Risk Assessment Report are sufficient, therefore no objection is raised subject to the imposition of conditions should planning permission be granted.

Head Of Public Protection - No objection subject to works being undertaken in accordance with the specification details provided and a condition restricting the openable glazing units to be closed when regulated entertainment takes place.

### ADVERTISEMENT

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

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Response: Four letters of representation were received.

Summary of observations: The following objections were raised:

- The proposed development abuts the boundary wall of the property known as 'Cherry Orchard.'
- The noise generated by the function room will have a detrimental impact on health and wellbeing.
- Concerned how the rooflights and flat roof design can be satisfactorily soundproofed.
- Concerned that the flat roof extension will be used for domestic garden purposes at first floor level of the host building.

#### 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? No.

#### COMMUNITY INFRASTRUCTURE LEVY

Is this development Community Infrastructure Levy liable? Yes the development is CIL liable and will be charged at a rate of £25 per square metre of additional floor space.

#### ANALYSIS

Policies: The application has been considered in accordance with national guidance and local plan policy. The main issues in the determination of this application is whether the proposed design of the extension is acceptable and whether the extension will have a detrimental effect on the amenity of the neighbouring residents.

In terms of the design it is considered that the proposed extension is subservient and integrates well with the host building and will generate a positive contribution to the appearance of the application site.

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It is noted that the footprint of the extension adjoins the boundary of the neighbouring properties, however given that the nearest dwellings are between 10 and 20 metres away from the proposed extension, there will be no opportunity to give rise to overlooking into the neighbouring properties. As such it has been concluded that the proposed extension would not result in any significant harm to the occupiers of the neighbouring properties subject to the imposition of conditions regarding noise to ensure that any disturbance to the neighbouring properties is restricted.

In conclusion the proposed extension is acceptable in planning terms and accords with policies CW2 and CW3 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.

Comments from consultees: The council's tree officer has concerns over the protected ash trees at the neighbouring property and the trees at the lower embankment of the application site. Given the distance away from the proposed footprint of the extension is approximately 17 metres away from the protected trees, it is not considered reasonable to request an Arboricultural Method Statement and Tree Protection Plan.

Comments from public: The following objections were raised:

- The proposed development abuts the boundary wall of the property known as 'Cherry Orchard' - It is noted that the extension abuts the neighbouring boundary at the rear of the extension, however it is approximately 20 metres away from Cherry Orchard and 10 metres away from Four Winds.
- The noise generated by the function room will have a detrimental impact on health and wellbeing - Any statutory nuisance generated as a result of the development will be dealt with in accordance with Part III of the Environmental Protection Act 1990.
- Concerned how the rooflights and flat roof design can be satisfactorily sound-proofed - No objection has been raised by the Head of Public Protection regarding the design of the proposed extension.
- Concerned that the flat roof extension will be used for domestic garden purposes at first floor level of the host building - A condition will be imposed to the planning consent to ensure that roof is only used as a means of fire escape.

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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.
- 02) The development shall be carried out in accordance with the following approved plans and documents:  
Drawing No 4 Proposed Elevations received on 09.01.2017.  
Drawing No 5 Proposed Floor Plan received on 09.01.2017.  
Drawing No 6 Proposed Elevations received on 09.01.2017.  
Drawing No 7 Proposed Elevations received on 24.01.2017.  
Drawing No 9 Parking Layout received on 07.03.2017.  
Window Specifications received on 10.05.2017.  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) No development or site clearance shall commence until the Local Planning Authority have been informed in writing of the name of a professionally qualified archaeologist who is to be present during the undertaking of any excavations in the development area so that a watching brief can be conducted. No work shall commence until the Local Planning Authority has confirmed in writing that the proposed archaeologist is suitable. A copy of the watching brief report shall be submitted to the Local Planning Authority within two months of the archaeological fieldwork being completed.  
REASON: To identify and record any features of archaeological interest discovered during the works.

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- 04) The construction of the single storey extension hereby approved shall be carried out in accordance with that stipulated within the 'specification of works' document in order to achieve the appropriate acoustic attenuation within the structural envelope of the building.  
REASON: In the interests of nearby residential amenity.
- 05) The glazing units installed shall meet the specification of "10mm/16mm argon/9.1mm Pilkington Optiphon" range (or equivalent) stipulated within the technical data provided and are capable of achieving a sound reduction value of (Rw) 45dB (both fixed and openable).  
REASON: In the interests of nearby residential amenity.
- 06) All openable glazing units on the front elevation of the property shall be closed to achieve maximum sound reduction when any "Regulated Entertainment"(as defined in the Licensing Act 2003) takes place.  
REASON: In the interests of nearby residential amenity.
- 07) The roof of the extension hereby approved shall only be used for a means of fire escape only and for no other purpose in connection with premises whatsoever.  
REASON: To control the use of the building in the interests of residential amenity.
- 08) Before any development commences the developer shall carry out an investigation of the underground strata (the results of which shall be submitted to the Local Planning Authority) in order to satisfy himself as to the stability of the site and the measures which should be taken to mitigate against the risk of subsidence. Details of the design of the foundations of the proposed building(s) and/or proposals for ground treatment shall take account of the result of the investigation and shall be submitted to and agreed with the Local Planning Authority before development commences. The foundations and/or ground treatment shall thereafter be completed in accord with such details as may be approved.  
REASON: In the interests of health and 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 and CW3.

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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).

Please find attached the comments of Glamorgan-Gwent Archeological Trust that are brought to the applicant's attention:

The archaeological work must be undertaken to the Chartered Institute for Archaeologists (CIfA), "Standard and Guidance for an Archaeological Watching Brief" ([www.archaeologists.net/codes/ifa](http://www.archaeologists.net/codes/ifa)) and it is recommended that it is carried out either by a CIfA Registered Organisation ([www.archaeologists.net/ro](http://www.archaeologists.net/ro)) or an accredited Member.

