

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
17/0019/FULL 19.01.2017	Mr & Mrs Thomas Greenacres Rudry Road Porset Caerphilly CF83 3DT	Enclose existing swimming pool, proposed new first floor, ground floor front extension, front storm porch with steps and partial re-roofing Greenacres Rudry Road Porset Caerphilly CF83 3DT

**APPLICATION TYPE:** Full Application

**SITE AND DEVELOPMENT**

Location: Greenacres, Rudry Road, Porset, Caerphilly, CF83 3DT.

Site description: The application property is a detached bungalow within a relatively large curtilage set back from but facing south towards Rudry Road, Porset. The western boundary is adjacent to the rear curtilage areas of bungalows in Darren Close a neighbouring street. The northern boundary is adjacent to the rear curtilage areas of housing on Rudry Close. The eastern side boundary is adjacent to the rear curtilage areas of housing on St James Close.

Development: Enclose existing swimming pool, proposed new first floor, ground floor front extension, front storm porch with steps and partial re-roofing.

Dimensions: The works would increase the eaves of the application property from the current eaves height of 2.6 metres to 5.5 metres. The main roof height would increase from the existing height of 4 metres to 8.7 metres.

The existing western side elevation is approximately 16 metres long and would increase to 21 metres long with the infilling of the front corner to match the forward most part of the principal elevation.

A new rear extension to cover the existing external swimming pool would measure approximately 12.3 metres by 9.7 metres.

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Materials: The walls will be finished in cream coloured render apart from a centralised section which will be stone faced to match an existing area of stonework. The property will be re-roofed as part of the development changing the existing grey tiles to brown concrete interlocking tiles.

Ancillary development, e.g. parking: None.

#### PLANNING HISTORY 2005 TO PRESENT

10/0049/FULL - Demolish existing dwelling and construct four new units - Granted 22.02.11.

08/0555/FULL - Demolish house and re-develop for housing - Refused 10.09.09.

#### POLICY

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

Site Allocation: The site lies within the defined settlement boundary.

Policies: CW2 (Amenity), CW3 (Highways), SP6 (Place making) SP10 (Conservation of Natural Heritage).

NATIONAL POLICY Planning Policy Wales, Technical Advice Note 12: Design.

#### SUPPLEMENTARY PLANNING GUIDANCE

Supplementary Planning Guidance note LDP 7 (Householder Development).

#### 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 partially in a high risk area, attach informative note.

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### CONSULTATION

Transportation Engineering Manager - No Objections.

### ADVERTISEMENT

Extent of advertisement: The application was advertised via a site notice and neighbour notification letters were sent to 16 nearby properties.

Response: Three letters of objection have been received.

### Summary of observations:

- We live adjacent to the proposed extension/transformation from a bungalow into a two storey property. Strongly object to development.
- The proposed extension by reason of size, depth, width, height and massing would have an unacceptable adverse impact on my property immediately adjacent to the proposed.
- Loss of privacy and loss of amenity.
- Overbearing in relation to total volume, height and scale in comparison to adjacent property.
- Lead to a lack of natural light both inside and outside.
- Unreasonable overshadowing due to height and proximity.
- Proposal would lead to previous areas being overlooked.
- Extreme proximity of development to our boundary.
- Object on the grounds that the increase in height will dominate and overpower the surrounding bungalows.
- Close proximity to number 17 Darren Close, not only is it right on top of their property blocking the light but they even plan to put a window looking straight into their bedroom.

### 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?

It is not considered that crime and disorder will be materially affected by the development.

### 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.

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## COMMUNITY INFRASTRUCTURE LEVY

Is this development Community Infrastructure Levy liable? The development is CIL liable.

## ANALYSIS

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

The main considerations for the application are the visual appearance of the development on the character of the area and the impact on neighbour amenity.

The existing bungalow has been extended over time resulting in the current irregular shaped footprint. The proposed development seeks planning permission for a comprehensive redevelopment of the property to alter the property to a two storey dwelling including infilling a current step in the building line of the western end of the principal elevation and works to incorporate an existing external swimming pool area to an indoor swimming pool covered by extending the main roof of the dwelling and having a cat slide form. The main roof would be hipped to reduce its massing.

It is considered that the existing bungalow has little architectural merit with later additions having amended the original form and introduced variations in roof heights and form. The property is also unique in terms of the general site layout of the area with a substantially larger curtilage than the vast majority of properties in the near vicinity. The proposed redevelopment would alter the character of the property from the current bungalow form to that of a large detached dwelling and in doing so substantially increase its massing and resultant visibility of the property. It is considered however that the proposed alteration would provide a more uniform appearance to the dwelling and noting the generous curtilage size and the fact there is mix of dwelling types within the area it is considered that the proposed design and alteration to the character of the property would be acceptable and accord with adopted Local Development Plan Policy SP6 (Placemaking).

In respect of the impact on neighbour amenity the application property is abutted by the curtilages of neighbouring properties on three sides. The impact of the development is considered to be greatest on the properties to the western side (Darren Close) which are at an angled orientation to the application dwelling. The property most affected is considered to be number 17 Darren Close which, due to the angled plot arrangement, has a small rear garden area and whose rear facade faces south-east, viewing at an angle to the western side elevation of the application dwelling.

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The alignment of the footprint of the application dwelling is such that it is stepped off the boundary between approximately 2 metres and 5 metres in the area adjacent to number 17 Darren Close's south-eastern boundary. Number 17 Darren Close has a tapered garden area behind its rear elevation with its footprint stepped off the common boundary between approximately 2 metres and 7 metres. The separation distance between rear windows in number 17 and the western side wall of the application property is estimated to range between approximately 5 metres (oblique) to 9 metres (direct).

The proposed development would increase the eaves of the application property from the current eaves height of 2.6 metres to 5.5 metres. The proposed hipped roof slopes away from the boundary providing some mitigation to the visual impact on number 17 Darren Close. It is noted that there is existing tree screening on the boundary between number 17 Darren Close and the application property. It is acknowledged that the occupants of number 17 Darren Close would have their outlook impacted due to the increased massing of the development. The main roof height would increase from the existing height of 4 metres to 8.7 metres, however due to the hipped roof form this would gradually increase from the new eave height of 5.5metres to the main ridge of 8.7 metres across a distance of approximately 5.5 metres.

The applicant has provided additional information including shadow cast analysis to support the application and to seek to demonstrate that the development will not have an unacceptable overbearing impact on the adjacent properties including number 17 Darren Close. In relation to overshadowing the assessment indicates that there is existing overshadowing in winter months and whilst this will be increased as a result of the development this will not be to such degree or longevity to existing neighbouring fenestration nor their amenity areas to warrant refusal of the application on this basis. The proposed fenestration on the west elevation facing properties on Darren Close are proposed to be obscurely glazed to prevent overlooking and in relation to the first floor window their retention will be secured via a planning condition to protect neighbour privacy. It is considered on balance that the impact on light and outlook from number 17 Darren Close is not unacceptable. The impact on other surrounding properties is also considered to be acceptable and the development therefore accords with Policy CW2 (Amenity).

The application property would retain sufficient parking and amenity space following the development and is recommended for approval.

Comments from consultees: The Council's Ecologist has offered no objection to the application but has requested informative notes and ecological enhancement to be conditioned.

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Comments from public:

- We live adjacent to the proposed extension/transformation from a bungalow into a two storey property. Strongly object to development.
- The proposed extension by reason of size, depth, width, height and massing would have an unacceptable adverse impact on my property immediately adjacent to the proposed.
- Loss of privacy and loss of amenity.
- Overbearing in relation to total volume, height and scale in comparison to adjacent property.
- Lead to a lack of natural light both inside and outside.  
The objections have been considered as part of the assessment of the application and the development is considered acceptable.
- Unreasonable overshadowing due to height and proximity.  
Noting the submitted shadow cast information submitted which demonstrates the existing situation it is not considered that unacceptable overshadowing would occur as a result of the development.
- Proposal would lead to previous areas being overlooked/Close proximity to number 17 Darren Close, not only is it right on top of their property blocking the light but they even plan to put a window looking straight into their bedroom.  
The proposed first floor western fenestration would be obscurely glazed and it is proposed to require this to be kept as such and restrict new openings through the imposition of planning conditions.
- Extreme proximity of development to our boundary.  
This has been considered and the development is considered acceptable.
- Object on the grounds that the increase in height will dominate and overpower the surrounding bungalows.  
There are both houses and bungalow in the locality and the proposed development is considered acceptable.

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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.
- 02) The development shall be carried out in accordance with the following approved plans and documents:
  - Site Location plan, drawing reference 100, received 10.01.17.
  - Proposed site plan, drawing reference 201, received 10.01.17.
  - Proposed Ground Floor plan, drawing reference 203 revision A, received 23.03.17.
  - Proposed First Floor plan, drawing reference 204 revision A, received 23.03.17.
  - Proposed Roof plan, drawing reference 205, received 10.01.17.
  - Proposed Front and Side A elevation plan, drawing reference 206 revision A, received 23.03.17.
  - Proposed rear and Side B elevation plan, drawing reference 208 revision A, received 23.03.17.REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) 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 first floor en-suite window facing west shall be glazed with obscure glass and any replacement or repair shall only be with obscure glass.  
REASON: In the interests of residential amenity.

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- 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, no windows or dormer windows, other than those expressly authorised by this permission, shall be constructed without the approval of the Local Planning Authority.  
REASON: In the interests of residential amenity.
- 05) Prior to the commencement of any works associated with the development hereby approved, a plan showing details of the provision of roosts and a means of access for bats in the new extension at Greenacres, Rudry Road, Porset, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new extension hereby approved is first occupied.  
REASON: To provide additional roosting for bats as a biodiversity enhancement, in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, and policy contained in Welsh Assembly Government's Planning Policy Wales (2016) and Tan 5 Nature Conservation and Planning (2009).
- 06) Prior to the commencement of any works on site, details of the provision of nesting sites for bird species (House sparrow, House martin, Starling or Swift) in the new extension at Greenacres, Rudry Road, Porset, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new extension hereby approved is first occupied.  
REASON: To provide additional nesting opportunities for birds as a biodiversity enhancement, in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, and policy contained in Welsh Government's Planning Policy Wales (2016) and Tan 5 Nature Conservation and Planning (2009).

#### Advisory Note(s)

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.

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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).

The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:

<https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

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Property specific summary information on past, current and future coal mining activity can be obtained from: [www.groundstability.com](http://www.groundstability.com) or a similar service provider.

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

Please find attached the comments of The Council's Ecologist that are brought to the applicant's attention.

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.

