

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
15/0158/FULL 24.03.2015	Mr & Mrs D Davies Chez Nous 26 Sunny Bank Terrace Machen Caerphilly CF83 8PY	Erect extensions to existing dwelling and construct a double garage Chez Nous 26 Sunny Bank Terrace Machen Caerphilly CF83 8PY

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: The application property is situated at the western end of Sunnybank Terrace approximately 50m from the junction with Dranllwyn Lane.

House type: The application property is a detached bungalow within a large plot that slopes steeply from north to south such that the dwelling is elevated above the adjacent highway with terraced and sloping gardens. The dwelling is largely rectangular in shape with a projecting gable on the right hand side and it is finished in pebble dash with a tiled roof. There is a drive to the east of the dwelling that currently provides an informal access to the rear garden. Whilst the main portion of Sunny Bank Terrace is characterised by 'inter-war' semi detached dwellings, the area surrounding the application site has an eclectic mix of dwelling styles including a two storey dwelling to the east and detached bungalows to the west.

Development: The application seeks full planning consent for extensions to the dwelling to increase its footprint and to increase the roof height. This will include creating a first floor to the dwelling, the erection of a two storey extension to the left hand side of the dwelling for two bedrooms and a bathroom on the ground floor with a large kitchen/dining room and family room on the first floor, and an extension to the right hand side of the building to create two bedrooms on the ground floor and a study/lounge and cinema/games room on the first floor. There will also be a balcony on the front of the property leading from the family room, with a deck to the rear also leading from the family room and onto the elevated rear garden. The property is to have a very modern appearance with a flat roof and large picture windows and French doors to the front elevation.

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Consent is also sought for the erection of a detached garage to the rear of the dwelling. This garage is to be built into the rear garden such that it will be underground with access being derived off the existing drive to the side of the dwelling. Three off street parking spaces are also proposed to the front of the dwelling with the front garden being excavated to provide the space to accommodate them.

Dimensions: The existing dwelling has maximum dimensions of 10.65m wide by 9.5m long by 5.75m high. The proposed dwelling will have maximum dimensions of 17.2m wide by 9.9m long by 5.75m high. The garage measures 6.5m wide by 6.5m long by 3.5m high.

Materials: the dwelling is to be finished in a mixture of render and cedar boarding with a single ply membrane roof.

Ancillary development, e.g. parking: None.

PLANNING HISTORY

No previous planning history.

POLICY

Site Allocation

Local Development Plan: Within settlement limits.

Policies

Local Development Plan: SP5 (Settlement Boundaries)
SP6 (Place Making)
CW2 (Amenity)
CW3 (Design Considerations: Highways)
CW15 (General Locational Constraints).

Guidance Note 1 to the Adopted Supplementary Planning Guidance LDP 7 for householder development advises that the purpose of the planning system is to safeguard the existing qualities of buildings and streets and that extensions and alterations should be designed to complement the character of your street or area.

Guidance Note 2 to the Adopted Supplementary Planning Guidance LDP 7 for householder development gives advice on extensions and conservatories.

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Supplementary Planning Guidance LDP 5 Car Parking Standards sets out parking requirements for all developments.

National Policy: Paragraph 4.11.9 of Planning Policy Wales (2014) states: - "The visual appearance of proposed development, its scale and its relationship to its surroundings and context are material planning considerations. Local planning authorities should reject poor building and contextual designs. However, they should not attempt to impose a particular architectural taste or style arbitrarily and should avoid inhibiting opportunities for innovative design solutions."

National Planning Guidance contained in Technical Advice Note 12 - Design.

CONSULTATION

Dwr Cymru - Provides advice to be conveyed to the developer.

ADVERTISEMENT

Extent of advertisement: The application was advertised by means of a site notice and neighbour letters.

Response: Five letters of objection were received from local residents.

Summary of observations: 1 The application to extend the dwelling and the application for a detached dwelling in the rear garden of the application property should be considered together.

2 The proposal would be out of keeping with the character of other dwellings in the area.

3 The scale of the proposal is out of keeping with the character of the host dwelling which would not remain the dominant element.

4 There is no precedent set within Machen for the use of a flat roof.

5 The proposal should not be viewed as an extension to the existing dwelling.

6 Using the first floor for living accommodation would totally alter the established pattern within the area.

7 Using the first floor for living accommodation would also increase noise levels unacceptably.

8 The increased height of the dwelling will have an adverse impact on light

9 The increased height would also cause a loss of view.

10 The developer has removed all of the trees from the site.

11 The proposal will lead to increased flooding problems to adjacent dwellings.

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12 The existing hedgerows on the boundary of the site should not be removed.

13 Ysgubor Fach is unsuitable to provide access to serve the site for the delivery of building materials.

14 The developer has already destroyed important habitat with the removal of the trees on the site.

15 The development would lead to a devaluation of properties.

16 The proposal would cause a loss of privacy to neighbouring dwellings.

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?

None.

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.

Is this development Community Infrastructure Levy liable? Yes. Based on an additional floor area of 244.82 square meters the proposal is liable to CIL for £9792.80.

ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The main points to consider in the determination of this application are the objections raised by members of the public and will be considered in turn below.

1 This application and the application for a new dwelling in the rear garden cannot be considered under the same application and each application has to be considered on its own individual merits. However the impacts of each proposal on each other and on surrounding properties will need to be considered.

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2 Guidance Note 1 of Supplementary Planning Guidance LDP7 (SPGLDP7) states 'Extensions and alterations should be designed to complement the character of your property and street or area.' As discussed above, there is an eclectic mix of dwellings in the area surrounding the application property, exemplified by the two-storey dwelling to the east and the extended bungalow to the west and as such it is not felt that there is any overriding character to the area. It should also be noted that the existing bungalow has no intrinsic architectural merit being a simple 1960s bungalow with an apex roof and therefore it is not considered that it is particularly desirable to retain the bungalow for its own sake. Indeed, were an application submitted to demolish the dwelling and erect a replacement dwelling then this would be acceptable in principle. In that regard it is not felt that the proposal is out of keeping with the character of the area to the degree that refusal of the application is warranted.

3 Guidance Note 2 of SPGLDP7 states that 'the extension or conservatory should not normally dominate your house. As a general rule all extensions should be smaller than the original property, and with the exception of front porches they should be located to the rear or the side of the property, although the context and quality of the existing house and proposed extension will be taken into account.' As stated above, the existing application property has no architectural merit and its replacement with a new dwelling would be acceptable in planning terms. As such the proposals before the Council, whilst not strictly complying with the design guidance, have to be considered on their planning merits and the character of the host dwelling is not a major consideration in the determination of this application. Moreover, the scale of the dwelling is considered to be in keeping with the dwellings in the area and in particular the dwellings on either side.

4 It is accepted that there are no other dwellings within the area that have flat roofs to the main roof. However, as stated in Paragraph 4.11.9 of Planning Policy Wales, Local Planning 'should not attempt to impose a particular architectural taste or style arbitrarily and should avoid inhibiting opportunities for innovative design solutions.' It is considered that this proposal fits into that category. Whilst a flat roof dwelling is not in keeping with the traditional local vernacular, it would also be true to say that the adjacent dwellings would not have been in keeping when they were erected and indeed in respect of the dwelling to the west, this has an extension to the rear that would also not be in keeping with the local vernacular. In that regard it is not felt that the use of a flat roof is unacceptable in design terms.

5 Whilst the application is described as an extension to the host dwelling it effectively creates a new dwelling. However, as discussed above this is not considered to be unacceptable in principle.

6 Whilst neither of the adjacent dwellings has its principal living accommodation on the first floor it is not uncommon for dwellings on sloping plots to be built in this way in order to maximise the views from the site. As such it is not felt that this would be unacceptable in planning terms.

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7 It is not felt that the use of the first floor as living accommodation would lead to a marked increase in noise levels to such a degree that this would make the proposal unacceptable in planning terms.

8 Whilst the eaves height of the dwelling would be increased, the overall height of the building has not increased. There would inevitably be an increase in shadowing of the property to the west but it is not considered that this would be to such a degree that it would be unacceptable in planning terms.

9 Loss of view is not a material planning consideration.

10 There is nothing in planning legislation to prevent a developer from removing trees from an application site prior to the submission of a planning application. If trees are on site at the time of a planning application the Local Planning Authority can request a tree survey if it considered that they would be affected by the development or conditions can be imposed for their retention as part of the development.

11 No objection has been received from the Council's Senior Engineer (Land Drainage) in respect of the application for a dwelling on the rear garden of the application site. Therefore it is considered that drainage of the site should not be an issue subject to the imposition of suitable conditions to deal with surface water run off from the site.

12 It is accepted that the existing hedgerows and mature trees on the boundary of the application site provide an element of screening between the properties as well as contributing to the semi rural character of the site. It is felt that this character is important and as such the removal of any of these features would be unacceptable in planning terms. Therefore a suitably worded condition should be added to any consent granted requiring a scheme for their protection and retention as part of the scheme.

13 Whilst it may be considered that Ysgubor Fach is unsuitable to provide access for delivery vehicles to the application site, there is nothing in the planning application to suggest that this would be the case in any event. Moreover, it would be unreasonable to refuse the application on that basis.

14 There is no evidence to prove that any protected species were harmed as a result of the removal of any trees from the site. As stated above the remaining trees on site will be protected by condition as part of the development.

15 Loss of property values is not a material planning consideration.

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16 Guidance Note 8 of SPGLDP7 refers to balconies and decking and suggests that such structures should ensure that they do not result in overlooking of adjacent properties. The application proposes the erection of a balcony to the front of the property and a deck to the rear. In respect of the property to the east it is considered that the balcony would not give rise to views of that property and the deck to the rear would be sufficiently far away from that property that there would be no unacceptable loss of privacy. With regard to the property to the west it should be noted that the front balcony is screened such that this would only give views into the drive area of that dwelling. It is not felt that this would amount to an unacceptable loss of privacy in planning terms. With regard to the deck to the rear it should be noted that this does not give rise to any views into habitable rooms of the neighbouring dwelling and in terms of the rear garden would not be any more overlooking than the existing garden of the application property. In that respect it is not felt that there would be any unacceptable loss of privacy as a result of this proposal.

In conclusion it is considered that the proposed extension is acceptable in planning terms as the proposed design, whilst modern and with architectural features that are not in keeping with the local vernacular, is considered to be acceptable in its own regard, there would be no loss of privacy or amenity to the neighbouring dwellings and adequate off street parking is provided within the site. Therefore it is recommended that planning consent be granted subject to conditions.

Comments from consultees: No objections raised.

Comments from public: These are considered above.

Other material considerations: None.

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 driveway to serve the proposed development shall be not less than 3.65 metres wide and shall be constructed in permanent materials to be agreed in writing with the Local Planning Authority and be completed prior to the first occupation of the development hereby approved.
REASON: In the interests of highway safety.

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03) 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.

04) The development shall not be occupied until the area indicated for the parking of vehicles has been laid out in accordance with the submitted plans and that area shall not thereafter be used for any purpose other than the parking of vehicles.

REASON: In the interests of highway safety.

05) No vegetation clearance, works or development shall take place until a scheme for the protection of the retained trees (section 7, BS59837, the Tree Protection Plan) has been agreed in writing with the Local Planning Authority. This scheme shall where the Local Planning Authority consider appropriate include:

a) a plan to a scale and level of accuracy appropriate to the proposal that shows the position, crown spread and Root Protection Area (para. 5.2.2 of BS5837) of every retained tree on site and on neighbouring or nearby ground to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on this plan,

b) the details of each retained tree as required at para. 4.2.6 of BS5837 in a separate schedule,

c) a schedule of tree works for all the retained trees in paragraphs (a) and (b) above, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS3998, 1989, Recommendations for tree work,

d) written proof of the credentials of the arboricultural contractor authorised to carry out the scheduled tree works,

e) the details and positions (shown on the plan at paragraph (a) above) of the Ground Protection Zones (section 9.3 of BS5837),

f) the details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers (section 9.2 of BS5837), identified separately where required for different phases of construction work (e.g. demolition, construction, hard landscaping). The Tree Protection Barriers must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase,

g) the details and positions (shown on the plan at paragraph (a) above) of the Construction Exclusion Zones (section 9 of BS5837),

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- h) the details and positions (shown on the plan at paragraph (a) above) of the underground service runs (section 11.7 of BS5837),
- i) the details of any changes in levels or the position of any proposed excavations within 5 metres of the Root Protection Area (RPA) (para. 5.2.2 of BS5837) of any retained tree, including those on neighbouring or nearby ground,
- j) the details of any special engineering required to accommodate the protection of retained trees (section 10 of BS5837), (e.g. in connection with foundations, bridging, water features, surfacing)
- k) the details of the working methods to be employed with the demolition of buildings, structures and surfacing within or adjacent to the RPAs of retained trees,
- l) the details of the working methods to be employed for the installation of drives and paths within the RPAs of retained trees in accordance with the principles of "No-Dig" construction,
- m) the details of the working methods to be employed with regard to the access for and use of heavy, large, difficult to manoeuvre plant (including cranes and their loads, dredging machinery, concrete pumps, piling rigs, etc) on site,
- n) the details of the working methods to be employed with regard to site logistics and storage, including an allowance for slopes, water courses and enclosures, with particular regard to ground compaction and phytotoxicity,
- o) the details of the method to be employed for the stationing, use and removal of site cabins within any RPA (para. 9.2.3 of BS5837),
- p) the details of tree protection measures for the hard landscaping phase (sections 13 and 14 of BS5837).
- q) the timing of the various phases of the works or development in the context of the tree protection measures.

REASON: In the interests of visual amenity.

- 06) Unless otherwise agreed in writing with the Local Planning Authority, prior to the commencement of any vegetation or site clearance works, details of the retention, protection, translocation and replacement of hedgerows within the site, including where necessary their method of translocation or species composition and structure, shall be submitted to the Local Planning Authority for approval. The approved details shall be complied with and any replacement hedgerow shall be planted within 12 months of the completion of the development.
REASON: In the interests of biodiversity conservation and enhancement in accordance with Section 40 Natural Environment and Rural Communities Act 2006, and policy contained in Welsh Assembly Government's Planning Policy Wales (2010) TAN 5 Nature Conservation and Planning (2009).

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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, CW3 and CW4.

