

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
12/0654/RET 06.09.2012	Mr G Worwood 16 Field's Park Road Pentwyn-Mawr Newport NP11 3NQ	Retain decking on roof of existing garage at rear and timber decking and surrounding post and balustrade enclosure formed on top of roof 16 Field's Park Road Pentwyn-Mawr Newport NP11 3NQ

**APPLICATION TYPE:** Retain Development Already Carried Out

### SITE AND DEVELOPMENT

Location: On the eastern side of Field's Park Road on the northern edge of Newbridge.

House type: Mid-terrace.

Development: Retention of decking and balustrading on roof of existing garage.

Dimensions: The decking measures 7.4 metres long x 3.9 metres wide, with 1 metre high balustrading to three sides. It is proposed to increase the height of the balustrading on part of the southern side to 1.2 metres.

Materials: Timber decking and balustrading.

Ancillary development, e.g. parking: None.

### PLANNING HISTORY

P/04/1597 - Retain garage - Granted 06.12.04.

### POLICY

### LOCAL DEVELOPMENT PLAN

Site Allocation: The site lies within the settlement boundary.

Policies: SP6 (place making), CW2 (amenity) and Supplementary Planning Guidance LDP7: Householder Development.

NATIONAL POLICY Planning Policy Wales contains general guidance about development management but none is directly relevant to the current application.

### 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.

### ADVERTISEMENT

Extent of advertisement: The occupiers of two neighbouring dwellings were notified by letter and a site notice was displayed.

Response: One letter.

Summary of observations: Loss of privacy, Overbearing impact and Overdevelopment.

### 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? Crime and disorder are not considered to be issues in this case.

### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

### ANALYSIS

Policies: The application relates to the retention of decking and balustrading erected on the roof of an existing garage within the rear curtilage of the property. The garage measures 6.2 metres x 3.9 metres x 2.5 metres high and is 1 metre from the rear of the dwelling, effectively occupying the whole of the rear curtilage. It had been constructed without the benefit of planning permission and was granted retrospective permission in December 2004 (Application No. P/04/1597).

Permission is now sought for the retention of decking with balustrading erected on the flat roof of the garage. The decking bridges over the gap between the garage and rear of the dwelling. The 1 metre high open balustrading facilitates the use of the decking as a 'sitting-out' area, and takes advantage of the garage roof to effectively compensate for the lack of garden. The work is of a high quality and is acceptable in purely visual terms, and is considered to be in compliance with Policy SP6 (place making) of the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010 (LDP) in terms of design.

The main issues with regard to the impact of the development relate to residential amenity, and specifically to the issues of privacy and overbearing impact. LDP Policy CW2 Criterion A requires that development has no unacceptable impact on the amenity of adjacent properties.

In terms of overbearing impact the harm, if any, has been caused by the garage itself; the additional impact of the balustrading is minimal due to its open nature.

With regard to privacy, the advice given in the Council's adopted guidance LDP7: Householder Development states that decking should not result in overlooking of neighbours' property. In this case, whilst it is possible to look into the neighbours' gardens and rear windows to either side, from a seated position this impact would be less intrusive notwithstanding the open nature of the balustrading. An element of screening is proposed on the southern side, but none on the northern side, allowing the outlook from the neighbour's rear window to be unimpeded.

It is considered that a pragmatic view must be taken in this case, balancing the need of the applicant for useable amenity space against the impacts on neighbours' amenity. On this basis it is concluded that the scheme is acceptable, and it is recommended that permission be granted subject to the additional screening proposed.

Comments from Consultees: None.

Comments from public: Two of the grounds of objection have been addressed above. The third, the matter of overdevelopment, is considered to relate more directly to the erection of the garage itself for which retrospective permission has previously been granted.

Other material considerations: None.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The additional screening to the southern edge of the decking, as indicated on the submitted drawings, shall be erected within one calendar month of the date of this permission, and shall thereafter be retained in place at all times.

REASON: In the interests of residential amenity.

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.

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