

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
19/0012/FULL 07.01.2019	Mr C Padfield 44 Penylan Road Argoed Blackwood NP12 0AY	Erect garage 44 Penylan Road Argoed Blackwood NP12 0AY

**APPLICATION TYPE:** Full Application

### SITE AND DEVELOPMENT

Location: The application property is situated on the eastern side of Penylan Road.

Site description: The application property is a semi-detached dwelling with a terraced rear garden sloping up to the highway at a higher level. There is an existing hardstanding in the garden of the property and a number of the neighbouring dwellings have garages.

Development: The application seeks full planning consent for the erection of a detached garage. The garage would have an apex roof and the garage doors face to the side of the site. The garage will be set back by 1.3m from the main road. This application is reported to Planning Committee because the applicant is related to a member of staff.

Dimensions: The proposed garage measures 3.95m wide by 6.44m deep. The height to the eaves is 2.45m and to the ridge is 3.8m.

Materials: Natural slate roof finishing, with rendered walls and a roller shutter door.

Ancillary development, e.g. parking: None.

### PLANNING HISTORY 2005 TO PRESENT

09/0430/FULL - Erect detached garage - Granted 21.07.09.

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## POLICY

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

Site Allocation: The site is in the settlement limits of Argoed.

Policies: Policy SP6 (Place Making), Policy CW2 (Amenity) and Policy CW3 (Design Considerations - Highways) and guidance contained in Supplementary Planning Guidance LDP7: Householder Development.

Policy SP6 (Place Making) ensures that sustainable places are created and are of an appropriate mix of uses that reflect the role and function of settlements, is of a high standard of design that reinforces attractive qualities of local distinctiveness.

Policy CW2 (Amenity) ensures that development proposals have regard for all relevant material planning considerations to ensure that there is no unacceptable impact on the amenity of adjacent properties or land; the proposal would not lead to overdevelopment; and that the development would be compatible with the surrounding land uses.

Policy CW3 (Design Considerations - Highways), requires developments to ensure that the appropriate car parking standards are adhered to and that the design, layout and proposed materials will not have a detrimental impact on the highway network or highway safety.

NATIONAL POLICY Planning Policy Wales (10th Edition) and Technical Advice Note 12: Design (2016).

Paragraph 3.16 of PPW states

"Planning authorities should through a process of negotiation seek to improve poor or average developments which are not well designed, do not take account of their context and consider their place, or do not meet the objectives of good design. Where this cannot be achieved proposals should be rejected. However, they should not attempt to impose a particular architectural taste or style arbitrarily and should avoid inhibiting opportunities for innovative design solutions. If a decision maker considers that a planning application should not be approved because of design concerns they should ensure that these reasons are clearly articulated in their decision and justified with sufficient evidence."

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Paragraph 2.6 of TAN 12 (2016) states

"design which is inappropriate in its context, or which fails to grasp opportunities to enhance the character, quality and function of an area, should not be accepted, as these have detrimental effects on existing communities."

### ENVIRONMENTAL IMPACT ASSESSMENT

Did the application have to be screened for an EIA? No.

Was an EIA required? No.

### COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? The site lies in a low coal mining risk area. Information will be provided to the applicant should the application be recommended for approval.

### CONSULTATION

Transportation Engineering Manager - No objection, subject to conditions relating to inward opening garage doors and for the garage materials to be approved prior to construction.

Dwr Cymru - The proposed development site is crossed by a public sewer with the approximate position being marked on the attached record plan. No development (including the raising or lowering of ground levels) will be permitted within the safety zone which is measured either side of the centre line. For details of the safety zone please contact Developer Services 0800 917 2652.

### ADVERTISEMENT

Extent of advertisement: The application was advertised by means of neighbourhood letters to the nearby five properties.

Response: No responses received at the time of writing this report. As the consultation period ends after submission of the report for Planning Committee, any comments received will be verbally presented.

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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?  
Crime and disorder are not considered to be issues in the determination of this application.

## EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

## COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? No, as the proposed increase in floorspace would be less than 100 square metres.

## ANALYSIS

This application is before Planning Committee as the applicant is an Elected Member of CCBC.

Policies: This application has been considered in accordance with National policy and guidance, Local Plan policies and Supplementary Planning Guidance. The main points to consider in the determination of this application are whether the proposal is acceptable from a design perspective, and whether the proposal would have an overbearing impact on the nearby properties. It is important to note that a larger garage was approved on the site under application 09/0430/FULL.

Policy SP6 (Place Making) considers design. The scheme is considered acceptable as the design proposed matches the existing dwelling; and the pitch on the roof is not too dissimilar to others along the street. The introduction of the garage would therefore not look out of place, however a condition should be included requiring the garage door to be painted (such as with powder coating) to be included, to ensure that the development is in keeping with the street scene.

With regards to the impact on adjoining properties (policy CW2), the proposal is smaller than that approved in 2009 in both height and width. As such, the principle of the development has been established. In terms of its impact on the adjoining properties, given that the garage is to the rear of the dwelling and also within a large curtilage with different levels, coupled with the proposed garage being set back from the boundary by approximately 1.4m, the impact generated by the eaves height of 2.4m would not be sufficient to justify refusal.

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There is also a window proposed on the side elevation closest to No. 42. Due to the location of the window (i.e. overlooking the garden next door) it is deemed necessary to include a condition limiting this window to be obscurely glazed, in perpetuity.

Comments from consultees: These are included in the above report.

The Transportation and Engineering Manager raises no objection, subject to the materials proposed on the drive being established prior to commencement, and for inward opening doors to be included. As the development has started, and the groundwork is concrete, it is not necessary to include a condition relating to materials, as those utilised would be deemed acceptable. A condition relating to inward opening doors shall be included.

Comments from public: None.

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 received 07/01/2019;
  - Block plan received 07/01/2019;
  - Sheet 1 of 3 detailing proposed floor plan received 07/01/2019;
  - Sheet 2 of 3 detailing proposed elevations received 07/01/2019; and
  - Sheet 3 of 3 detailing proposed section through received 07/01/2019.REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

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- 03) Notwithstanding the submitted plans, the roller shutter garage door hereby approved as part of this development shall be finished in a powder coating, and shall be maintained as such in perpetuity.  
REASON: In the interests of the visual amenity of the area.
- 04) Notwithstanding the submitted details, the window to the southern elevation (closest to No. 42 Penylan Road) shall be obscurely glazed, and constructed in accordance with the approved details. The glazing shall thereafter be maintained in perpetuity in accordance with the approved details.  
REASON: In the interest of privacy.
- 05) Prior to its first use the garage, sited as shown on the submitted plan, shall be fitted with inward-opening doors or roller shutter, which will not open out over the highway.  
REASON: In the interests of highway 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.

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](http://www.gov.uk/government/organisations/the-coal-authority).

Please find attached the comments of Dwr Cymru/Welsh Water that are brought to the applicant's attention.

