

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
18/0894/FULL 23.10.2018	Mr & Mrs Briers 57 St Teilo's Way Watford Caerphilly CF83 1FA	Erect a two storey side extension 57 St Teilo's Way Watford Caerphilly CF83 1FA

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: 57 St Teilo's Way, Watford, Caerphilly, CF83 1FA

Site description: The application site comprises of a semi-detached property that fronts westwards onto St Teilo's Way a residential crescent to the north of St David's Way in Caerphilly. The application property is set down in level from both these nearby roads. To the north is the attached neighbouring property (55 St Teilo's Way), to the east the topography slopes down to the rear amenity spaces of a pair of semi-detached properties (14 and 16 St Asaph's Way). A pair of semi-detached properties are located to the west across St Teilo's Way (29 St David's Way and 42 St Teilo's Way). To the south of the application site is a small grassed area with St David's Way beyond with residential properties on the opposite side of the road (numbers 42, 44, 46 and 48 St David's Way).

Development: Erect a two storey side extension to provide an enlarged kitchen/dining area at ground floor and a fourth bedroom with ensuite facilities at first floor.

Dimensions: 3.8m wide by 7.4m long with an overall height of 6m. The front eaves height is 4.9m but due to its cat slide roof form the rear eaves height is 2.9m.

Materials: The application dwelling has brick and rendered elevations and concrete roof tiles. The extension will be finished to match the existing dwelling.

Ancillary development, e.g. parking: One additional parking space.

PLANNING HISTORY 2005 TO PRESENT

None.

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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), CW15 (General Locational Constraints), SP5 (Settlement Boundaries), 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? No.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? This is partially within a High risk area, and so it is intended to attach an informative note about mining conditions in the area.

CONSULTATION

Ecologist - Recommends Ecological Enhancement be conditioned and advisory notes provided to applicant.

ADVERTISEMENT

Extent of advertisement: The application was advertised via a site notice and 10 neighbour notification letters were sent. Following amendments to the scheme a reconsultation of neighbours was carried out.

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Response: In relation to the initial consultation exercise undertaken one objection was received:

- We feel it would block out some natural light and skyline, as seen from our house.

Following a reconsultation on the amended plans a further consultation response was received from original respondent:

- After viewing the amended planning application, it would appear that my original concern has now been addressed, therefore I have no objection.

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.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? The development is not chargeable as the additional internal floorspace created is below 100sqm.

ANALYSIS

Policies:

The application has been considered in accordance with national planning policy and guidance, local plan policy and supplementary planning guidance. The main considerations for the application are the impact on neighbour amenity and the visual appearance of the development on the character of the area. The application is being reported to Planning Committee because the spouse of the agent is an Officer of the Council.

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The proposed development has been amended from the original submitted scheme partly by the choice of the applicant and also in relation to concerns over the feasibility of providing parking. The revised scheme is set back from the principal facade of the dwelling by four metres and has a cat slide roof form with lower eaves height at the rear. It projects further rearwards than the original plans however this is mitigated by the reduced eaves height at the eastern end. The development will be set down from road level due to the natural topography of the area and it is considered to have an acceptable visual impact on the character of the area according with adopted Local Development Plan Policy SP6 (Placemaking).

The impact on neighbour amenity has been considered. The extension has first floor fenestration to the front and south facing side elevations. There is sufficient separation distance to those residential properties which lie opposite St Teilo's Way to the west and also to those residential properties located on the opposite side of St David's Way to the south, each road providing a buffer from the development. The rear elevation only has fenestration formed of two roof lights to serve the ground floor dining area and the massing of the extension is considered to have an acceptable impact on the existing levels of amenity enjoyed by occupiers of numbers 14 and 16 St Asaph's Way to the east noting their position at a lower level than the application dwelling. The development has an acceptable impact on neighbour amenity and accords with adopted Local Development Plan Policy CW2 (Amenity).

An additional parking space will be provided behind the existing driveway and the development accords with adopted Local Development Plan Policy CW3 (Highways).

Comments from Consultees:

The Council's Ecologist asks for a condition to secure bat and bird breeding provision as a biodiversity enhancement. While this is desirable, in view of the scale of the development, it is considered that such a condition would not meet the test in Welsh Government Circular WGC 016/2014 in that it is not essential in planning terms to enable the development to proceed. The circular states " In considering whether a planning condition is necessary, local planning authorities should ask themselves whether planning permission would have to be refused if a condition were not imposed, or if it would be expedient to enforce against a breach of the condition." The comments will be sent as an advisory note.

Comments from public: The respondent has advised that they have removed their objection to the scheme following consideration of the amended plans. It is considered that the proposed development would have an acceptable impact on the existing levels of amenity enjoyed by all surrounding neighbours.

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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:
Combined plan, drawing reference AL.00.001 Revision G, received 17.12.18.
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building.
REASON: In the interests of the visual amenities of the area.
- 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.

Advisory Note(s)

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.

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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.

Property specific summary information on past, current and future coal mining activity can be obtained from: 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.

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).

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

