

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
19/0283/FULL 02.04.2019	Mr & Mrs Crean 70 Hazel Grove Caerphilly CF83 3BP	Erect single storey annexe to front 70 Hazel Grove Caerphilly CF83 3BP

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: The application property is located at the southern end of Hazel Grove.

House type: The application property is a large detached dwelling situated on a private drive at the end of the cul de sac at the southern end of Hazel Grove. The dwelling is finished in face brickwork with a tiled roof and it has a large forecourt area to the front and an integral garage. The dwelling is at 90 degrees to the dwelling to the front at 85 Hazel Grove. At the southern end of the forecourt there is a raised planter area that is approximately 1m above drive level. To the south of the site are some industrial units with Virginia Park Golf course to the west and dwellings to the north and east.

Development: This application seeks full planning consent for the erection of a detached annexe building to the front of the dwelling. The existing raised planter is to be removed and the new building is to be erected backing onto the common boundary with the industrial buildings to the south. The annexe will include a kitchen, lounge, bathroom and bedroom and will have a monopitch roof sloping up to the south.

Dimensions: The building measures 9m wide by 5m deep by 4.25m high at the ridge.

Materials: Not specified.

Ancillary development, e.g. parking: None.

PLANNING HISTORY 2005 TO PRESENT

12/0224/FULL - Erect two-storey side extension and single-storey wrap-around extension on side/rear - Granted 25.04.12.

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POLICY

Local Development Plan: The site is located within settlement limits.

Policies SP3 (Development in the Southern Connections Corridor), SP5 (Settlement Boundaries), SP6 (Place Making), CW2 (Amenity), CW3 (Design Considerations: Highways) and 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.

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

Supplementary Planning Guidance LDP 6 Building Better Places to Live gives advice on all levels of development.

National Policy: Paragraph 3.16 of Planning Policy Wales 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".

National Planning Guidance contained in Technical Advice Note 12 - Design (March 2016).

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? No.

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COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? The site is located within an area where a coal mining report is not required, however standing advice will be provided.

CONSULTATION

None.

ADVERTISEMENT

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

Response: Six letters of objection have been received.

Summary of observations:

1. The proposal is out of keeping with the character of the street.
2. Lack of parking in the area.
3. It has been suggested that the annexe will be used for business purposes. There is a covenant on the deeds for the property preventing business use.
4. There is a water main and sewer pipe under the application site.
5. The proposed building is forward of the building line of the house where no development should be approved. Other front extensions have been refused in the past.
6. Increase in traffic would cause dangers to highway safety.
7. The property has previously been extended to its maximum size.

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.

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Is this development Community Infrastructure Levy liable? No.

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 in the determination of this application is whether the annexe is acceptable from a design perspective together with its impact on the character of the area, neighbouring amenity and the highway network.

In terms of the proposed annexe, this is considered to be acceptable in terms of its design, scale and fenestration. However, the Local Authority's adopted supplementary planning guidance LDP7: Householder Developments (2017) has a general presumption against development forward of the principal elevation, but guidance note 2 states that exceptions can be made where the context is appropriate. In that regard the application property is situated in the south-western corner of Hazel Grove at the end of a cul-de-sac and private drive. In this instance it is considered that the proposed siting of the annexe would not give rise to an unacceptable impact on the street scene or character of the surrounding area, subject to a condition imposed to any permission ensuring matching materials are used in the external surfaces of the development.

In terms of its impact upon neighbouring amenity, policy CW2 of the LDP sets out the criteria relating to amenity. In that regard the development does not result in any overbearing or overshadowing impact on the neighbouring properties. It is acknowledged that a habitable room window is proposed in the western side elevation and as such this would provide direct views into a ground floor habitable room of the application property (no. 70 Hazel Grove). In that respect whilst this application describes the proposed development as an annexe, the interior floor plan details the provision of a shower room, kitchen/diner, bedroom and hallway, therefore consideration must be given for the potential creation of a separate dwelling. Whilst the annexe is not attached, its proximity is enough to be considered to have a close relationship with the host dwelling and is further supported by the absence of any division within the curtilage between the host dwelling and the annexe with regards to a boundary treatment, creation of additional vehicular access and parking areas. On this basis, any additional loss of privacy to the occupiers of no. 70 Hazel Grove is not considered to be an issue. Furthermore, the use of the annexe can be controlled by way of condition to ensure that the annexe remains ancillary to the host dwelling.

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It is also noted that the bedroom window of the annexe would be of a distance of less than 10 metres away from the first floor rear habitable window of no. 85 Hazel Grove. In that the relationship between the proposed annexe and no. 85 Hazel Grove is at an acute angle together with difference in levels between ground and first floor, any views into the first floor rear bedroom window would be limited to that of the ceiling only. This relationship is not particularly uncommon and as such, is not considered that the privacy distance is unacceptable to an extent to justify refusal of this application.

In terms of highway safety, policy CW3 Of the LDP considers highway implications. The proposal will not will not prejudice the safe, effective and efficient use of the transportation network and on this basis the Transportation and Engineering Manager has raised no objection to the proposal.

In conclusion the proposal complies with policies CW2 and CW3 of the Caerphilly County Borough Local Development Plan up to 2021 -adopted November 2010.

Comments from Consultees: None.

Comments from public: The following objections were raised:

1. The proposal is out of keeping with the character of the street -This has been addressed in the above report.
2. Lack of parking in the area - Whilst there may be existing parking pressures within the area, the remaining front curtilage can provide a minimum of four off-street car parking spaces in addition to the car parking space provided within the integral garage of the main dwelling. On this basis it is not considered that the proposal will increase on-street car parking pressures within the area.
3. It has been suggested that the annexe will be used for business purposes. There is a covenant on the deeds for the property preventing business use - The use of the building will be controlled by way of conditions imposed to any planning consent.
4. There is a water main and sewer pipe under the application site - This will be a matter for the applicant to address through the building regulations approval process.

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5. The proposed building is forward of the building line of the house where no development should be approved. Other front extensions have been refused in the past - There are no planning records to indicate that previous applications have been refused in the past for front extensions within the immediate street scene. Notwithstanding this, the merits of any application received will be considered on an individual basis and discussions relating to the siting of the proposed annexe forward of the building have been addressed in the report above.

6. Increase in traffic would cause dangers to highway safety - It is not considered that the vehicular movements associated with a one-bedroom annexe would be detrimental to highway safety.

7. The property has previously been extended to its maximum size - It is noted that the application property has benefited from previous planning consent to extend the property. In that the application property benefits from a reasonably large curtilage, the proposal is not considered overdevelopment.

Other material considerations: None.

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 on 02.04.2019;
Dwg No. 19.7.2 Proposed Ground Floor Plan received on 02.04.2019; and
Dwg No. 19.7.3 Proposed Elevations received on 02.04.2019.
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

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- 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 in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 04) The use of the building hereby approved shall be limited to that ancillary and incidental to the enjoyment of the main dwelling at 70 Hazel Grove, Caerphilly and shall not be used for any commercial purposes.
REASON: To control the use of the building in the interest of amenity, character and appearance of the locality and the safety of the local highway network in accordance with policies CW2 and CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

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.

