

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
17/0226/FULL 18.04.2017	Mr H Vaughan Duffryn Villa Southend Terrace Pontllytyn CF81 9RL	Erect a first floor rear extension and relocation of extraction equipment 6/6A Commercial Street Ystrad Mynach Hengoed CF82 7DX

**APPLICATION TYPE:** Full Application

### SITE AND DEVELOPMENT

Location: 6/6A Commercial Street, Ystrad Mynach, Hengoed, CF82 7DX.

Site description: End of terrace property with a Hot Food Takeaway at ground floor level and residential flat at first floor level. The adjacent property to the south (8 Commercial Street) is a local shop with living quarters above. To the north and east is the National Westminster Bank (2 Bedwlwyn Road) which also includes a flat (2A Bedwlwyn Road). To the east beyond the Bank the land rises up to a business premise compound.

Development: Erect a first floor rear extension and relocation of extraction equipment.

Dimensions: The extension would be 4.8m wide and 4.4m in depth. The overall height of the extension is 7m.

#### Materials:

Walls: To be finished in a smooth cream colour render to match existing  
Roof: Fibre cement slate.

Ancillary development, e.g. parking: Relocation of an existing extractor flue from the existing rear elevation of the building to the side elevation to facilitate the construction of the extension.

### 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), 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? Not applicable.

## COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? Low risk area.

## CONSULTATION

Transportation Engineering Manager - No objection.

Head Of Public Protection - Provides comments on internal layout.

Senior Engineer (Land Drainage) - Expressed concerns in relation to the proposed development and the presence of a culvert crossing the application site. Following discussions has agreed that an informative note drawing the applicant's attention to their rights and responsibilities in relation to the culvert would be acceptable.

## ADVERTISEMENT

Extent of advertisement: The application was advertised via a site notice and neighbour notification letters were sent to 7 nearby properties.

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Response: No responses were received relative to the consultation exercise.

Summary of observations: None.

#### 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

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 guidance, local plan policy and supplementary planning guidance. The application is being reported to Planning Committee because the applicant is an employee of the Authority. The application seeks planning permission for a first floor extension to an existing one bed flat located above a takeaway to provide a second bedroom for the flat. The main planning considerations are the impact of the proposed development character of the area and on the amenity of occupiers of surrounding residential properties.

The design of the extension is considered acceptable noting the existing character of the area, the adjacent property to the south (8 Commercial Street) has a large two storey rear projection and the building to the north (2/2A Bedwlwyn Rd) also has significant rear projections. The proposed extension would be approximately 1m lower than the existing ridge height of the property and has a lower ridge height than the existing rear extension on number 8 Commercial Street. The proposal would accord with adopted Local Development Plan Policy SP6 (Placemaking) in having an appropriate form and appearance.

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The proposed extension is considered to have an acceptable impact on the amenity of the occupiers of the surrounding properties. The extension is stepped off the common boundary with number 8 Commercial Street by approximately 2.3 metres. Number 8 has an unfenestrated two storey extension adjacent to the boundary with single storey additions beyond. The proposed extension would project approximately 1 metre beyond the two storey extension on number 8, but having considered the separation distance from the boundary, it is not considered that there would be any unacceptable impact on the amenity of the occupiers of number 8 Commercial Street. The adjacent building to the north (2/2A Bedwlwyn Road) is angled in relation to the proposed extension on the application property and it is not considered that any unacceptable overlooking or overshadowing would occur as a result of the proposed extension. The extension is considered to accord with Policy CW2 (Amenity) in having an acceptable impact on neighbour amenity.

The proposed development is considered to be acceptable in its design and impact on the amenity of adjacent properties and is recommended for approval accordingly.

Comments from consultees: Senior Engineer (Land Drainage) expressed concerns in relation to the proposed development and possible adverse impacts to a large culvert which is understood to cross the application site. These concerns were raised with the agent who responded that they have undertaken on-site investigations and determined that the proposed development would not impact on the culvert. Following discussions with the Senior Engineer (Land Drainage) it is considered appropriate that an informative drawing the applicant's attention to the culvert and reminding them of their rights and responsibilities as a riparian landowner and the Land Drainage Act 1991.

The Head Of Public Protection have provided comments in relation to the internal layout which will be forwarded to the applicant as an informative note.

The application was supported by a Sustainability Report in relation to parking levels which concluded that it met the requirement for a reduction in parking and therefore no parking is proposed within the application. The Highway Authority have offered no objections to the development.

Comments from public: None.

Other material considerations: The relocation of the existing extraction flue to facilitate the development occurring is considered to have an acceptable visual impact given its set back from the principal elevation and an acceptable impact on the amenity of both the existing flat and neighbouring occupiers.

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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 13.03.17.
  - Combined Plan, received 13.03.17.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.

Advisory Note(s)

The applicant's attention is drawn to the comments of the Senior Engineer (Land Drainage) who advises that the proposed development could adversely affect an existing culvert which crosses the application site. It is noted that correspondence received from your agent (emails from Stuart Thomas received 15.05.17 and 30.05.17) acknowledges you are aware of the presence of the culvert but you are strongly advised to ensure you are aware of your rights and responsibilities as a riparian landowner prior to commencing development. Further information is available in the document "A guide to your rights and responsibilities of riverside ownership in Wales" published by Natural Resources Wales and available on their website (<https://naturalresources.wales>).

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You should also note that works to/near an ordinary watercourse (including a culvert) may require consent under the Land Drainage Act 1991, as such you are advised to contact the Land Drainage Department on 01495 235794 for further information.

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 The Head Of Public Protection that are brought to the applicant's attention.

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.

