

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
17/0323/FULL 25.04.2017	Mr M Gwinnell Hazelwood Waterloo Lane Machen Caerphilly CF83 8NJ	Demolish existing single storey rear extension and construction of new single storey rear extension and three storey side extension Hazelwood Waterloo Lane Machen Caerphilly CF83 8NJ

**APPLICATION TYPE:** Full Application

### SITE AND DEVELOPMENT

Location: Hazelwood, Machen, Caerphilly, CF83 8NJ.

Site Description: Semi-detached dwelling located to the western side of Waterloo to the South of The Meadows. To the east is the adjacent property (Atcombe). Numbers 1 and 2 Greenmeadow Cottages are located to the north of the application property at an angle to the application property. To the south is an access lane with fields beyond. To the west is an area of woodland which is designated as a Site of Importance for Nature Conservation.

Development: Demolish existing single storey rear extension and construction of new single storey rear extension and three storey side extension. The side extension will provide a lounge at lower ground floor level, games room at ground floor, and bedroom with dressing area and en-suite at first floor. The rear extension incorporates a kitchen with connecting boot room with utility area.

Dimensions: The proposed side extension measures 4.8m in width, 7m in depth, with a height above ground level ranging from 6.9m above ground level on the Principal Elevation to 9m above ground level to the rear of the property due to natural ground level falling away.

The proposed rear extension measures 5.6m wide, 7.5m in depth with a height of 2.8m above natural ground level, with the exception of a feature glazed lantern which has an overall height to 3.2m.

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Materials: The front and rear elevations of the side extension are to be finished in stonework to match existing dwellinghouse and the side elevation will be finished in Render. The rear extension will be finished in stone.

Ancillary development, e.g. parking: None is proposed.

### PLANNING HISTORY 2005 TO PRESENT

07/0725/COU - Retain change of use of land to residential curtilage and erect garden shed - Granted 08.10.07.

17/0128/FULL - Demolish existing single storey rear extension and construction of new single storey rear extension, 3 storey side extension and external alterations - Withdrawn 21.03.17.

### POLICY

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

Site Allocation: The site lies outside the defined settlement boundary within a Special Landscape Area.

Policies: CW2 (Amenity), CW3 (Highways), CW20 (Locational Constraints - Conversion, Extension and Replacement of Buildings in the Countryside), NH1 (Special Landscape Areas), SP6 (Place making) SP8 (Mineral Safeguarding), SP10 (Conservation of Natural Heritage).

NATIONAL POLICY Planning Policy Wales, Technical Advice Note 12: Design.

### SUPPLEMENTARY PLANNING GUIDANCE

Supplementary Planning Guidance notes LDP 7 (Householder Development) and SP10 (Buildings in the Countryside).

### ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? Not applicable.

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### COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? The application site lies partially within a high risk area and any permission would have the appropriate informative note highlighting this designation.

### CONSULTATION

Transportation Engineering Manager - No objection.

Cadw - The proposal is located c 150m south east of the scheduled monument Rudry Ironworks (GM357). Hazelwood Cottage, the site of the proposal, is not visible from the Ironworks site due to intervening housing and there will be no affect upon the monument's setting. No other designated historic assets are affected.

### ADVERTISEMENT

Extent of advertisement: The application was advertised via a site notice and neighbour notification letters were sent to 5 nearby properties.

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? Yes.

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## 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 main considerations are the impact of the proposed development on the visual amenity of the area noting the rural location of the application site within a Special Landscape Area and the impact on the amenity of occupiers of surrounding residential properties. In respect of the first consideration the relevant planning policies are Policy SP6 (Placemaking), Policy CW20 (Locational Constraints - Conversion, Extension and Replacement of Buildings in the Countryside) and Policy NH1 (Special Landscape Areas). In respect of the consideration of the impact of the development on the amenity of nearby occupants of residential properties the relevant planning policy is CW2 (Amenity).

The application dwelling is one of pair of semi-detached properties located just outside of the defined settlement boundary but in relatively close proximity (circa 30m) to a street of new dwellings which have been constructed within the last 10 years on a road called The Meadows to the north. The application property has a substantial garden curtilage to the west of the dwelling which was formalised as garden curtilage under permission 07/0725/COU.

This application was submitted following an earlier application (17/0128/FULL) which sought permission for a larger side extension and was withdrawn by the applicant following concerns expressed by the Local Planning Authority that it would not respect the scale of the original dwelling.

Policy CW2 (Amenity) states that:

- "Development proposals must have regard for all relevant material planning considerations in order to satisfy the following requirements:
- A There is no unacceptable impact on the amenity of adjacent properties or land;
- B The proposal would not result in overdevelopment of the site and / or its surroundings;
- C The proposed use is compatible with surrounding land-uses and would not constrain the development of neighbouring sites for their identified land-use;
- D Where applicable, the viability of existing neighbouring land uses would not be compromised by virtue of their potential impact upon the amenity of proposed new residential development."

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Policy CW20 relates to the conversion, extension or replacement of a building outside settlement boundaries. As the application site is located outside the settlement boundary, this policy is relevant. The policy states:

- "Development will be permitted where:
- A - The proposed use, scale, form, siting, design and materials are suitable within its context.
- C - Extension is justified by demonstrating that:
  - i The scale, form and design of the extension respects the scale and character of the original building,
  - which remains the dominant element;
  - ii The extension does not result in the loss of undeveloped countryside.
  - iii The extension does not result in the domestication or urbanisation of an otherwise rural setting."

It is considered that the current scheme, whilst utilising the natural topography to provide three levels of accommodation, will be viewed from the principal elevation as a two storey extension, of a smaller width than the main dwelling and stepped back 0.65m from the existing principal elevation and set down from the ridge level. It is considered that the design of the extension respects the scale and character of the original building which will remain the dominant element and with the use of stone for the main elevations is appropriate for its setting within the Special Landscape Area. The rear extension is similar in length to existing extensions on the attached neighbouring property (Atcombe) and in terms of massing is over four metres lower than the main dwelling's eaves height and therefore it is considered that the development although substantial in size is would have an acceptable impact on the character of the original property.

The nearest neighbouring property is the attached dwelling to the east (Atcombe). This property (along with others in Greenmeadow to the east) will be mainly screened from the side extension by the existing dwellinghouse. The single storey rear extension projects approximately 1m beyond existing single storey rear extensions on the neighbouring property Atcombe, which does have fenestration on their extension's end elevation, however it is not considered that there will be an unacceptable impact on outlook or light on the occupants of Atcombe as a result of the proposed development.

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Numbers 1 and 2 Greenmeadow Cottages are residential properties to the north of the application property but it is noted they are at an angle to the proposed development and located approximately 20m away with no direct overlooking. It is considered that there is sufficient separation distance from Greenmeadow Cottage to have an acceptable impact on neighbour amenity. It is not considered that any other residential properties will be materially affected by the development and the proposal accords with Policy CW2 (Amenity) in having an acceptable impact on the amenity of neighbouring properties.

The property has an existing parking area to the west side which will be unaffected by the development and allows for parking for three cars. This accords with Policy CW3 (Highways) and adopted parking guidelines.

It is considered that the development is acceptable in its design and impact on neighbour amenity and is recommended for approval accordingly.

Comments from consultees: None.

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.

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- 02) The development shall be carried out in accordance with the following approved plans and documents:
- Site Location Plan, drawing number G.2016-LPS-132-SLP100, received 10.04.17.
  - Proposed Lower Ground Floor Plan, drawing number G2016-LPS-132-06A, received 10.04.17.
  - Proposed Ground Floor Plan, drawing number G2016-LPS-132-07A, received 10.04.17.
  - Proposed First Floor Plan, drawing number G2016-LPS-132-06A, received 10.04.17.
  - Proposed Elevations, drawing number G2016-LPS-132-09B, received 10.04.17.
  - Proposed Section A-A, drawing number G2016-LPS-132-10, received 10.04.17.
- 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 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.

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>

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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](http://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](http://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.

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).

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: SP6, CW2.



