

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
14/0605/FULL 12.09.2014	Mrs Maddox 17 Penmaen Corner Oakdale Blackwood NP12 0NN	Erect single-storey bedroom and bathroom extension 17 Penmaen Corner Oakdale Blackwood NP12 0NN

**APPLICATION TYPE:** Full Application

### SITE AND DEVELOPMENT

Location: The application property is located on Penmaen Corner, Oakdale.

House type: Two-storey semi-detached property.

Development: It is proposed to construct a single-storey rear extension.

Dimensions: The proposed development measures 3.5 metres in width, 6.3 metres in length, with a height of 2.3 metres to eaves level and 3.1 metres to ridge level.

Materials: Face brick and concrete roof tiles to match existing.

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

### PLANNING HISTORY

No previous planning history.

### POLICY

### LOCAL DEVELOPMENT PLAN

Site Allocation: The site is located within the Settlement Boundary.

Policies: Policy CW2 (Amenity) and advice contained in Supplementary Planning Guidance LDP7: Householder Developments (November 2010).

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NATIONAL POLICY Planning Policy Wales and TAN12 (Design).

### 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? Any coal mining legacy issues will be controlled by way of the building regulations.

### CONSULTATION

Principal Valuer - No comments.

Dwr Cymru - Provides advice to the developer regarding a public sewer that crosses the application site.

### ADVERTISEMENT

Extent of advertisement: Six neighbouring properties were consulted and a site notice was displayed near the application site.

Response: One neighbour raised objection.

### Summary of observations:

- Overbearing impact on neighbouring property;
- Loss of light to neighbouring kitchen;
- Overshadowing impact on garden;
- Impact on party wall;
- Noise impact from additional living space;
- Land ownership dispute and rights of access onto neighbouring land;
- Damage to sewer.

### 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 an issue for this application.

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## EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No. An advisory note will be added to the permission regarding the bird nesting season.

## COMMUNITY INFRASTRUCTURE LEVY

Is this development Community Infrastructure Levy liable? As it is proposed to create less than 100 sq. metres of additional internal floor space the proposal is not CIL liable.

## ANALYSIS

Policies: Since the application was originally submitted, the design of the proposed extension has been amended to reflect the concerns of the Planning Department. It is considered that the amended scheme, which incorporates an apex roof, has been well designed in terms of its setting, scale and materials, and will integrate with the host dwelling.

In terms of the impact on neighbouring properties, guidance contained in Supplementary Planning Guidance LDP7: Householder Developments (November 2010) states:

"Extensions and conservatories should not cast large shadows onto neighbour's houses or gardens. As a general rule single storey extensions near to a ground floor window of any principal room in an adjoining property, should be no longer than 4 m, whilst two-storey extensions in the same circumstances should be no longer than 2 metres.

"A 'principal room' can be defined as one of the main rooms of a house, such as a living room, main bedroom and dining room. Unless the context allows otherwise, those dimensions could be increased to a maximum of 6m and 4m respectively, where the extension does not breach a line taken at 45 degrees from the centre of the nearest ground floor window of any principal room in an adjoining property, and it would not have an overbearing effect or an adverse impact on outlook."

There is a neighbouring property attached to the south-east of the application property, i.e. No. 18 Penmaen Corner. Although the proposed extension exceeds the 6 metres stated in the guidance above, it is considered that the context of the site allows a minor increase in this distance, i.e. the proposed extension measures 6.3 metres in total length. Adjoining the rear wall of No. 18 is a fence in excess of 2.0 metres in height that forms the boundary.

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Beyond this section of fence is an existing outbuilding which is the same height or higher than the eaves level of the proposed extension. The proposal would extend a

further 1.8 metres beyond the extent of this existing outbuilding, but at a height of 2.3 metres to eaves level is only 0.3 m higher than a boundary treatment that could be erected under permitted development rights. Therefore, in light of the above onsite conditions, it is considered that the proposal would not result in an overbearing or overshadowing impact on No. 18 Penmaen Corner to a degree to warrant a refusal of planning permission.

There is also a neighbouring property to the north-west, i.e. No. 16 Penmaen Corner, although this property is not physically attached to the application dwelling. In relation to the above guidance, the proposed extension would not breach a 45 degree line taken from the centre of a ground floor principal room window, and therefore it is not considered that the development would have an unacceptable impact on the amenity of No. 16.

The application is recommended for approval subject to conditions.

Comments from consultees: The comments of Dwr Cymru/Welsh Water will be passed to the developer.

Comments from public: The scheme as originally submitted, which included a 3.4 metre high wall along the boundary with No. 18 Penmaen Corner was considered to be unacceptable based on the impact it would have had on the rear curtilage area of No. 18. However, the scheme has now been amended to reduce the height of this wall along the boundary by a metre. It is considered that these amendments overcome the overbearing and overshadowing issues. Furthermore the development has been moved off the boundary slightly thereby overcoming concerns regarding overhanging rainwater goods.

In terms of the objections based on potential damage to the neighbouring property, it is the responsibility of the developer to ensure this does not occur. If unacceptable noise emanates from the application dwelling this would be a matter for the Council's Environmental Health section to investigate.

The developer would be required to enter into a building over sewers agreement with Welsh Water and therefore the proposal should not impact on the existing sewer in accordance with modern building control requirements.

Other material considerations: None.

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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 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.
- 03) The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details: Drawing Nos. 956/2B, 956/3B received on 17th November 2014 (or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans).  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

Advisory Note(s)

The following policy of the Caerphilly County Borough Council Local Development Plan up to 2021 - Adopted November 2010 is relevant to the conditions attached to this consent: Policy CW2.

The comments of Dwr Cymru/Welsh Water are attached.

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