

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
15/0181/FULL 26.03.2015	Mr D Jones Avanate 6 Gellideg Lane Maesycwmmmer Hengoed CF82 7SD	Erect two-storey side extension, first floor extension over the existing, single-storey front and rear extensions and a balcony to front elevation Mandalay 10 Gellihaf Road Fleur-de-lis Blackwood NP12 3UY

**APPLICATION TYPE:** Full Application

#### SITE AND DEVELOPMENT

Location: The application property is situated on the eastern side of Gellihaf Road.

House type: The application property is a detached dwelling within a large plot. The property has a single storey extension to one side and an attached garage to the other. The dwelling is set back from the road frontage with a sloping drive provided vehicular access and it is finished stone cladding to the front and pebble dash to the sides and rear with a tiled roof. Above the garage is a balcony that wraps around part of the front of the building. Gellihaf Road slopes from north to south such that the dwelling at number 8 Gellihaf Road is approximately 2m lower than the application property and the one at number 11 is approximately 2m higher.

Development: The application seeks full planning consent for the erection of a first floor extension above the existing side extension together with a two storey extension with integral garage to replace the existing garage extension and a single storey extension to the rear. The first floor extension will accommodate a bedroom with en-suite whilst the two storey extension accommodates a garage, utility room and bathroom on the ground floor with a new lounge on the first floor. The lounge would have concertina doors to the front with large windows to the side and rear. The ground floor is larger than the first floor such that a new balcony will be created with access from the new lounge. The rear extension will provide an enlarged kitchen. This application has been submitted in order to overcome a reason for refusal on a previous application and the first floor side extension has been reduced in length in order to avoid an overbearing impact. The application is reported to the Planning Committee because the plans were drawn by a former employee of the Planning Division.

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Dimensions: The first floor extension measures 3.6m wide by 6.6m long. The two storey extension measures 4.3m wide by 10.1m long on the ground floor and 7m long on the first floor. The rear extension measures 10.9m wide by 1.45m long and the new balcony measures 6.6m wide by 1.6m long.

Materials: The newly modelled dwelling will be finished in render with a tiled roof.

Ancillary development, e.g. parking: The submitted plans refer to the existing retaining wall to the common boundary with number 11 being replaced with a new concrete block wall finished in render. A new drive is also proposed to the front of the dwelling. Excavations have also been carried in the rear garden of the dwelling that may require the construction of retaining walls in excess of 1m high.

### PLANNING HISTORY

14/0677/FULL - Erect a two-storey side extension, a first floor extension over the existing, single-storey front and rear extensions and a balcony to front elevation - Refused 08.12.14.

### POLICY

#### Site Allocation

Local Development Plan: Within settlement limits.

#### Policies

Local Development Plan: SP5 (Settlement Boundaries)  
SP6 (Place Making)  
CW2 (Amenity)  
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.

Guidance Note 5 to the Adopted Supplementary Planning Guidance LDP 7 for householder development gives advice on boundary treatments.

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Guidance Note 8 to the Adopted Supplementary Planning Guidance LDP 7 for householder development gives advice on raised decks and balconies.

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

National Policy Paragraph 4.11.9 of Planning Policy Wales (2012) states: - The visual appearance of proposed development, its scale and its relationship to its surroundings and context are material planning considerations. Local planning authorities should reject poor building and contextual designs. However, they should not attempt to impose a particular architectural taste or style arbitrarily and should avoid inhibiting opportunities for innovative design solutions.

National Planning Guidance contained in Technical Advice Note 12 - Design.

### CONSULTATION

Dwr Cymru - Provides advice to be conveyed to the developer.

### ADVERTISEMENT

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

Response: Four letters of objection were received.

Summary of observations: 1 Encroachment onto the garden of number 11 Gellihaf Road.

2 Possible damage to neighbours property.

3 No details have been submitted of any replacement retaining wall.

4 Loss of privacy.

5 The gap between the extensions and the boundary is insufficient to allow scaffolding to be erected.

6 There is insufficient space to allow access for repairs to the boundary wall.

7 Visual impact of the development.

8 Scale of the development.

9 Unclear measurements on the submitted plans.

### 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.

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### 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 liable for CIL? No because the net additional floorspace will be less than 100 square metres.

### ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The main points to consider in the determination of this application are whether the proposals are acceptable from a design perspective, whether the proposals would have an overbearing impact on the adjacent dwellings and whether there would be any loss of privacy to the neighbouring dwellings.

With regard to the first matter it should be noted that the host dwelling is a plain detached house finished in a mixture of stone cladding and pebble dash and as such the character of the dwelling is such that it is not particularly desirable to retain it. It should also be noted that there is a mixture of dwelling styles in Gellihaf Road and there is no overriding character to the area. In that regard it is accepted that an extension which totally alters the character of the host dwelling would not be unacceptable in design terms.

In respect of overbearing impact it should be noted that the application property is set back from the building line of the neighbouring dwelling at number 8 Gellihaf Road such that the front wall of the house is approximately 1.5m from the rear wall of the adjacent dwelling. That dwelling is also approximately 2m lower than the application dwelling and has a living room and a bedroom window close to the common boundary of the dwellings. The previous application for this site was refused as it was considered that the proposed extension would have an overbearing impact on the neighbouring dwelling. In the current proposal the length of the first floor extension has been reduced such that it does not project beyond a line drawn at 45 degrees from the centreline of the habitable room windows in the adjacent dwelling and as such it is considered that the proposal complies with Guidance Note 2 of Supplementary Planning Guidance LDP7.

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With regard to loss of privacy it is noted that two large windows are proposed in the side elevation of the lounge to the first floor of the extension to the right hand side of the dwelling together with a balcony to the front. Whilst both of these would give rise to a degree of loss of privacy to the side garden of the dwelling at number 11 Gellihaf Road, the windows could be fitted with obscure glass which would adequately address any loss of privacy from those features and the balcony would be no worse than the existing balcony at the property. As such it is not felt that, subject to the imposition of suitable conditions, there would be any loss of privacy to the neighbouring dwellings.

As stated above the developer has also carried out excavation works to the rear garden of the dwelling which may require the construction of retaining walls. In order to ensure that these walls are fit for purpose a condition should be attached to any consent granted requiring the submission of design calculations and certification from a suitably qualified engineer.

Comments from consultees: No objections raised.

Comments from public: 1 With regard to any possible encroachment into the side garden of number 11 Gellihaf Road it is considered that this is largely a private matter. Nevertheless the applicant has a duty under the Planning Act to provide the correct ownership information and to serve a notice on any persons who have an interest in the application site. The submitted plans seem to indicate that the new concrete block wall on the south boundary of the site would be outside of the application site in relation to the Ordnance Survey plan. However after carrying out some measurements on site it is felt that the extension and the boundary wall can be accommodated within the site. Consequently the proposal is acceptable in planning terms. This does not override any consent that the developer may have to seek under other legislation such as the Party Wall Act.

2 Any possible damage to the neighbour's property would be a private legal matter between the two parties.

3 It is accepted that no structural calculations have been submitted in relation to the new wall. However, if this wall is not a retaining wall no further calculations would be required. In any event a condition could be attached to any consent granted requiring the submission of such details prior to the commencement of works on site.

4 Loss of privacy has been addressed above.

5 Any possible need to erect scaffolding on neighbouring land is a private legal matter between the two parties.

6 Maintenance of the existing stone retaining structure is a private legal matter between the two parties.

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7 The visual impact of the development has been partially discussed above and as stated there is no overriding character to properties in the area, and the host dwelling is not considered to be of any architectural importance. The objector suggests that the new windows in the side elevation of the side extension facing number 11 would be out of keeping with the character of the area. As there is no overriding character to the area it is not felt that this would be the case.

8 Whilst the proposed extensions are not subservient to the host dwelling which is lost as part of this development it is not felt that this is unacceptable in planning terms as a result of the architectural merits of the host building as discussed above. Indeed, there would be no objection in principle to the demolition of the host dwelling and the erection of a replacement dwelling on this site in keeping with the scale of the proposed dwelling. As such the proposals have to be considered on their own merits and in that regard it is considered that the resultant building is acceptable in design terms and does not represent overdevelopment of the site.

9 It is accepted that the plans originally submitted were not scanned at the correct scale and as such it was not possible to take accurate measurements from the plan. This matter has now been resolved by the submission of correctly scanned plans and accurate measurements have been taken.

Other material considerations: None.

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) Notwithstanding the submitted plans, prior to the commencement of any work involving the construction of retaining walls on site full engineering details and structural calculations for the proposed retaining walls, together with certification from an independent chartered civil or structural engineer that the proposals are structurally adequate and fit for their intended purpose shall be submitted to and agreed by the Local Planning Authority. Following construction of the agreed retaining walls additional certification from an independent chartered civil or structural engineer confirming that the works have been constructed in an appropriate manner and that they are physically fit for their intended purpose shall be supplied to the Local Planning Authority prior to occupation of the approved development.  
REASON: In the interests of highway safety.

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- 03) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) the lounge windows facing south east shall be glazed with obscure glass and any replacement or repair shall only be with obscure glass.  
REASON: In the interests of residential amenity.

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.

