



RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2020-2021:

**PLANNING AND
DEVELOPMENT COMMITTEE
6 AUGUST 2020**

**REPORT OF: SERVICE
DIRECTOR PLANNING**

	Agenda Item No.
APPLICATION NO: 20/0146 – CUSTOMER CAR PORT AND FIRST FLOOR RECEPTION AREA (AMENDED PLANS RECEIVED 29/05/2020) AT TY YSGOL BLAENCWM, HENDREWEN ROAD, BLAENCWM, TREHERBERT, CF42 5DR.	

1. PURPOSE OF THE REPORT

Members are asked to consider the determination of the above planning application.

2. RECOMMENDATION

That Members consider the report in respect of the application and determine the application having regard to the advice given.

3. BACKGROUND

This application was originally reported to the Planning and Development Committee on 16th July 2020 with an Officer recommendation of refusal (a copy of the original report is attached as **APPENDIX A**). At that meeting Members were minded to approve the application contrary to the Officer recommendation as they considered the proposed extension would not result in a detrimental impact to the character and appearance of the host building or surrounding area; or to the amenity and privacy of the neighbouring properties.

As a consequence it was resolved to defer determination of the application for a further report to highlight the potential strengths and weaknesses of taking a decision contrary to officer recommendation.

4. PLANNING ASSESSMENT

The considerations regarding the issues detailed above are set out in full within the original report, however, a brief summary is provided below:

Visual Impact

It is considered the proposed extension would form a substantial addition that would not be in-keeping with or subservient to the main property and would therefore be at odds with the traditional and attractive character and appearance of the main building. It is acknowledged however that the applicant has proposed the use of appropriate external materials in an attempt to reduce any potential visual impact, and that the materials proposed would go some way to overcoming the concerns and ensuring the extension would have a connection with the host property. Therefore, it could reasonably be considered that any potential visual impact would not be so significant as to warrant refusal of the application.

Neighbour Amenity

With a distance of approximately only 9 metres between the proposed extension and the rear gardens of the adjacent properties on Hendrewen Road and Dilys Street, it is considered that an extension with its first floor elevations consisting mainly of glazing in addition to a roof terrace at second storey level, would result a degree of direct overlooking of and a reduction in the existing levels of privacy experienced by the neighbouring properties. However, it is accepted that any potential overlooking would mainly occur to the blank side elevation of the adjacent dwelling, 37 Hendrewen Road, and that views to other surrounding properties would be oblique. Additionally, should Members be minded to approve the application, a condition could be added to any consent requiring the details of the privacy screen enclosing the terrace area to be first submitted to and approved by the LPA to ensure any potential impact is minimised. Therefore, it could reasonably be considered that any potential overlooking impact would not be so significant as to warrant refusal of the application.

Conclusion

Whilst the application is still recommended for refusal, if, having considered the above advice, Members remain of a mind to grant planning permission, the following conditions are suggested:

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason: To comply with Sections 91 and 93 of the Town and Country Planning Act 1990.

2. The development hereby approved shall be carried out in accordance with the approved plans:

- Proposed Ground Floor Plan (received 29/05/2020)
- Proposed First Floor Plan (received 29/05/2020)
- Proposed Roof Plan (received 29/05/2020)
- Proposed Front Elevation (Section C-C) (received 29/05/2020)
- Proposed Side Elevation (Section A-A) (received 29/05/2020)

- Proposed Side Elevation (Section B-B) (received 29/05/2020)
 - Proposed Side Elevation (Section D-D) (received 29/05/2020)
 - Proposed Side Elevation (Section E-E) (received 29/05/2020)
 - Proposed Elevations (Page 2 of amended Plans) (received 29/05/2020)
- and documents received by the Local Planning Authority on 11/02/2020 and 29/05/2020, unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

Reason: To ensure compliance with the approved plans and documents and to clearly define the scope of the permission.

3. Prior to commencement of any development on site, full details of the proposed fire escape staircase accessed via the second storey roof terrace shall be submitted to and approved in writing by the Local Planning Authority. The fire escape shall be installed in accordance with the approved details prior to beneficial use of the extension hereby approved, and shall remain in place thereafter.

Reason: To ensure the safety of occupiers of the property, in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taff Local Development Plan.

4. Prior to commencement of any development on site, full details of the proposed roof terrace enclosure shall be submitted to and approved in writing by the Local Planning Authority. The enclosure shall be installed in accordance with the approved details prior to beneficial use of the extension hereby approved, and shall remain in place thereafter.

Reason: To protect the amenities of surrounding residents and to ensure the safety of occupiers of the property, in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taff Local Development Plan.

PLANNING & DEVELOPMENT COMMITTEE

16 JULY 2020

REPORT OF THE SERVICE DIRECTOR, PLANNING

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 20/0146/10 (LJH)
APPLICANT: Mr B Jones
DEVELOPMENT: Customer car port and first floor reception area
(Amended plans received 29/05/2020).
LOCATION: TY YSGOL BLAENCWM, HENDREWEN ROAD,
BLAENCWM, TREHERBERT, CF42 5DR
DATE REGISTERED: 29/05/2020
ELECTORAL DIVISION: Treherbert

RECOMMENDATION: REFUSE

REASONS: The proposed extension would have a significant detrimental impact upon the character and appearance of the host property and the immediate surrounding locality; and would also result in direct overlooking of a number of neighbouring properties, significantly reducing the privacy standards currently enjoyed by the occupiers of those properties. The proposed development is therefore contrary to Policies AW5 and AW6 of the Local Development Plan.

REASON REPORTED TO COMMITTEE

The application is reported to the Planning and Development Committee for final determination at the request of Councillors Geraint Davies and Will Jones so that Members can fully consider the visual impact of the scheme and the potential impact it would have upon the amenities of surrounding residents.

APPLICATION DETAILS

Full planning permission is sought for the construction of a two storey extension at Ty Ysgol Blaencwm, Hendrewen Road, Blaencwm.

The extension would sit on the north-eastern side elevation of the main, former school building and would have a semi-hexagonal footprint. It would project a maximum of

5.6m from the host property and would have a width of 15.2m. The extension would incorporate a flat roof design to 5.7m in height which would incorporate a roof terrace above enclosed by a toughened glass balustrading a further 1m in height. The addition would accommodate a customer parking area at ground floor level accessed via a garage door in the north-eastern (front) elevation and a reception/show area at first floor level, each for use in association with the existing classic car business at the site. It is proposed the extension be finished in stonework with facebrick quoins, with toughened glass panels forming the north-eastern and south-eastern facing elevations at first floor level. An external staircase would be located at the northern side of the proposed extension from the roof terrace to provide a fire escape route.

SITE APPRAISAL

The application site forms the grounds of the former Blaencwm Primary School that was converted to a residential dwelling in 2001, and an associated classic car business in 2005. The site consists of the converted school building (dwelling) located at the southern end of the plot with an associated amenity area to the rear (north), and a detached commercial workshop at the north-eastern corner of the plot (classic car workshop). The rectangular site measures approximately 45m in width by 68m in length and is located between two rows of traditional terraced properties, School Street to the west and Dilys Street to the east. To the north of the site lies a playground and the Nant Selsig watercourse with open countryside located beyond. To the south the site fronts Hendrewen Road, the main highway through the village. The site, in the main, is enclosed by original high stone boundary walls and more modern timber fencing.

PLANNING HISTORY

20/0145	Ty Ysgol Blaencwm, Hendrewen Road, Blaencwm, Treherbert, CF42 5DR	Construction of indoor swimming pool.	GTD	21/04/20
15/1470	Old School Workshops, Hendrewen Road, Blaencwm, Treherbert, CF42 5DR	Workshop extension to existing building and parking spaces.	GTD	19/04/16
11/1084	Old School Buildings, Hendrewen Road, Blaencwm, Treherbert, CF42 5DR	Single storey domestic garage/hobby workshop and indoor pool area.	GTD	28/10/11

10/0705	School House, Hendrewen Road, Blaencwm, Treherbert, CF42 5DR	Change of use of caravan storage area to extend residential curtilage of school house and extend curtilage of existing classic car repair business including a single storey garage/workshop extension and additional parking.	GTD	30/09/10
07/0773	Ty Ysgol Blaencwm, Hendrewen Road, Blaencwm, Treherbert, CF42 5DR	Removal of condition 4 of application 05/0190, requiring the submission of an acoustic report with regards to sound proofing the building.	REF Appeal: ALW	28/08/07 11/06/08
06/1543	Ty Ysgol Blaencwm, Hendrewen Road, Blaencwm, Treherbert, CF42 5DR	Removal of condition 4 of application 05/0190, requiring the submission of an acoustic report with regards to the soundproofing of the building.	REF	07/11/06
06/1287	Ty Ysgol Blaencwm, Hendrewen Road, Blaencwm, Treherbert, CF42 5DR	Detached garage and store room over.	GTD	06/10/06
05/0190	Ty Ysgol, Hendrewen Road, Blaencwm, Treherbert, CF42 5DR	Convert and extend large outbuilding into classic car workshop with parking area.	GTD	22/07/05
04/1867	Ty Ysgol, Hendrewen Road, Blaencwm, Treherbert, CF42 5DR	Convert school yard into storage area for caravans.	GTD	05/04/05

04/595	Ty Ysgol, Hendrewen Road, Blaencwm, Treherbert, CF42 5DR	Convert large outbuilding and part of school yard into motor vehicle/MOT workshop, car parking area and storage yard, for cars and caravans.	REF	13/08/2004
01/6126	Ty Ysgol, Hendrewen Road, Blaencwm, Treherbert, CF42 5DR	Conversion of school premises into a dwelling and demolition of large outbuilding.	GTD	13/06/2001

PUBLICITY

The application has been advertised by means of direct neighbour notification and site notices. No representations or objections have been received.

CONSULTATION

Natural Resources Wales – No objection.

Highways and Transportation Section – No objection.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies inside the settlement boundary for Treherbert and is not allocated for any specific purpose.

Policy AW2 - supports development in sustainable locations.

Policy AW5 - sets out criteria for new development in relation to amenity and accessibility.

Policy AW6 - requires development to involve a high quality design and to make a positive contribution to place making, including landscaping.

Policy AW10 - development proposals must overcome any harm to public health, the environment or local amenity.

Supplementary Planning Guidance:

Access, Circulation and Parking
Design and Placemaking

National Guidance

In the determination of planning applications, regard should also be given to the requirements of National Planning Policy which are not duplicated in the Local Development Plan, particularly where National Planning Policy provides a more up to date and comprehensive policy on certain topics.

The Welsh Government published Planning Policy Wales 10 on 5th December 2018 and the document aims to incorporate the objectives of the Well-being of Future Generations (Wales) Act into town and country planning.

It is not considered that this proposal meets the seven wellbeing of future generations goals or that the site is being brought forward in a manner consistent with the five ways of working.

It is also considered that the proposed development is inconsistent with the key principles and requirements for placemaking as set down in Chapter 2, People and Places: Achieving Well-being through Placemaking of PPW10 and is also not consistent with the following inasmuch as they relate to the development proposed:

Chapter 3 (Strategic and Spatial Choices)

Chapter 4 (Active and Social Places)

Chapter 6 (Distinctive and Natural Places)

Other relevant national policy guidance consulted:

PPW Technical Advice Note 12: Design

PPW Technical Advice Note 18: Transport

REASONS FOR REACHING THE RECOMMENDATION

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Furthermore, applications that are not in accordance with relevant policies in the plan should not be allowed, unless material considerations justify the grant of planning permission.

Main Issues:

Principle of the proposed development

Planning permission is sought for the erection of a two storey extension to the side of this detached, converted, former school building. The key considerations in the determination of this application are the visual appearance of the proposed development, its potential impact upon the amenity and privacy of the neighbouring residential properties, and its potential impact upon highway safety in the vicinity.

Impact on the character and appearance of the area

The proposed extension represents a substantial addition that would not be in-keeping with or subservient to the host property. Its scale and design are considered to be at complete odds with the traditional and attractive character and appearance of the main building, which would result in an incongruous addition that would dominate the host property and form a highly prominent feature from Hendrewen Road. It is acknowledged the applicant has proposed the use of appropriate external materials in an attempt to reduce any potential visual impact, however it is not considered the materials would go far enough to overcome the concerns raised in respect of its overall scale and design.

It is therefore considered the proposed development would have a significant adverse impact upon the character and appearance of the existing property and the surrounding locality, contrary to the relevant local plan guidance.

Impact on residential amenity and privacy

In terms of residential amenity, there would be large windows in both the front and side elevations of the proposed extension at first floor level. Furthermore, a roof terrace would be created above at second floor level. Both the windows and roof terrace would have direct views over the side/rear elevation and rear amenity space of no. 37 Hendrewen Road, and also to the rear gardens of a number of other properties along Hendrewen Road and Dilys Street. It is considered that this direct overlooking would result in a considerable detrimental impact to the privacy levels currently enjoyed by the occupiers of these properties and would therefore be unacceptable. Moreover, whilst the introduction of privacy screens to the terrace area would go some way to reducing any potential impact, it is not considered they would not go far enough to overcome the concerns and would also not reduce any impact from the first floor windows.

It is accepted that the proposal would not give rise to any overshadowing or overbearing impacts, and it is also acknowledged that no letters of objection have been received as a result of the consultation process. However, the level of direct overlooking that would be created by the proposed extension is considered to be significant. The application is therefore considered unacceptable in this regard.

Impact on Highway Safety

The Council's Transportation Section has assessed the proposal in terms of the potential impact it would have on highway safety in the vicinity of the site. The response received raises no objection to the scheme and does not suggest any conditions. The proposal is therefore considered acceptable in this regard.

Community Infrastructure Levy Liability

The Community Infrastructure Levy (CIL) was introduced in Rhondda Cynon Taf from 31 December 2014.

The application is for development of a kind that is not CIL liable under the CIL regulations 2010 (as amended).

Conclusion

It is considered that the proposed extension would have a significant detrimental impact upon the character and appearance of the host property and the immediate surrounding locality; and would also result in direct overlooking of a number of neighbouring properties, significantly reducing the privacy standards currently enjoyed by the occupiers of those properties. The application is therefore considered to be contrary to Policies AW5 and AW6 of the Local Development Plan.

RECOMMENDATION: Refuse

1. The proposed extension, by virtue of its scale and design, would have a significant detrimental impact upon the traditional character and appearance of the host property and that of the immediate surrounding locality, contrary to Policy AW6 of the Rhondda Cynon Taf Local Development Plan.
2. The proposed extension and associated roof terrace, by virtue of its scale, design and elevated height, would result in a significant detrimental impact upon the residential amenity and privacy standards currently enjoyed by the occupiers of the neighbouring properties by way of direct overlooking, contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

LOCAL GOVERNMENT ACT 1972

as amended by

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

LIST OF BACKGROUND PAPERS

PLANNING AND DEVELOPMENT COMMITTEE

6 AUGUST 2020

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REPORT

**APPLICATION NO: 20/0146 –
CUSTOMER CAR PORT AND
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(AMENDED PLANS RECEIVED
29/05/2020) AT TY YSGOL
BLAENCWM, HENDREWEN ROAD,
BLAENCWM, TREHERBERT, CF42
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