

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2013-2014

**DEVELOPMENT CONTROL
COMMITTEE
17 OCTOBER 2013**

**REPORT OF THE
DIRECTOR LEGAL AND
DEMOCRATIC SERVICES**

Agenda Item No.4

**SITE MEETING
APPLICATION NO. 13/0652 – TIMBER
OUTBUILDINGS, TRELIS FENCING,
EXTENSION TO SHED/AVIARY
(RETROSPECTIVE) – PROPOSED NEW
AVIARY (AMENDED EXISTING AND
PROPOSED BLOCK PLAN RECEIVED
07/08/13) – 7 BRYNCOED, PENYWAUN,
ABERDARE**

Author: Mrs. Z.Maisey, Principal Officer – Committee Services

1. PURPOSE OF THE REPORT

To consider the outcome of the site inspection in respect of the above-mentioned proposal and to determine the application, as outlined in the report of the Service Director, Planning, attached at Appendix 1.

2. RECOMMENDATION

To approve the application in accordance with the recommendation of the Service Director, Planning.

3. BACKGROUND

3.1 In accordance with Minute No.79(1) (Development Control Committee, 19 September 2013) a site inspection was undertaken on Monday, 30 September 2013 to consider the impact of the proposal on the amenity of the neighbouring residential properties.

3.2 The meeting was attended by the Chairman and Vice-Chairman of the Development Control Committee (County Borough Councillor R.B. McDonald and D.Weeks respectively) and County Borough Councillor P.Jarman. County Borough Councillor S.Rees was present as an observer.

- 3.3 Members viewed the application site and were informed by the Development Control Officer that the key considerations in respect of the proposal was the visual appearance of the developments, their impact on the character of the existing dwelling and surrounding area and their impact upon the amenity and privacy of the neighbouring residential properties.
- 3.4 The Development Control Officer stated that due to the scale, location and nature of the outbuildings, it was not considered they would have an adverse effect on the amenity and privacy of the adjoining or surrounding neighbouring properties. The proposed aviary would be erected to the rear of an existing pigeon loft and would be constructed in external materials to match the existing lofts at the site. It was acknowledged that the aviary would be erected adjacent to the rear amenity space of the adjoining property, however, the single storey nature of the aviary and existing boundary treatments at the site would ensure that the proposed development would have a minimal effect on both the visual and residential amenity of that property. Although the culmination of the existing buildings along with the new aviary resulted in a large amount of development at the application site, it was considered that due to the generous size of the garden and the amount of undeveloped space remaining, the works would not lead to overdevelopment of the site.
- 3.5 No adverse comments had been received from the Public Health and Protection Division regarding the application.
- 3.6 Members noted the objections received from the adjoining neighbour at No.8 Bryncoed and they viewed the application site from the lane running to the rear of that property and the application site to assess the impact of the proposed development.

APPENDIX 1

APPLICATION NO: 13/0652/10 (MF)
APPLICANT: Mr L Griffiths
DEVELOPMENT: Timber outbuilding, trellis fencing, extension to shed/ aviary (Retrospective). Proposed new aviary. (Amended existing and proposed block plan received 07/08/13)
LOCATION: 7 BRYNCOED, PENYWAUN, ABERDARE, CF44 9DL
DATE REGISTERED: 07/08/2013
ELECTORAL DIVISION: Penywaun

APPLICATION DETAILS

Retrospective planning permission is sought for the retention of a number of works within the rear amenity space of 7 Bryncoed, Penywaun. The works involve:

- A timber garden shed sited centrally within the rear garden 2m from the rear of the dwelling. The shed measures 2.6m in depth by 3.3m in length and incorporates a mono-pitched roof design to 2.5m in height. The applicant has detailed that the shed is used for domestic storage incidental to the enjoyment of the dwelling house.
- An existing pigeon loft to the rear of the garden has been extended by 2.1m in length. The width, height and external materials of the extension correspond to that of the existing loft.
- 0.4m high timber trellis fencing has been erected above the original 1.8m high close board boundary fence between the application dwelling and the adjoining semi-detached property. The trellis is 9.5m length extending from the rear of the dwelling towards the rear lane.

Full planning permission is also sought for the construction of an aviary at the application site. It is proposed the new aviary be attached to the rear of an existing pigeon loft at the northern boundary of the site. It would measure 3.2m in depth by 2.3m in width and would be constructed of steel meshing with a mono-pitched perspex roof to 2m in height.

SITE APPRAISAL

The application property is a semi-detached dwelling located within a residential area of Penywaun. External materials are of render, concrete roof tiles, and white uPVC windows and doors. Both the application property and the adjoining

neighbour are set at a comparable ground level, however, the street falls from south to north and the adjoining properties rear amenity spaces is set at a slightly lower ground level than that of the application property's. A number of outbuildings have been erected within the rear amenity space of the application site which comprises two pigeon lofts, a ferret shed, two aviaries and a garden store some of which have previously gained planning permission while the remainder seek consent under this application. A timber boundary fence with trellis above has been erected between the application dwelling and the adjoining property. There are numerous outbuildings within the rear gardens of the neighbouring properties of varying design and scale. At the time of the site visit all works detailed above had been completed apart from the proposed new aviary.

PLANNING HISTORY

07/2072	7 Bryncoed, Penywaun	Retention of pigeon lofts and a ferret shed (amended plans received 10/01/08)	Granted 06/03/08
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PUBLICITY

The application has been advertised by means of direct neighbour notification. One letter of objection has been received from residents of the adjoining property 8 Bryncoed making the following comments (summarised):

- The general appearance, scale and height of the buildings are out of character with the locality.
- The buildings overshadow 8 Bryncoed and its rear amenity space.
- The buildings and trellis have an overbearing impact upon 8 Bryncoed.
- The culmination of all structures within the rear amenity space of the application site results in overdevelopment of the site.
- The works result in the devaluation of the adjoining property.

CONSULTATION

Public Health and Protection – no objection.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan:

The application site lies within the settlement boundary for Penywaun.

Policy AW5 – sets out criteria for new development.

Policy AW6 – supports development that involves high quality design and makes a positive contribution to place making.

National Guidance

Planning Policy Wales:

Paragraph 4.11.2 Good design can protect and enhance environmental quality, consider the impact of climate change on generations to come, help to attract business and investment, promote social inclusion and improve the quality of life. Meeting the objectives of good design should be the aim of all those involved in the development process and applied to all development proposals, at all scales, from the construction or alteration of individual buildings to larger development proposals.

PLANNING CONSIDERATIONS

The key considerations in respect of this application are the visual appearance of the developments, their impact on the character of the existing dwelling and surrounding area, and their impact upon the amenity and privacy of the neighbouring residential properties.

The pigeon loft extension and garden shed have been constructed within the rear amenity space of the property. Although visible from the surrounding area, the quality and design of both outbuildings are considered acceptable. With the use of appropriate external finishes and numerous examples of outbuildings of varying scale and design within the rear gardens of neighbouring properties, the developments are not considered to adversely affect the character of the street or wider locality.

Due to the scale, location and nature of the outbuildings, it is not considered they have an adverse effect on the amenity and privacy of the adjoining or surrounding neighbouring properties. Moreover, the use of the outbuilding for the keeping of pigeons is normally considered incidental to the use and enjoyment of a dwelling house, though occasionally give rise to concern about noise, smells and vermin.

The proposed aviary would be erected to the rear of an existing pigeon loft at the application site. The structure would be constructed in external materials to match the existing lofts at the site which will ensure that it will be in-keeping with its surroundings. It is acknowledged the aviary would be erected adjacent to the rear amenity space of the adjoining property and would form a visible feature from this property. However, the single storey nature of the aviary and existing

boundary treatments at the site will ensure that the proposed development will have a minimal effect on both the visual and residential amenity of occupiers of this property.

Although the culmination of the existing buildings along with the new aviary results in a large amount of development at the application site, it is considered that due to the generous size of the garden and the amount of undeveloped space remaining, the works do not lead to overdevelopment of the site and the application is considered acceptable in this regard.

No adverse comments have been received from the Public Health and Protection Division regarding the application. As a result, and due to the information supplied by the applicant in terms of the structures domestic use, it is not considered that the pigeon loft extension, the storage shed or proposed aviary have a significant adverse effect on the amenity of the neighbouring properties.

With regard to the trellis, the rear amenity space of the adjoining property is sited at a lower level than that of the application property (approximately 0.3m) and it is acknowledged the trellis forms a visible feature from no. 8 Bryncoed. However, being 0.4m in height, forming an overall height of 2.2m from the ground level of the application site, on balance, it is considered the height of the trellis does not have a significant enough impact on the character and appearance of the locality or the visual amenity of the adjacent neighbouring property to warrant the refusal of the application.

The objectors have raised concerns regarding the proposed works having a future impact upon the value of their property. This is not a material planning consideration.

In summary, it is not considered the developments have such a detrimental impact to the character and appearance of the locality or upon the residential amenity of the neighbouring properties as to warrant the refusal of the application.

Having regard to the above, the application is therefore recommended for approval, subject to the following conditions.

RECOMMENDATION: Grant

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 storage shed, pigeon loft extension, and aviary hereby approved, shall be used only for domestic use and at no time shall they be used for

commercial purposes.

Reason: To protect the residential amenity of the neighbouring properties in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan, and in the interests of highway safety.

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LOCAL GOVERNMENT ACT 1972

As amended by

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

LIST OF BACKGROUND PAPERS

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Minute No.79(1) (Development Control Committee, 19 September 2013)