

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2013-2014

**DEVELOPMENT CONTROL
COMMITTEE**

6 MARCH 2014

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

Agenda Item No.4(vi)

**SITE MEETING
APPLICATION NO.13/1328 – BLOCK OF 3
NO. GARAGES/STORES – LAND AT
REAR OF ARGYLE STREET,
ABERCYNON**

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.178(5) (Development Control Committee, 6 February 2014) a site inspection was undertaken on Monday, 17 February 2014 to consider the impact of the proposal on neighbouring residents and highways issues.
- 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) in consultation with the Local Members for Abercynon (County Borough Councillors A.L.Davies, MBE and R.Lewis).
- 3.3. Members viewed the application site and were informed by the Development Control Officer that full planning permission was being sought for the construction of a garage block. The proposed garage block would be sited at the southern boundary of the application on a level

- parcel of land and would be accessed via an existing unmade service lane to the rear of Argyle Street. The structure would accommodate three separate garages that would be accessed independently.
- 3.4 Members noted that the applicant had indicated that the garages were proposed to improve the current lack of off-street parking in the locality and would be used for domestic storage only - at no time would they be used in connection with any business purposes.
 - 3.5 Members also noted that there were already a number of established domestic garages and rear accesses to the properties on Argyle Street.
 - 3.6 With regard to the visual impact of the proposed development, it was acknowledged that the properties in Argyle Street were sited at a lower level than the application site, however, the lane is characterised by a series of domestic garages that had been constructed in a variety of scales, designs and external finishes including a recently constructed block of garages immediately to the north of the application site which were significantly larger than that proposed.
 - 3.7 With regard to the impact on residential amenity, a condition would be imposed to ensure the garages were used solely for domestic purposes and whilst a degree of overlooking would occur, it would not significantly impact to a degree that would warrant refusal of the application. Also, given the proposed scale and siting of the garages from the nearest residential property, there would not be any undue overshadowing impact.
 - 3.8 Neighbouring residents had also expressed concerns relating to drainage at the site and excess surface water running down the lane and in this regard, the Development Control Officer stated that the Council's Land Reclamation and Engineering Section had assessed any potential impacts upon drainage and flooding and raised no objection to the scheme subject to a condition being added to any consent requiring a feasibility report which demonstrates that the use of the existing soakaways will not adversely affect the surrounding properties prior to any works being undertaken at site.
 - 3.9 The Transportation Officer confirmed no objection to the proposed development given the fact that a number of similar garages exist within the land and that the proposed garages would be used for social and domestic use only.

APPENDIX 1

APPLICATION NO: 13/1328/10 (MF)
APPLICANT: Mr M Moses
DEVELOPMENT: Block of 3 No. garages/stores.
LOCATION: LAND AT REAR OF ARGYLE STREET, ABERCYNON,
CF45 4TY.
DATE REGISTERED: 17/12/2013
ELECTORAL DIVISION: Abercynon

RECOMMENDATION: Approve

REASONS:

The proposed garages are considered acceptable as they do not give rise to significant issues in respect of their impact upon visual and residential amenity, and upon highway safety.

APPLICATION DETAILS

Full planning permission is sought for the construction of a garage block on an area of land to the rear of Argyle Street, Abercynon.

The proposed garage block would be sited at the southern boundary of the application site on a level parcel of land. It would be accessed via an existing unmade service lane to the rear of Argyle Street. The garage block would measure 12.4 metres in width by 6.3 metres in depth and would have a mono-pitched roof 3.5 metres at its highest point, sloping to 3.3 metres at the rear. The structure would accommodate 3 separate garages that would each be accessed independently. The garages would incorporate roller shutter doors to the front elevation. It is proposed the structure be finished in cement render and a fibreglass roof.

The applicant has stated that the garages are proposed to improve the current lack of off-street parking in the locality and will be used for domestic storage only and at no time will they be used in connection with any business purposes.

The application is accompanied by the following:

- Design and Access Statement.

SITE APPRAISAL

The application site is located on a service lane to the rear of Argyle Street. The lane is unmade and is characterised by a number established domestic garages and rear accesses to the properties on Argyle Street. The existing garages vary in age, scale, design and external finishes with a large modern block of 3 garages being sited immediately to the north. Argyle Street falls from north to south, however, the application site itself is level and therefore is at the lane level to the north but is approximately 2 metres above the lane level to the south. A steel storage container is currently located on the site but would be removed as part of the scheme. A children's play area is located to the east of the site with an area of overgrown waste land to the south.

PLANNING HISTORY

Planning applications submitted within the last 10 years include:

09/0719	Land to the rear of Argyle Street, Abercynon	Double garage	Granted 26/08/09
07/2214		Double garage	Granted 27/02/08

PUBLICITY

The application has been advertised by means of direct neighbour notification and site notices. Two letters of objection and a petition signed by 10 people have been received from surrounding local residents making the following comments (summarised):

- Concerns that the garages would not be used for domestic purposes but would instead be used commercially which may introduce nuisance such as noise and light pollution.
- The garages would overlook the rear of the properties on Argyle Street.
- The garages would overshadow the properties on Argyle Street.
- The garages would increase the amount of surface water running through the lane which already affects the rear gardens of the properties on Argyle Street.
- The increased vehicle movements in the lane may be a danger to pedestrians in the locality.

CONSULTATION

Transportation Section – no objection, subject to conditions.

Land Reclamation and Engineering – no objection, subject to conditions.

Public Health and Protection – no objection, subject to conditions.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies within the settlement boundary for Abercynon, but is not allocated for any specific purpose.

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.

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.

Planning Policy Wales Chapter 3 (Making and Enforcing Planning Decisions), Chapter 4 (Planning for Sustainability), and Chapter 8 (Transport) set out the Welsh Government's policy on planning issues relevant to the determination of the application.

Other relevant 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.

Principle of the Proposed Development

Full planning permission is sought for the construction of a block of 3 no. domestic garages on an open area of land to the rear of Argyle Street, Abercynon. The site is situated within settlement boundary as identified in the Rhondda Cynon Taf Local Development Plan and is not allocated for any specific purpose. The lane is characterised by a series of domestic garages of varying design and scale and a number similar developments have been recently approved nearby. Therefore, the principle of the development is acceptable subject to the criteria identified below.

Visual Impact

It is acknowledged that the properties on Argyle Street are sited at a lower level than the application site and that the scheme would introduce a visible feature from the rear of these properties. However, the lane is characterised by a series of domestic garages that have been constructed in a variety of scales, designs and external finishes including a recently constructed block of garages immediately to the north of the application site which are of a significantly larger scale to that proposed. Therefore, with the proposed garage block being of a domestic scale and design that is similar to that of the existing structures in the locality and with the use of appropriate external materials, it is not considered the proposal would have a significant impact upon the visual amenity standards currently enjoyed by the surrounding residents. The site is currently used for the storage for a variety of items including the siting of a steel storage container and it is considered the removal of these items in order to allow for the proposed development would actually improve the current visual amenity of the area. As such, it is not considered that the addition of the proposed garage block would appear as an overly prominent feature that would be out of keeping with or detrimental to the setting of the surrounding locality.

Residential Amenity

In terms of residential amenity, the main issue is the proposed use of the garages. The objectors have noted that other garages in the lane may be being used for commercial purposes and that they are concerned that the proposal may introduce the opportunity for similar uses to be operated at the site. The site and access is in close proximity to the residential dwellings on Argyle Street and is not suitable for a commercial use. This is acknowledged by the applicant who has detailed that the units would be rented out to local residents and would be used solely for domestic use. Therefore, given that the lane is currently occupied by a number of similar domestic garages, it is not considered the proposal to erect 3 additional domestic garages would significantly impact upon the residential amenity standards currently enjoyed by the surrounding neighbours. It is however considered a condition requiring the garages to be used only for

domestic purposes in future should be added to any consent to safeguard the amenity of the local residents.

With regard to the further points raised by the objectors relating to overlooking and overshadowing of the rear of the properties on Argyle Street, it is acknowledged that the development would be sited at a higher ground level than the adjacent properties and that a degree of overlooking would occur. However, the site is currently used for storage and has been historically, therefore, a degree of overlooking currently exists and it is not considered the amount of overlooking from the erection of 3 domestic garages would significantly increase the existing impact to a degree that would warrant the refusal of the application. Furthermore, given the proposed developments scale and siting over 10 metres from the nearest residential property, it is not considered that there would be any undue overshadowing impact.

Highway Safety

Following consultation with the Council's Transportation Section, it was noted that the lane is sub-standard in width for safe two-way vehicular movement and that visibility at the junction with Argyle Street is restricted due to high boundary walls. However, given the fact that a number of similar garages exist within the lane and that the proposed garages would be used for social and domestic use with no business or trade, the development is considered acceptable in terms of its impact upon highway safety and no objections have been raised in this regard.

Flood Risk and Drainage

The objectors have raised concerns relating to drainage at the site and excess surface water running down the lane. The applicant has stated that all surface water will drain within the site through the use of existing soakaways and rainwater butts that will be installed at the garage block to collect water from the roof of the structure. Consultation has been undertaken with the Council's Land Reclamation and Engineering Section with a view to assessing any potential impacts upon drainage and flooding. Their response raised no objection to the scheme subject to a condition being added to any consent requiring a feasibility report which demonstrates that the use of the existing soakaways will not adversely affect the surrounding properties prior to any works being undertaken at site. Consequently, the application is acceptable in this regard.

Other Issues

Whilst the comments raised by the Public Health and Protection Division are acknowledged, due to the nature and scale of the proposal, it is not considered that the construction activities would have an undue adverse impact on local residents. Consequently, it is considered the recommended condition relating to

hours of operation is not warranted. It is also considered noise, dust and waste matters can be more efficiently controlled by other legislation and an appropriate note can be added to any permission concerning these issues.

Conclusion

It is not considered the proposal would have a significant impact on the character and appearance of the locality, the residential amenity of the surrounding neighbouring properties, or upon highway safety. As such, the application is considered to comply with the relevant policies of the Local Development Plan (policies AW5 and AW6).

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. No development shall commence until all relevant matters outlined on the attached Planning Requirements Relating to Flood Risk Management including full drainage details have been approved in writing by the Planning Authority. These details shall indicate how the development is to comply with the requirements of Section 8.3 of Technical Advice Note 15.

Reason: To ensure that drainage from the proposed development does not cause or exacerbate any adverse condition on the development site, adjoining properties, environment and existing infrastructure arising from inadequate drainage.

3. No development whatsoever shall be allowed to commence until ground conditions on the development site have been proven (in accordance with the procedure outlined in BRE 365) capable of supporting infiltration methods of drainage and that the groundwater level will not encroach within 1 metre of the underside of such infiltration drainage structures.

Reason: To ensure that drainage from the proposed development does not cause or exacerbate any adverse condition on the development site, adjoining properties, environment and existing infrastructure with regard to flood risk.

4. The use of the garages hereby approved, shall at all times be restricted to purposes normally associated with a domestic use and no trade or business shall be carried out therein.

Reason: For the avoidance of doubt as to the extent of this consent, 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.

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.178(5) (Development Control Committee, 6 February 2014)