

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**MUNICIPAL YEAR 2015-2016**

**DEVELOPMENT CONTROL  
COMMITTEE  
15 OCTOBER 2015**

**REPORT OF: SERVICE DIRECTOR  
PLANNING**

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|--|--------------------------|
|  | <b>Agenda Item No. 8</b> |
| <b>APPLICATION NO: 15/0087 - TWO STOREY EXTENSION AND REAR DORMER WINDOW TO EXISTING HOUSE (AMENDED PLAN AND DESCRIPTION RECEIVED 11/05/2015), 115 QUEEN STREET, TREForest, PONTYPRIDD</b> |                          |

**1. PURPOSE OF REPORT**

Members are asked to determine the above application.

**2. RECOMMENDATION**

That Members consider this 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 Development Control Committee on 20<sup>th</sup> August 2015 with a recommendation of approval. A copy of that report is attached at **APPENDIX A**. At that meeting Members deferred determination to enable a site visit to take place. The site visit took place on 28<sup>th</sup> August 2015. At the site visit it was apparent that internally the arrangement was not in accordance with the submitted plans. Amended plans were subsequently submitted on the 15<sup>th</sup> September 2015 clarifying the layout and that only six bedrooms were being developed.

The application was reported back to Development Control Committee on 17<sup>th</sup> September 2015. A copy of that report is attached at **APPENDIX B**. At that meeting Members resolved to refuse the application contrary to the recommendation of the Service Director, Planning as they considered there to be insufficient parking spaces available near the property and the noise generated would have a detrimental impact on amenity, the matter be deferred to the next appropriate meeting of the Committee for a report from the Service Director, Planning, in necessary in consultation with the Director, Legal & Democratic Services, upon the strengths and weaknesses of taking a decision contrary to recommendation, prior to determining the matter (Minute No 66(1) refers).

Members are advised a household of six people living together does not require a change of use and therefore 6 people could live at the existing dwelling without the need for planning permission. Therefore the application only relates to the extensions being proposed.

The proposed dormer detailed on the plans would not require planning permission and the rear extension proposed is considered to be a common type of extension to a terraced property. As such it is considered it would be difficult to defend a refusal reason relating to issues such as noise and disturbance or other issues such as a lack of amenity space and space to store refuse. Indeed, it is apparent that the submitted plans detail sufficient amenity space would be retained in the rear yard area.

In relation to the provision of off-street parking spaces, whilst they would be a benefit, their location would not be convenient and they would not be easy to use due to the narrow lane width. As six residents could currently live in the existing dwelling; it is considered the lack of suitable off-road parking, in this instance, would not be a justified refusal reason.

Turning to Building Regulations an application has been submitted however the majority of the works have been carried out prior to any inspection. The applicant has informed the Building Control Officer that he's got adequate photo evidence of the structural works, though none have been submitted yet. Members are advised a Completion certificate would not be issued until all structural works are exposed or adequate photos are provided that satisfy the Building Control Officer.

Notwithstanding the above the proposed extension makes it more likely that the dwelling could be occupied by six residents due to the small size of the existing dwelling. Therefore, if Members are still minded to refuse the application; the refusal reason below is suggested.

## **REASON**

1. The development would be a too intensive form of residential development resulting in noise and disturbance issues and increased parking demand that would have a significant detrimental impact on the amenity of surrounding residents. As such the development would be contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

## APPENDIX A

**APPLICATION NO:** 15/0087/10 (GW)  
**APPLICANT:** Mr D Gillespie  
**DEVELOPMENT:** Two storey extension and rear dormer window to existing house (Amended plan and description received 11/05/2015).  
**LOCATION:** 115 QUEEN STREET, TREFOREST, PONTYPRIDD, CF37 1RW  
**DATE REGISTERED:** 11/05/2015  
**ELECTORAL DIVISION:** Treforest

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**RECOMMENDATION:** Grant

### REASONS:

The extension would be to an existing dwelling and it would be of an acceptable size, scale and design. There would be no detrimental impact on the amenity of neighbouring residents or on the character and appearance of the area.

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### APPLICATION DETAILS

Originally full planning permission was sought for the conversion of the existing dwelling to a seven bedroom 'House In Multiple Occupation' (HMO) for students including a two storey and part single storey rear extension and dormer extension.

The plans have now been amended to a 'Householder' development for the extensions and the number of bedrooms has been reduced to six. Members should note a dwelling where a maximum of six individuals are living together as a single household does not require a change of use to a House in Multiple Occupation.

This report is therefore on the basis of the 'Householder Application' and responses in relation to the original change of use should not be used as a basis for determination of the application.

The rear extension includes a full width single storey projection with a flat roof. This would measure 4.5m in depth, 5.5m in width and 2.8m in height. A two storey extension, with a hipped roof, would be encompassed within the single storey extension. This would not be full width and would measure 3.4m in depth, 4.4m in width and a maximum of 6.5m in height. The elevations would be finished with a render and the roof would be covered with slate and felt. In addition a rear dormer is proposed. This would be finished with hanging tiles to match the existing roof.

A site plan has been submitted detailing a hardstand area in the garden providing 2no. parking spaces and a cycle stand for up to 8 cycles. This would be accessed via a rear lane.

The application is accompanied by the following:

- Design and Access Statement.

Councillor Powderhill has requested the application is reported to Development Control Committee to assess the impact on the surroundings.

## **SITE APPRAISAL**

The site is a dwelling situated at the end of a long terrace of traditional dwellings on Queen Street and close to the centre of Treforest. A small food store is located adjacent the property (number 116).

The University of South Wales is located approximately 420m away to the south. This part of Queen Street has a one way road system with access being allowed from the north and restricted at the junction with Duke Street. Immediately outside and opposite the property are double yellow lines, which continue to the north around the junctions with Princess Street and New Park Crescent. To the south is restricted parking for a limited period of 2 hours or unrestricted to permit holders.

A lane to the side of number 116 provides access to the rear of the properties. Some of the properties (including those adjacent) have outbuildings adjacent the lane. Possibly due to the narrow width of the lane there are few garages and off-street parking spaces.

## **PLANNING HISTORY (Relevant to Application)**

|         |                            |   |         |
|---------|----------------------------|---|---------|
| 15/0258 | 1 Meadow Street, Treforest | Conversion to 8 bedroom student house in multi-occupation with single storey extension and rear dormer. | Pending |
|---------|----------------------------|---|---------|

## **PUBLICITY**

Following the amendments to the application, as detailed above in the 'Application Details' section, it has been re-advertised. One letter of objection has been received from Treforest Residents Association who re-iterated their original comments prior to the application being amended. The contents are summarised below:

- Treforest is overwhelmed with student accommodation, and a transient student population.
- Family and affordable housing has been lost on a huge scale in the community, whilst the borough has an urgent need for family and affordable housing.
- As a result, the character and amenity and social structure of the community have been seriously damaged. National and Local planning policy calls for planning authorities to create balanced, sustainable, inclusive and mixed communities.
- There is an excessively large overabundance of student HMOs in Treforest that threatens the very existence of the community.

- A student HMO is certain to cause problems for adjoining properties. This view is based on past evidence with noise, anti social behaviour, and alcohol and drug abuse a frequent problem with HMOs in the area

## CONSULTATION

Countryside, Landscape and Ecology - no objection. A bat informative note must be provided on any planning permission.

Dwr Cymru/Welsh Water – no objection subject to drainage conditions.

Land, Reclamation and Engineering - no objection subject to drainage condition.

Police Authority – no objection.

Public Health and Protection – no objection subject to demolition of existing dwellings, hours of operation, noise, dust and waste.

Transportation Section – a request for an updated consultation response has been made to take account of the changes made in the application. At the time of writing this report no further comments have been received.

Comments to the application for a change of use to a HIMO are as follows: No objection subject to the provision of a parking area to the rear of the property and that surface water of the parking area shall not run on to the public highway.

## POLICY CONTEXT

### Rhondda Cynon Taf Local Development Plan

The site is within settlement boundaries as defined by the Rhondda Cynon Taf Local Development Plan and is unallocated.

**Policy CS2** – emphasises sustainable development. It promotes residential development with a sense of place which respects the character and context of Principal Towns and key settlements of the Southern Strategy Area. It aims to protect the culture and identity of communities by focusing development within defined settlement boundaries and promoting the reuse of under used and previously developed land and buildings.

**Policy AW1** - residential development proposals will be expected to contribute to meeting local housing needs and the supply of new housing will include the conversion of suitable structures to provide housing.

**Policy AW2** - development proposals will only be supported in sustainable locations, including sites within the defined settlement boundary, which would not unacceptably conflict with surrounding uses, have good accessibility by a range of sustainable transport options, have good access to key services and facilities and support the roles and functions of the Principal Towns.

**Policy AW5** - sets out criteria for new development and requires the scale, form and design of new development to have an acceptable effect on the character and appearance of the site and surrounding area and existing features of the built

environment to be retained. Development must have no significant impact on the amenities of neighbouring properties, be compatible with other uses in the locality and to design out the opportunity for crime and anti social behaviour. Development must be sustainable, have safe access and provide car parking in accordance with the Council's Supplementary Planning Guidance (SPG).

**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.

**Policy SSA13** - permits development within the defined settlement boundaries provided it does not adversely affect the provision of open space and car parking in the surrounding area, the land is not contaminated or subject to land instability and is accessible to local services by a range of modes of sustainable transport, on foot or by cycle.

### **Supplementary Planning Guidance**

- Access Circulation and Parking
- A Design Guide for Householder Development

### **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 2 (Development Plans), Chapter 3 (Making and Enforcing Planning Decisions), Chapter 4 (Planning for Sustainability), Chapter 7 (Economic Development) and Chapter 8 (Transport), sets 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 11: Noise;  
PPW Technical Advice Note 18: Transport;  
Manual for Streets

### **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**

The dwelling is located within the settlement boundary as identified in the Rhondda Cynon Taf Local Development Plan (LDP). Therefore, it is considered, the extensions in principle would be acceptable subject to an assessment of the following other material planning considerations.

### **Impact on residential amenity and privacy**

The extensions would be of a size and scale that would not have a significant detrimental impact from overshadowing or overbearing. There would be no significant increase in overlooking that would warrant a refusal reason. It is therefore considered that the development would not have a significant detrimental impact on the amenity of surrounding residents.

### **Impact on the character and appearance of the area**

The proposed rear extension is the main change to the property. Its size and design would be acceptable and as such would not have a significant detrimental impact on the character of the area. With regards the proposed dormer it would be on the rear elevation and would not require planning permission on a dwelling. It is proposed to finish the dormer with tiles that would matching the existing roof tiles.

In conclusion the proposed extensions would be acceptable in terms of their visual impact on the character of the building and surroundings.

### **Access and highway safety**

Members will be aware a 'Householder Application' for extensions does not normally require a consultation response from the Transportation Section. However an updated response has been sought due to the circumstances of the application.

The applicant proposes a hardstand for parking of vehicles and bicycles.

The dwelling is in a sustainable location and there is permit parking on street. Nevertheless, it is considered whilst the additional parking maybe a benefit, it is considered it would help to make the development more acceptable.

### **Other issues**

#### **Objection from Treforest Residents Association**

Members will appreciate the objector has submitted the same objection to the original application and to the amended application for just the extensions. As such, whilst some of the points are appreciated, a householder application would not warrant a refusal on the issues they raise.

#### **Public Health**

Whilst the comments raised by the Public Health and Protection Section are appreciated, it is considered dust and waste matters can be more efficiently controlled by other legislation. An appropriate note can be added to any permission concerning waste and dust issues.

#### **Community Infrastructure Levy (CIL) 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**

The application is considered to comply with the relevant policies of the Local Development Plan in respect of the principle of development, the impact on residential amenity, the impact on character and appearance and parking (Policies AW2, 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. The development hereby approved shall be carried out in accordance with the approved plan(s) no(s):

Drawing No. BXY 3/6 Rev B – Rear and Side Elevations Proposed received 1<sup>st</sup> April 2015.

Drawing No. BXY 3/3 – Ground Floor Proposed received 21<sup>st</sup> January 2015.

Drawing No. BXY 3/4 – First Floor Proposed received 21<sup>st</sup> January 2015.

Drawing No. BXY 3/5 Rev A – Second Floor Proposed received 24<sup>th</sup> March 2015.

and documents received by the Local Planning Authority on 13<sup>th</sup> February 2015, 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.

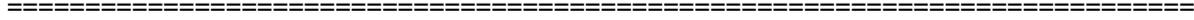
3. The proposed off-street parking area identified on Plan no. BXY 3/8 Site Plan, received on the 21<sup>st</sup> January 2015, shall be constructed in accordance with the approved plans prior to the development being brought into beneficial use and shall be retained for parking purposes in perpetuity

Reason: In the interest of visual and residential amenity in accordance with Policy AW5 of The Rhondda Cynon Taf Local Development Plan

4. Prior to occupation of the House in Multiple Occupation hereby permitted, drainage details shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance

with the approved plans.

Reason: To ensure adequate disposal of foul and surface water drainage in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.



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**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL  
MUNICIPAL YEAR 2015-2016**

**DEVELOPMENT CONTROL  
COMMITTEE**

**17 SEPTEMBER 2015**

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

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| <b>Agenda Item No.5(3)</b>  |
| <b>SITE MEETING<br/>APPLICATION NO. 15/0087 – TWO<br/>STOREY EXTENSION AND REAR<br/>DORMER WINDOW TO EXISTING HOUSE<br/>(AMENDED PLAN AND DESCRIPTION<br/>RECEIVED 11/05/015) – 115 QUEEN<br/>STREET, TREForest, PONTYPRIDD</b> |

**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.50(2) (Development Control Committee, 20 August 2015), a site inspection was undertaken on Friday, 28 August 2015 to consider the highways and public health issues.
- 3.2 The meeting was attended by the Chair and Vice-Chair of the Development Control Committee (County Borough Councillors G.Stacey and M.Griffiths respectively) and Committee Members - County Borough Councillors J.Bonetto, (Mrs) S.J.Jones, G.P.Thomas and E.Webster.
- 3.3 Apologies for absence were received from Committee Members - County Borough Councillors L.M.Adams, L. De Vet, P.Jarman, R.Lewis,

C.J.Middle, S.Powderhill, S.L.Rees, (Mrs) A.Roberts, G.Smith, (Mrs) J.S.Ward, P.Wasley and M.J.Watts.

- 3.3 Members met outside No.115 Queen Street, Treforest, a terraced dwelling situated at the end of a long terrace, next to a small food store. The property was accessed off a one-way road system and immediately outside the property were double yellow lines. There was also restricted parking for a limited period of 2 hours or unrestricted to permit holders.
- 3.4 Members were informed by the Development Control Manager that originally, the applicant was seeking full planning permission for the conversion of the existing dwelling to a seven bedroom "House in Multiple Occupation" for students including a two storey and part single storey rear extension and dormer extension. However, the original plans had been amended to a "Householder" development for the extensions and the number of bedrooms had been reduced to six. It was noted that a dwelling where a maximum of six individuals were living together as a single household did not require a change of use to a "House in Multiple Occupation".
- 3.5 The Development Control Manager showed Members the plans of the proposed extensions which were the main changes to the property. Their size and design was considered acceptable and as such would not have a significant detrimental impact on the character of the area.
- 3.6 With the permission of the applicant, Members then viewed the inside of the property. It was apparent from the internal inspection that 7 rooms, with the potential to be used as bedrooms had been created. There were 3 rooms on the second/roofspace floor, 3 rooms on the first floor and 1 room on the ground floor. The addition of the first floor rear extension would provide a further eighth bedroom. Members queried the use of the rooms and were advised by the applicant that only 6 rooms would be used as bedrooms with one room on the first floor being used for storage and the room located on the ground floor overlooking Queen Street to be used by the students living in the house for storing bicycles.
- 3.7 Following their viewing and given the discrepancies between the submitted plans and the internal arrangements as viewed Members requested that the applicant's up to date internal plans for the property be presented at the Development Control Committee, prior to determining the matter.

**LOCAL GOVERNMENT ACT 1972**

**as amended by**

**LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**LIST OF BACKGROUND PAPERS**

**DEVELOPMENT CONTROL COMMITTEE**

**15 OCTOBER 2015**

**REPORT OF: SERVICE DIRECTOR PLANNING**

**REPORT**

**APPLICATION NO: 15/0087 - TWO  
STOREY EXTENSION AND REAR  
DORMER WINDOW TO EXISTING  
HOUSE (AMENDED PLAN AND  
DESCRIPTION RECEIVED  
11/05/2015), 115 QUEEN STREET,  
TREForest, PONTYPRIDD**

**OFFICER TO CONTACT**

**MR G WATKINS  
(Tel. No. 01443 494754)**

See Relevant Application File

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