

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2015-2016

<p>DEVELOPMENT CONTROL COMMITTEE 19 NOVEMBER 2015</p> <p>REPORT OF: SERVICE DIRECTOR PLANNING</p>	<p style="text-align: right;">Agenda Item No. 7</p> <p>APPLICATION NO: 15/1049 – RETENTION OF BALCONY, PAGODA AND DECKING, GLASS CANOPY OVER DOORS AS INDICATED ON SUBMITTED PLANS (RESUBMISSION OF 15/0604/10). FFYNNON-Y-GOG FARM, CEFNPENNAR, MOUNTAIN ASH.</p>
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1. PURPOSE OF THE REPORT

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

2. RECOMMENDATION

Committee Members are requested to consider the information contained in the report, in respect of the application, and determine accordingly.

3. BACKGROUND

This application was originally reported to the Development Control Committee on 5th November 2015 with a recommendation of refusal. A copy of the agenda report is attached as **APPENDIX A**.

During this meeting, Members resolved that they were minded to approve the application contrary to the recommendation of the Service Director, Planning, because the visual impact of the proposed balcony would not be sufficiently detrimental to the character of the existing building, site and surrounding area, being mitigated by the more isolated location.

Therefore the matter would be deferred to the next appropriate meeting of the Development Control Committee for a report from the Service Director, Planning, if 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. 266 (2) refers).

Whilst the view of Members is fully appreciated, it is still considered that the proposed balcony element of the development is a detrimental addition to the site, a position which the applicant and her agent accepted when the balcony was removed from a previous application.

As a permanent structure the balcony appears to be attached to and form part of the main building. However, it has no relationship with the farmhouse as a built form, neither in terms of any historic reference to past use and appearance, nor in its modernity of design and choice of materials.

This is particularly relevant given its original use as a traditional Welsh long house, where the southern end of the building would have been for storage of agricultural materials and/or livestock; and more so given the prominent, raised position of the balcony on the south-east facing gable end. Therefore as a structure it would be an alien and non-traditional element to the building and immediate locality.

As noted within the appendix, the other proposals forming part of the application, namely to retain the pagoda, decking, and erection of a glass canopy, are considered acceptable by virtue of their location and subservience.

Nonetheless, with regard to the balcony, it is considered that the development would remain contrary to Policies AW5, AW6, AW7 and AW9 of the Rhondda Cynon Taf Local Development Plan.

If after further consideration however, Members are still minded to approve the application, the following condition is suggested:

1. Details of the design and position of the proposed glass door canopy shall be submitted to and agreed in writing by the Local Planning Authority, prior to its erection.

Reason: In the interests of visual amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development plan.

APPENDIX A

APPLICATION NO: 15/1049/10 (GH)
APPLICANT: Ms H Williams
DEVELOPMENT: Retention of balcony, pagoda and decking, glass canopy over doors as indicated on submitted plans (resubmission of 15/0604/10)
LOCATION: FFYNON Y GOG FARM, CEFNPENNAR ROAD, CEFNPENNAR, MOUNTAIN ASH, CF45 4EE
DATE REGISTERED: 28/07/2015
ELECTORAL DIVISION: Cwmbach

RECOMMENDATION: Refuse

REASONS:

By virtue of its scale, form and design, the balcony is considered to detract from the character and appearance of the existing building and is visually intrusive and detrimental to the rural character of the site and the surrounding area, which is designated as a Special Landscape Area. As such, the retention of the development would be contrary to Policies AW5, AW6, AW7 and NSA25 of the Rhondda Cynon Taf Local Development Plan.

APPLICATION DETAILS

This is a re-submission of an identical application (15/0604/10) which was refused planning permission on 1st July 2015. This sought full planning permission to retain a range of developments within the curtilage of Ffynnon-Y-Gog Farm, Cefnpennar, consisting of the following elements:

Pagoda: A large octagonal building with a pitched roof supported on eight posts, rising by around 1m to a central point. It has been part-enclosed to waist level by horizontally arranged decking boards. More decking boards have been used to create the floor of the pagoda, with bench seating arranged around the internal perimeter.

Decking: This covers a surface area of around 139m² and has been laid around the south-eastern facing gable end of the property; with part wraparound the front and rear elevations. A smaller section of this has been built to a higher level, by approximately 20cm, to match the step in terrain.

Balcony: This has been constructed from a timber frame to a height of around 2.5m, with standard decking board forming the surface. It has a square footprint with depth and width of approximately 3m. The perimeter of the balcony, access to which is gained via the first floor, has been established by the erection of a clear glass balustrade, with supporting posts of stainless steel appearance.

Further to the descriptive detail above, it is evident that all of the timber used to construct these structures has been stained to a matching mid-brown/chestnut shade.

In addition, it was proposed to construct a **clear glass weather canopy** above two entrance doors contained within the south-west facing elevation. The canopy would have a depth of 1.4m and width of 5m, although final design details have not been confirmed by the applicant.

The previous application was determined and refused, as whilst the pagoda, decking and canopy were considered satisfactory, the balcony was not. The only difference between the previous application and that now submitted is that the re-submitted application has been accompanied by a statement from the applicant's agent, summarising why it should be permitted.

The key points raised by the applicant's agent are:

- Wooden structures have often been attached to rural dwellings and the balcony is reversible.
- The Cadw guidelines relate to changes to the buildings. The balcony is largely permeable and does not affect the overall form of the pine end.
- The Local Planning Authority has already agreed to previous changes to the building, including the decking and pagoda.
- Full height glazed doors were previously permitted in the pine end, which has a visual effect.
- The balcony is hardly discernible from the wider landscape and cannot, therefore, have a significant negative impact on character.

These points are considered within the body of the report further below.

This application is presented to members for determination following the receipt of three neighbour letters of support, similar in both content and style, during the consultation period; and are therefore contrary to the recommendation of refusal.

SITE APPRAISAL

The application site is situated in open countryside, outside the settlement boundary of Cefnpennar and within a Special Landscape Area. The site is readily visible from the surrounding countryside including public footpaths to the south and west and the golf course to the south.

The application property, a former Welsh longhouse, has been subject to a process of renovation and alteration following an earlier planning consent (12/1101/10). Consequently, the appearance of the dwelling and immediate curtilage has a much modernised appearance and form. Originally, the property would have been of stone construction with slate roof and ridge tiles, and records suggest that it occupied the site from at least 1833.

The farmhouse, together with other surrounding agricultural buildings, are part of a larger agricultural holding, although the substantial area of amenity associated with the dwelling itself, and in its immediate vicinity; has been laid to decking, Cotswold pebble and shale gravel. The amenity space is enclosed by a combination of dry stone wall and/or ranch-style timber fencing.

There are two other residential properties approximately 60 metres to the east and further properties to the south and south-east, along Cefnpennar Road.

The site is accessed from Cefnpennar Road to the south along an access-controlled single track lane, which also serves a large radio mast occupying a plot of the applicant's land, to the south-west of the farmhouse.

PLANNING HISTORY

The following planning applications are on record associated with this site:

15/0604/10	Retention of balcony, pagoda and decking, glass canopy over doors as indicated on submitted plans.	Refused 01/07/15
12/1101/10	Refurbishment and renovation including raising roof and change of use of part of building to be included within existing farmhouse (amended plans received 12/02/13 now retaining roof as existing, with roof lights to replace dormers, and amended elevations received 12/03/13).	Granted 23/04/13
12/0765/10	Refurbishment/renovation with single and two storey extensions and balcony to end of first floor bedroom	Withdrawn 03/12/12

PUBLICITY

The application has been advertised by direct notification to two neighbouring properties. Three letters have been received in support of the application.

CONSULTATION

No consultation responses have been received.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies outside of the settlement boundary; and within open countryside designated as a Special Landscape Area.

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 AW7 - stipulates criteria in relation to development and protection of the built environment including buildings with historic merit.

Policy AW9 – works to existing buildings in the countryside required to accommodate new uses should be in scale with the building and wider landscape.

Policy NSA25.5 – requires that development within the Cynon Valley Northern Slopes Special Landscape Area conforms to the highest standards of design, siting, layout and materials appropriate to the character of the area.

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) and Chapter 4 (Planning for Sustainability), set out the Welsh Government's policy on planning issues relevant to the determination of the application.

Other policy guidance considered:

PPW Technical Advice Note 12 – Design

Paragraph 5.8.4 states that in relation to the conversion or adaptation of agricultural buildings, character retention will often involve the least amount of change possible to external appearance. Solidity and simplicity in design and relationship of built form with landscape provide the distinctive character of many Welsh rural areas.

Cadw Converting Historic Farm Buildings In Wales: A Guide to Good Practice 2004

This publication advises that recent years have seen an increased threat to traditional farm buildings from diversification - changes in agriculture and restrictions on new build in the countryside has led to an increase in demand for existing buildings to be converted. The guidance goes on to suggest that if the conversion no longer resembles the building it once was, it is effectively a new dwelling in the countryside:

'A farm building that has sat almost unnoticed in the landscape for hundreds of years and performed the same function day in, day out demands a light hand in conversion, or it will suddenly stand out within, rather than blend into, its environment.'

It is also emphasised that the conversion should be adapted to the building, rather than changing or extending the building to suit the new use and the building should retain the appearance of the farm building it once was.

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

The application relates to development within the curtilage of an existing residential property which has resulted from the conversion of a former Welsh longhouse. Whilst the principle of this form of development within an urban setting is generally acceptable, the location of the building within the open countryside and Special Landscape Area requires assessment against a number of criteria, as set out below.

Impact on the character and appearance of the area

The development, taken as a whole, is considered to be unacceptable in terms of its design, siting, and overall visual appearance.

It is considered however that the decking that has been constructed within the curtilage of the farmhouse, although covering a significant area of ground, is sufficiently screened and at a level where it is likely to have a minimal detrimental impact to the setting. Likewise, the large pagoda structure is of a relatively simple form and layout. It is separated by sufficient distance from the dwelling and part-screened by the boundary treatments, such that it does not detract from the farmhouse and surrounding landscape.

With regard to the proposed glass canopy, this would, by virtue of its scale and transparent nature, be considered acceptable in principle. Correspondingly, if the application was recommended for approval, a condition would be suggested requiring prior submission and approval of the design and materials. The timber balcony and glass balustrade are not however considered to be an acceptable addition to the farmhouse for the following reasons:

Policy NSA25, which identifies the site and surrounding area as part of the Cynon Valley Northern Slopes Special Landscape Area, requires development to be of the highest standards of design, siting, layout and form. Policy AW5 also stipulates that any development should not have an unacceptable impact upon the character and appearance of the site.

Similarly, Policy AW6 notes that development proposals should be appropriate to the local context and 'reflect, complement or enhance the form, siting, materials, details and character of the original building...,' Policy AW7 suggests that proposals that impact upon sites of architectural or historical merit should seek to enhance or preserve.

Lastly, Policy AW9 also requires works required to accommodate new uses should be in scale with the building and wider landscape, which was a key consideration at the time the previous application for the renovation of the longhouse was determined (12/1101/10).

Against this policy background, it is judged that the appearance of the balcony, being located at the prominent south-east facing gable end, represents an incongruous addition, and one which detracts rather than enhances the farmhouse. Correspondingly, although the agent's view regarding the historic practice of wooden structures being attached to rural buildings may be correct, there is a great difference between a rustic or ramshackle lean-to and the very modern timber and glass structure presented in a prominent position at first floor level.

The balcony therefore fails to reflect the form or character of the original building and the agent's note that a wooden structure is temporary or reversible is misleading as the current application is for a permanent consent.

In consideration of the agent's other submissions for retaining the balcony, the Cadw guidance does not just focus on changes to the building themselves, they are about form, function and appearance, and enabling modern-day usage without destroying character. The balcony is not largely see through nor blends into the gable end, but projects forward at a high level. This is why the decking and pagoda are judged to be acceptable, because their low position and detachment from the elevations of the property underlines their subservience, contrary to that of the balcony, which forms a prominent and unsympathetic addition to the building. The glazed door forming part of the pine end has an insignificant effect in comparison with that of the balcony, which is readily visible from nearby footpaths.

Lastly, it is noted that a proposed balcony formed part of application 12/0765/10, which was withdrawn, and this balcony feature was also removed from the later submission 12/1101/10, through negotiation with the applicant and her planning agent. The Design and Access Statement which accompanied the latter application, and which was produced by the same planning agent as the current application, stated that one of the ways the amended proposal aimed to reflect the character and basic form and function of the building, was by 'eliminating the two storey extension and veranda to the south'. It therefore follows and confirms the view that the introduction and proposed retention of the current balcony does not respect the character and basic form of the building and is contrary to Policy AW6.

In conclusion, it is considered that the balcony development is unacceptable, is contrary to both local and national planning policy and guidance with regard to the maintenance of converted rural buildings; and both diminishes and detracts from the character and appearance of the area.

Impact on residential amenity and privacy

The location and context of the site ensures that although the existing and proposed structures may be able to be seen from positions outside of the site boundary, none of these would have any direct impact on neighbouring residents, whose properties are located at some distance away.

Therefore, the developments are not considered to have a significant overshadowing or overbearing impact upon the surrounding neighbouring properties

Similarly, and due to the absence of any immediate neighbouring dwellings, neither the balcony, pagoda or decking are likely to have a detrimental impact on privacy or amenity, caused by overlooking or via their use.

Consequently, in terms of the impact on the amenity and privacy of neighbouring residents, no issues are raised.

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

By virtue of its scale, form and design, the balcony is considered to detract from the character and appearance of the existing building and is visually intrusive and detrimental to the rural character of the site and the surrounding area, which is designated as a Special Landscape Area. As such, the retention of the development would be contrary to Policies AW5, AW6, AW7 and NSA25 of the Rhondda Cynon Taf Local Development Plan.

RECOMMENDATION: Refuse

1. By virtue of its scale, form and design, the balcony is considered to detract from the character and appearance of the existing building and is visually intrusive and detrimental to the rural character of the site and the surrounding area, which is designated as a Special Landscape Area. As such, the retention of the development would be contrary to Policies AW5, AW6, AW7 and NSA25 of the Rhondda Cynon Taf Local Development Plan.

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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

DEVELOPMENT CONTROL COMMITTEE

19 NOVEMBER 2015

REPORT OF: SERVICE DIRECTOR PLANNING

REPORT

**APPLICATION NO: 15/1049 –
RETENTION OF BALCONY,
PAGODA AND DECKING, GLASS
CANOPY OVER DOORS AS
INDICATED ON SUBMITTED
PLANS (RESUBMISSION OF
15/0604/10). FFYNNON-Y-GOG
FARM, CEFNPENNAR, MOUNTAIN
ASH.**

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See relevant application file