

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2016-2017:

**DEVELOPMENT CONTROL
COMMITTEE
16 MARCH 2017**

**REPORT OF: SERVICE
DIRECTOR PLANNING**

	Agenda Item No. 9
APPLICATION NO: 16/1351 – LOCKUP GARAGE TO FRONT AND DOUBLE STOREY EXTENSION TO REAR AT 18 HOWARD STREET, CLYDACH, TONYPANDY, CF40 2BP.	

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 of 16th February 2017 and a copy of the original 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, for the reasons that the impact of the proposed garage would not be sufficiently detrimental to highway safety.

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. 135 refers).

4. UPDATED RECOMMENDATION

Whilst the view of Members is fully acknowledged, it is considered that the proposed garage is a detrimental addition to the site, which will impact on the current level of available parking space enjoyed by neighbouring properties. It is also acknowledged that taking a vehicle off the road is an

advantage, however, due to the position of the garage and the reversing movements that would be created, the garage is considered to have a negative impact on highway safety.

It is therefore considered that the development would remain contrary to Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

If after further consideration however, Members are still minded to approve the application, 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 garage at front of 18 Howard Street Clydach Vale Drg No 17/01/02, Proposed extension to 18 Howard Street Clydach Vale Drg No 17/01/01, and documents received by the Local Planning Authority on 13/12/2016 and 13/01/2017, 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 use of the garage hereby approved shall at all times be restricted to purposes normally associated with a domestic use. No trade or business use shall be carried out therein.

Reason: For the avoidance of doubt as to the extent of this consent, in the interests of the safety of all highway users and in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

4. Prior to the development being brought into use, a vehicular footway crossing shall be provided in accordance with details to be submitted to and approved in writing by the Local planning Authority prior to any development on site commencing.

Reason: In the interests of highway and pedestrian safety.

5. The proposed garage shall be set back by 0.5 metres from the edge of the public footway to ensure that the foundation of the garage footing does not encroach onto the public highway.

Reason: To ensure that highway maintenance can be carried out without detrimental impact on the garage footing or services within the footway.

6. Surface water run-off from the proposed development shall not discharge onto the public highway or connected to any highway drainage system unless otherwise agreed in writing by the LPA.

Reason: In the interests of highway safety and to prevent overcapacity

APPENDIX A

APPLICATION NO: 16/1351/10 (LJH)
APPLICANT: Mr Anthony Jones
DEVELOPMENT: Lockup garage to front and double storey extension to rear.
LOCATION: 18 HOWARD STREET, CLYDACH, TONYPANDY, CF40 2BP
DATE REGISTERED: 13/12/2016
ELECTORAL DIVISION: Cwm Clydach

RECOMMENDATION: Refuse

REASONS: The proposed development will lead to multiple reversing movements between parked cars with limited visibility out onto Howard Street and increased on-street car parking to the detriment of safety of all highway users and free flow of traffic and is therefore considered to be contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan and the Council's adopted Supplementary Planning Guidance.

REASON APPLICATION REPORTED TO COMMITTEE

- A request has been received from Councillor Norris for the matter to come to Committee for the reason that Members can fully consider the highway safety implications of the proposal, having regard to the presence of other garages in the same street.

APPLICATION DETAILS

Full planning permission is sought to construct a detached garage to the front and a two storey extension to the rear of 18 Howard Street, Clydach, Tonypany.

The proposed garage would be to a width of 4.2m and depth of 6.2m and have a pitched roof with a maximum height of 4.1m sloping to 2.3m at the eaves. The position of the garage dictates that it would front the highway at Howard Street to the south of the property's curtilage.

With regard to its appearance, the garage would be finished with render and concrete roof tiles to match the existing dwelling, with a roller shutter door to the front, and windows to both the front and rear elevations.

The proposed extension would be sited in place of an existing single storey projection on the northern facing rear elevation of the property and be part single storey and part double storey. It would measure a total of 5.2 metres in width with the second storey element being 2.8 metres in width. The extension would project 3.6 metres from the rear elevation with the double storey section having a pitched roof measuring a total height of 6.1 metres sloping to 5 metres at the eaves. The

single storey projection is proposed to have a sloping roof with a height of 3.9 metres and an eaves height of 2.5 metres.

All materials proposed to construct the extension would match the existing property.

SITE APPRAISAL

This mid-terraced, two-storey property is located in a prominent position along Howard Street. The surrounding area is characterised by traditionally built terraced properties. The application property benefits from amenity space to the front and rear. It is set back from the road at the front (Howard Street) by approximately 17m. The rear garden is bound by the rear garden of no.17 to the west, no. 19 to the east, and the rear access lane to the north.

PLANNING HISTORY

There are no recent applications on record associated with this site.

PUBLICITY

The application has been advertised by direct notification. Two letters of objection have been received; the letters raise the following points:

- The garage will have an effect on parking in the street. The opposite side of the street has double yellow lines so the only parking is on the side of the proposed garage.
- If the garage is approved it will set a precedent for more properties on that side of the road to build garages which will cause more of a parking problem.
- One of the letters states "I would like to object to looking out of my front window at a garage".
- This is a busy, narrow street with double yellows on one side; it is also a main bus route.

These concerns will be considered fully further below in the report.

CONSULTATION

Highways:

Highway objections are raised for the following reasons:-

1. The proposed development will lead to multiple reversing movements between parked cars with limited visibility out onto Howard Street to the detriment of safety of all highway users and free flow of traffic.
2. The proposed development will lead to increased on-street car parking to the detriment of safety of all highway users and free flow of traffic.

The consequences of which are considered further below.

Wales & West Utilities:

No objection raised, however, details have been provided as to their underground services running adjacent to the site and a list of general conditions.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies within the settlement boundary for Cwm Clydach and 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.

Supplementary Planning Guidance - Delivering Design and Placemaking: Access, Circulation and Parking Requirements (2011).

Supplementary Planning Guidance – A Design Guide for Householder Development (2011).

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

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 the construction of an outbuilding and an extension within the curtilage of an existing residential property and the principle of development is therefore acceptable subject to the criteria set out below.

Impact on the character and appearance of the area

The proposed developments are considered to be acceptable in terms of their design, siting, massing, scale, materials and overall visual appearance. This view is taken for the following reasons:

Compared to the scale of the dwelling and surrounding built environment, the garage would be of an appropriate domestic size, such that it would not detract from the appearance of the street scene.

With regards to the proposed rear extension, the maximum height of the two storey extension would be no taller than the height of the original roof, as such, the proposal is considered to be a sympathetic and subservient addition to the property. Furthermore, all materials proposed would match the existing property with a number of similar extensions visible within the vicinity.

Overall, the proposals are not considered to have a detrimental impact on the character and appearance of the existing dwelling, wider area or indeed the Historic Landscape and the application is therefore considered acceptable in this regard.

Impact on residential amenity and privacy

The proposed development is not considered to have a significant overshadowing or overbearing impact upon the surrounding neighbouring properties for the following reasons:

Given that the garage would be sited below the floor levels of the properties adjacent to the application property and be approximately 10 metres forward from the principle elevations of these properties, it is unlikely that the development would cause detriment to the neighbour's outlook.

One of the objectors on the opposite side of the street objects to having a view of the proposed garage from their front window. It is appreciated that due to the land levels in the area with the properties on the northern side of the street being set on a notably higher level to those on the opposite side, that the view of the garage could be quite prominent. However, it is not considered that the impact of the garage on the street scene would be great enough to warrant refusal of the application for this reason.

The extension would be sited on the common boundary of no. 17 Howard Street; and it is acknowledged that there may be some overshadowing on the rear elevations of nos. 17 and 18 during the early and latter parts of the day respectively, however, the proposed extension would only project 3.6 metres from the rear elevation and it is not considered that the level of overshadowing would be so significant as to warrant the refusal of the application. There is a window proposed

on the rear elevation of the second storey element and it is acknowledged that there would be some overlooking onto the rear amenity space of the neighbouring properties, however, this is not considered to be significantly increased over the level that currently occurs at the site.

Consequently, in terms of the impact on the amenity and privacy of neighbouring residents, the application is considered to be acceptable.

Highways and Transportation

As noted above, the highways objection relates to increased on-street parking and increased multiple reversing movements between parked cars with limited visibility. The consultation response makes reference to the Council's adopted SPG - whereby a three bedroom dwelling would warrant the provision of 3 parking spaces. However, it has been assessed that the one space proposed is sub-standard and will result in reversing movements to and from Howard Street to the detriment of safety of all highway users and on this basis highway objections are raised.

The Highways submission notes the following:

- There is high demand for on-street car parking at this location due to the nature of terraced dwellings with limited off-street car parking facilities and existing traffic regulations in place.
- There is major concern that the proposal will result in vehicular reversing movements to and from the highway which is a bus route between parked cars with limited visibility to the detriment of safety of all highway users and free flow of traffic.

It is however noted that there is potential for off-street parking to be provided off the rear lane that would be safe and acceptable.

These concerns are reflected in the two objection letters received which note that the garage will have an effect on parking in the street and if the garage is approved, it will set a precedent for more properties on that side of the road to build garages which will cause more of a parking problem.

Given these comments, it is concluded that the application could not be supported where it would cause a reduction in an already sub-standard level of parking provision; would increase the level of on-street parking, and hinder the free flow of traffic and pedestrians. On this basis the proposed development would conflict with both the Council's adopted SPG and LDP Policy AW5.

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 proposed development will lead to multiple reversing movements between parked cars with limited visibility out onto Howard Street and increased on-street car parking to the detriment of safety of all highway users and free flow of traffic and is therefore considered to be contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan and the Council’s adopted Supplementary Planning Guidance.

RECOMMENDATION: Refuse

The proposed development is considered to raise highway safety concerns and be contrary to Policy AW5 of the Rhondda Cynon Taff Local Development Plan for the following reasons:

1. The proposed development will lead to multiple reversing movements between parked cars with limited visibility out onto Howard Street to the detriment of safety of all highway users and free flow of traffic.

2. The proposed development will lead to increased on-street car parking to the detriment of safety of all highway users and free flow of traffic.

=====

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

16 MARCH 2017

REPORT OF: SERVICE DIRECTOR PLANNING

REPORT

**APPLICATION NO: 16/1351 –
LOCKUP GARAGE TO FRONT
AND DOUBLE STOREY
EXTENSION TO REAR AT 18
HOWARD STREET, CLYDACH,
TONYPANDY, CF40 2BP.**

OFFICER TO CONTACT

**MISS L HERON
(Tel. No. 01443 494887)**

See Relevant Application File