

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2017-2018:

**PLANNING & DEVELOPMENT
COMMITTEE
21 SEPTEMBER 2017**

**REPORT OF: SERVICE
DIRECTOR PLANNING**

	Agenda Item No.5
APPLICATIONS RECOMMENDED FOR APPROVAL	

1. PURPOSE OF THE REPORT

Members are asked to determine the planning applications outlined in Appendix 1.

2. RECOMMENDATION

To approve the applications subject to the conditions outlined in Appendix 1.

1. Application No:17/0247 Proposed new 2 storey innovation centre with amendments to the highway, New Innovation Centre, Ely Valley Business Park, Pontyclun, Llantrisant.
2. Application No:17/0350 - New detached two storey three bedroom house with single garage and required parking, Land Adjacent To 16 Willow Close, Beddau, Pontypridd.
3. Application No:17/0865 - Proposed single storey extension, Loring Bungalow, John's Lane, Hirwaun, Aberdare..

APPLICATIONS RECOMMENDED FOR APPROVAL

APPLICATION NO: 17/0247/10 (GW)
APPLICANT: Barrington Investments Ltd
DEVELOPMENT: Proposed new 2 storey innovation centre with amendments to the highway.
LOCATION: NEW INNOVATION CENTRE, ELY VALLEY BUSINESS PARK, PONTYCLUN, LLANTRISANT, CF72 9DT
DATE REGISTERED: 28/02/2017
ELECTORAL DIVISION: Pontyclun

RECOMMENDATION: Grant

REASONS:

The site is on land identified as being outside the settlement boundary and within a Green Wedge. However, the site is directly adjacent to the established Ely Valley Business Park and is visually part of the estate. Previously planning permission (12/0906/10 and 15/1165/10) has been granted for buildings in a similar position, in terms of the Local Development Plan Proposals Map and policy constraints.

No objections have been raised on highway safety grounds or in relation to the Site of Important Nature Conservation (SINC) and whilst it is recognised that objections have been raised from some local residents with regard the potential to result in increased flooding no objection has been raised from Natural Resources Wales.

The proposed development would provide employment compatible with the area and on balance; it is not considered that the visual impact would have a significant effect on the Green Wedge.

REASON APPLICATION REPORTED TO COMMITTEE

- The proposal is not covered by determination powers delegated to the Service Director Planning (as the proposal is not in accordance with Local Development Plan (LDP).)
- Three or more letters of objection have been received;
- A request was received from former Councillor Paul Griffiths (when he was still one of the Elected Members for the Pontyclun Ward) for the matter to come to Committee for the reason that:
 - i. The proposed is in a C2 Flood Plain and is at a severe risk from flooding. The water retention capacity of the flood plain has been diminished. The development would increase the risk of flooding down the river.

- ii. It will increase traffic pressure on the rail crossing at Tyle Garw increasing waiting times.
- iii. This and previous development add up to large scale development with serious negative consequences on the flood plain and Green Wedge.

APPLICATION DETAILS

This application is for full planning permission to construct a new industrial unit on land adjacent to Ely Valley Business Park. The building would be two storeys and would provide workshop floor space and associated offices for an innovative design centre. 7no. car parking space would be provided adjacent the unit. Landscape planting would be provided on the western boundary with the remaining open area.

The applicant details a minimum of 12 full time jobs would be provided for.

The application is supported by:

- A Justification Statement;
- Construction Management Plan;
- Site Investigation Report;
- Flood Consequence Assessment;
- Drainage Information.

SITE APPRAISAL

The site is located on the south western edge of the Ely Valley Business Park, which is adjacent to a relatively large area of open space to the east. The Ely Valley Business Park contains some small scale industrial buildings and is accessed via Meadow View to the north. A residential estate of relatively modern dwellings is located on the opposite side of this road. To the south east is the river Ely and on the opposite side of the river are residential dwellings in Pontyclun. The centre of Pontyclun can be accessed from the site via a Public Right of Way across the river Ely, which also serves as a vehicle access.

PLANNING HISTORY (Relevant to application)

15/1165	Land adjacent to Ely Valley Business Park	Single storey building to accommodate site security office associated with a recently completed innovation centre adjacent. (Amended plan received 17/09/15) (Amended Location Address - 29/09/15)	Granted 23/12/15
12/0906	“ ”	New two storey building to accommodate Arena Supplies Ltd with workshop floor space associated offices for an innovative design centre	Granted 23/11/12

03/0271	Units 20-21 Ely Valley Business Park (East), Pontyclun	Demolish Existing. Form 2 No new Industrial Units - Class B1, B2 & B8. Construct access road.	Granted 16/05/03
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PUBLICITY

The application has been advertised via the erection of a site notice and by direct neighbour notification. Four letters of objection have been received at the time of writing this report and their contents are summarised below:

- To yet again allow development on C2 Flood Plain would be perverse.
- The area has flooded previously and affected the homes of nearby residents.
- Allow this development and the lower Maesyfelin estate will be in danger of flooding.
- The site is identified as a Green Wedge. It would prejudice the open nature of the land and would be contrary to SSA 22 of the LDP to grant this application.
- It will increase traffic pressure on the rail crossing at Tylegarw increasing waiting times.
- In recent years development near the site has been allowed on limited and marginal intrusion on the Green Wedge and Flood Plain. It is time to recognise that a succession of applications allowed on the argument of being small scale marginal developments add up to a large scale with serious consequences.

CONSULTATION

Countryside – the information shows the proposed is outside the floodplain grassland which is the SINC area. The landscaping scheme submitted is acceptable.

Dwr Cymru/Welsh Water – no objection subject to no surface water and/or land drainage connecting directly or indirectly with the public sewerage network. The site is crossed by a public sewer and no development shall take place within 3m of the centreline. Further advisory notes are provided.

Flood Risk Management – the information submitted with the application supports the method of surface water disposal.

Natural Resources Wales – no objection. The proposed development site is close to surface waters and overlies a secondary A aquifer. These controlled waters are environmentally sensitive. Contamination has strongly been suspected at the site due to the historic use of the site as a landfill site. However the information submitted in the email from Rob Bathurst, Integral Geotechnique, which we received on 13 June 2017 provided further justification and explanation of the site investigation, and additional information regarding the development design proposals. We have reviewed this with the full version of the submitted Phase 3 Site Investigation Report prepared by Integral Geotechnique, Ref 11934/HP/17/SI/RevA,

dated April 2017, which we received on 8 May 2017. As such this issue is acceptable.

The application site lies entirely within Zone C2, as defined by the Development Advice Map (DAM) referred to in Technical Advice Note 15: Development and Flood Risk (TAN15) (July 2004). Our Flood Map information, which is updated on a quarterly basis, confirms the application site is within the 1% (1 in 100 year) and 0.1% (1 in 1000 year) fluvial flood outlines of the River Ely, a designated main river.

The letter and correspondence from Quad Consult, reference 16345-170411-MP-1, dated 11th April 2017, demonstrate the data in the submitted Flood Consequences Assessment (FCA) prepared by Parsons Brinckerhoff, dated June 2012, remains valid for this application. The FCA, letter and enclosed correspondence confirm, based on a finished flood level of 43.54m AOD:

- The proposed development is predicted to be flood free during a 1% (1 in 100 year) plus 25% for climate change fluvial flood event. This is compliant with A1.14 of TAN15;
- The proposed development is predicted to be flood free during a 0.1% (1 in 1000 year) fluvial flood event. This is within the tolerable limits set out in A1.15 of TAN15.

On the basis of the above, NRW have no adverse comments to make from a flood risk perspective and where to get further advice should be provided to the applicant.

Public Health and Protection – the information submitted with regard potential contamination does not provide sufficient detail that there would not be an impact or that it can be mitigated. A condition requiring a site investigation is required.

Transportation Section – no objection subject to access, parking and turning facilities being provided in accordance with submitted plans and construction being carried out in accordance with the construction method statement submitted.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The site is located outside the settlement boundary, and is within a Green Wedge. It is also within a Site of Importance for Nature Conservation (SINC), as identified by the Local Development Plan

Policy CS2 - sets out criteria for achieving sustainable growth including: providing opportunities for significant inward investment.

Policy AW2 - advises that development proposals on non-allocated sites will only be supported in sustainable locations.

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 AW10 - development proposals must overcome any harm to public health, the environment or local amenity as a result of flooding.

Policy AW14 – Safeguards recourses of sand and gravel from development.

Policy SSA22 – Identifies the site as a Green Wedge aimed at preventing coalescence between and within Llanharan, Llanharry and Pontyclun.

Supplementary Planning Guidance:

Access Circulation and Parking

Design and Placemaking

Employment and Skills

Nature Conservation

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.

Chapter 2 (Development Plans), Chapter 3 (Making and Enforcing Planning Decisions), Chapter 4 (Planning for Sustainability), Chapter 7 (Economic Development), Chapter 8 (Transport) and Chapter 13 (Minimising and Managing Environmental Risks and Pollution) 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 5: Nature Conservation and Planning;

PPW Technical Advice Note 12: Design;

PPW Technical Advice Note 15: Development and Flood Risk;

PPW Technical Advice Note 18: Transport;

PPW Technical Advice Note 23: Economic Development;

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.

Main Issues:

It is considered that the main issues involved in the assessment of this application relate to whether the principle of new development would be acceptable having regard to its location outside the defined settlement boundary and within a Green

Wedge and a SINC. Other matters to be considered are: its flood risk implications being situated within a C2 Flood Risk Zone, the impact of the proposed development on residential amenity, highway safety, the impact on ecology and contamination.

Principle of the proposed development

As noted above, the application proposes the construction of an office building on land located outside but adjacent to the defined settlement boundary. The site is subject to a number of constraints as the land falls within a C2 flood risk zone and also forms part of a locally designated Green Wedge and Site of Importance for Nature Conservation (SINC). The policies contained within the Local Development Plan aim to steer new built development to sustainable locations, which are within the settlement boundary and are compatible with the surrounding land uses. They also seek to protect the countryside from inappropriate forms of development which would have a detrimental effect on agriculture, the landscape and the amenity value of land. The designation of the land as a Green Wedge places a further constraint in that consideration must also be given to the appropriateness of the development in relation to the aim of Policy SSA 22 which seeks to prevent coalescence between the settlements of Llanharan, Llanharry and Pontyclun.

It is acknowledged that the existing innovation centre building and security office similarly infringed upon the settlement boundary, Green Wedge and SINC but was approved following the submission of a satisfactory justification statement and confirmation that employment opportunities would be secured. Having regard to this it is considered that the settlement boundary line to the east of the application site is arguably in need of being updated and the Green Wedge boundary which ultimately follows the line of the settlement also needs to be reviewed as part of the Local Development Plan process. It is however considered that the proposal for a building on open land in a Green Wedge is inappropriate development. As such, it needs to be questioned as to whether building on open land outside the settlement boundary and in a Green Wedge is justifiable.

It is noted that Planning Policy Wales (PPW) advocates a positive approach to economic development. In the case of this application, the direct job creation would equate to 12 full time positions, which is relatively small, but it can be said this would be beneficial and could support and sustain local businesses and other jobs. It is also acknowledged that the building would be relatively small and close to other units on the park, its visual impact on open land would not be significant.

Therefore, it is considered that the economic benefit should outweigh the conflict with local development plan policies and thus on balance, there is no policy objection to this application.

As Members will be aware, a new Supplementary Planning Guidance designed to promote employment and skills has been adopted recently with a view to assisting employment within the County Borough. Whilst this particular development falls below the threshold which would require an employment and skills plan, it is acknowledged that the proposal will provide opportunities for employment.

Therefore, given the particular circumstances of this case, the principle of the development is considered to be acceptable subject to an assessment of the material planning considerations set out below:

Flood Risk

The application site lies entirely within Flood Risk Zone C2 and a number of concerns have been raised by members of the public over the implications of the proposed development on the flood plain of the River Ely and Nant Melyn and its cumulative impact with previous developments.

As Members may recall, planning permission was recently granted for the construction of the innovation centre building and security office which are both adjacent to the proposed development site (Ref: 12/0906/10 and 15/1165/10). An FCA produced by Parsons Brinckerhoff was considered as part of the previous applications and has been resubmitted for the consideration of the current application with further information.

NRW detail that the further information submitted with this application demonstrates the data in the submitted Flood Consequences Assessment (FCA) prepared by Parsons Brinckerhoff, dated June 2012, remains valid for this application. The FCA, letter and enclosed correspondence confirm, based on a finished flood level of 43.54m AOD:

- The proposed development is predicted to be flood free during a 1% (1 in 100 year) plus 25% for climate change fluvial flood event. This is compliant with A1.14 of TAN15;
- The proposed development is predicted to be flood free during a 0.1% (1 in 1000 year) fluvial flood event. This is within the tolerable limits set out in A1.15 of TAN15.

On the basis of this, NRW have no adverse comments to make from a flood risk perspective. Having regard to these comments, it is considered that the development would not adversely impact upon the capacity of the floodplain and is considered to be acceptable in this regard.

The Council's Drainage Section note that surface water run-off from the proposed development would be discharged into an existing watercourse and that this would be acceptable.

Impact on the character and appearance of the area

The proposed building has been designed to reflect the appearance and finish of the existing innovation centre building. It would be located towards the middle of the site and would be viewed against existing buildings from some views. Whilst it is acknowledged that the site does fall outside the settlement boundary and is located within a Green Wedge, it can be considered to represent a natural rounding off of the estate. It is however considered that a strong landscaping scheme would be required to soften the visual impact of the built development from the grassland area to the south and south-west. It is also prudent to restrict outside storage at this site having regard to its sensitive location.

Impact on residential amenity and privacy

The building will be located a sufficient distance from the nearest residential properties to the site and as a result it is considered it would not adversely impact upon their amenity. The office building is considered to be a compatible and an appropriate use in an area which is on the periphery of an industrial estate and in close proximity to residential properties. The use by virtue of its very nature is not considered to result in significant level of noise and disturbance which would be detrimental to neighbouring amenity. In light of the proximity of the development to neighbouring properties it is considered it would not be necessary to restrict the future use of the site to uses falling within Use Class B1 only, in the interest of residential amenity. As such, it is considered that the proposed building or use would not be harmful to the amenities of neighbouring properties.

Ecology and Landscaping

The site forms part of an identified Site of Important Nature Conservation. The Council's Ecologist however considers that the information provided shows the site is outside the grassland of the floodplain which the SINC is designated for and does not object. As such, it is considered that an ecological objection under Policy AW8 is not warranted in this case. The submitted landscaping scheme is the same as provided for the previous application. The Council's Landscape Architect considers this is acceptable.

Contamination

The Council's Public Health Section detail potentially contaminating past land uses and they consider there is a potential for contamination to exist on site. A Site investigation report has been submitted, however at the time of writing this report the Public Health Section considers the information submitted has not sufficiently overcome their concerns. Therefore a condition requiring further details would be required.

Access and highway safety

Turning to the impact of the proposed development on highway safety, it is noted that the Transportation Section have not objected. It is also considered the proposal would not significantly increase traffic movements to and from the site.

Other Issues:

The following other material considerations have been taken into account in considering the application, though were not the key determining factors in reaching the recommendation.

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. With regard the hours of construction condition it is considered this is not warranted as the site is within an industrial estate and there are no residential properties in close proximity.

Drainage

Whilst the comments raised by Dwr Cymru/Welsh Water are appreciated it is considered the matter they raise with regard the sewer crossing the site can be more efficiently controlled by other legislation. An appropriate note can be added to any permission concerning the sewer issues they raise.

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 liable for a charge under the CIL Regulations 2010 (as amended) however, the CIL rate for this type of development as set out in the Charging Schedule is £nil and therefore no CIL is payable.

Conclusion

Although a number of constraints exist at this application site and the principle of the proposed development in a Green Wedge and outside the defined settlement boundary is not supported by LDP Policies, the development would provide employment compatible with the area and on balance, it is not considered that the visual impact would have a significant effect on the Green Wedge. In all other respects the proposed development is considered to be compliant with policies of the Local Development Plan. (Policies AW2, AW5, AW8 and AW10).

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 Number 02/2017/PL/001G Proposed Site Plan submitted 12th April 2017
 - Drawing Number 02/2017/PL/002 Proposed Floor Plans submitted 20th March 2017
 - Drawing Number 02/2017/PL/003A Proposed Elevations submitted 1st March 2017
 - Drawing Number 02/2017/PL/005E Proposed Site Location Plan submitted 12th April 2017
 - Drawing Number PL-100 rev 1 Proposed Drainage Layout received on 27th April 2017
 - Drawing Number PL-101 rev 3 Proposed Pedestrian Crossing received on 28th April 2017
 - Drawing Number PL-102 rev 2 General Layout received on 1st June 2017

- Drawing Number PL-103 rev 1 Construction and Specifications Plan received on 1st June 2017
- Drawing Number PL-004 rev 1 Proposed Side and Rear Elevation received on 1st June 2017
- Drawing Number PL 007 Landscaping received 27th June 2017

and documents received by the Local Planning Authority on 20th March 2017, 27th April 2017, 8th May 2017, 31st May 2017, 21st June 2017, 27th June 2017 and 28th June 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. Notwithstanding the submitted details the development hereby permitted shall not begin until a scheme to deal with contamination has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include all of the following measures unless otherwise agreed in writing by the Local Planning Authority:

1.A desk-top study to identify and evaluate all potential sources and impacts of contamination relevant to the site. The desk top study should contain a conceptual site model.

2.A site investigation shall be carried out to fully and effectively characterise the nature and extent of any contamination and its implications. The site investigation shall not be commenced until a desk-top study has been agreed in writing with the Local Planning Authority.

3.A written method statement for the remediation of contamination affecting the site

Reason: In the interest of health and safety and environmental amenity and so as to accord with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

4. The office use, hereby permitted, shall not commence until the measures approved in the scheme (referred to in Condition 3) have been implemented and a suitable validation report of the proposed scheme has been submitted to and approved in writing by the Local Planning Authority

Reason: In the interest of health and safety and environmental amenity and so as to accord with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

5. Before the development is brought into use the means of access, together with the parking facilities, shall be laid out and constructed in accordance

with the submitted plans PL103 Rev 1, PL102 Rev 2 and PL101 Rev 3 and standard details 111, 142 and 150, 100230-GLP-PLN-DRG-000104 Rev A.

Reason: In the interests of highway and pedestrian safety in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

6. If during development works any contamination is encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals then work shall cease and revised contamination proposals shall be submitted to the Local Planning Authority. The development shall not re-commence until the additional proposals have been agreed in writing by the Local Planning Authority.

Reason: In the interest of health and safety and environmental amenity and so as to accord with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

7. There shall be no outside storage whatsoever on the site, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the visual amenity of the area in accordance with Policies AW5 and AW6, of the Rhondda Cynon Taf Local Development Plan.

8. Construction shall be undertaken in accordance with the Construction Method Statement received on the 21st June 2017 (documents SMF222+17062113440, SMF222 and SMF222+1706211344). The approved Construction Method Statement shall be adhered to throughout the development process.

Reason: In the interests of the safety and free flow of traffic in accordance with Policy AW 5 of the Rhondda Cynon Taf Local Development Plan.

9. All planting, seeding or turfing detailed in the Proposed Hedge/Tree Planting Plan and landscaping details submitted on the 27th June 2017 shall be carried out in the first planting and seeding season following the occupation of the building or completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that the new development will be visually attractive in the interests of amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

10. No surface water and/or land drainage shall be allowed to connect directly

or indirectly with the public sewerage network.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

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APPLICATION NO:	17/0350/10	(BJW)
APPLICANT:	Mr Michael Prosser	
DEVELOPMENT:	New detached two storey three bedroom house with single garage and required parking.	
LOCATION:	LAND ADJACENT TO 16 WILLOW CLOSE, BEDDAU, PONTYPRIDD, CF38 2SJ	
DATE REGISTERED:	18/04/2017	
ELECTORAL DIVISION:	Beddau	

RECOMMENDATION: Approve.

REASONS:

The application proposes a modest and contemporary dwelling on a restricted site within the settlement boundary that would be within an existing residential estate. The proposal would make productive use of the site for residential purposes that would be in keeping with surrounding land uses and of a scale and design that would be sympathetic to the character and visual amenities of the area.

Whilst a number of objections have been received, the relationship between the proposed dwellings and the closest existing neighbouring properties and the amended design is such that the proposal is not considered to cause detriment to their amenities.

REASON APPLICATION REPORTED TO COMMITTEE

Three or more letters of objection have been received.

APPLICATION DETAILS

Full planning permission is sought for a single detached dwelling on land adjacent to 16 Willow Close, Beddau.

The proposed dwelling would measure 10m in length by 7.5m in width by 5m in height to the eaves and 8.2m in height to the highest part of the roof. Access to the property would be off the existing shared access drive and would feature a turning and parking area to the front of the proposed dwelling.

The property would be a three bedroom dwelling with an integral garage and would be finished in facing brick with a concrete tile roof.

The application site has an existing outline approval for a single detached dwelling by virtue of application 16/0205/13. However, the current application exceeds the maximum scale parameters for the outline application so could not be submitted as a reserved matters application.

The current application exceeds the maximum scale parameters of the previous outline by 50mm in length; 1000mm in width by 200mm in ridge height.

SITE APPRAISAL

The application site comprises a plot of land situated toward the western side of no. 16 Willow Close, Beddau, predominantly comprising the side garden of the existing detached dwelling. The site has an irregular shape and covers a relatively flat area of approximately 500 square metres.

A mature tree line defines the western boundary of the site and extends north of the site where a number of mature Oak trees exist (protected under TPO's). Beyond the tree line further west are the rear garden spaces of detached properties situated along Llantrisant Road (B4595). The rear of the site is also directly abutted by the rear gardens of residential properties situated along Brynteg Lane.

Willow Close is a relatively modern cul-de-sac development comprising predominantly brick built detached dwellings. No's. 14 -16 Willow Close are accessed via a narrow private drive off the main cul-de-sac turning head.

PLANNING HISTORY

16/0205	Land adjacent to 16 Willow Close, Beddau, Pontypridd	Propose a new detached two storey, three bedroom house with single garage and required parking etc., to be built next door and on the plot of no. 16 Willow Close.	Granted 08/11/16
15/0020	As above	Outline application for a detached two storey, four bedroom house, with single garage and required parking to be built next door and on the plot of no.16 Willow Close	Refused 10/03/15
14/0910	Land adjacent to 16 Willow Close, Beddau, Pontypridd	Subdivide existing building plot to accommodate one additional dwelling with garage and parking (Amended site plan received 10/9/2014)	Withdrawn 01/10/14
97/2262	Heol Dyfed,	Erection of a four bedroom	Refused

	Brynteg Pontypridd	detached house (plot 17)	17/10/97
96/2341	Land off Heol Dyfed, Brynteg	Residential development of 30 no. two storey dwellings and associated works (amended site layout plan received 4.12.96)	Approved 18/02/97

PUBLICITY

This has included site notices and the direct notification of properties surrounding the site and 5 letters of objection have been received the main points of are detailed below.

1. This application's location plan differs considerably from the outline approved plan being advertised for sale. That plan claims that a public hammerhead turning area shared by numbers 14,15 & 16 and often used as additional parking due to the severe parking issues, is part of this plot and approved for development. Also the plan shows the approved outline plan involves widening the access to the site by removing a hedge & taking part of a garden owned by Mr Nottage no18 for 18 years. How can development be approved on land not owned by the applicant, and what about the impact on the parking problem?
2. Loss of hedgerow and trees.
3. Loss of communal parking space. The planning application says the proposal does not result in any loss of public land when actually it does result in the loss of a turning space and car parking space which are both used by the people living in the close.
4. Noise during construction activities.
5. Detrimental impact upon residential amenities. The development does not respect local context and street pattern and is to the detriment of the local environment. It will also limit the space in the close especially between number 16 and the new dwelling.
6. The proposed dwelling would appear crammed into the site and would lead to reduced garden areas for both the proposed dwelling and no.16. The proposal would be an over-development of the site.
7. There is not a market housing supply issue in this area and a new estate of market homes have just been built in Beddau.
8. Loss of privacy for the properties adjoining the new dwelling. The design does not afford adequate privacy for the occupants of the building or of the adjacent residential properties, particularly with regard to their right to the quiet enjoyment of garden amenities.
9. Inadequate access for construction traffic.
10. Loss of the existing turning space and a parking space opposite number 15 and reduction of the amount of parking available in the private road for the occupants. There is already intense on-street parking pressure on the road and the close and we believe that the proposed parking provision will damage both highway safety and residential amenity. The Police have previously been involved in car parking issues in the close. We do not accept that the private driveway is suitable for four or five houses. It is already congested with only three homes.

11. The changes to the driveway layout detailed in the proposal do not reflect the fact that no 16 does not own all this land and that it would also double the amount of traffic on the small private road and the corner plot will not easily accommodate cars with the proposed spaces very limited and only possible from one direction. Occupants will lose the ability to turn at the end of the private road. There are also community safety issues and privacy issues with many more cars passing by our house and lounge window.
12. The concern is that storm water drainage would drain directly into a neighbour's garden/ditch and further parking areas would cause additional water runoff. Any connection into existing drainage may not be adequate for an additional household.
13. How much further back will this new house be? I would not want the new house to be considerably closer to our garden than the other houses.
14. What permitted development rights would this house then have? We would be unhappy to see a large extension later being built onto the back of this extra house. Is it possible to put a clause in the planning permission limiting further development?
15. Is it possible to put a clause into the planning permission requiring that native trees are planted towards the rear of the plot in order to screen the newly built property?

CONSULTATION

Transportation Section – no objection subject to conditions.

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

Public Health and Protection – no objection, subject to a condition to restrict the hours of operation during the construction period of the development.

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

Wales and West Utilities – no objection. Standard advice offered in relation to safe working practices in the proximity of Wales and West Utilities apparatus.

Western Power Distribution - no response received.

Countryside, Landscape and Ecology – no objection, subject to conditions to secure the recommendations in the submitted reports in relation to trees and hedges and the provision of bat boxes.

Coal Authority – no objection, subject to an informative note regarding possible previous underground coal workings.

POLICY CONTEXT

The site is within the settlement boundary and is unallocated.

Rhondda Cynon Taf Local Development Plan

Policy CS2 - emphasises the need for sustainable growth that benefits the whole of Rhondda Cynon Taf.

Policy AW1 - sets provisions for the creation of new housing throughout Rhondda Cynon Taf between 2006 –2021.

Policy AW2 - supports development proposals in sustainable locations including sites within the defined settlement boundary.

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 AW8 - sets out criteria for the protection and enhancement of the natural environment.

Policy AW10 – requires development proposals to have an acceptable impact on health and safety and local amenity in respect of issues such as pollution control and flooding

Policy SSA13 - permits housing development within the defined settlement boundaries where it can be demonstrated that the proposal meets set amenity, highway, design and contamination standards.

National Guidance

In the determination of planning applications regard should also be given to the requirements of National Planning Policy that 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.

Chapter 2 (development plans), Chapter 3 (making and enforcing planning decisions), Chapter 4 (planning for sustainability), Chapter 9 (housing)

Planning Policy Wales Technical Advice Note 12 - Design

Planning Policy Wales Technical Advice Note 15 – Development and Flood Risk

The above chapters and Technical Advice note set out the Welsh Government's policy on planning issues relevant to the determination of this planning application.

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 site is unallocated and situated within the defined settlement boundary as indicated within the Local Development Plan.

The principle of the development has already been established as acceptable by virtue of the previously approved outline consent, reference no. 16/0205/13. It is acknowledged, however, that the maximum scale parameters of the previously approved outline consent were smaller than the current application.

While the scale is increased it is considered that the proposed dwelling would remain a modest, infill development and would therefore be considered to accord with the provisions of the Local Development Plan. However, the proposal must also be assessed in line with the other key requirements of planning policy as discussed below.

Impact on amenities of neighbouring properties

The site is an infill plot located of the existing highway and several other houses to the side and rear.

The siting for the dwelling illustrates that the proposal would be located centrally within the limited width of the plot and set back from the existing front building line of the closest neighbouring property (No. 16 Willow Close). It is considered that there is sufficient distance between the proposal and existing neighbouring properties that the new dwelling would not have an overbearing impact or a detrimental effect on their privacy.

Additionally, while the development would intensify the use of the private access fronting the site, in terms of amenity it is not considered likely to be so significant to warrant an objection in this regard. In terms of the scale, design and location of the proposed dwelling, there is no objection raised against the scheme in amenity terms.

It is acknowledged that there have been objections to the application from neighbouring properties and these will be addressed later within the report.

Character and appearance of the area

The site is an existing extended side garden of 16 Willow Close and is located at the end of a private driveway.

It is considered that while the scale parameters of the previously approved outline consent were smaller than what is currently proposed, the scheme would still represent an acceptable scale and appearance within the site and its environs. While a previously refused scheme, reference no. 15/0020, was considered to appear cramped and constitute insensitive and inappropriate infilling, the current scheme represents a reduction of those dimensions. The current scheme reduces the width of the proposed dwelling, allowing separation and access around of the plot, and improves this previously unacceptable arrangement.

It is considered that the proposal would successfully address previous concerns in this regard and the details of scale and design are considered to be acceptable.

It is recognised that the proposal would remove trees on the western boundary which is of concern to several local residents. However, the applicant previously submitted a tree survey which details the loss of only two existing trees at the application site due to the housing development and the extended access, parking and turning area.

While it would be desirable to retain all of the trees in this well-established boundary the report identifies the trees as being in “fair” condition with a life span of 10-20 years and it is considered that their loss, while regrettable, could be mitigated by the retention of the remaining trees and the re-planting of appropriate replacement trees and hedgerows on the boundary.

In terms of the proposed access arrangements and its affect on trees and hedgerows any concerns have been addressed through the initial tree survey and subsequent additional survey details in relation to bats.

Consequently, it is considered that the reduction in scale of the proposed dwelling would address the previous concerns with regard to the scale and appearance of the dwelling and the tree survey details demonstrate that the loss of trees would be minimal and could be mitigated through appropriate conditions.

Highway safety

The Transportation Section has raised no objection to the application on highway safety grounds subject to the imposition of conditions.

This view acknowledges the submitted access arrangements and highway works within the development site. While it is acknowledged that part of the access is across a shared private access drive, the improvement works would be wholly within the applicant’s property. In terms of increased construction traffic conditions are suggested with regard to wheel washing facilities and restricted delivery times for HGV’s to mitigate potential negative impacts within the surrounding highway network.

The proposal includes the provision of a new turning area to serve the proposed dwelling as well as the existing 3 dwellings served off the private shared access. There is concern that the proposal is not in accordance with Standard Detail 102, however the proposal offers betterment over the existing private shared access and is, on balance, considered acceptable.

Consequently on the basis of the submitted highway layout and subject to the suggested conditions, the proposal is considered to be acceptable in this regard.

Other Issues

The site is partially within a high risk area for former coal mining activity. The applicant has submitted a coal mining risk assessment and the Coal Authority have raised no objection to the proposal subject to the inclusion of an informative note.

The comments of the Council's Public Health and Protection Division are acknowledged including their suggested condition to restrict the hours of operation during the construction phase of the development. However, due to the limited nature of the proposal and the other stronger legislative controls at the Council's disposal, it is considered that a condition of this nature would be unnecessary.

Response to residents' concerns

The application has been the subject of five objections from neighbouring properties during the consultation process. Having regard to the comments made the following observations are offered in response.

The current proposal is an application for full planning permission and the site location plan does differ from the previously approved outline consent which also included part of the shared access drive. The highway arrangements have been subject to consultation with the Council's Transportation Section who has raised no objections, subject to conditions. Consequently, the application is considered to be acceptable in this regard.

The trees, while an attractive feature, do not benefit from or warrant any protected status. That some of the boundary trees and hedges have been removed is acknowledged however it is a feature of the current scheme that they will remain as a boundary feature and would also be strengthened through a re-planting scheme. The loss of trees is acknowledged and is dealt with in detail in the two separate tree reports. It is considered that the loss of two trees can be mitigated by the retention and strengthening through re-planting of trees and hedges at the site.

The proposal would provide an improved turning area for existing residents of the area as well as the limited additional vehicular movements of a single additional dwelling.

There will inevitably be some disturbance during the construction activities at the site. However, the Council have powers under separate legislation to reduce nuisance to an acceptable level where it would not be harmful to residential amenity.

It is considered that the reduction in scale of the dwelling and its layout and relationship with existing properties would not lead to a loss of privacy to neighbouring properties and would be appropriate to the character and appearance of the area.

It is considered that the proposal would respect the character and appearance of the area as well as the restricted nature of the site by proposing modest infill dwelling that follows the existing building line at the development site.

It is the function of the market to determine whether there are sufficient houses within the area and this is not relevant to the determination of the application.

The application has been subject to consultation with the Council's Drainage Section which has raised no objection to the application, subject to conditions. While this

concern is acknowledged, it is considered that adequate provision can be provided through the use of appropriate planning conditions in this regard.

It is considered that acceptable access can be achieved at the site through the imposition of appropriate conditions and that the increase of one additional dwelling will not intensify the use of the existing access to warrant an objection in this regard.

It is acknowledged that the site is accessed off an existing shared driveway however the highway works for access and turning would be carried out within the applicant's property.

Whether the owners live at the site is not a material planning consideration and neither is the tenure of the resultant dwelling.

While the house would be set back further than other properties within the row it is still considered that there would be sufficient distance between the proposal and existing properties within the area.

It would not usually be the case that permitted development right would be restricted on a newly built property. It is considered however that there would be sufficient justification in this case due to the constrained nature of the site and the close proximity of neighbouring properties.

The application will be subject to a landscaping scheme which will look to protect existing trees at the site as well as implement planting of suitable replacements.

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 liable for a charge under the CIL Regulations 2010 as amended. The application lies within Zone 3 of Rhondda Cynon Taf's Residential Charging Zones, where there is a liability of £85/sqm for residential development (including extensions to dwellings over 100 sqm).

The CIL (including indexation) for this development is expected to be £11,290.42.

Conclusion

The proposed dwelling is considered to be of an acceptable scale and design that would not have a harmful impact on neighbouring properties, the visual amenity of the area, drainage consideration, protected species or highway safety considerations. Consequently, the proposal is considered to be acceptable.

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):

Site Location Plan

Plans, Elevations and Sections, Drwg: MP01 Revision A

Block Plans, Drwg: MP02 Revision C

and documents received by the Local Planning Authority, 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. Prior to the commencement of development, a detailed site investigations report shall be submitted to and approved in writing by the Local Planning Authority. The report should be sufficiently detailed to establish if any ground precautions are necessary in relation to the proposed development and the precautions that should be adopted in the design and construction of the proposed development in order to minimise any damage which might arise as a result of ground condition. The development, hereby permitted, shall be carried out in accordance with the approved site investigations report.

Reason: The site may be unstable and as such a stability report is required in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order), no private car garages, extensions, garden sheds, gates, fences, walls, other means of enclosure, satellite antennae or structures of any kind (other than any hereby permitted) shall be erected or constructed on this site without the prior express permission of the Local Planning Authority.

Reason: To preserve and enhance the visual amenities of the locality in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

5. No development shall take place until there has been submitted to and approved by the Local Planning Authority a comprehensive scheme of landscaping, which shall include indications of all existing trees (including spread and species) and hedgerows on the land and details of any to be retained together with measures for their protection during the course of development.

Reason: To ensure that the new development will be visually attractive in the interests of amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

6. All planting, seeding or turfing in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building(s) or completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that the new development will be visually attractive in the interests of amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

7. Before any work is commenced on site, including site works of any description, each of the trees to be retained shall be securely fenced off by a chestnut paling or similar fence erected in a circle round each tree to coincide with the extremity of the canopy of the tree. Within the areas so fenced off the existing ground level shall be neither raised nor lowered, and no materials or temporary buildings or surplus soil of any kind shall be placed or stored thereon during the period of construction works. If any trenches for services are required in the fenced-off areas during construction works they shall be excavated and back-filled by hand and any tree roots encountered with a diameter of 5cms or more shall be left unsevered.

Reason: To protect the existing trees on the site during the course of building work in the interests of amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

8. Prior to the commencement of development, details for the provision of bat and barn owl boxes (incorporated within the conversion scheme) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details and maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest nature conservation in accordance with Policies AW5 and AW8 of the Rhondda Cynon Taf Local Development Plan.

9. Notwithstanding the submitted details the development hereby approved shall be carried out in accordance with the precautionary and enhancement recommendations of Section 5 of the submitted Tree Survey for Roosting Bats by Acer Ecology – dated May 2016.

Reason: To afford protection to animal and plant species in accordance with Policies AW5 and AW8 of the Rhondda Cynon Taf Local Development

Plan

10. Building operations shall not be commenced until samples of the materials proposed to be used have been submitted to and approved in writing by the Local Planning Authority and all materials used shall conform to the sample(s) so approved.

Reason: To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings in the interests of visual amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

11. No development shall take place until drainage arrangements have been submitted to and approved in writing by the Local Planning Authority. These details shall also indicate how the development is to comply with the requirements of Section 8.3 of Technical Advice Note 15 in relation to Flood Risk Management.

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

12. No dwelling shall be occupied until the drainage works have been completed 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.

13. Development shall not commence until details of the means of private shared access, parking and turning for the use of all three existing houses and 1 proposed development and delivery vehicles have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented to the satisfaction of the Local Planning Authority prior to beneficial occupation of the proposed dwelling.

Reason: In the interests of highway safety in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

14. 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 Local Planning Authority.

Reason: In the interests of highway safety and to prevent overcapacity of the existing highway drainage system and potential flooding in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

- 15. Prior to the commencement of development, facilities for wheel washing shall be provided on site in accordance with details submitted to and approved in writing by the Local Planning Authority. Wheel washing shall be in operation during the duration of the development period.

Reason: To ensure that the highway is kept free of mud and debris in the interests of highway safety in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

- 16. The existing access shall be improved in accordance with the details shown on the submitted block plan, drawing no. "MP02 Rev C", and shall be implemented on-site in accordance with the approved details before the development is brought into beneficial use.

Reason: In the interests of highway safety in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

- 17. The parking and turning areas shall be retained for the purposes of parking and turning only unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that vehicles are parked off the highway, in the interests of road safety in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

- 18. Heavy Goods Vehicles used as part of the construction phase shall be restricted to 09:00am to 16:30pm weekdays, 09:00am to 13:00pm Saturdays with no deliveries on Sundays and Bank Holidays unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of the safety and free flow of traffic in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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APPLICATION NO: 17/0865/10 (MF)
APPLICANT: Mr Alun Evans
DEVELOPMENT: Proposed single storey extension.
LOCATION: LORING BUNGALOW, JOHN'S LANE, HIRWAUN,
ABERDARE, CF44 9TQ
DATE REGISTERED: 02/08/2017
ELECTORAL DIVISION: Hirwaun

RECOMMENDATION: Approve

REASONS:

The development would result in an appropriate addition that would complement the residential use whilst having no undue impact upon the amenities of the surrounding properties. Therefore the scheme is considered to comply with the relevant policies of the Local Development Plan.

REASON APPLICATION REPORTED TO COMMITTEE

This application is reported to Committee as the applicant is immediately related to a serving Councillor.

APPLICATION DETAILS

Full planning permission is sought for the erection of a single storey extension to the rear of Loring Bungalow, John's Lane, Hirwaun. The extension would measure 5.4m in both width and depth and would incorporate a pitched roof design to 4.2m in height. A set of bi-fold doors would be located within the rear elevation, opening out on to the adjacent garden area, and a further window and door would be sited in the western side elevation. The addition would accommodate a kitchen/diner area, a utility room and a bedroom. It would be finished in render, concrete roof tiles and uPVC window and door frames to match the external appearance of the main dwelling.

It is also noted that the rear garden area rises away from the dwelling and therefore some cutting works and associated retaining walls would be required to accommodate the extension, however, no details of these works have been submitted with the application.

SITE APPRAISAL

The application property is a small bungalow building located along a residential street in Hirwaun. It is sited towards the front of the plot having a driveway to the western side and an enclosed garden area to the rear that rises away from the dwelling. The general character of the locality is residential in nature with the site

being bounded by residential properties at either side. There are numerous examples of extensions of various design and scale in the surrounding area.

PLANNING HISTORY

No previous planning applications have been submitted at the application site.

PUBLICITY

The application has been advertised by means of direct neighbour notification. No representations have been received.

CONSULTATION

None undertaken.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies within the settlement boundary for Hirwaun, 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.

Policy AW10 – does not permit proposals where they would cause or result in a risk of unacceptable harm to health and/or local amenity.

Supplementary Planning Guidance

- Design and Placemaking;
- 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 (Local Development Plans), 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 relevant policy guidance consulted:

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.

Principle of the Proposed Development

The application seeks full planning permission for the erection of a single storey extension to the rear of the application property. The extension forms an appropriate addition that would complement the residential use whilst having no visual impact and no undue impact upon the amenities of the surrounding properties. As such the development, in principle, is considered acceptable, subject to an assessment of the criteria identified below.

Visual Impact

The proposed extension is considered acceptable in terms of its scale, design and overall visual appearance. It represents a modest, single storey addition that would be subservient to the scale of the host property and would not dominate the rear elevation. It is also noted that sited to the rear of the property, the extension would not impact upon the properties principle elevation or the street scene of John's Lane in any way. Therefore, given its limited scale and siting, it is not considered the addition would have any adverse impact upon the visual amenity of the host property or the surrounding locality. In addition, it is proposed that the extension be finished in external materials to match that of the host property which will further ensure that it would not form an overly prominent feature in the immediate vicinity.

It is acknowledged that some cutting in to the garden and associated retaining walls would be required to accommodate the extension, however, it is considered these works would be relatively minor in nature and would not be visible from outside of the application site. As such, it is not considered they would result in any visual impact in the locality. It is noted however that no design details/calculations in respect of the retaining works have been submitted with the application and therefore a condition is suggested requiring these details be submitted to and approved by the Local Planning Authority prior to any works starting on site.

In light of the above, the application is considered acceptable in respect of the potential visual impact.

Residential Amenity

Whilst it is acknowledged the extension and associated engineering works would form visible features from the rear of the immediate neighbouring properties, they

would not have any significant overbearing or overshadowing impact upon these dwellings given their minor scale and siting in from the boundaries. Further, given the single storey, ground floor nature of the extension and the fact that boundary landscaping adds a degree of screening to the site from the adjacent properties, the addition would not result in any harmful overlooking of the neighbouring properties.

As such, the application is considered acceptable in respect of its potential impact upon the amenities of the adjacent properties.

Community Infrastructure Levy Liability

The Community Infrastructure Levy (CIL) was introduced in Rhondda Cynon Taf from 31st 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 extension is considered acceptable in terms of its overall scale, design and visual appearance. Furthermore, it is not considered the addition would have any undue impact upon the amenity and privacy standards currently enjoyed by the neighbouring residential properties. As such, the application is considered to comply with the relevant policies of the Local Development Plan.

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 plans ref. Location Plan, Existing Block Plan, Proposed Block Plan, Existing Elevations, Existing Floor Plans, Proposed Elevations, Proposed Floor Plans, Proposed Section and documents received by the Local Planning Authority on 02/08/17, 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. Notwithstanding the submitted details, prior to the commencement of development, full details (including external finishes, heights and exact siting) and design/structural calculations of any proposed retaining wall structures shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance

with the approved details.

Reason: To ensure the stability of the development in the interests of public health and safety, and in the interests of visual amenity in accordance with policies AW5, AW6 and AW10 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

PLANNING & DEVELOPMENT COMMITTEE

21 SEPTEMBER 2017

REPORT OF: SERVICE DIRECTOR PLANNING

REPORT

**APPLICATIONS RECOMMENDED
FOR APPROVAL**

OFFICER TO CONTACT

**MR J BAILEY
(Tel: 01443 494758)**

See Relevant Application File

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