



## **PLANNING & DEVELOPMENT COMMITTEE**

**20 SEPTEMBER 2018**

### **REPORT OF THE SERVICE DIRECTOR, PLANNING**

#### **PURPOSE OF THE REPORT**

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 18/0782/10  
(GH)  
**APPLICANT:** Mrs L Pocock  
**DEVELOPMENT:** Proposed vehicular crossover to provide off street parking.  
**LOCATION:** ASHTON VILLA, NEW PARK TERRACE,  
TREForest, PONTYPRIDD, CF37 1TH  
**DATE REGISTERED:** 13/07/2018  
**ELECTORAL DIVISION:** Treforest

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**RECOMMENDATION: GRANT SUBJECT TO THE CONDITIONS BELOW:**

#### **REASONS:**

The proposed driveway and associated landscaping works would provide useful off-street parking spaces in a well-trafficked area subject to heavy on-street parking demand. The development would not cause detriment to the street scene or the amenity and privacy of the neighbouring occupiers, and is therefore considered to comply with Policies AW5, AW6 and AW10 of the Rhondda Cynon Taf Local Development Plan.

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#### **REASON APPLICATION REPORTED TO COMMITTEE**

This application is presented to Committee for determination at the request of Cllr S Powderhill, on the basis that the condition proposed by the Highways and Transportation Section, for the existing Traffic Regulation Order (TRO) to be amended at the cost of the applicant, is unreasonable.

#### **APPLICATION DETAILS**

Full planning consent is sought to construct a vehicular crossover and undertake related ground works, to enable the provision of a driveway at the front of Ashton Villa, New Park Terrace, Treforest.

It is proposed that the existing 1.5m high stone wall, with railings above, would be removed, and the existing garden excavated to provide a level parking area. The driveway, laid with permeable tarmac, would be to the width of the frontage and to a depth of 6m, and be accessed from New Park Terrace by a crossover.

To the sides and rear of the crossover, retaining walls of reinforced concrete would be erected and the rear wall, to a maximum height of 2.85m, would incorporate a flight of steps, with handrail. The application has been accompanied by design details and structural calculations for the new retaining walls.

## **SITE APPRAISAL**

The application property is a semi-detached house located towards the centre of Treforest and in close proximity to the University Campus and Railway Station.

Of Victorian construction, the house is set back from the highway by a 15m deep front garden and in a raised position, such that the 1.5m stone boundary wall adjacent to the footway performs a retaining function.

To the rear of the dwelling there is very little amenity space on account of a large extension, and an off-street parking area accessed from an unadopted rear lane.

Neighbouring properties, consisting of dwellings of a similar age and style are located immediately to the north, 1.4m to the south and 14.9m to the west.

## **PLANNING HISTORY**

There are no recent applications on record associated with this site

## **PUBLICITY**

The application has been advertised by direct notification to two neighbouring properties and a notice was displayed on site.

No letters of objection or representation have been received.

## **CONSULTATION**

Highways - no objection, subject to conditions in respect of the vehicular crossover design, a construction method statement, and a requirement for an existing Traffic Regulation Order (TRO) to be amended.

No other consultation responses have been received within the statutory period.

## **POLICY CONTEXT**

### **Rhondda Cynon Taf Local Development Plan**

The application site lies within the settlement boundary for Treforest

**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** - supports development proposals which are not detrimental to public health or the environment

### **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 off street parking area to the front and within the curtilage of an existing residential dwelling. 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 development is considered to be acceptable in terms of the design, siting, massing, scale, materials and overall visual appearance. This view is taken for the following reasons:

There is some concern that the removal of the stone wall at the front of the property would result in the loss of an attractive feature in the street scene, given that the

closest neighbouring properties also have boundary walls of the same finish. However, it is acknowledged that no consent would be required to remove the wall or alter its appearance, and there is some doubt that its entirety is original.

Furthermore at the property 'Penygarn' to the south, a recent planning consent for conversion to provide three flats incorporated a similar excavation, but for a small car park. Consequently, whilst each application must be determined on its own merits, it would be difficult to argue that the current proposal would be harmful to the street scene.

Nonetheless, no details have been supplied in respect of the external finish of the visible parts of the retaining walls, other than that they would be constructed from concrete blockwork; therefore a pre-commencement condition is proposed for the submission of such detail for approval.

On balance, it is considered that the proposals would not detract from the character or appearance of the area to a degree sufficient to merit a recommendation of refusal.

### **Impact on neighbouring occupiers**

Due to the nature of the works, which would result in the excavation and removal of part of the garden to the front of the property, the development would not result in significant structures above ground that could affect the outlook from neighbouring properties, or affect residential amenity via shading.

Whilst the creation of new or amended driveways and parking spaces to the front of dwellings might ordinarily highlight issues in respect of exhaust fumes or vehicle headlights directed towards the habitable rooms of neighbours, the layout and topography of the site means that this is not of concern.

Therefore, in terms of the impact on the amenity and privacy of neighbouring residents, and in the absence of any views to the contrary, the application is considered to be acceptable.

### **Highways and accessibility**

The application property is located on New Park Terrace, Treforest. The highway has a carriageway width of 5.5m, inclusive of a 2.0m wide limited waiting parking bay, with a 3.6m wide footway on its development side and a 1.8m wide footway opposite.

The limited waiting parking bay is subject to restrictions of two hours waiting with no return within four hours between the hours of 0800 and 1800 from Monday to Friday, with an exemption for permit holders. New Park Terrace is also subject to a one-way driving restriction in a southerly direction towards the nearby roundabout.

The proposed development would create an off-street parking area measuring 6.2m wide and 6.0m deep, which is sufficient to accommodate the parking of 2 vehicles, with access being gained across the aforementioned limited waiting parking bay.

However, the Highways and Transportation Section has noted that an amendment to the Traffic Regulation Order (TRO) governing the limited waiting parking bay would be required. The cost incurred to amend the TRO, of approximately £3,000, would have to be met by the developer.

### **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**

It is considered the proposal would not have a significant impact on the character and appearance of the locality, upon the residential amenity of the surrounding neighbouring properties or cause detriment to highway safety. The application is therefore considered to comply with Policies AW5, AW6 and AW10 of the Local Development Plan.

### **RECOMMENDATION: GRANT SUBJECT TO THE BELOW CONDITIONS:**

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 drawing number SG1 01 and documents received by the Local Planning Authority on 10th July 2018, 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. No development shall take place until the existing Traffic Regulation Order (TRO) has been amended and implemented on site in accordance with details to be agreed in writing by the Local Planning Authority.

Reason: To facilitate adequate access to and from the public highway, in the interests of highway safety.

4. No development shall take place, including any works of site clearance, until a Construction Method Statement has been submitted and approved in writing by the Local Planning Authority to provide for;

- a) the means of access into the site for all construction traffic,
- b) the parking of vehicles of site operatives and visitors,
- c) the management of vehicular and pedestrian traffic,
- d) loading and unloading of plant and materials,
- e) storage of plant and materials used in constructing the development,
- f) wheel cleansing facilities,
- g) the sheeting of lorries leaving the site.

The approved Construction Method Statement shall be adhered to throughout the development process unless agreed otherwise in writing by the Local Planning Authority.

Reason: In the interests of the safety and free flow of traffic.

- 5. No development shall take place until details of the external finish of the retaining walls have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interest of visual amenity in accordance with Policy AW6 of the Rhondda Cynon Taf Local Development Plan.

- 6. The parking area hereby approved shall remain for the purpose of the parking of vehicles only.

Reason: To ensure that vehicles are parked off the public highway, in the interests of highway safety.

- 7. No surface water run-off from the proposed development shall be allowed to discharge onto the public highway or connect to any highway drainage system, either directly or indirectly, unless agreed in writing by the Local Planning Authority.

Reason: To prevent overloading the existing highway drainage system and potential flooding and in the interests of highway safety.

- 8. All HGV deliveries during the construction period shall only take place between the hours of 09:00 am and 16:30 pm on weekdays to and from the site.

Reason: In the interests of the safety and free flow of traffic.

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