



## **PLANNING & DEVELOPMENT COMMITTEE**

**8 NOVEMBER 2018**

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

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

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 18/0835/10  
(MF)  
**APPLICANT:** Mr Evans  
**DEVELOPMENT:** Detached double storey garage (amended plans received 16/09/18).  
**LOCATION:** 7 TAN-YR-ALLT, CROSS INN, LLANTRISANT, PONTYCLUN, CF72 8PY  
**DATE REGISTERED:** 20/09/2018  
**ELECTORAL DIVISION:** Town (Llantrisant)

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**RECOMMENDATION:** Approve

#### **REASONS:**

The development would result in an appropriate addition that would complement the existing residential use at the site. Further, it would have no undue impact upon the character and appearance of the locality, and whilst it is accepted a degree of impact would occur to the amenity and privacy standards currently enjoyed by the occupiers of the adjacent property, 6 Tan Yr Allt, it is not considered any potential impact would be significant enough to warrant refusal of the application. The proposed development is therefore considered to comply with the relevant policies of the Local Development Plan.

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

Three letters of objection have been received from occupiers of neighbouring properties following the consultation process.

#### **APPLICATION DETAILS**

Full planning permission is sought for the erection of a detached garage at 7 Tan Yr Allt, Cross Inn. The proposed garage would be sited within the rear garden area of the property, located centrally along the southern boundary of the site. The structure would form an 'L' shape, measuring 4.5m in width at its widest point by 5.9m in

depth, having a pitched roof design to 4.9m in height. It would incorporate an up and over garage door within the front elevation and pedestrian access door in northern side elevation. Access would be gained via the existing drive to the southern side of the dwelling. The garage would be finished in external materials to match that of the host property and would accommodate domestic storage space at ground floor level and a separate room in the roof space for use in association with the main dwelling.

## **SITE APPRAISAL**

The application property forms a large, detached dwelling located within a modern residential estate in Cross Inn. The dwelling is sited roughly centrally within the plot having a driveway to the front and southern side and an enclosed garden to the rear. The site is bounded by similar large, detached dwellings at either side, and an electricity sub-station to the rear. There are a number of examples of detached garages of varying design and scale throughout the locality.

## **PLANNING HISTORY**

Previous planning applications submitted at the site:

10/0735	Conversion of existing double garage with first floor extension over. Proposed single garage. Ground floor extension incorporating W.C.	Granted 27/08/10
10/0164	Conversion of existing double garage with first floor extension over. Proposed single garage. Ground floor extension incorporating W.C.	Granted 29/04/10

## **PUBLICITY**

The application has been advertised by means of direct neighbour notification. Three letters of objection have been received from occupiers of neighbouring properties, making the following comments (summarised):

- The proposed garage would have an overbearing impact upon the adjacent properties.
- The proposed garage would overshadow the adjacent properties.
- The proposed garage would overlook the adjacent properties.
- The proposed garage would be out of character with the surrounding area.
- Concerns that the garage would result in increased traffic in the street and noise and disturbance to the adjacent properties.
- Concerns that the garage may be used for purposes that are not incidental to the existing residential use at the site
- The proposed garage would obscure views from the adjacent properties.

## **CONSULTATION**

None undertaken.

## **POLICY CONTEXT**

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

The application site lies within the settlement boundary for Cross Inn, 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.

### **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 detached garage at the property. The application site is located within defined settlement limits and forms an established residential dwelling where this type of development is commonplace. Further, the works represent an appropriate addition that would complement the existing residential use at the site. As such the development is considered acceptable, in principle, subject to an assessment of the criteria identified below.

## **Visual Impact**

The proposed garage is considered acceptable in terms of its scale, design and overall visual appearance. Whilst it is acknowledged the structure will form a prominent addition from the adjacent dwelling, no. 6, its overall height would be only 900mm above that which could be constructed through permitted development rights (4m). Additionally, whilst its 'L' shape is not typical of such structures, it would be of domestic scale and finished in appropriate external materials to match that of the main dwelling which will ensure it does not form an overly prominent feature. Further, sited within the rear garden area of the site, it would have no impact upon the street scene of Tan Yr Allt in any way. Finally, there are many examples of detached garages of varying design and scale throughout the locality and it is consequently considered that this type of development is typical of the area.

Therefore, whilst the concerns raised by the objectors in this respect are noted, it is not considered the proposed structure would be out of character with the site or the surrounding area and would therefore have a limited visual impact.

## **Residential Amenity**

The proposed garage would be sited on the boundary of the application site with the adjacent property, no. 6 Tan Yr Allt. As such it will inevitably result in a degree of impact to the amenity and privacy standards currently enjoyed by the occupiers of this property, as detailed by the objectors. However, it is considered the proposed development would not result in a degree of impact that would be significant enough to warrant refusal of the application.

It was originally proposed the garage's pitched roof extend to 5.3m in height in order to accommodate the attic room, and an external staircase be located to the rear to provide a separate first floor access. It was considered the proposed scale and height of the structure and associated external staircase would result in an unacceptable impact upon the amenity and privacy standards currently enjoyed by the occupiers of the adjacent property. The applicant therefore amended the scheme on 16 September 2018 whereby the ridge height of the structure was reduced to 4.9m in height and the external staircase was removed and replaced with an internal access.

In light of the amendments the proposed garage would extend to only 900mm above the height allowed through permitted development rights. Therefore it is not considered the proposed development would result in a structure that is excessive in terms of scale and height or dominant in nature. Further, given the pitched nature of the roof, its eaves would be set along the boundary of the site and its highest element set in to garden away from the adjacent property which would reduce any potential overbearing impact. Additionally, there are similar examples of detached outbuildings within gardens throughout the locality and it is therefore considered this type of relationship is typical of the area. Consequently, whilst it is accepted a degree of overbearing would occur to no. 6, it is not considered any potential impact would be so significant as to warrant refusal of the application. Furthermore, with the proposed garage sited to the north of no.6 and with no windows facing no. 6, no overshadowing or overlooking to this property would occur.

With respect to any potential impact to the adjacent property to the north, no. 8, the proposed garage would be sited approximately 20m from the boundary of the application site with no. 8 and consequently it is not considered a domestic garage of the scale and design proposed would result in having any undue impact upon the amenity and privacy standards currently enjoyed by the occupiers of this property. Further, it would be partially screened from no. 8 by the application property which would ensure any potential impact is minimal.

It is noted that the objectors have commented that the use of the proposed garage may result in increased traffic in the street and noise and disturbance to surrounding residents. Whilst these comments are acknowledged, the scheme proposes a garage for domestic use only and as such it is unlikely its use would result in significantly more traffic or noise and disturbance to surrounding residents in comparison to that which already occurs. Further, no details of any proposed commercial/community use have been submitted with the application and therefore its approval would not grant any such use at the site. It considered however that a condition should be added to any consent restricting the use of the garage to that ancillary to the main residential property to ensure this is the case.

In light of the above, whilst the comments received from the objectors in this respect are acknowledged, it is not considered a domestic garage of the scale and height proposed would result in a degree of impact to the amenity and privacy standards currently enjoyed by surrounding residents that would warrant refusal of the application. The application is therefore acceptable in this regard.

### **Other Issues**

With regard to the issue raised by an objector in respect of views from neighbouring properties being obscured, this is not material planning consideration and cannot be taken into account during the determination of the application.

### **Community Infrastructure Levy Liability**

The Community Infrastructure Levy (CIL) was introduced in Rhondda Cynon Taf from 31<sup>st</sup> 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 garage is considered acceptable in terms its overall scale, design and visual appearance. Furthermore, whilst it is accepted the structure will result in a degree of impact to the amenity and privacy standards currently enjoyed by the occupiers of the adjacent property, 6 Tan Yr Allt, it is not considered any potential impact would be significant enough to warrant refusal of the application. The application is therefore considered to comply with the relevant policies 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 plans ref. Location Map & Block Site Plan, Amended Plan & Elevations and documents received by the Local Planning Authority on 25/07/18 and 20/09/18 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 garage hereby approved shall be used only for domestic purposes ancillary to the existing residential dwelling known as 7 Tan Yr Allt. At no time shall it be used for any other purpose/use.

Reason: To protect the amenity and privacy of the neighbouring properties in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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