



PLANNING & DEVELOPMENT COMMITTEE

24 JANUARY 2019

REPORT OF THE SERVICE DIRECTOR, PLANNING

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 18/1202/15
(EL)
APPLICANT: Mr Paul Watts
DEVELOPMENT: Variation of condition 2 (Approved plans) of permission 17/1338/10 to substitute approved layout and cross sections and front elevation to enable minor repositioning of dwellings and alterations to rear gardens.

LOCATION: LAND ADJACENT TO 26 LLWYNMADOC STREET,
PONTYPRIDD
DATE REGISTERED: 29/10/2018
ELECTORAL DIVISION: Town (Pontypridd)

RECOMMENDATION

Approve the proposed amendments to variation of condition

REASONS:

The site represents an infill plot within settlement limits. The amendments propose minor modifications to the siting of the dwellings and their appearance. The changes are considered acceptable in terms of their character and appearance, impact upon residential amenity and highway safety. As such, the proposal complies with policies AW2 and AW5 of the Rhondda Cynon Taf Local Development Plan.

APPLICATION DETAILS

This is an application under Section 73 of the Town & Country Planning Act 1990 seeking variation of condition 2 of planning permission 17/1338/10. The condition in question specifies the approved plans stating that:

The development hereby approved shall be carried out in accordance with the approved plan(s) no(s)

- *Site location plan 1:1250*
- *Section through site sheet (1)*
- *Section through site sheet (2)*
- *Section through site sheet (3)*
- *Section through site sheet (4)*
- *Proposed site layout plan sheet (5)*
- *Existing site layout plan Sheet (6)*
- *Proposed ground floor plan sheet (7)*
- *Proposed first floor plan sheet (8)*
- *Proposed second floor plan (9)*
- *Proposed elevations sheet (10)*
- *Proposed section through dwelling sheet (11)*

and documents received by the Local Planning Authority on 12/12/17, 07/02/18, 14/02/18 and 20/02/18 unless otherwise to be approved and superseded by details required by any other condition attached to this consent.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.

The 2017 planning application approved a permission for the construction of 2 no., 3 bedroom (semi-detached) dwellings on a parcel of land north east of 26 Llwynmadoc Street, Graigwen, Pontypridd.

Each dwelling would measure 10.5 metres at its maximum depth and 6.2 metres in width. As a result of the topography of the site they would be split level properties, being three storeys fronting the highway and two storeys to the rear. From Llwynmadoc Street each dwelling would extend to 10.0 metres to its ridge height and 7.7 metres at eaves level.

Accommodation would be arranged over three levels, with garages providing off-street parking for 2 cars per unit, being provided at ground floor level. Living space, including three bedrooms would be arranged over the first and second floors.

Elevations would be finished in stone work, with re-constituted slate tiled roof. A cross section through the plot illustrates that the dwellings would be 'cut' into the profile of the ground. To the rear of the plot the land would be 'terraced' by the construction of retaining walls in order to create usable garden area.

As a result of physical constraints on site, the current application seeks to make amendments to the siting of the proposed dwellings, it also seeks to make minor modifications to the appearance of the front elevations. As such, it is suggested that condition 2 be amended to substitute the approved plans relating to the site layout, cross sections and front elevations.

The changes are summarised as follows:

- Amendments to the siting of the dwellings. The properties are moved south east 1.7metres closer to the highway.
- As a result of this change the rear gardens are re-configured slightly with an increase in the depth of the upper deck and reduction in the depth of the lower deck (when read in cross-section).
- The introduction of gable details above the upper floor windows, along the eaves line.

SITE APPRAISAL

The application site is a broadly rectangular parcel of land extending to approximately 400 square metres. The site is located to the north east 26 Llwynmadoc Street, it is understood that the land previously formed part of the garden of number 26. Land within the site slopes steeply, rising up from the level of the highway and Llwynmadoc Street. A stone retaining wall previously defined the south eastern boundary of the site, however this has now been removed as work has commenced on site. Llwynmadoc Street is a residential street, with dwellings of varying in terms of their scale, however most are traditional terraced dwellings with elevations finished in render or traditional stone work. To the north, the site is bounded by properties on Park Prospect, which occupy an elevated position.

PLANNING HISTORY

17/1338	Land adjacent to 26 Llwynmadoc Street, Pontypridd	Proposed erection of two three storey semi detached dwellings.	Granted with conditions 13/03/18
10/1017	Land adjacent to 26 Llwynmadoc Street, Pontypridd	New residential property comprising garage floor, 1st, second and third floor with a roof terrace.	Granted with conditions 30/11/10

PUBLICITY

The application was advertised by direct neighbour notification and site notices. Four letters of representations have been received.

The first letter seeks clarification with regard to the amendments that are proposed within the application.

The remaining letters comment as follows:

- Concern is expressed that a lamp post has been moved as a result of the proposed development of the site.
- A further letter expresses concern with regard to the condition of the unadopted road since development on the site has commenced.
- Concerns are expressed that if the applicant extends into the road this could cause problems for residents who use the highway along Llwynmadoc Street.

- One letter comments that work has already commenced on site.
- They re-iterate the concerns that they raised during the course of the original 2017 planning application. They express concern that the development would be overbearing and the proposals to move the properties would increase this further.
- They comment on the quality of the drawings that accompany the submission.
- They comment that they have built a dormer extension to the rear of their property and express concern that the dwellings would overlook this and other bedrooms and bathrooms at the rear of their property.
- They express concerns that they were unaware of the revised committee date for the previous application so were unable to attend the meeting.
- Concerns are expressed with regard to drainage; they comment that pools of water now collect near their garage door.
- Concerns are expressed with regard to the condition of the unadopted road that connects to the top of Llwynmadoc Street.

CONSULTATION

Transportation Section – no objections, subject to the imposition of the previous conditions attached to the earlier application.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The site is within settlement boundaries and is unallocated.

Policy CS1 sets out criteria for achieving strong sustainable communities including, promoting residential development in locations which support the role of principal towns and settlements and provide high quality, affordable accommodation that promotes diversity in the residential market.

Policy AW1 sets out the criteria for new housing proposals, commenting that the provision of new dwellings will be met by a number of methods, including the development of unallocated land within the defined settlement boundaries.

Policy AW2 promotes development in sustainable locations.

Policy AW5 sets out criteria for new development in relation to amenity and accessibility.

Policy AW6 sets out the criteria for new development in terms of design and place-making.

Policy AW10 sets out the criteria for environmental protection and public health.

Policy SSA13 sets out the criteria for development within settlement boundaries.

National Guidance

The Welsh Government published Planning Policy Wales 10 on 5th December 2018, and the document aims to incorporate the objectives of the Well-being of Future generations Act into Town & Country Planning.

It is considered that this proposal meets the seven wellbeing of future generation's goals and is consistent with the relevant key principles and requirements for each of the Chapters those being:

Chapter 2 People and Places: Achieving Well-being Through Placemaking,

Chapter 3 Strategic and Spatial Choices (including good design)

Chapter 4 Active and Social Places (including Transport)

Chapter 5 Productive and Enterprising Places (including the economy, energy, minerals and use of material resources)

Chapter 6 Distinctive and Natural Places (including historic environment and landscapes)

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 development

This is an application under Section 73 of the Town & Country Planning Act 1990 seeking variation of condition 2 of planning permission 17/1338/10. As such the planning application effectively seeks to make changes to the approved plans by way of amendments to the siting of the dwellings, their rear garden configuration and finishes to the front elevations.

The site is located inside of the defined settlement limits and within an established residential area, with planning permission for residential development having previously been approved on the site. As such, it is considered that the principle of residential development has been proven as acceptable.

Therefore, the key consideration in the determination of this application is whether the changes proposed would be acceptable in terms of their potential impacts upon both the amenity and privacy of neighbouring dwellings and the character and appearance of the area. The impact of the proposed amendments upon highway safety in the vicinity of the site is a further consideration.

Character and Appearance

As identified above, the site lies within an established residential area of Pontypridd, as such, the development site is viewed in the context of the established street

scene of Llwynmadoc Street. The street is mainly characterised by traditional terraced and semi-detached properties, however, the scale of these vary, with the dwellings at the western end of the street being slightly smaller in scale than those at the eastern end. It is acknowledged that the proposed dwellings are large in terms of their size, however during the course of the earlier application their overall scale was limited by a reduction in their height and simplification of their design. It is also noted that whilst the dwellings would differ in their appearance from other properties in the street, their design attempts to incorporate some features visible in neighbouring dwellings through the use of fenestration with a vertical emphasis, a conventional ridge roof design and the use of similar materials.

As set out above, the main amendment sought through this application relates to the siting of the proposed dwellings. To accommodate physical site constraints it is proposed that the dwellings be moved south east, by 1.7 metres. The result is that the proposed dwellings would sit closer to the highway that fronts the site. In addition to this the rear gardens would also be reconfigured slightly with changes to the configuration of the rear terraces approved under the earlier permission. Having assessed this amendment it is not considered that this change would significantly alter the appearance of the properties in the street scene. It is acknowledged that the front elevations of the dwellings would sit slightly forward of the neighbouring property, number 26 (by 0.8 metre), however their orientation remains unaltered, fronting the highway and appearing as a continuation of the established street. Whilst minor modifications are also proposed to the front elevations, these involve the addition of small gable features at the eave line of the property, to add interest. The proposed amendments do not seek to increase the size or scale of the dwellings or create any additional internal accommodation.

As such, it is not considered that the changes proposed would significantly alter the appearance of the development or dramatically depart from the consent previously approved. Therefore, it is not considered that the amended properties would result in an impact upon the character of the street scene or immediate area that would be so harmful as to warrant the refusal of the application.

Amenity

Matters relating to potential amenity impacts were considered in detail during the course of the original planning application. As such, the key consideration with regard to this submission is whether the proposed amendments would present any additional amenity impacts beyond those identified through the original submission.

As noted above, no increase in the size or scale of the properties is proposed, however the dwellings would be sited 1.7 metres south east of their previously approved position. It is acknowledged that this would mean that the properties would be closer to the dwellings to the south east that front Pencerrig Street.

It is noted that a letter of representation has been received from the occupiers of a property to the south east of the site. The occupiers of this property, who also commented on the original 2017 application, again express some concern that the proposed dwellings would result in a loss of privacy to the rear of their property, as they have undertaken a loft conversion with dormer window to the rear roof plane.

The dwelling in question is set at a lower level than the application site and fronts Pencerrig Street to the south east. Whilst it is acknowledged that the proposed dwellings would occupy an elevated position, in relation to the dwellings to the south, this arrangement would be comparable to that which already exists whereby numbers 15-26 Llwynmadoc Street occupy an elevated position and are separated from dwellings to the south by the highway. Whilst it is accepted that dwellings to the south would be visible from the application site (and proposed dwellings) it is not considered that an unacceptable degree of overlooking would result or that any impacts would be increased to an unacceptable degree by their re-siting 1.7 metres south-eastwards of the approved permission. With the revised siting, separation distances of approximately 20 metres would still be achievable between the neighbouring dwelling in question (on Pencerrig Street) and the application properties. Furthermore, it is considered that the principle of this configuration has already been established as acceptable by the approval of an earlier 2010 permission which detailed broadly the same site layout, albeit for one rather than two dwellings.

To the north, the site is bounded by residential dwellings on Park Prospect, however these occupy an elevated position so would not experience any adverse impacts, in terms of amenity, as a result of the development. Similarly, whilst the proposed dwellings would lie in close proximity to number 26, they would follow a similar building line, albeit that the proposed dwellings would sit slightly forward of number 26 (by 0.8 metre). It is noted that the submission also proposes changes to the configuration of the rear garden terraces; however it is not considered that these amendments would result in any increased potential for loss of privacy to neighbouring residents.

Overall, it is not considered that proposed amendments to the approved development of the application site would compromise the amenity or privacy of nearby residents to such a degree that would warrant the refusal of the planning application.

Highway Safety

Matters relating to potential impacts upon highway safety were considered in detail during the course of the original planning application. As such, the key consideration with regard to this submission is whether the proposed amendments would present any additional highway safety impacts beyond those identified through the original submission.

In terms of the amendments, as a result of the proposed re-siting the dwellings would be moved closer to the highway. It is acknowledged that this would result in the reduction of the width of the footway that fronts the site; however the layout plan that accompanies the submission illustrates that a footway with a width of 1.2 metres (at its narrowest point), can still be accommodated, whilst still maintaining an adequate carriageway width. Whilst it is acknowledged that a footway with a continuous width of 1.8 metres would have been preferential, due to site constraints, this was not achievable. Nevertheless, it is noted that a footway of 1.2 metres (at its narrowest point) would still allow for a carriageway width of 7.0 metres to be maintained. It is also noted that the point at which the footway narrows is located at

the north eastern end of the street, where the footway terminates; as such this section of footway is likely to be subject to limited footfall.

Following consultation with the Council's Transportation Section, their observations have confirmed that on balance, they are satisfied with this arrangement and no objections have been raised to the current proposal.

In terms of access, the development remains unchanged, with the dwellings being served off Llwynmadoc Street. Through the course of the original application it was noted that Llwynmadoc Street lacks a formal turning area, however it was noted there is an informal link (albeit unadopted) to Graigwen Place that can be utilised by vehicles, and to an extent this removes the need for a turning area.

Similarly, the car parking requirements were deemed acceptable. Whilst the Council's Supplementary Planning Guidance: Access, Circulation and Parking Requirements identifies that each dwelling would have a maximum off street parking requirement of 3 spaces, with 2 provided, this must be balanced against the sustainable location of the site; being within walking distance of both Pontypridd town centre and a range of public transport options. As such, on balance, the level parking provision is considered acceptable in this instance. The current application proposes no changes to the means of access to the development or the off-street car parking proposed.

Overall, the amended proposal is considered acceptable in terms of its potential impacts upon highway safety in the vicinity of the site and is therefore, in accordance with the requirements of policy AW5 of the Local Development Plan.

Other matters

Drainage

It is noted that in one of the letters of representation received following the publicity of the planning application, a neighbouring resident expresses concern with respect to the drainage arrangements proposed for the site. In respect of this matter, it is noted that the applicant has made a separate submission to discharge planning conditions associated with their original 2017 planning application. Included in this submission are the details of drainage arrangements for the site, these illustrate that surface water run-off shall be dealt with via the use of a soakaway, with foul connecting to existing Dwr Cymru infrastructure. Whilst this discharge of conditions application has not been formally determined as yet, consultation responses from Dwr Cymru and the Council's Land Drainage Section have confirmed that they are satisfied with these arrangements.

Community Infrastructure Levy (CIL) Liability

The Community Infrastructure Levy (CIL) was introduced in Rhondda Cynon Taf from 31 December 2014.

As this is a section 73 application which does not create any additional floor space, no CIL is payable in these circumstances.

Conclusion

Having taken account of all of the issues outlined above, the principle of residential development on the site has already been proven acceptable as a result of its position inside of settlement limits and the approval of earlier permissions on the site. Furthermore, having assessed the changes proposed through this application by way of siting and appearance of the dwellings, it is not considered that the changes would adversely affect either the character of the area, amenity or privacy of neighbouring residents, or highway safety to an unacceptable degree.

Therefore, the application is considered to be in accordance with the requirements of planning policy and as such, is recommended for approval, subject to the conditions specified.

RECOMMENDATION: GRANT SUBJECT TO THE BELOW CONDITIONS:

1. The development hereby approved shall be carried out in accordance with the approved plan(s) no(s) Site location plan 1:1250
 - Section through site sheet dated 01/12/18
 - Proposed site plan dated 22/10/18
 - Proposed section through property dated 22/10/18
 - Proposed elevations dated 22/10/18
 - Proposed site layout – including footway dated 11/12/18

and documents received by the Local Planning Authority on 22/10/18, 01/12/18 and 11/12/18 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.

2. Within 1 month from the date of this consent, drainage arrangements shall be submitted to and approved in writing by the Local Planning Authority.

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

3. 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.

4. Within 1 month from the date of this consent details/ samples of the construction materials proposed to be used shall be 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.

5. Within 1 month from the date of this consent details providing for the creation of a vehicular crossover shall be submitted to and approved in writing by the Local Planning Authority. The crossover shall be constructed in accordance with the approved details before the development is brought into use.

Reason: In the interests of highway and pedestrian safety.

6. The integral garages hereby approved shall be utilised, and remain indefinitely, as parking ancillary to the approved dwellings only.

Reason: To ensure that vehicles are parked off the highway, in the interests of highway safety and the free flow of traffic.

7. Within 1 month from the date of this consent detailed design and structural calculations for the retaining walls associated with the development 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 retained as such thereafter.

Reason: To ensure the stability of the proposed development in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

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