



## **PLANNING & DEVELOPMENT COMMITTEE**

**9 MAY 2019**

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

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

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 19/0039/10  
(JE)  
**APPLICANT:** Mr Pimm  
**DEVELOPMENT:** Single storey rear ground floor extension and Rear dormer roof extension. (Amended Plans received 28/03/19)  
**LOCATION:** 36 STUART STREET, TREORCHY, CF42 6SN  
**DATE REGISTERED:** 24/01/2019  
**ELECTORAL DIVISION:** Treorchy

---

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

#### **REASONS:**

**The application is considered to be acceptable in respect of its visual impact and the impact it has upon the amenity and privacy of the neighbouring residential properties.**

---

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

- More than three letters of objection have been received from the occupiers of neighbouring properties.

#### **APPLICATION DETAILS**

Planning permission is sought for the construction of a single storey and dormer extension at 36 Stuart Street, Treorchy. The proposed extension and dormer would be located to the rear of the property.

The proposed extension would be located along the boundary with 35 Stuart Street in an area which is currently courtyard. The proposed extension would measure a width of 2.4 metres by a depth of 4 metres, which would not protrude outwards past the rearmost elevation of the property. The proposed extension would have a mono pitched roof design which would tie into the existing single storey rear extension and would measure a maximum height of 3.4 metres sloping to 2.6 metres at the eaves.

The proposed rear dormer would cover the full width of the property measuring a width of 5.4 metres and would protrude outwards to a maximum depth of 3.4 metres. The proposed dormer would have a flat roof design measuring a maximum height of 2.2 metres. The proposed dormer would be finished in roof slates to match the property.

Also included with the submission is the installation of 2no. roof lights on the front elevation and 1no. first floor window of the rear elevation. However these could be constructed under permitted development and as such have not been included within this report.

## **SITE APPRAISAL**

The application property is a traditional two storey mid terrace dwelling located within a residential area of Treorchy. The property is directly fronted by the highway at Stuart Street, to the rear of the dwelling there is an enclosed amenity space which is bounded on both side elevations by neighbouring properties and an access lane to the rear. Within the rear amenity space there are existing two storey and single storey extensions which are located along the boundary with 37 Stuart Street.

Neighbouring properties are all traditional terraced dwellings of a similar scale and design. There are examples of existing single storey extensions and a rear dormer located at the rear of neighbouring properties within the immediate area.

## **PLANNING HISTORY**

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

## **PUBLICITY**

The application has been advertised by direct notification to 9 neighbouring properties.

Three letters of objection have been received from the occupiers of neighbouring dwellings the points raised have been summarised below:

- Loss of privacy from dormer
- Impact on property value
- Out of character with area
- Overbearing impact of extension
- Party Wall issues
- Size of dormer extension
- Access during construction

## **CONSULTATION**

No consultation responses have been received.

## **POLICY CONTEXT**

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

The application site lies within the settlement boundary for Treorchy and isn't allocated for a 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.

### **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.

The Welsh Government published Planning Policy Wales 10 on 5<sup>th</sup> 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 generations goals inasmuch as they relate to the proposed development and that the site has been brought forward in a manner consistent with the five ways of working.

It is considered that the proposed development is consistent with the key principles and requirements for placemaking as set down in Chapter 2 People and Places: Achieving Well-being Through Placemaking, of PPW10 and is also consistent with the following inasmuch as they relate to the development

Chapter 3 (good design and better places, promoting healthier places, sustainable management of natural resources)

Chapter 4 (moving within and between places, transport, living in a place, housing)

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 an extension to 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:

As the proposed extension and dormer would be located to the rear of the property and set below the ridge level, the proposed development would have no impact on the principal elevation of the dwelling and wider street scene at Stuart Street.

Whilst the objector's concerns regarding the size of the dormer and its impact on the character and appearance of the area are acknowledged, a dormer of a matching design set back further from the eaves could be constructed without the need for planning permission. As such, the impact of the proposed dormer is not considered to significantly increase from the fall back position.

In terms of the rear extension given its single storey nature and depth of 4 metres, the proposed extension is considered to be a subservient addition to the dwelling and would have a minimal impact on the appearance of the property.

In addition to the above, the proposed works would be finished with materials to match those of the main property and, on balance, it is not considered that the proposal would form an overly prominent addition to the surrounding area. The application is therefore considered to be acceptable in terms of the impact it would have on the character and appearance of the surrounding area.

### **Impact on residential amenity and privacy**

Whilst it is acknowledged that the proposed extension would form a visible feature from the rear of the immediate neighbouring property 35 Stuart Street, which was a concern raised within the objections received, given its depth of 4 metres and eaves height of 2.6, it is not considered to have a significant impact upon the residential amenity of this property.

Concern was raised by the objectors regarding loss of privacy associated with the proposed dormer. However due to the terraced nature of the area, an existing level of overlooking has already been established between neighbouring properties. The proposed dormer is not therefore considered to exacerbate existing levels of overlooking experienced by neighbouring occupiers. It is also acknowledged that should the proposed dormer extension be set back from the eaves level, a dormer with matching fenestration could be constructed under permitted development rights. As such, any additional overlooking from the proposed dormer compared to the fall back position is not considered significant enough to warrant a refusal of the application.

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

## **Other Issues**

Concern was raised within the objections regarding potential damage to the party wall and the use of the wall as part of the proposed extension. With party wall disputes dealt with under separate legislation, this is not a material consideration that could be taken into account in determining the application.

The letter of objection received also raised concern regarding the potential need for access during the construction period through neighbouring property. This is a private matter and the neighbouring occupier would be able to restrict access over their property.

## **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 or upon the residential amenity of the surrounding neighbouring properties. The application is therefore considered to comply with the relevant policies of the Local Development Plan (AW5 and AW6).

## **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 plan(s) no(s)

- Dwg No 002 Rev C – Received 28/03/19

and documents received by the Local Planning Authority on 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.

=====