



## PLANNING & DEVELOPMENT COMMITTEE

**20 AUGUST 2020**

### **REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT**

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

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 20/0720/10 (KL)  
**APPLICANT:** Mr C Conway  
**DEVELOPMENT:** Proposed balcony to rear with garden store underneath.  
**LOCATION:** 37 CILHAUL TERRACE, LLANWONNO ROAD,  
MOUNTAIN ASH, CF45 3ND  
**DATE REGISTERED:** 23/07/2020  
**ELECTORAL DIVISION:** Penrhiwceiber

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

**REASONS:** The proposal is considered to be acceptable in terms of the impact it would have on the character and appearance of the property and the surrounding area, the amenity and privacy of surrounding residential properties and upon highway safety in the vicinity of the site.

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

The applicant is an employee of the Regeneration and Planning Service or their immediate family;

#### **APPLICATION DETAILS**

Full planning permission is sought for the construction of a balcony and associated storage at the rear of no. 27 Cilhaul Terrace, Llanwonno Road, Mountain Ash.

The proposed balcony would project from the north-east facing rear elevation of the property, wrapping around an existing single-storey extension. It would measure 4.2 metres in width by 5 metres in depth from the rear entrance door and 3.2 metres in depth from the back wall of the extension. It would measure 3 metres in height from ground level with a surrounding glass balustrade measuring a further 1.1 metres in height. A set of steps would be constructed at the end of the balcony (projecting a further 1.7m at the widest point) to provide access down to the garden.

The underpart of the balcony would be bricked up and utilised as a storage area. It would be externally finished with render to match the existing dwelling and a timber

door would be incorporated into the rear elevation for external access (no internal access to the storage area).

## **SITE APPRAISAL**

The application site relates to a mid-terrace, two-storey property that is located on Cilhaul Terrace, Llanwonno Road which is located on the western edge of Mountain Ash. The bay-fronted property is set within a rectangular shaped plot with a small, enclosed garden to the front and a larger enclosed garden to the rear. Due to differences in ground level in the area, the rear garden is set at a much lower ground level than the ground floor level of the property.

The application property is set within a row of properties which are all of a similar scale and design with rear gardens that are set below ground floor level. It is noted that many properties have been extended at the rear with many already having similar balcony projections similar to that currently proposed.

The nearest neighbouring properties are 36 & 38 Cilhaul Terrace which are located immediately to the south-east and north-west respectively. No. 36 has an elevated garden area that is set off the boundary with the application property whilst the garden levels of no. 38 appear to be unchanged and similar to the current garden levels of the application property. The rear of the site is bound by a rear access lane with the grounds of Miskin Primary School beyond.

## **PLANNING HISTORY**

No previous planning applications have been submitted at the application site within the last 10 years.

## **PUBLICITY**

The application has been advertised by means of direct neighbour notification. No letters of objection or representation had been received at the time of writing this report. Any representations received will therefore be presented to the Committee at the meeting.

## **CONSULTATION**

None undertaken

## **POLICY CONTEXT**

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

The following policies are considered to be relevant to the application:

**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 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.

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 (Wales) Act into Town and Country Planning.

It is considered that this proposal meets the seven goals set out in the Well-being of Future Generation's (Wales) Act 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 Strategic and Spatial Choices (good design and better places, promoting healthier places, sustainable management of natural resources)

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

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

Chapter 6 Distinctive and Natural Places (green infrastructure, landscape, biodiversity and ecological network, water and flood risk, air quality and soundscape, lighting)

### 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.

**Main Issues:**

**Principle of the proposed development**

The application relates to the construction of a balcony and associated storage area within the garden curtilage of an existing residential dwelling. As such, the principle of the proposal is considered to be acceptable, subject to an assessment of the criteria set out below:

**Impact on character and appearance of area**

The proposed balcony and associated storage room structure would form a sizeable addition at the rear of the property however, there are a number of other structures that are of a similar scale and design at properties further along Cilhaul Terrace and it is not considered that the proposed structure would form an overly prominent addition to the property or the surrounding area.

Furthermore, the external walls of the storage area would be finished with render to match the existing dwelling.

As such, it is not considered that the proposal would have an adverse impact upon the character and appearance of the application property or the wider area and the application would therefore comply with policies AW5 & AW6 of the Rhondda Cynon Taf Local Development Plan.

**Impact on residential amenity and privacy**

The proposed balcony would span almost the full width of the plot and, as a result, would be in close proximity to the boundaries with both immediately adjoining neighbouring properties. As such, there is concern that the balcony would result in a significant level of overlooking towards these properties. However, it is noted that there are a number of similar developments further along the row which have a similar impact upon their respective neighbours. Furthermore, it is considered that this impact can be reduced by providing a privacy screen along the sides of the boundary and a condition is recommended for obscure screens measuring 1.8 metres from the platform level, should Members be minded to approve the application. As such, it is not considered that the level of overlooking created by the proposal would be so significant that it would warrant the refusal of the application.

The proposal would therefore comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

## **Community Infrastructure Levy 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**

The proposal is considered to be acceptable in terms of its impact on the character and appearance of the surrounding area, the amenity and privacy of surrounding residential properties and upon highway safety in the vicinity of the site.

### **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 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:

- Site Plan;
- Drawing No. 2738 R: Proposed Balcony to Rear with Garden Store Under – Proposed Plans (Rec. 31/07/2020)

Reason: To ensure compliance with the approved plans and documents and to clearly define the scope of the permission.

3.     The balcony hereby approved shall include privacy screening along the full length of the two side elevations. The privacy screen shall measure 1.8 metres in height from the level platform and shall contain obscure glazing. The privacy screen shall be erected prior to beneficial use of the balcony and must be retained in perpetuity.

Reason: In the interests of the amenity and privacy of the neighbouring residents in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

