



## **PLANNING & DEVELOPMENT COMMITTEE**

**25 FEBRUARY 2021**

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

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

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 20/1179/10 (RP)  
**APPLICANT:** Mr D Hughes  
**DEVELOPMENT:** Rear single storey extension, construction of a driveway and raising of roof level by 700mm (retrospective) (additional plans received 20/11/2020) (retaining wall calculations and detail received 03/01/2021).  
**LOCATION:** FAIRFIELD, JOHN'S LANE, HIRWAUN, ABERDARE, CF44 9TQ  
**DATE REGISTERED:** 03/01/2021  
**ELECTORAL DIVISION:** Hirwaun

---

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

**REASONS:** The proposed development is acceptable in principle and is in accordance with the relevant Policies of the Local Development Plan.

The alterations to and extension of the dwelling are comparable to the scale and appearance of neighbouring dwellings on John's Lane, whilst the driveway would not be out of context with those seen at neighbouring plots, and therefore will have no undue impact on the character and appearance of the area.

Furthermore, the development would not cause undue harm to the amenity and privacy of neighbouring occupants and is also acceptable in terms of highway safety considerations. Accordingly, it is recommended that planning permission be granted subject to the conditions set out below.

---

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

- This application is reported to Committee as the applicant is related to a serving Councillor.

## **APPLICATION DETAILS**

Full planning consent is sought for the retention of extensions and alterations, in addition to the creation of a new driveway within the curtilage of the dwelling known as 'Fairfield, John's Lane, Hirwaun.

Firstly, in respect of the alterations to the dwelling, a single storey addition has been constructed to the rear and spans the full width of the dwelling at 8.7m and occupies a depth and height of 4.2m and 2.45m respectively.

Secondly, the plans that accompany the application indicate that the existing roof of the dwelling has been removed and replaced with a new trussed roof over the dwellings enlarged footprint. This has enabled the ground floor to be re-configured and the roof space converted to form two bedrooms, a bathroom and associated facilities. As a result, the dwelling has extended to a total height of 6.5m, from the previous arrangement of 5.8m. A number of changes have also taken place to the external finish of the dwelling, which now incorporates elevations of render, grey coloured fenestration and slate tiles to its roof.

Lastly, historical images and the subsequent site visit show that significant engineering works via the re-profiling of the front garden have taken place, to form a new access drive and parking area. The application details show that the new drive runs almost parallel with John's Lane to a length of approximately 16.6m and width of 3.2m, and to a maximum height of 1.1m above the road level of the drive. A new retaining wall of block construction, and to a retained height of 1m, is to be constructed to support the driveway.

The application is accompanied by the following:

- Driveway Retaining Wall Structural Calculations

## **SITE APPRAISAL**

The application site relates to a detached bungalow situated on John's Lane, north of Swansea Road, within the residential area of Hirwaun.

Set within a large plot, the property occupies an elevated position above John's Lane to the west, set back by the aforementioned newly created drive and front amenity space.

The site is flanked to the south by a pair of recently constructed dwellings, interspersed by a turning area, and to the north by 20A John's Lane. To the west are the detached dwellings Cwn Nant House and Little Brook,

John's Lane varies in width along its whole length, narrowing to single file traffic and lacking footways at its southern end.

Neighbouring units offer a mix of terraced, semi-detached and detached dwellings of varying design, scale and finish.

## **PLANNING HISTORY**

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

## **PUBLICITY**

The application has been advertised by direct notification to neighbouring properties. One letter of objection has been received from a neighbouring resident; its content is summarised below:

- I feel that the residents of Fairfield cannot drive their vehicles off the drive unless they use the turning point, in extreme weather the turning point will then be used as a parking bay; therefore, I suggest it be put back to the original layout of an off road garage or lower level parking with retaining wall as they can reverse on and drive off, like the two new houses next door.
- The turning point is very important for all residents, delivery and emergency vehicles accessing Johns Lane, and has always been used for that purpose.

## **CONSULTATION**

- Highways and Transportation – No objection subject to conditions.
- RCT CBC Structural Engineer – No objection subject to conditions.
- Flood Risk Management – No objection.
- Dwr Cymru – No objection subject to condition.

## **POLICY CONTEXT**

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

**Policy CS1**- sets out criteria for achieving sustainable growth in the Northern Strategy Area.

**Policy AW2** - advises that development proposals on non-allocated sites will only be supported in sustainable locations.

**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** - development proposals must overcome any harm to public health, the environment or local amenity as a result of flooding.

## **Supplementary Planning Guidance**

Design and Placemaking  
A Design Guide for Householders  
Access Circulation and Parking

### **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 Edition 10 (PPW) sets out the Welsh Government's (WG) current position on planning policy. The document incorporates the objectives of the Well-being of Future Generations (Wales) Act into town and country planning and sets out the WG's policy on planning issues relevant to the determination of planning applications.

It is considered that the proposed development is consistent with the key principles and requirements for placemaking set out in PPW; and is also consistent with the Well-being of Future Generations (Wales) Act's sustainable development principles through its contribution towards the Welsh Ministers' well-being objectives of driving sustainable development and building healthier communities and better environments.

Other policy guidance considered:

PPW Technical Advice Note 12 – Design.

PPW Technical Advice Note 18: Transport.

### **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**

This application relates to alterations to and the extension of an existing residential dwelling, in addition to the creation of a driveway within the residential curtilage of a

property that is located with settlement limits. The principle of development is therefore acceptable subject to an assessment of the criteria set out below.

### **Impact on the character and appearance of the area**

John's Lane is characterised by tightly knit terraced residential development at the northern end which gives way to a more varied array of generally larger, individually designed dwellings at the southern end.

As a consequence, it is not considered that the extended dwelling would appear overly large and out of context with surrounding development, particularly when viewed from John's Lane and in relation to the relatively recently constructed dwellings to the south.

Furthermore, the site, despite its sloping topography, is of sufficient size to accommodate the altered dwelling without it being disproportionate within its surroundings.

With regard to the works that have been conducted for the formation of the new driveway, it is acknowledged that major works have already been undertaken to the site, with an existing garage being demolished, mature hedgerow being removed and the front garden being re-profiled. This, together with the retaining walls that would be constructed to support the new drive, constitutes a total change to the outlook of the plot.

However, and as alluded to above, John's Lane is not particularly prominent from a public viewpoint whilst it supports single file traffic only at its southern end and is lacking in pedestrian footways. The vast majority of properties therefore have some form of off-road parking arrangement to their front and side elevations, and there are multiple examples of driveways of varying gradient and scale throughout the lane. Therefore, whilst the driveway forms a visible feature at the front of the property, it is not considered that it would be unsympathetic to or out of context with the character and appearance of the area to a degree that warrants refusal of the application.

Consequently, it is considered that the overall development is compliant with Policies AW5 and AW6 of the Local Development Plan and is acceptable in this regard.

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

In terms of residential amenity, the dwelling is set within a spacious plot which lends itself to high standards of privacy.

It is not considered, therefore, that the alterations and additions to the dwelling would adversely impact upon the existing levels of privacy experienced by the nearest neighbouring dwellings to a significant degree, whilst the changes to the height and depth of the building would not appear overbearing to their occupants or result in a loss of light taking account of the separation distances involved.

With regard to the construction of the drive, the nature and positioning of the development is not considered to be one which would appear oppressive or overpowering to the surrounding neighbouring properties.

Overall, the proposed development is considered unlikely to impact to an undue extent upon the privacy and amenity of neighbours. Accordingly, in this regard the proposal is compliant with Policy AW5 of the Local Development Plan.

### **Impact on highway safety**

The Council's Transportation Section were notified during the consultation period in order to provide comments on the suitability of the scheme with regard to highway safety.

The Transportation Section commented that John's Lane varies in width along its whole length from 4.8m to 3.0m. There is no official turning area to the southern end of John's lane which results in reversing movements by all types of vehicles including emergency service and delivery vehicles which is of concern to the Highway Authority. Further, there is no continuous footway link on John's Lane which in turn results in pedestrians sharing the same surface as moving motor vehicles to the detriment of pedestrian safety.

Adjacent to the access is a turning area which can accommodate small vehicular turning movements only. The proposed layout of the drive is acceptable with no detrimental impact on the existing turning area however, and whilst there is slight concern that visibility would be restricted from the driveway, taking into account the limited traffic using John's Lane, slow speeds due to its limited width and that the proposal is for a single dwelling driveway only the development is acceptable subject to a number of conditions.

Based on the above comments, the proposal is considered to have an acceptable impact upon highway safety.

### **Other Issues**

Drainage:

This issue would be covered by the required, separate SuDs approval prior to any further development taking place. It is also noted that no adverse comments have been received from Dwr Cymru following the consultation process, subject to standard conditions.

Concerns expressed by neighbours:

Turning to the comments raised by the objector, whilst these are appreciated the application details that the development would be fully contained within the curtilage of the site and would not impact upon the existing turning area. Furthermore, no objection to the scheme has been raised by the Transportation Section.

### **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**

Taking into account all of the above issues and representation received, it is concluded that the proposed development is acceptable in principle and is in accordance with the relevant Policies of the Local Development Plan.

The alterations to and extension of the dwelling is comparable to the scale and appearance of neighbouring dwellings on John's Lane, whilst the driveway would not be out of context with those seen at neighbouring plots, and therefore will have no undue impact on the character and appearance of the area.

Furthermore, the development would not cause undue harm to the amenity and privacy of neighbouring occupants and is also acceptable in terms of highway safety considerations. Accordingly, it is recommended that planning permission be granted subject to the conditions set out below.

### **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. Notwithstanding the submitted plans, no further development shall commence until design and details of the proposed driveway including surface-water drainage details, permanent surfacing material, tie in with John's Lane and vehicular restraint have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented to the satisfaction of the Local Planning Authority prior to beneficial occupation of the dwelling.

Reason: To ensure the adequacy of the proposed development, in the interests of highway safety and in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

3. Surface water run-off from the proposed development shall not discharge onto the public highway or connect to any highway drainage system unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to prevent overcapacity of the existing highway drainage system, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

4. Notwithstanding the submitted plans, no further development shall commence until design and details of the proposed close boarded fence that is to be positioned on top of the retaining wall have been submitted to and approved by the Local Planning Authority. The fence shall be constructed independently from the retaining wall and shall be designed with adequate support for the location above the highway.

Reason: In the interests of highway and pedestrian safety, and in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

5. Notwithstanding the submitted plans, no further development shall commence on site until design and details of the existing return retaining wall that is sited along the boundary to 20A John's Lane have been submitted to and approved in writing to the Local Planning Authority. The wall shall be checked by an engineer for adequacy for any increased loads and retained heights and rebuilt to adequate design/details as necessary.

Reason: In the interests of highway and pedestrian safety and in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

6. The consent hereby granted relate to the following plans:

- Site Location Plan
- Existing Ground Floor Plan, Side, Front and Rear Elevations.
- Proposed Ground Floor Plan, Side, Front and Rear Elevations.
- Retaining Wall Detail
- Proposed Site Plan
- Proposed Site Section



Reason: For the avoidance of doubt as to the approved plans.