



## **PLANNING & DEVELOPMENT COMMITTEE**

**25 MARCH 2021**

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

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

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 20/1453/10 (CA)  
**APPLICANT:** Mr Persse  
**DEVELOPMENT:** Two bedroom detached house with car parking.  
**LOCATION:** 86 QUEEN'S DRIVE, LLANTWIT FARDRE,  
PONTYPRIDD, CF38 2PA  
**DATE REGISTERED:** 08/01/2021  
**ELECTORAL DIVISION:** Llantwit Fardre

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#### **RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS**

**REASON:** The application is considered to comply with the relevant policies of the Local Development Plan. The principle of the development is supported and the proposal is deemed to have an acceptable impact upon the character and appearance of the area, the residential amenities of neighbouring properties and upon highway safety.

The proposal would provide an additional home in a well-established residential location.

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

The application is reported to the Planning and Development Committee for final determination as a request has been received from Councillor Joel James due to concerns regarding the scale of the proposal and the overdevelopment of the site.

#### **APPLICATION DETAILS**

Full planning permission is sought for the development of a detached dwelling with off street car parking. The dwelling would be sited to the north east of 86 Queen's Drive, Llantwit Fardre, in place of an existing detached garage associated with the existing dwelling.

The dwelling would measure a maximum width of approximately 6.5 metres and a maximum depth of approximately 7.8 metres. It would be a two storey dwelling measuring a height of approximately 7 metres to the ridge.

The proposal would be finished in smooth render to the elevations, under a concrete tiled roof.

Accommodation within the proposed dwelling would consist of a hallway, kitchen, family room and W.C. on the ground floor and two bedrooms, a bathroom and an open office area on the first floor.

Access to the dwelling would be provided via a vehicular crossover off Queen's Drive to the front of the site and the dwelling would be served by two off road car parking spaces.

## **SITE APPRAISAL**

The application site forms part of the curtilage of an existing semi-detached property (86 Queen's Drive, Llantwit Fardre), which is located within an established residential area of Llantwit Fardre. The site currently contains a single storey detached garage and garden space. It is a roughly rectangular plot measuring approximately 8.2 metres in width by 18 metres in depth and is relatively flat in profile. The surrounding properties are mainly semi detached, of similar style and design to the proposal.

## **PLANNING HISTORY**

07/0055/10	Demolish existing garage and associated utility space. Construct new two bedroom residential mews (detached dwelling). Landscape front and rear gardens to respect new boundary (re-submission).	Refused	09/07/2007
06/1498/10	Demolish existing garage and associated utility space. Construct new two bedroom residential mews (detached).	Refused	29/09/2006

## **PUBLICITY**

The application was advertised by direct notification letter to neighbouring properties and a site notices was displayed. Two letters of objection were received and raise the following points:

1. The proposal would adversely impact upon the privacy of surrounding properties.
2. The area is prone to flooding.
3. Due to the width of the driveways, cars would end up being parked on the road.
4. The proposed dwelling is in very close proximity to 86a Queen's Drive and concerns are raised that the proposal may weaken the foundations of this property.
5. The ongoing maintenance of the proposed rendered gable end would be practically impossible.
6. The proposal would block natural light to the bathroom window of the adjacent dwelling.

7. The proposal would result in a loss of light to the garden area of the adjacent dwelling.
8. The proposal would result in the overdevelopment of the site.
9. There are two previous planning applications associated with this site, both of which resulted in refusals.

The points raised above will be addressed in the main body of the report below.

## **CONSULTATION**

Highways and Transportation – No objections, subject to conditions.

Flood Risk Management – No objections and no conditions recommended.

Public Health and Protection – No objections, conditions recommended.

Llantwit Fardre Community Council – No comments received.

## **POLICY CONTEXT**

Rhondda Cynon Taf Local Development Plan:

The application site lies within the defined limits of development.

**Policy CS 2 – Development in the South:** Places an emphasis on sustainable growth that benefits Rhondda Cynon Taf as a whole.

**Policy AW 1 – Supply of New Housing:** Provides criteria against which applications for new housing will be considered.

**Policy AW 2 – Sustainable Locations:** Provides criteria to determine whether a site is located in a sustainable location.

**Policy AW 4 – Community Infrastructure and Planning Obligations:** This policy provides support to secure planning obligations and contributions.

**Policy AW 5 – New Development:** This policy sets out criteria for new development in relation to amenity and accessibility.

**Policy AW 6 – Design and Placemaking:** This policy requires development to involve a high quality design and to make a positive contribution to place making.

**Policy AW 8 – Protection and Enhancement of the Natural Environment:** This policy seeks to preserve and protect Rhondda Cynon Taf's distinctive natural heritage.

**Policy AW 10 – Environmental Protection and Public Health:** Prohibits development proposals that would cause or result in a risk of unacceptable harm to health and/or local amenity.

**Policy SSA 13 – Housing Development Within Settlement Boundaries:** Provides support for proposals within the defined settlement boundaries subject to a number of criteria.

### 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 11 (PPW) was issued on 24<sup>th</sup> February 2021 in conjunction with Future Wales: The National Plan 2040 (FW2040). PPW incorporates the objectives of the Well-being of Future Generations (Wales) Act into town and country planning and sets out Welsh Government's (WG) policy on planning issues relevant to the determination of all planning applications. FW2040 sets out the National Development Framework for Wales (NDF), WGs current position on planning policy at regional and national level.

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.

It is also considered the proposed development is compliant with the NDF, with the following policies being relevant to the development proposed:

- Policy 2 – Shaping Urban Growth – Sustainability/Placemaking
- Policy 9 – Resilient Ecological Networks – Green Infrastructure/Ecology

### Other policy guidance considered:

PPW Technical Advice Note (TAN) 12 – Design  
PPW TAN 18 – Transport

### Supplementary Planning Guidance:

Design and Placemaking  
Planning Obligations  
Access, Circulation and Parking

## **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 site is unallocated, situated inside of the defined settlement limits and within an established residential area of Llantwit Fardre.

Based on the above, it is considered that the development of a residential dwelling on the site would be acceptable in principle, subject to the following material considerations.

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

The immediate area is predominantly characterised by semi-detached dwellings of matching style and design. There are a variety of material types in the locality, including brick, render finishes and stone cladding and many properties within the vicinity have been altered or extended in various ways. The application site is regarded as an infill plot and sited adjacent to a semi-detached dwelling to the south west and a detached dwelling to the north east.

It is considered that the proposal would be viewed in the context of existing built form in a residential location and so would not appear out of place. The proposal would respect the established front building line of the street, with the rear building line similar to the adjacent dwelling, No. 86.

Concern has been raised by a member of the public that the proposal represents overdevelopment of the site. Although this comment is noted, it is considered that the plot is capable of accommodating the modest dwelling that is proposed. The new dwelling would be adequately separated from its neighbours to avoid any terracing effects and space for amenity and parking areas would remain. Furthermore, the dwelling has been designed in such a way to match existing houses within the street and the combination of appropriate external finishes would ensure the dwelling is generally in keeping with the character of the area and not overly prominent in the locality.

It is considered that the proposed dwelling would be read in the context of the existing settlement and its scale and design would not have significant adverse impacts upon the character or appearance of the immediate site or its wider setting.

**Impact on residential amenity and privacy:**

The property is located within an established residential area and it is therefore important that the privacy and amenity of existing neighbouring residents is safeguarded.

Any impact upon residential amenity would likely be greatest upon the adjacent properties, known as Nos. 86 and 86a Queen's Drive, Llantwit Fardre. The proposed development would follow the pattern of existing development, fronting the street and would be of a similar scale to dwellings within the locality. In addition, the new dwelling would not project significantly further back than No.86 Queen's Drive. As such, it is not considered that the proposal would be overbearing to adjacent dwellings.

It is considered that there are established levels of mutual overlooking between dwellings within the locality and although the objections raise concern regarding a loss

of privacy to surrounding properties, it is not considered that any overlooking would be significantly above and beyond these established levels.

One objection also refers to the new dwelling resulting in a loss of light to the side facing bathroom window and rear garden of the adjacent property, No. 86a. Whilst it is acknowledged that some loss of light would inevitably occur to properties directly adjacent the new dwelling, this is not considered so severe as to warrant the refusal of the application. Furthermore, a bathroom is not a habitable room and due to the orientation of the new dwelling, it is considered that any overshadowing to both this window and the rear garden would occur during the afternoon/evening, rather than throughout the whole day.

It is also important to ensure the standard of residential amenity is acceptable for future occupiers of the dwelling. The dwelling would provide adequate accommodation for a two bedroom home. There are some concerns that the outdoor amenity space associated with the new dwelling would be limited. Given that planning policy does not stipulate a minimum outdoor amenity space requirement however, and there would be adequate space for bin storage within the confines of the site, this concern is not considered to warrant the refusal of the application.

Overall, the proposal is considered to have an acceptable impact upon the residential amenities of neighbouring properties and that of future occupiers.

#### **Impact on highway safety:**

The application has been referred to the Council's Highways and Transportation Department.

The proposed dwelling would be served directly from Queen's Drive in the same manner as the other dwellings on the street. As such, the proposal gives no cause for concern regarding access. Nevertheless, alterations to the existing vehicular crossover would be required and these works could be secured by a suitable planning condition.

The proposal requires the demolition of an existing garage, resulting in the loss of off-street parking provision for the existing dwelling. The Council's Highways Department have indicated that the provision of 2 no. off-street parking spaces for the existing dwelling is considered acceptable. In terms of the proposed dwelling, the submitted Proposed Site Plan indicates the provision of 2 no. spaces. This is also considered acceptable.

One of the Objectors raises concerns that although off street car parking would be provided, occupants of the dwelling would still park on the road. This is considered speculation and would not form the basis of a reason for refusal.

Based on the above, the proposal is considered to have an acceptable impact upon highway safety. The Council's Highways and Transportation Department have raised no objections to the proposal, subject to conditions.

#### **Other Matters:**

Public Health and Protection: No objections have been received from the Council's Public Health and Protection Division following consultation, although several conditions have been recommended should planning permission be granted. The conditions relate to construction noise, waste and dust. It is considered that matters relating to these issues can be more efficiently controlled by other legislation.

Site History: The planning history of the site is acknowledged, as is the Objector's reference to the previous applications. It is noted that the application submitted in 2007 was recommended for approval at Officer level, however final determination took place at Committee level, where the application was refused.

Public Consultation: The letter of objections are acknowledged and the points raised have been mostly addressed above. The outstanding points are addressed as follows:

In terms of point 2, which indicates the area is prone to flooding, the Council's Flood Risk Management Section have reviewed the proposal and raise no objections. The site is partially within a Low Surface Water Flood Risk Area and is not within either the C1 or C2 Flood Zone as defined by the Development Advice Map (DAM) referred to under Technical Advice Note 15: Development and Flood Risk (TAN 15) (July 2004). It is also noted that the area to be developed currently contains a garage which prevents surface water from soaking into the ground. In addition, the proposed plans indicate that all hard ground surfaces would be permeable. The Council's Flood Risk Management Section have concluded that development's surface water flood risk would be adequately managed by both the Building Regulations and Schedule 3 of the Flood and Water Management Act 2010.

In terms of points 4 and 5, these are not material planning considerations and therefore would not warrant the refusal of the application.

**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 liable for a charge under the CIL Regulations 2010 as amended. The application lies within Zone 3 of Rhondda Cynon Taf's Residential Charging Zones, where there is a liability of £85/sqm for residential development (including extensions to dwellings over 100 sqm).

The CIL (including indexation) for this development is expected to be £4791.44.

**Conclusion:**

Having taken account of all of the issues outlined above, the proposal is considered acceptable and in accordance with the development plan. Therefore, the application is recommended for approval subject to conditions.

**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 following approved plans:

- Location Plan (Drawing No. 2015.SLP Rev A), dated 08/01/2021;
- Proposed Site Plan (Drawing No: 2015.PL01), dated 23/12/2020;
- Proposed Ground Floor Plan (Drawing No: 2015.PL02), dated 23/12/2020;
- Proposed First Floor Plan (Drawing No: 2015.PL03), dated 23/12/2020;
- Proposed Roof Plan (Drawing No: 2015.PL04), dated 23/12/2020;
- Proposed Sections (Drawing No: 2015.PL05), dated 23/12/2020;
- Proposed Elevations (Drawing No: 2015.PL06), dated 23/12/2020

and documents received by the Local Planning Authority (LPA) on 23/12/2020, 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. Building operations shall not be commenced until samples of the external finishes of the dwelling proposed to be used have been submitted to and approved in writing by the Local Planning Authority and all materials used shall conform to the samples so approved.

Reason: To ensure that the external appearance of the proposed development will be in keeping with the character of the area in the interests of visual amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

4. Notwithstanding the submitted plans, development shall not commence until details providing for the alteration of the existing vehicular crossover and creation of a new vehicular crossover have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented on site prior to the beneficial occupation of the proposed dwelling.

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

5. The off-street parking spaces indicated on the submitted Proposed Site Plan (Drawing No: 2015.PL01) shall be constructed on site in permanent materials prior to the beneficial use of the proposed dwelling and remain for the purpose of vehicular parking only.

Reason: To ensure vehicles are parked off the public highway, in the interests of highway safety and the free flow of traffic, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

6. HGV's used as part of the construction of the development shall be restricted to 09:00am to 16:30pm weekdays unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway and pedestrian safety, in accordance with Policy AW 5 of the Rhondda Cynon Taf Local Development Plan.