

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**MUNICIPAL YEAR 2013-2014**

**DEVELOPMENT CONTROL  
COMMITTEE  
3 OCTOBER 2013**

**REPORT OF THE  
DIRECTOR LEGAL AND  
DEMOCRATIC SERVICES**

**Agenda Item No.4**

**SITE MEETING  
APPLICATION NO. 13/0453 –  
REPLACEMENT BOUNDARY WALL AND  
ACCESS STEPS (AMENDED  
DESCRIPTION AND PLANS RECEIVED  
23 JULY 2013) – BRONDEG, VICARAGE  
ROAD, PENYGRAIG, TONYPANDY**

**Author: J Nicholls Senior Democratic Services Officer**

**1. PURPOSE OF THE REPORT**

To consider the outcome of the site inspection in respect of the above-mentioned proposal and to determine the application, as outlined in the report of the Service Director, Planning, attached at Appendix 1.

**2. RECOMMENDATION**

To approve the application in accordance with the recommendation of the Service Director, Planning.

**3. BACKGROUND**

- 3.1 In accordance with Minute No.66 (1) (Development Control Committee, 5 September 2013) a site inspection was undertaken on Monday, 16 September 2013 to consider the impact of the proposal on the surrounding area.
- 3.2 The meeting was attended by the Chairman and Vice-Chairman of the Development Control Committee (County Borough Councillor R.B. McDonald and D.Weeks respectively) and County Borough Councillor E.Webster. An apology of absence was received from County Borough Councillor K. Privett.
- 3.3 The Development Control Officer informed Members that full planning permission was sought for a replacement boundary wall and access steps

at the rear of Brondeg, Vicarage Road, Penygraig. The Officer outlined the dimensions of the proposed access steps and replacement boundary wall.

- 3.4 The main considerations of the application are the impact of the proposed boundary wall and steps on the character and appearance of the locality and the impact upon the amenity and privacy of the neighbouring residents and Members were informed that five letters of objection have been received in relation to these objections.
- 3.5 Members viewed the application site and considered the objections of the neighbouring properties. The Development Control Officer confirmed that the size and scale of both the access steps and boundary wall are acceptable and the minor changes in the size and design would not have a detrimental impact upon the residential amenity of the neighbouring properties.
- 3.6 The Development Control Officer acknowledged the concerns that the proposed landing area could be used as an amenity area and that there may be some degree of overlooking. However, the size of the landing area is not considered to be overly excessive to warrant the refusal of planning permission.

**APPENDIX 1**

**APPLICATION NO:** 13/0453/10 (CPU)  
**APPLICANT:** Mr R Day  
**DEVELOPMENT:** Replacement boundary wall and access steps.  
 (Amended Description and Plans Received 23rd July 2013)  
**LOCATION:** BRONDEG, VICARAGE ROAD, PENYGRAIG,  
 TONYPANDY, CF40 1HN  
**DATE REGISTERED:** 07/05/2013  
**ELECTORAL DIVISION:** Penygraig

**APPLICATION DETAILS**

Full planning permission is sought for a replacement boundary wall and access steps at the rear of Brondeg, Vicarage Road, Penygraig. The access steps would project 4.5 metres from the back wall of the dwelling at a maximum height of 2.3 metres from the garden level. The associated 1.1 metre high balustrade/wall would fall away with the height of the steps, having a total height of 3.35 metres from garden level.

**SITE APPRAISAL**

The application site is a split level (two-storey to front, effectively three-storey to rear) semi-detached dwelling situated within the residential area of Penygraig. The property has a three-storey annexe that is shared with the adjoining semi-detached property, 'Brynawel'. To the side of this extension, there is a single storey lean to addition that provides access to the rear garden area. The side of the application dwelling bounds the curtilage of number 7 Vicarage Close. This property is a two-storey, modern detached dwelling, which has been constructed at a right angle to the application property. Its rear boundary is enclosed by a dense row of conifer trees.

**PLANNING HISTORY**

10/1149	Boundary wall & steps	Granted 11/01/11
10/0813	Rear garden elevated timber Decking	Refused 23/09/10

**PUBLICITY**

The application has been advertised by means of direct neighbour notification. 5 letters of objection have been received raising the following concerns:

- The overlooking impact from the proposed deck and the associated impact to residential amenity.
- Impact upon the privacy of neighbouring properties.
- The impact of the development to the character and appearance of the area.
- The height and position of the proposed wall and the loss of light to number 7 Vicarage Close.
- The proposed landing area at the top of the steps is large enough to accommodate a seating area. This would cause an adverse level of overlooking.

## **CONSULTATION**

None undertaken.

## **POLICY CONTEXT**

### Rhondda Cynon Taf Local Development Plan

Policy AW5 - sets out criteria for new development.

Policy AW6 - supports development that involves high quality design and makes a positive contribution to place making.

### Planning Policy Wales

3.1.2 Applications for planning permission should be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise.

3.1.3 Factors to be taken into account in making planning decisions (material considerations) must be planning matters, they must be relevant to the regulation of the development and use of land in the public interest, towards the goal of sustainability.

### Technical Advice Note 12 Design (2009)

2.6 Design which is inappropriate in its context, or which fails to grasp opportunities to enhance the character, quality and function of an area, should not be accepted, as these have detrimental effects on existing communities.

## **PLANNING CONSIDERATIONS**

As noted previously, a number of objections have been received to this application firstly in relation to a proposed deck and secondly in regard to a replacement boundary wall and access steps. The proposed deck extended across the back elevation of the applicant's extension. It was elevated above the ground level and was considered to result in an adverse level of overlooking to the window of the adjoining semi-detached property. Having discussed the concerns raised with the applicant, an amended set of plans has been submitted to show the deck area being omitted from the proposed scheme. Therefore, the main considerations of this application are the impact of the proposed boundary wall and steps on the character and appearance of the locality, and the impact to the amenity and privacy of occupiers of neighbouring properties.

In visual terms, the access steps and the associated boundary wall would be sited within the rear garden of the property and would not be seen from a public vantage point. The steps would be of a similar siting to those which have recently been demolished. The boundary wall would be seen in association with the proposed steps, forming an enclosed balustrade adjacent to the boundary. It is considered that the scale of both the wall and the steps are acceptable and in line with Local Development Plan Policy.

With regard to residential amenity, the access steps would be located in a similar position to the former steps, albeit there are minor changes to their length and design. This is to facilitate a more appropriate access to the applicant's rear garden. Whilst the neighbours concerns regarding the potential for the top landing area to be used as an amenity area are noted, the dimensions proposed that is 1.45m by 1.1m (maximum) are not considered to be overly excessive for a proposed landing area. There would be some capacity for overlooking, however, this impact is not considered to be so severe to warrant the refusal of planning permission. The overshadowing impact of this development would be limited due to the access steps and wall being positioned adjacent to a tall row of dense conifer trees at the rear of number 7 Vicarage Close. Having regard to the above, it is considered that the proposed development would comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

The application is therefore recommended for approval subject to the following 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. Notwithstanding the submitted plans, building operations shall not be commenced until details of the finishing materials 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 detail(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.

3. The development, hereby approved, shall be carried out in accordance with the amended/revised plans received by the Local Planning Authority on 23/07/2013.

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

**LOCAL GOVERNMENT ACT 1972**

**As amended by**

**LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**LIST OF BACKGROUND PAPERS**

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Minute No.66 (1) (Development Control Committee, 5 September 2013)

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