

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2013-2014

**DEVELOPMENT CONTROL
COMMITTEE
3 APRIL 2014**

**REPORT OF: SERVICE
DIRECTOR PLANNING**

	Agenda Item No. 5
APPLICATIONS RECOMMENDED FOR APPROVAL	

1. PURPOSE OF THE REPORT

Members are asked to determine the planning applications outlined in Appendix 1.

2. RECOMMENDATION

To approve the applications subject to the conditions outlined in Appendix 1.

1. Application No. 13/1083 - Creation of an activity ranch comprising the erection of a high-ropes course, Segway training area and associated routes, zip-wire, pony/horse paddock with stable, ménage, children's play area and associated storage structures and shelters as well as internal and external alterations to the former clubhouse to allow its use as an ancillary cafe and minor resurfacing of paths and parking areas, Castle Heights Golf Course, Heol Pen-Y-Bryn, Blaengwynlais, Caerphilly.
2. Application No. 13/1203 - Extension of perimeter timber fence around property (amended plan received 23/01/2014) (amended plans and information received 26/02/14), Coed Ely Chinese Takeaway, Penyarreg Road, Tonyrefail, Porth.
3. Application No. 14/0090 - Ground floor extension to front and rear and first floor extension over lounge area (resubmission), 19 Nant-Y-Coed, Thomastown, Tonyrefail, Porth.
4. Application No. 14/0118 - Small front extension and single storey extension to rear for hydrotherapy room, 1 Nant Y Coed, Pantygraigwen, Pontypridd.
5. Application No. 14/0141 - Detached 4 bedroom house in place of the existing bungalow, 28 St Illtyds Road, Church Village, Pontypridd.
6. Application No. 14/0205 - Hip to gable end roof conversion & extension with installation of roof windows (Re-submission), 6 Acorn Close, Miskin, Pontyclun.

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APPLICATIONS RECOMMENDED FOR APPROVAL

APPLICATION NO: 13/1083/10 (PB)
APPLICANT: Mountain View Ranch Ltd
DEVELOPMENT: Creation of an activity ranch comprising the erection of a high-ropes course, Segway training area and associated routes, zip-wire, pony/horse paddock with stable, ménage, children's play area and associated storage structures and shelters as well as internal and external alterations to the former clubhouse to allow its use as an ancillary cafe and minor resurfacing of paths and parking areas.
LOCATION: CASTLE HEIGHTS GOLF COURSE, HEOL PEN-Y-BRYN, BLAENGWYNLAIS, CAERPHILLY, CF83 1NG
DATE REGISTERED: 29/10/2013
ELECTORAL DIVISION: Ffynon Taf

RECOMMENDATION: Approve

REASONS:

The application for an activity ranch involves development of a disused 18 hole golf course for various outdoor leisure and recreational pursuits. The principle of the development is acceptable as it is not dissimilar to the previous use and is only realistically capable of being undertaken on this scale in a countryside location. The development is sympathetic to its rural setting in terms of its design, scale and siting and is well screened and contained within the site such that it will not be unduly harmful to the character and appearance of the countryside and Special Landscape Area at this location. The development does not have any significant impacts on ecological interests at the site although a population of Great Crested Newt is known to inhabit a SINC within the application land, which the applicant will need to be made wary of. The existing access and parking arrangements are considered adequate to meet the needs of the development, therefore no highway objection is raised. The development is compliant with relevant Local Development Plan policies.

APPLICATION DETAILS

Full planning permission is sought for the creation of an activity ranch comprising the erection of a high-ropes course, Segway training area and associated trekking routes, archery / golf academy area, zip-wire, pony / horse paddock with stable, ménage, children's play area and associated storage structures and shelters as well

as internal and external alterations to the former clubhouse to allow its use as an ancillary café and minor resurfacing of paths and parking areas.

The proposed development will occupy various areas on what was formerly an 18 hole golf course. The application site (89.4 Ha) straddles land within the administrative boundaries of Rhondda Cynon Taf and Cardiff therefore is the subject of parallel applications to both local planning authorities for the respective parts of the development that lie in each administrative area. The majority of the overall application site lies within Rhondda Cynon Taf (64.8 Ha), with the remainder comprising the high-ropes course, Segway training areas, parts of children's play area, and former club-house lying solely within Cardiff (24.5 Ha).

The site formerly operated as two independent golf courses offering an 18 hole membership only club (Mountain lakes Golf Club) and a 9 hole 'pay-and-play' course (Castle Heights) and an 18 bay driving range. The present proposal will occupy areas on the 18 hole course such that this particular facility will no longer be available. The 9 hole course remains in operation for pay and play customers with no alterations proposed. The driving range may be partially brought back into use in the future, and does not form part of this application. Therefore, it is the following operational elements associated with the 'Mountain Ranch' that are the subject of the application:

- High ropes course (located within Cardiff LPA area) comprising erection of timber clad pitched roof storage building / shelter and ten 7m timber poles and a number of anchoring poles providing various high level obstacles for participants to negotiate before descending on a zip-wire.
- Segway training area (located within Cardiff LPA) comprising erection of a timber clad pitched roof storage building / shelter. The fencing and formation of short looping un-surfaced training track for the all-terrain Segways to follow do not comprise development.
- Zip-wire (to be located in Rhondda Cynon Taf LPA) comprise erection of a launch area, with associated timber poles, and zip-wire anchored land levels. No high level platform is required.
- Pony / horse paddock (located in Rhondda Cynon Taf LPA) incorporating the erection of a timber 'American Barn' stable building measuring 10.8m wide, 14.4m long, 2.13m in height to eaves and 3.6m to ridge.
- Ménage (located in Rhondda Cynon Taf LPA) comprising a fenced, level, sand surfaced area and associated timber clad pitched roof storage building / shelter,
- Children's play area (straddling boundaries of Rhondda Cynon Taf and Cardiff LPA areas) comprising erection of fenced, sand-surfaced area comprising entrance arch, various pieces to timber play equipment and two adjacent tepees.
- Alterations to former clubhouse (located in Cardiff LPA) comprising cladding of three elevations, timber screen to existing fire escape,

alterations to fenestration and doors and internal alterations on ground and first floor to facilitate use as an ancillary café / function space

- Resurfacing car park areas and access track to paddock area (located principally in Rhondda Cynon Taf LPA) with dark chippings.
- Golf academy / archery area (located within Rhondda Cynon Taf) albeit this does not comprise any operational development, though the area used for archery will involve the erection of temporary protective fencing to safeguard against stray arrows.

It should be noted that the application is submitted retrospectively as all but the archery, ménage shelter/storage building and zip-wire are in place at the site.

The application is accompanied by the following:

- Planning Statement (including Appendices covering Landscape Assessment, Ecological Assessment and Traffic Generation Technical Note);
- Design and Access Statement
- Landscape and Visual Appraisal

SITE APPRAISAL

The application site comprises 89.4 hectares of primarily hilltop land straddling the border of Rhondda Cynon Taf and Cardiff and close to the border with Caerphilly County Borough. The site is for the most part a mature manicured golf course landscape comprising greens, fairways and intervening bushes and trees. The site falls outside the defined settlement boundaries, therefore is considered countryside in terms of planning policy. It is also designated as Special Landscape Area (SLA) and mature vegetation between the fairways within Rhondda Cynon Taf are designated as a Site of Importance for Nature Conservation (Graig Yr Allt Slopes SINC). The site is accessed from Heol Pen-y-Bryn which is part of the rural highway network that extends across the hilltop connecting Rhiwbina (Cardiff), Caerphilly and Tongwynlais.

The area surrounding the application site is predominantly rural, comprising sporadic dwellings, farms and businesses. The former green keeper's house is located at the main entrance into the site and does not form part of the application as it was not sold with the golf courses when they went into administration.

Within the site there is a main driveway leading to car parking areas (space for approximately 200 cars), with the former clubhouse to the west, the driving range structure to the south and ancillary maintenance building to the east. Surfaced tracks lead off from the main access road to the west and south-west. The remainder of the site was occupied by the two golf courses. The 9 hole course continues to operate and occupy the southern part of the application site. The 18 hole course no longer operates and the developments described in this application

(all bar the zip wire, ménage shelter / storage building, and archery area) are now all in place.

PLANNING HISTORY

13/1130/03	Castle Heights Golf Course, Uplands, Nantgarw, Taffs Well, Caerphilly	Creation of an activity ranch comprising the erection of a high-ropes course, segway training area, zip-wire, pony/horse paddock with stable, ménage, children's play area & associated storage structures & as well as internal & external alterations to the former clubhouse to allow its use as an ancillary cafe & minor resurfacing of paths & parking areas.	Pending
13/0808/15	Castle Heights House, Heol Pen Y Bryn, Blaengwynlais, Caerphilly	Removal of condition 1 of consent to allow unrestricted residential use of the building.	Pending
11/5885/32	Castle Heights Golf Club, Blaengwynlais, Cardiff	Redevelopment of site	Pending
11/0165/15	The Lodge, Heol-Pen-Y-Bryn, Blaengwynlais, Caerphilly	Removal /variation of condition 1 of consent 56/83/1005 to allow unrestricted residential use of the building.	Refused 20/02/13
10/0841	Ty Rhiw Farm, Beechwood Road, Taffs Well, Cardiff	Extend the existing dwelling to provide lounge, kitchen/dining at ground floor and two additional bedrooms at first floor.	Grant 27/10/10
10/0546	Castell Heights Golf Club, Rhiwbina Hill, Tongwynlais, Caerphilly	Conversion of golf course club house back to residential dwelling and conversion of ancillary golf course storage building to ancillary residential garage & store (observations	Raise no objection 09/06/10

		requested by adjoining authority).	
89/0964	Castell Heights, Heol Pen Bryn, Blaengwynlais, Caerphilly	Green keepers house	Refused 10/01/90
89/00856	Castell Heights, Heol Pen Bryn, Blaengwynlais, Caerphilly	100 bed hotel with bars, conference, restaurant and sporting facilities (outline)	Refused 30/11/89
89/0717	Castell Heights, Heol Pen Bryn, Blaengwynlais, Caerphilly	Garage	Approved 04/09/89
88/1005	Castell Heights, Heol Pen Bryn, Blaengwynlais, Caerphilly	Managers house	Conditions 17/04/89
81/1025	Pen-y-Bryn Farm, Caerphilly	Golf course, car parking and club house, and locker rooms	Conditions 20/10/81
79/0779	Pen-y-Bryn Farm, Caerphilly	Golf course development	Conditions 18/09/79
77/0982	Land at Pen-y-Bryn Farm, Caerphilly	Approval of reserved matters for golf course and ancillary buildings	Conditions 25/10/77

PUBLICITY

Neighbouring properties have been notified of the application which also has been the subject of Press and Site Notices. No representations received from members of the public.

CONSULTATION

Transportation Section – no objection.

Land Reclamation and Engineering - suggests relevant drainage conditions in the event of planning permission being granted.

Public Health and Protection – no objection.

Natural Resources Wales – comments that the development offers the possibility for potentially significant biodiversity gains as part of the proposals through appropriate habitat management and supplementary works. This would bring benefit to the Craig yr Allt Slopes SINC that is present on some areas of the golf course and is in line with Policy AW8 of the Rhondda Cynon Taf LDP.

Dwr Cymru/Welsh Water – no objection.

Cardiff City Council – raises no objection subject to

- Approval of a landscaping scheme for soft and hard landscaping for the whole site.
- Surveys of ponds on the site that have potential to be used for breeding by Great Crested Newts.
- Mitigation of any harm that will occur (or has occurred due to on-going works) to the terrestrial habitat of Great Crested Newts.
- Compliance with Schedules 2 or 4 of the Conservation of Habitats and Species Regulations 2010.

Parks and Countryside Section – express some concern that the development might have encroached into the wooded streams or compromised the trees/woodland areas. Great Crested Newts occur in SINC 159 at the site and the ponds and areas of rough grass on the golf course have potential for use by this protected species. The development does not have any implications for public rights of way on the site.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies outside the boundaries of the nearest settlement and within the Craig-yr-Allt Special Landscape Area (policy ref: SSA 23.9) and a limestone mineral resource area (policy ref: AW 14.3).

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 AW8 - requires development proposals to protect and enhance the natural environment.

Policy AW9 - supports conversion of existing buildings in the countryside subject to criteria.

Policy AW10 - development proposals must overcome any harm to public health, the environment or local amenity as a result of flooding.

Policy AW14.3 – safeguards resources of Limestone from development that might otherwise sterilise its extraction.

Policy SSA23 – expects development in Special Landscape Areas to conform to the highest standards of design.

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:

Chapter 4 (Planning for Sustainability),
Chapter 5 (Conserving and Improving Natural Heritage and the Coast),
Chapter 7 (Economic Development),
Chapter 8 (Transport),
Chapter 11 (Tourism, Sport and Recreation),
Chapter 13 (Minimising and Managing Environmental Risks and Pollution),

set out the Welsh Government's policy on planning issues relevant to the determination of the application.

Other relevant policy guidance consulted:

PPW Technical Advice Note 5: Nature Conservation and Planning;
PPW Technical Advice Note 6: Planning for Sustainable Rural Communities;
PPW Technical Advice Note 13: Tourism;
PPW Technical Advice Note 15: Development and Flood Risk;
PPW Technical Advice Note 16: Sport Recreation and Open Space;
PPW Technical Advice Note 18: Transport;
Manual for Streets

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 lies in the countryside where development is the subject of strict controls unless justified in the interests of the rural economy. That said, the application site has a long history of use as a leisure facility, specifically for playing golf, for many years. Therefore, the use of the site as an activity ranch for the range of outdoor leisure pursuits described in this application is not as a matter of principle significantly different from the last use of the land, and could only realistically be accommodated on this scale in a countryside location. Moreover, the use as an activity ranch does not conflict with the surrounding land uses to an unacceptable extent.

Character and appearance

The development largely works with the existing land form and landscape left behind from the previous golf course use, therefore does not involve any significant changes in levels, profiles and vegetation that might be out of character in the context of its surroundings. It is acknowledged that the appearance of the former golf course is to an extent man made. The development introduces a number of different activities and associated structures onto the site and there is some concern about the impacts these will have on the Craig-yr-Allt Special Landscape Area. In particular the proposed zip-wire would be fairly isolated from the remainder of the activities and structures, and there is some concern over the siting and scale of the proposed buildings and equipment, including the appearance of the children's play equipment and siting and scale of the American barn. However, it is considered the design of the buildings and other structures for which planning permission is sought as part of the application, are consistent with their intended purposes and sympathetic to their rural context in terms of their design, scale, siting and external finishes. Moreover, it is acknowledged that most of the structures associated with the activity ranch could be relatively easily removed from the site leaving no permanent trace. Of particular significance is the fact that the development site is located within the two shallow valleys, which in combination with the vegetation pattern, help provide enclosure to the development and reduce its visibility from outside the site boundary. The development is well contained within the existing grassland areas and largely screened by the intervening areas of woodland and mature trees.

For these reason it is considered, on balance, that the development is not unduly harmful to the character and visual appearance of the area, nor is it harmful to the Craig-yr-Allt Special Landscape Area. As a consequence it is concluded the development is not in conflict with LDP policies AW5, AW6 and SSA23 in these regards.

Ecology

The application site incorporates a SINC (159) and TPO (4) and is known to be the habitat of Great Crested Newts (a European Protected Species), therefore there are potentially significant ecological constraints and considerations material to this application. Although the Council's Ecologist has expressed some concern that the development might have encroached into these ecologically and landscape sensitive areas, the Ecological Assessment and photographic information submitted to accompany the application indicates the areas impacted by the development are located within the heavily managed amenity grassland (golf course fairways) that offers little, if any, suitable terrestrial habitat for reptiles, amphibians and breeding birds. Areas of higher value, such as the woodland areas within Graig yr Allt Slopes SINC, will be retained. No trees are proposed to be felled and it is understood that no ponds are to be removed. The levels of activity and potential disturbance to wildlife associated with the activity ranch are likely to be similar to those associated with the former golf course use. Although there is no clear evidence that the development has and will affect Great Crested Newts given the known presence of the species within the SINC, it is important that any other habitat on site with potential to host this species is not damaged inadvertently by any further development activity. As a precaution it is recommended that in the event of planning permission being granted an informative note is added to the decision notice advising the developer of his / her legal obligations in relation to the protection of a European Protected Species and its habitat. It is understood this approach is consistent with that being pursued by Cardiff City Council in relation to the application it has before it for that part of the site within its administrative area.

Transportation, access and highway safety

The Trip Generation Technical Note contained in the supporting Planning Statement has been undertaken where the trip generation of an 18 hole membership only golf club has been compared with that for the Activity Ranch. The assessment shows a substantial reduction in trip generation for the proposed development when compared with the existing use as a 18 hole golf course. The existing access into the site off Heol Pen-y-Bryn is unaffected by the proposal and remains the same. Improvements to this road in the vicinity of the site access have been carried out previously which have incorporated carriageway widening and improved visibility at the site access onto Heol Pen-y-Bryn. As the existing visibility at the site access onto Heol Pen-y-Bryn is unaffected and the proposal represents a lesser trip generation to and from the site in terms of movement, the means of access is acceptable.

In terms of parking provision to meet the needs of the development, there space for approximately 200 cars that served the previous use of the site comprising of a 18 hole golf course, a 9 hole golf course and a 18 bay driving range. Again, considering that the proposal represents a lesser trip generation to and from the site and that the trips would be linked and would represent a higher degree of multi occupant car journeys as families, the parking provided is considered at an acceptable level.

In light of the above, no highway objections are raised or conditions suggested.

OTHER ISSUES

The following other material considerations have been taken into account though were not key determining factors in reaching the recommendation.

Drainage

The Council's drainage engineers have suggested conditions requesting submission of drainage proposals prior to commencement of development. However, the development is largely complete and the elements that remain to be completed, namely the zip-wire, archery area and ménage will not have any drainage implications. In the circumstances it is considered drainage conditions are unnecessary.

Limestone Resources

The application site lies in an area of known Limestone mineral reserves, which policy AW14 seeks to avoid sterilising by other development. In that the development includes buildings and other structures that can easily be removed, the development would not conflict with Policy AW14 to a significant extent.

Public Rights of Way

Public Rights of Way traverse the site though none is affected by this development.

Conclusion

In summary, the development is acceptable as a matter of principle as it is not dissimilar to the previous use and is only realistically capable of being accommodated on this scale in a countryside location. The development is sympathetic to its rural setting in terms of its design, scale and siting and is well screened and contained within the site such that it will not be unduly harmful to the character and appearance of the countryside and Special Landscape Area at this location. The development does not have any significant impacts on ecological interests at the site although a population of Great Crested Newt is known to inhabit a SINC within the application land, which the applicant will need to be made wary of. The existing access and parking arrangements are considered adequate to meet the needs of the development, therefore no highway objection is raised. The development is therefore compliant with relevant Local Development Plan policies and recommended for approval.

RECOMMENDATION: Grant

1. A scheme of landscaping for the site shall be submitted to and approved in writing by the Local Planning Authority within 3 months of the date of this permission and upon approval shall be carried out in the next planting season. The landscaping scheme shall include, but shall not be limited to, proposals for the retention of a screen of vegetation alongside Heol Pen-Y-

Bryn and Heol-Y-Fforest.

Reason: To ensure that the development will be visually attractive in the interests of amenity in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

2. Any trees, plants, or hedgerows which within a period of five years from the completion of the development die, are removed, become seriously damaged or diseased, or become (in the opinion of the Local Planning Authority) otherwise defective, shall be replaced in the current planting season or the first two months of the next planting season, whichever is the sooner, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that the development will be visually attractive in the interests of amenity in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

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APPLICATION NO: 13/1203/10 (LE)
APPLICANT: Mr R Everett
DEVELOPMENT: Extension of perimeter timber fence around property (amended plan received 23/01/2014)(amended plans and information received 26/02/14).
LOCATION: COED ELY CHINESE TAKEAWAY, PENYGARREG ROAD, TONYREFAIL, PORTH CF39 8AS
DATE REGISTERED: 26/02/2014
ELECTORAL DIVISION: Tonyrefail East

RECOMMENDATION: Approve

REASONS:

The timber fencing represents a typical garden boundary treatment that is commonly found within the locality. Issues raised in the letters of objection relating to access and parking are not sufficiently harmful to justify a reason for refusal.

APPLICATION DETAILS

Retrospective planning permission is sought for boundary timber fencing that has been erected toward the rear and side boundaries of the former Coedely Chinese Takeaway, Penygarreg Road, Tonyrefail. The former Chinese Takeaway has

recently been converted to two dwelling houses (planning application ref. no. 12/0996/10) with works ongoing at the site. The applicant has however extended the boundaries of the site, in comparison to the more historic boundaries of the site and the site boundary detailed when planning permission was granted to convert the building into two residential properties. The boundaries have been extended approximately 1 metre further around the sides of the plot (alongside the main building), and a further area between 2.0 - 3.0 metres wide has been enclosed toward the rear north-eastern aspect of the plot.

Retrospective consent is therefore sought for both the siting of the boundary fencing and for the extension of the garden curtilage associated with each of the new dwelling houses. At the time of the site visit, the proposed trellis detailing that would be erected to the very top of the fence had not been erected. The finished height of the timber fencing would range between 1.6 - 2.0 metres. The fence extends for a maximum length of approximately 28 metres. Access gates to vehicle parking spaces would be created within the fencing, toward the rear of site.

The applicant/agent's have signed the relevant ownership certificate submitted with the planning application stating the land in question is within the applicant's ownership.

The planning application is also accompanied by a Design and Access Statement.

SITE APPRAISAL

The application site consists of a large, detached, two-storey building situated within the built up area of Tonyrefail. The building is prominently located on the relatively busy Pennygarreg Road and previously operated as a hot food takeaway with associated living accommodation. The building, following the grant of planning permission for a conversion to two dwellings, has been subject to recent refurbishment and improvement. There is a relatively large garden/amenity area to the rear of the building. The timber fencing extends around the rear amenity area and alongside the side elevations of the main building. Immediately to the east, west and north of the building are lane areas with a large hard standing area further to the west of the site that is used for the informal parking of vehicles. Beyond the informal parking area is a row of terraced properties and further to the east are semi-detached properties.

PLANNING HISTORY (post 1974)

12/0996/10	Hillview House Coedely Chinese, Penygarreg Road, Tonyrefail	Alterations and refurbishment of existing take away and accommodation to form 2 no. three bedroom dwellings.	Granted 12/11/12
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PUBLICITY

The application has been advertised by means of direct neighbour notification and site notice. Representations have been received from the occupiers of three neighbouring residential properties (no. 4 and no. 9 Penygarreg Road, and no. 16 Heol Isaf). The concerns raised are summarised as follows:

- The applicant does not own the land he has encroached. Residents of Penygarreg Road obtained use of this land after seeking legal advice from a solicitor that residents paid toward. It is not the first time someone had tried to claim the land.
- Residents of Penygarreg Road need to keep as much of the lane as possible for off road parking purposes.
- The fence has narrowed access and turning space for larger vehicles, making access to the rear of Penygarreg Road more difficult.
- Extending the boundary has reduced the width of the lane adjacent to Heol Isaf and made access to a rear parking space more difficult. A touring caravan is stored to the rear of the site although it is now extremely difficult to manoeuvre the caravan in and out of the parking space. There were no such problems with the original/previous boundaries of the site.
- Due to the limited space given the boundary has been extended there is a concern that both the fence and caravan will end up damaged.
- The renovation of the building is welcomed as it improves the area although extra ground should not have been taken, which causes local residents inconvenience.
- The builder should not be allowed to ignore planning procedure.

CONSULTATION

Transportation Section - raise no objections.

Land Reclamation and Engineering - raise no objections, subject to the imposition of drainage conditions.

Natural Resources Wales - raise no objections.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site is situated within the settlement limits of the Southern Strategy Area and is unallocated.

Policy CS2 - emphasises the need for sustainable growth in the Southern Strategy Area that benefits the whole plan area.

Policy AW2 - supports development proposals in sustainable locations including sites within the defined settlement boundary.

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

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 Chapter's 2 (Development Plans), Chapter 3 (Making and Enforcing Planning Decisions) and Chapter 4 (Planning for Sustainability), set out the Welsh Government's policy on planning issues relevant to the determination of the application.

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 development

The retrospective application represents a scheme for the erection of boundary fencing and the associated, relatively small scale enlargement of the curtilage of the site for residential purposes. The application site is situated within the settlement boundary and within a residential locality. As such, the scheme is considered acceptable in principle.

Impact on the character and appearance of the area

The timber fencing whilst extending quite a significant distance around the boundaries of the site, is considered to exemplify a typical design and finish for a garden boundary treatment of this nature. Erected to the rear and side boundaries of the site the fencing has limited impact on the main front elevation of the building that has recently been refurbished and improved, following the conversion of the former Chinese Takeaway with associated living accommodation to solely residential use; a use that is more in-keeping with the predominantly residential nature of the

locality. Timber boundary fencing is also a common feature of the wider locality with other properties in the area benefiting from this style of boundary treatment. The fencing also provides an appropriate means of enclosure for the residential properties being created at the site, defining private rear amenity space in a similar arrangement to the rear garden spaces associated with neighbouring properties. Furthermore, the enlargement of the curtilage in the main (as detailed within historic photographs), appears to have resulted in the loss of small overgrown grass areas that had limited visual value. It is highlighted access gates would be provided within the fence structure to allow access to off-street parking facilities within the site. No exact details of the design and appearance of the gates have been provided, although a recommended condition should Members be minded to approve consent, would ensure the appearance of the gates are visually acceptable. It is therefore considered that the boundary fencing does not present a discordant or overly harmful feature, and has no adverse impact on the character and appearance of the wider locality.

Impact on residential amenity and privacy

In terms of residential amenity, the application site has an appropriate offset from the nearest, neighbouring residential properties with a boundary fence of the nature and scale erected having no adverse overbearing or overshadowing impact. Extending the amenity area associated with the residential properties is also considered a compatible use with the wider residential nature of the locality (especially when considering the site previously operated as a hot food takeaway prior to the recent conversion to residential properties). It is therefore considered the development has no harmful or unneighbourly impact on the residential amenity and privacy standards currently enjoyed by the occupiers of neighbouring residential properties.

Access and highway safety

As detailed earlier, three local residents have raised concerns with the siting of the new perimeter fencing and the subsequent impact on access and parking in the vicinity of the application site. It is acknowledged the enlargement of the boundaries of the site and the erection of the fencing has had some impact on the size (width) of the access lanes and associated parking areas that flank the site, although this is not considered so significantly adverse to warrant a refusal of the planning application.

Following consultation with the Transportation Section no objections have been raised against the scheme. It is commented there are two private access lanes running either side of the application site and a lane positioned to the rear that connects both side lanes. There are some concerns raised in relation to the fence line obstructing forward visibility around the rear lane. However, given that the lanes are used for rear parking and access only with slow vehicular speeds and high boundary walls being a typical feature of rear lanes of this nature, the concern is not significant to warrant a highway objection.

Further representations received by local residents in relation to disputes regarding the ownership of areas of the land in question, and potential future damage of property/vehicles are also acknowledged. However, like all planning applications, the development should be determined on its individual planning merits. Issues that relate to land ownership are private matters and not matters that form a material reason to warrant the refusal of the scheme. The grant of planning permission however does not over-ride the rights of the landowner or remove the need to obtain any other consent that may be necessary, nor does it imply that such consents will be forthcoming. Any land ownership dispute would ultimately need to be resolved outside of the planning process.

In summary, whilst neighbouring residents have raised concern with the development it is not considered there is a substantive reason to warrant refusal of the submitted planning application in terms of its impact on access and highway safety.

Other Issues

The following other material considerations have been taken into account in considering the application, though were not the key determining factors in reaching the recommendation.

Drainage

Following consultation with the Councils Drainage Section no adverse comments have been raised against the scheme and although a drainage condition is suggested, given the scale and nature of the development in this instance, such a condition is considered unnecessary, with Natural Resources Wales raising no objections against the scheme.

CONCLUSION

The application is considered to accord with the requirements of planning policy with the scheme posing no harmful risk to access and highway safety. Approval of the planning application is recommended.

RECOMMENDATION: Grant

1. Within 4 months of the date of this permission, the proposed vehicle entrance gates positioned within the boundary fencing hereby permitted shall be erected in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The development shall be retained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenity and character of the property and surrounding area in accordance with policies AW5 and AW6 of the

Rhondda Cynon Taf Local Development Plan.

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APPLICATION NO: 14/0090/10 (KL)
APPLICANT: Ms M Laws
DEVELOPMENT: Ground floor extension to front and rear and first floor extension over lounge area (resubmission)
LOCATION: 19 NANT-Y-COED, THOMASTOWN, TONYREFAIL, PORTH, CF39 8FB
DATE REGISTERED: 07/02/2014
ELECTORAL DIVISION: Tonyrefail West

RECOMMENDATION: Approve

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 and overcomes concerns expressed regarding a previous scheme, which were also upheld on appeal.

APPLICATION DETAILS

Full planning permission is sought for the construction of a single storey extension to the front and rear of 19 Nant-y-Coed, Tonyrefail, with a first floor addition above an existing lounge area.

The proposed ground floor additions would form an extension to an existing single storey side projection to the west of the existing property. The front extension would extend beyond the principal elevation of the property by 1.2 metres and would extend to the width of the existing projection (3.1 metres). The single storey rear extension would be sited to the rear of the existing single storey side projection and would measure 2.8 metres in width by 2.1 metres in dept. It would have a hipped roof design measuring a maximum of 4.4 metres in height from ground level, sloping to 2.7 metres at its eaves. The first floor addition would be sited above the existing single storey side projection and the proposed front extension. It would measure 3.1 metres in width by 5 metres in depth and would incorporate a hipped roof design measuring a maximum of 6.2 metres in height, sloping to 4.8 metres at its eaves. The new additions would accommodate an extension to both the existing kitchen and lounge area at ground floor, and an additional bedroom at first floor. All materials would match the existing property.

The application constitutes the resubmission of a previously refused planning application (13/0393) which represented a similar two storey extension to the side of the property. The roof slope to the rear addition would have extended the full width of the single storey rear extension and would have incorporated a large dormer window at first floor. The application was refused as it was considered that the extension, by virtue of its siting, design and bulk, would have had an overbearing impact upon no. 20 Nant-y-Coed due to its closeness and scale. It was considered that the proposal would have had an unacceptable detrimental impact on the level of residential amenity enjoyed by the occupiers of that property. The decision was upheld at appeal.

The applicant subsequently entered into discussions with the Council and it was suggested that the two storey extension be brought forward of the existing building line to the front in order to reduce the impact on the adjacent neighbour. It was also suggested that the rear dormer be removed and replaced with a hipped roof to retain an acceptable gap between the side elevation of the application property and the rear garden of no. 20. The current scheme has taken into account the points outlined above.

SITE APPRAISAL

The application site is a two-storey, end-of-link property located within the residential estate of Gelli Seren, Tonyrefail. The property is set within a small cul-de-sac and is accessed off a private driveway which serves two other properties. The property benefits from an open-plan garden area and driveway to the front with a large, enclosed garden to the rear which is bound by the rear garden of a property in an adjacent street. There is an existing single storey extension to the side of the property which is separated from the boundary with the neighbouring property by a side access to the rear garden (approximately 1 metre in width). Neighbouring properties are of various scales and designs with a mixture of detached, semi-detached and linked properties within the vicinity. There are various examples of single storey and two-storey extensions throughout the estate. No. 20 Nant-y-Coed, a semi-detached property to the west of the site, is set approximately 8 metres forward of the front elevation of the application property. Ground levels at the site slope downwards from west to east with no. 20 being set approximately 1 metre above the application site.

PLANNING HISTORY

13/0393	19 Nant-y-Coed, Tonyrefail	Two storey extension to form a bedroom over existing lounge and a single storey rear extension to form a dining area	Refused 11/06/13 Appeal DIS 27/09/13
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PUBLICITY

The application has been advertised by means of direct neighbour notification. In response, 1 letter of objection has been received from no. 20 Nant-y-Coed on the following grounds:

- Overbearing presence - a double storey extension will significantly reduce the gap between the properties, eliminate the sense of space and still create an overbearing presence on our garden and patio, imposing a claustrophobic feel;
- Loss of sunlight and overshadowing – the amendments to the plans do not alleviate the loss of light, as the two storey element will still block direct sunlight from reaching our property. The natural daylight hitting our patio area and serving our dining room will be much diminished;
- Loss of amenity – Due to loss of sunlight, we will be unable to utilise our private patio area as living and play space and this will also affect the use of our washing line;
- Adverse impact on the area – the proposed partial rendering of the side elevation would result in the development differing in appearance and design from surrounding properties and the extra development will give a cramped feel in an area where space has been developed to optimum capacity;
- Loss of privacy – the upstairs bedroom window will be unacceptably close to our existing ensuite window;
- The height and mass of the proposed development would still have an overbearing impact and have a negative effect on our amenities and conflict with Policy AW5.

CONSULTATION

Welsh Water – informs that a public sewer crosses the application site and suggests an informative be added to the consent.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies within the settlement boundary for Tonyrefail (west), but is not allocated for any 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.

Planning Policy Wales Chapter 4 (Planning for Sustainability), sets out the Welsh Government's policy on planning issues relevant to the determination of the application.

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 extension of an existing residential property and 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 two-storey extension to the front would be located to the side of the property, projecting forward of the principal elevation by 1.2 metres. Whilst this would usually form a highly visible addition to a property, the existing relationship with the neighbouring property to the west, ensures that the extension is hidden from view when the property is looked at from the entrance to the cul-de-sac. The hipped roof design of the proposed extension would be set down from the roof line of the original dwelling by 1.2 metres and all materials proposed would match the existing. As such, it is not considered that the extension would form an unsympathetic addition to the property and it would not have a detrimental impact to the character and appearance of the existing dwelling or wider area. The rear single storey extension would not project beyond the existing rear elevation of the property and would not form a highly visible addition. The hipped roof design would also be in-keeping with the roof design of the original dwelling and other properties within the vicinity. With a variety of different house types and various examples of single storey

additions within the area, it is not considered that it would adversely affect the character and appearance of the existing dwelling.

Impact on residential amenity and privacy

In terms of residential amenity and privacy, the current scheme is considered to be an improvement of the previously refused application. The two storey element of the scheme has been pushed forward of the front building line by 1.2 metres and the rear dormer has been removed and replaced with a hipped roof. This is considered to sufficiently reduce the overbearing impact on no. 20 Nant-y-Coed. Approximately 2.5 metres of the two-storey addition would be visible from the rear garden of the adjacent property and the hipped roof design of the single storey addition would slope away from the boundary with the neighbouring property, retaining a sufficient gap between the two properties. As such, the overbearing impact created by the previous scheme is now considered to be reduced to an acceptable level and has overcome the main concerns expressed by the Planning Inspector in relation to effect on the neighbour's outlook. In relation to the concerns expressed by the neighbouring property regarding loss of sunlight and overshadowing, it is acknowledged that there would be some overshadowing to the rear amenity space during the early morning, however, this is not considered to be so significantly harmful as to warrant the refusal of the application. The proposed additions would pose no further overlooking on the adjacent property due to the existing arrangement and existing ground levels at the site. Whilst the two storey element would result in a new bedroom window being located in close proximity to an existing first floor window in the side of the neighbouring property, this window serves an ensuite and is obscured glazed, which will prevent any significant loss of privacy.

Conclusion

It is not considered the proposal would have a significant impact on the character and appearance of the locality or upon the residential amenity of the surrounding neighbouring properties. As such, the application is considered to comply with the relevant policies of the Local Development Plan (Policies AW5 and AW6).

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 external materials of the proposed extension shall match as near as possible the materials of the original dwelling house.

Reason: To ensure that the extension is in keeping with the existing building in the interests of visual amenity in accordance with policies AW5

and AW6 of the Rhondda Cynon Taf Local Development Plan.

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APPLICATION NO: 14/0118/10 (JB)
APPLICANT: Mr B Brunt
DEVELOPMENT: Small front extension and single storey extension to rear for hydrotherapy room
LOCATION: 1 NANT Y COED, PANTYGRAIGWEN, PONTYPRIDD, CF37 2SQ
DATE REGISTERED: 04/02/2014
ELECTORAL DIVISION: Rhondda

RECOMMENDATION: Approve

REASONS:

Although one objection has been received, 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 and on the conservation area.

APPLICATION DETAILS

Full planning permission is sought for the construction of two single storey extensions at 1 Nant-y-Coed, Hopkinstown, Pontypridd, CF37 2SQ.

The proposed development would incorporate two extensions, very different in size, one on the principal elevation of the property and one to the rear.

The small extension, proposed on the principal elevation of the dwelling, would measure 5.90m in width, 2.00m in depth and would incorporate a gable roof design measuring 2.20m to the eaves with a maximum height of 4.30m. The extension would be brick built and faced to match the design of the existing dwelling, would incorporate matching roof tiles and white UPVC windows and doors to match the materials used in the existing dwelling.

The proposed extension would provide additional space to the front of the property to accommodate a physiotherapy and sensory room.

The extension proposed on the rear elevation of the property would measure 6.00m in width and 12.95m in depth. This would be a sizeable extension and would incorporate a flat roof design which would include a raised atrium. The extension would measure 2.40m to the eaves, 2.70m to the flat roof and 3.70m to the ridge of the atrium. It would be brick built and faced to match the design of the existing

dwelling, would include a single ply-membrane flat roof and powder coated aluminium atrium and would incorporate uPVC windows and doors to match the materials used in the existing dwelling.

The proposed rear extension will provide additional space for a hydrotherapy pool, shower rooms, store and carers facilities including a bed-sit and duty room. The occupant of the property, currently living with his mother, is wheelchair disabled and requires such medical facilities along with 24 hour personal care, which will be provided by a care team.

SITE APPRAISAL

The application site is a large detached dwelling located within a residential area of Hopkinstown, Pontypridd. The property is situated at the end of a cul-de-sac and is set back approximately 20.00m from the highway to the south-east. There is a large enclosed garden to the front of the property with driveway and a large enclosed garden to the rear which is bound on all sides by a 2.00m high conifer hedgerow. The rear garden itself is well screened from public viewpoint.

Due to the site location, at the end of a cul de sac, there are no properties sited immediately to the north, south or west of the application site. There is one neighbouring property immediately to the east, known as Number 2-Nant-y Coed, which lies approximately 3.00m from the application site. The nearest residential property within the surrounding area, known as Troedrhiwtrwyn Farm, is located approximately 25.00m to the north - west on higher land. A local stream, known as Nant Blaenhenwysg, separates the application site from this Farm to the north - west.

Neighbouring properties situated along Nant-y-Coed and within the surrounding area are of a similar scale and design to the application site with various extensions being visible within the immediate vicinity. Part of the application site (approximately 55.00m² of the total/1260m² site area); is situated within the conservation area boundary; however, the development itself will not be positioned on this land.

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 and via a site notice.

One neighbour letter of support and one letter of objection have been received with respect to the application.

The one letter of objection raises the following concerns;

1. Objection to the intensification of use clearly illustrated on the plans.
2. As part of the property is within the conservation area, it will impact on the environmental amenity if these proposals are accepted.
3. There is a possibility the ownership of the abutting property is in the current ownership, this could result in the near future which could be an add-on to the proposal that would in fact result in a significant change to the residential use as contained within the original planning process.
4. As the total area of ownership has been excluded, which appear to avoid responsibility for the culvert and the banking within the conservation area, this could impact on the council tax payers if not addressed at this point in time.

CONSULTATION

Public Health and Protection - the application site lies within 250m of a landfill site and it has therefore been suggested that an informal note, relating to potentially contaminated land, be included as part of the decision notice.

Welsh Water - the application site may include underground public sewers and drains which may not be recorded on private records held by Welsh Water. An informal note has been suggested, encouraging the applicant to contact Welsh Water, prior to the commencement of any development on site.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

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.

Planning Policy Wales Chapter 4 (Planning for Sustainability) sets out the Welsh Government's policy on planning issues relevant to the determination of the application.

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 extension of an existing residential property and the principle of development is therefore acceptable subject to the criteria set out below.

Impact on the character and appearance of the area

The small single storey extension proposed on the principal elevation is considered to be acceptable in terms of its scale, design and overall visual appearance. It would measure 5.90m in width, 2.00m in depth with a maximum height of 4.30m and would incorporate materials to match those of the existing dwelling.

As such, it is considered that the proposed extension on the principal elevation of the property would be a sympathetic and subservient addition to the large detached property and therefore would not have a significant impact on the character and appearance of the existing property, surrounding area or the wider conservation area.

The sizeable single storey extension proposed on the rear elevation is less straight forward and could be considered to be out of character with respect to the existing dwelling. The proposed extension would measure 6.00m in width, 12.95m in depth with a maximum height of 3.70m. It would be substantial in size and could detract from the shape and design of the original property. However, the proposed extension would be to the rear of the property, would be well screened from public viewpoint and will incorporate materials to match the existing dwelling. The extension itself will provide additional space for a hydrotherapy pool and carers facilities which are considered beneficial to the health of the disabled occupier. Therefore, there are personal circumstances to be taken into consideration in this case.

As such, although the rear extension is considered to be out of character with respect to the design of the existing dwelling, it is considered that the development will not unduly harm the character of the surrounding area or indeed the wider conservation area due to the proposed siting of the development, current boundary treatment and proposed matching materials. It has been demonstrated that the extension is required by the occupant due to health reasons and personal circumstances. The extension would benefit the occupier of the property and would positively contribute to the occupants' standard of living.

Impact on residential amenity and privacy

It is not considered that the proposed single storey extension would have a detrimental impact upon the residential amenity or privacy of neighbouring properties.

The proposed extension on the principal elevation of the property is not considered to have an overshadowing or overbearing impact upon the surrounding neighbours due to the distance between the neighbouring properties, minor scale, massing and the sympathetic design of the proposed development.

In addition, there are no overlooking issues to address with respect to the extension on the principal elevation again, due to the distance between the neighbouring properties, minor scale and sympathetic design of the proposed development.

The proposed extension on the rear elevation of the property, albeit large, is not considered to have an overshadowing or overbearing impact upon the surrounding neighbours due to the proposed scale of the development (measuring a maximum height of 4.30m), significant distance between the neighbouring properties to the north, west and south, the significant boundary treatment currently present and the proposed matching materials.

The extension would be sizeable in depth, however, with consideration to the above points and with reference to the position of the neighbouring property (2.00m forward of the application site), the impact on the neighbouring property, known as number 2 Nant y Coed, is considered to be minimal.

In addition, there are no overlooking issues to address with respect to the proposed extension to the rear, again due to the proposed scale of the development, sympathetic design with reference to the fact that no additional windows are proposed within the side/east elevation, the distance between neighbouring properties to the north, west and south, the existing boundary treatment and finally the position of the neighbouring property to the east (positioned 2.00m forward of the application site).

Other Issues

As noted above, there has been one objection to the development proposal raising four main areas of concern.

In response to the above comments respectively;

1. The use of the residential property will not change. The proposed development will provide facilities which will be beneficial to the health of the current occupier. The proposed use is considered to be ancillary to main dwelling and there remains a connection with the main house. The extension is not considered to be separated from the property in any way nor is it considered to be a separate unit of accommodation.
2. The Councils' Conservation Officer has been consulted on this application and has no objections to the development proposal.
3. The matter of "land/property ownership" is not a formal planning consideration and we can only determine such proposal on its planning merits.
4. Again, the matter of "land/property ownership" is not a formal planning consideration and we can only determine such proposal on its planning merits.

Conclusion

It is not considered the proposal would 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

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 external materials of the proposed extensions shall match as near as possible the materials of the existing dwelling.

Reason: To ensure that the extensions are in keeping with the existing building in the interests of visual amenity in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

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APPLICATION NO: 14/0141/10 (GW)
APPLICANT: Mr M Bowen
DEVELOPMENT: Detached 4 bedroom house in place of the existing bungalow.

LOCATION: 28 ST ILLTYDS ROAD, CHURCH VILLAGE,
PONTYPRIDD, CF38 1DA
DATE REGISTERED: 19/02/2014
ELECTORAL DIVISION: Church Village

RECOMMENDATION: Grant

REASONS:

The development is within the settlement boundary and planning permission was previously granted for an extension to the former dwelling; which would have resulted in a dwelling of a similar size and design to that now being proposed. However as the previous dwelling was demolished a new application for the replacement dwelling is required. In terms of the impact on amenity, the visual impact and parking and access; the proposal would not result in a significantly different impact than the proposal previously permitted.

APPLICATION DETAILS

Full planning permission is sought for a replacement dwelling. The previous dwelling has been demolished during preparation works on an extension to the original dwelling (Reference 11/1310). As such a new application is required to replace the dwelling.

The replacement dwelling would be located in the same position as the previously approved dwelling. It would measure a maximum 10.64m in width, 14.05m in depth and 7.8m in height. This is a slight increase in size from the previous permission, which detailed the dwelling to be 10.64m in width, 14.0m in depth and a maximum of 7.7m in height. The Design and Access statement details the ridge height would be increased by 0.12cm to allow for an increase in roof pitch from 24° to 25° to allow a standard roof slate to be used. A flue would also be provided on the side elevation facing the boundary with number 30. Members are advised this would have been permitted development if the previous extension had been constructed.

The access would be widened and a larger hard standing area would be provided for four cars.

The application is accompanied by the following:

- Design and Access Statement.

Councillor Stacey has requested the application is reported to Committee to assess the differences between the two schemes.

SITE APPRAISAL

The site formerly had a detached bungalow (now demolished) and is located within a residential area in Church Village. The immediate neighbouring properties consist of detached bungalows, houses and semi detached properties with a variety of designs and exterior finishes.

The property is set above the level of the adjacent highway and has a front, side and large rear garden area. The property is located at a similar level as the immediately adjacent properties.

PLANNING HISTORY

11/1310/10	28 St Illtyds Road Church Village CF38 1DA	Alterations and extensions to existing bungalow to provide a 2 storey dwelling (resubmission)	Granted 13/04/12
11/0603/10	28 St Illtyds Road Church Village CF38 1DA	Extension and conversion of existing bungalow to a 2 storey dwelling and new detached garage	Refused 15/07/11
11/5218/32	28 St Illtyds Road, Church Village, CF38 1DA	Extension to bungalow (Pre-application enquiry)	Raise objections 12/04/11
92/0800	28 St Illtyds Road Church Village CF38 1DA	Lounge/kitchen extension	Granted 07/01/93

PUBLICITY

The application has been advertised via the erection of a site notice and by direct neighbour notification. At the time of writing this report no correspondence has been received. As the date for consultation ends on the 27th March 2014 any correspondence received would be orally detailed to Members.

CONSULTATION

Countryside, Landscape and Ecology – no objection as former dwelling has already been demolished.

Dwr Cymru/Welsh Water – no objection subject to drainage conditions.

Land Reclamation and Engineering – no objection subject to conditions.

Public Health and Protection – no objection subject to conditions on the demolition of existing dwellings, hours of operation, noise, dust and waste.

Transportation Section – no objection subject to conditions.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The site is within settlement boundaries as defined by the Rhondda Cynon Taf Local Development Plan and is unallocated.

Policy CS2 - sets out criteria for achieving sustainable growth including, promoting residential development with a sense of place and focusing development within defined settlement boundaries.

Policy AW1 - supports new housing inside the settlement boundaries and allocated sites.

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 AW8 - sets out criteria for the protection and enhancement of the natural environment.

Policy AW10 - development proposals must overcome any harm to public health, the environment or local amenity as a result of flooding.

Policy NSA12 – details criteria for development within and adjacent to settlement boundaries.

Supplementary Planning Guidance: Access, Circulation & Parking and Design and Placemaking

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.

Chapter 2 (Development Plans), Chapter 3 (Making and Enforcing Planning Decisions), Chapter 4 (Planning for Sustainability), Chapter 8 (Transport) and

Chapter 9 (Housing) set out the Welsh Government's policy on planning issues relevant to the determination of the application.

Other relevant policy guidance consulted:

PPW Technical Advice Note 12: Design;
PPW Technical Advice Note 18: Transport;
PPW Technical Advice Note 22: Sustainable Buildings;
Manual for Streets

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.

Principle of the proposed development

The site is located within the settlement boundary as identified in the Rhondda Cynon Taf Local Development Plan. Planning permission (Reference 11/1310) has previously been approved for an extension to the former dwelling. This would have resulted in a similar size and design of dwelling that is now being proposed. Therefore the principle is acceptable subject to the following material planning considerations.

Impact on residential amenity and privacy

In respect of the impact on neighbouring properties the difference between the proposed scheme and the one that was previously permitted is relatively insignificant. The main change would be a 12cm increase in the ridge height. It is noted that in the previous application (11/1310) objections were made by the occupier of the adjacent dwelling at 30 St Illtyds Close. One of the objections was that the dwelling would result in a loss of sunlight and would dwarf her property. Whilst these concerns are still recognised, it is considered the changes proposed would not result in any significant further issues compared to the previous scheme. No objections have currently been received as a result of the public consultation exercise. Therefore Members are advised it would be unreasonable to refuse this application based on the impact on amenity.

Impact on the character and appearance of the area

The size, scale and design of the proposal have been considered as acceptable in the previous permission and the difference between the two schemes is insignificant. As such it would be unreasonable to refuse the application on this issue.

Access and highway safety

Four parking spaces would be provided, which is considered an acceptable amount for the proposed dwelling. It is proposed to widen the access from 3.5m to 4.1m. No objection has been raised by the Transportation Section and visually this would not be a significant issue. Therefore in these terms the application would be acceptable.

Impact on ecology

The proposal has come about due to the demolition of the existing dwelling, which could have had potential as a habitat for protected species. However as demolition has already been carried out and the majority of rubble has been removed from the site the ecological potential has been removed. In ecological terms, this is regrettable and no further comments have been raised by the Council's Ecologist. It is considered therefore this situation would not warrant a refusal reason.

Other issues

The following other material considerations have been taken into account in considering the application, though were not the key determining factors in reaching the recommendation:

Public Health

Whilst the comments raised by the Public Health and Protection Section are appreciated, it is considered dust and waste matters can be more efficiently controlled by other legislation. An appropriate note can be added to any permission concerning waste and dust issues.

Conclusion

The application is considered to comply with the relevant policies of the Local Development Plan in respect of the principle of development, impact on residential amenity and privacy, the impact on the character and appearance of the area, access and highway safety and the impact on ecology (Policies AW1, AW2, AW5, AW6, AW8 and Policy NSA12).

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 Section 91 and 93 of the Town and Country Planning Act 1990.

2. Before any construction works start on site, existing and proposed levels (including relevant sections) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reasons: To protect residential and visual amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

3. Building operations shall not be commenced until a sample of the roof coverings and render (including colour) 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 sample so approved unless otherwise agreed in writing by the Local Planning Authority.

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.

4. No development shall take place until there has been submitted to and approved by the Local Planning Authority a comprehensive scheme of landscaping, which shall include indications of all existing trees (including spread and species) and hedgerows on the land and details of any to be retained together with measures for their protection during the course of development.

Reason: To ensure that the new development will be visually attractive in the interests of amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

5. All planting, seeding or turfing in the approved details of landscaping shall be carried out in the first planting and seeding season following the completion of the development and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that the new development will be visually attractive in the interests of amenity in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

6. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the dwelling hereby approved is occupied. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the new development will be visually attractive in the interests of amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

7. No development shall take place until drainage arrangements have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure adequate disposal of foul and surface water drainage in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

8. The dwelling shall not be occupied until the drainage works have been completed in accordance with the approved plans.

Reason: To ensure adequate disposal of foul and surface water drainage in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

9. Notwithstanding the submitted plans and prior to occupation of the dwelling, hereby permitted, being brought into use, the first floor windows in both the side elevations shall be glazed with obscure glass details of which shall first be submitted to and agreed in writing by the Local Planning Authority. The window(s) shall be retained as such thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the privacy of residents in the locality in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) no windows or roof lights (other than any hereby permitted) shall be installed above ground floor ceiling height without the prior express permission of the Local Planning Authority.

Reason: To safeguard the privacy of residents in the locality in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

11. Development shall not begin until details providing for the extension of the vehicular crossover have been submitted to and approved in writing by the

Local Planning Authority. The crossover shall be extended in accordance with the approved details before the development is brought into use.

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

12. The parking area shall be constructed in permanent materials and retained for the purposes of parking only unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that vehicles are parked off the highway, in the interests of road safety.

13. Surface water run-off from the proposed development shall not discharge onto the public highway or connected 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 and potential flooding in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

14. Prior to the commencement of development, details of traffic management shall be provided on site in accordance with details submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and maintained throughout construction unless otherwise agreed in writing by the Local Planning Authority.

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

15. The dwelling hereby permitted shall be constructed to achieve a minimum Code for Sustainable Homes Level 3 and achieve a minimum of 1 credit under category 'Ene1- Dwelling Emission Rate' in accordance with the requirements of Version 3 of the Code for Sustainable Homes. The development shall be carried out entirely in accordance with the approved assessment and certification.

Reason: To ensure the development constructed is in accordance with policy guidance in relation to providing sustainable buildings, outlined in paragraph 4.12.4 of Planning Policy Wales (5th Edition) November 2012.

16. Unless otherwise agreed in writing by the Local Planning Authority, construction of the dwelling hereby permitted shall not begin until an 'Interim Certificate' has been submitted to and approved in writing by the Local Planning Authority, certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credit under 'Ene1 - Dwelling Emission

Rate', has been achieved for that individual dwelling or house type in accordance with the requirements of Version 3 of the Code for Sustainable Homes.

Reason: To ensure the development constructed is in accordance with policy guidance in relation to providing sustainable buildings, outlined in paragraph 4.12.4 of Planning Policy Wales (5th Edition) November 2012.

17. Prior to the occupation of the dwelling hereby permitted, a Code for Sustainable Homes 'Final Certificate' shall be submitted to and approved in writing by the Local Planning Authority, certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credit under 'Ene1 - Dwelling Emission Rate', has been achieved for that dwelling in accordance with the requirements of the Version 3 of the Code for Sustainable Homes.

Reason: To ensure the development constructed is in accordance with policy guidance in relation to providing sustainable buildings, outlined in paragraph 4.12.4 of Planning Policy Wales (5th Edition) November 2012.

18. Construction works on the development shall not take place other than during the following times:

- (i) Monday to Friday 0800 to 1800 hours
- (ii) Saturday 0800 to 1300 hours
- (iii) Nor at any time on Sundays, Bank or Public holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the noise emitted from this development is not a source of nuisance to occupants of nearby residential properties in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

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APPLICATION NO: 14/0205/10 (LE)
APPLICANT: Mr & Mrs G Berridge
DEVELOPMENT: Hip to gable end roof conversion & extension with installation of roof windows (Re-submission)
LOCATION: 6 ACORN CLOSE, MISKIN, PONTYCLUN, CF72 8SQ
DATE REGISTERED: 18/02/2014
ELECTORAL DIVISION: Pontyclun

RECOMMENDATION: Approve

REASONS:

The proposed roof works are considered acceptable alterations that would not have a significantly harmful impact on the appearance of the existing residential property or the surrounding street scene.

APPLICATION DETAILS

Full planning permission is sought to raise the ridge height of the existing property and the alteration of the existing hipped roof of the building to a gable roof design at 6 Acorn Close, Miskin.

It is proposed to raise the existing ridge height of the property by 0.9 metres from the existing 7.5 metres ridge height to a ridge height of 8.4 metres from ground level. In addition, it is also proposed to alter the hipped roof design of the existing roof space to a pitched, gable roof design. Four roof lights (2 facing front, 2 facing rear) would be inserted within the roof planes of the new roof.

The proposed roof alterations would allow the creation of an additional bedroom and en-suite at the property.

The proposal represents the re-submission of an earlier refused scheme to alter the roof space of the property that proposed a ridge height increase of 1.5 metres (ref no: 13/1314/10). This scheme was considered harmful to the character and appearance of the locality as such an increase in the ridge height would have created an overly prominent and unsympathetic form of development. The applicant has amended the scheme and reduced the proposed ridge height in an attempt to overcome the reason for refusal.

SITE APPRAISAL

The application property is a two-storey, modern detached dwelling located on a residential estate within Miskin, Pontyclun. The property is sited within a quiet cul-de-sac and has a face brickwork finish, concrete tiled roof, and white uPVC window units. Neighbouring properties are of similar finish with some variety in their overall design, including their roof shapes and heights. The application property has an enclosed rear garden, and open front garden that currently provides off street parking space. The application property and neighbouring properties have been developed on a gentle slope that falls from north to south. As such the ridge heights of each property, from numbers 1-6 Acorn Close, gradually fall in a stepped manner from north to south.

PLANNING HISTORY

13/1314/10	Hip to gable end roof conversion & extension with installation of roof windows.	Refused 27/01/14
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08/1777 Conversion of garage (retrospective)

Granted
14/01/09

CONSULTATION

No further consultation undertaken (neighbour notification only).

PUBLICITY

The application has been advertised by means of direct neighbour notification. One letter of objection has been received against the planning application from a neighbouring resident that states:

- The structural changes will affect every elevation, shape of roof space and increase the height of the building. The concern is that the building will not be in-keeping with the rest of the street.
- As a neighbouring property, this could be off putting for reasons we wouldn't know/understand until it was built but also to a potential buyer of our property in the future.
- No concern would be raised if the existing roof space could be utilised.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site is situated within the settlement boundary and is unallocated.

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.

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 (PPW) Chapter 2 (Development Plans) and Chapter 3 (Making and Enforcing Planning Decisions) set out the Welsh Government's policy on planning issues relevant to the determination of the application.

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:

Impact on the amenity and privacy of neighbouring properties

The proposed alterations would mark a change to the roof massing and height of the existing roof space of the property although the proposal is unlikely to present any harmful impact to levels of residential amenity currently enjoyed in the locality. The comments raised following the public consultation exercise, as earlier detailed, are acknowledged in this instance. However, the neighbouring dwelling no. 7 Acorn Close, is slightly offset from the application building by a side vehicular driveway and is also situated to the south of the application site. No. 5 Acorn Close that adjoins the north of the application site may experience some additional light loss in the later half of the day, although any additional overshadowing would not be so significant, in comparison to the existing relationship between properties, to warrant refusal of the application.

Properties to the rear, east of the site are also set away from the application building (a distance of approximately 25 metres separating the buildings) and therefore unlikely to experience any harmful overshadowing. In terms of overlooking, there is likely to be no more significant impact from the proposed roof lights in comparison to the existing first-floor windows of the application or adjoining properties that afford views into neighbouring garden areas. Overall, the proposal is not considered to harmfully impact upon the privacy and residential amenity standards currently enjoyed in the area.

Impact on the character and appearance of the locality

As earlier detailed, the proposal would involve raising the existing ridge height of the property by 0.9 metres, from the existing height of 7.5 metres to a height of 8.4 metres. Whilst acknowledging roof alterations can have a significant impact on the appearance of buildings and their wider setting, on balance, the proposal is considered acceptable in visual terms. In comparison to an earlier refused scheme the applicant has importantly reduced the proposed increase in the ridge height of the property, which subsequently reduces the mass and likely impact of the development. A 0.9 metres increase to the ridge height of the dwelling in a street scene that hosts detached properties that do have variety in the shape and form of

their roof spaces, including ridge heights, is not considered overly excessive or noticeable. The consistency and symmetry of the roof shapes in the street are not as uniform as a typical terraced street for example and it is not uncommon for properties situated on more modern residential estates to have variety in their roof shapes and overall heights. Properties in the area do have a mixture of hipped and gable roof styles with a gable roof proposal being considered acceptable.

It is further noted the applicant has reduced the number of roof lights being proposed (in comparison to the earlier refused scheme) to further enhance the visual appearance of the development. Overall, given the existing site context and amendments undertaken (in comparison to the earlier refused scheme), it is considered the proposal would not have such an adverse impact on the existing character and appearance of the locality to warrant a recommendation to refuse the planning application.

Other Issues

Comments raised by a local resident in relation to the works affecting potential future buyers of their property are not considered a material planning reason to warrant refusal of the scheme. An appropriate level of off-street parking space also exists at the site with such a proposal raising no highway safety concerns.

Conclusion

The application is considered to comply with the relevant policies of the Rhondda Cynon Taf Local Development Plan, representing an acceptable alteration to an existing dwelling house in visual and amenity terms. Approval of the planning application is therefore recommended.

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 external materials of the proposed development shall match as near as possible the materials of the existing roof finishes.

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. Notwithstanding the submitted details, no additional windows (roof lights),

shall be inserted within the roof slopes of the extension hereby permitted without the prior written approval of the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.



LOCAL GOVERNMENT ACT 1972

as amended by

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

LIST OF BACKGROUND PAPERS

DEVELOPMENT CONTROL COMMITTEE

3 APRIL 2014

REPORT OF: SERVICE DIRECTOR PLANNING

REPORT

**APPLICATIONS RECOMMENDED
FOR APPROVAL**

OFFICER TO CONTACT

**MR J BAILEY
(Tel: 01443 425004)**

See Relevant Application File