

APPLICATION NO: 14/0918/10 (LE)
APPLICANT: Mr L Emery
DEVELOPMENT: Detached house and garage (Amended plans received 14/08/14 and 28/08/14 that include the resiting of garage building)
LOCATION: SITE OF FORMER 7 - 9 CAMBRIAN TERRACE, TONYPANDY, CF40 2HN.
DATE REGISTERED: 18/07/2014
ELECTORAL DIVISION: Llwynypia

RECOMMENDATION: Approve

REASONS:

The application represents an appropriate form of residential infill development within the settlement limits; planning permission has also been recently granted at the site for the erection of two dwellings (ref no:13/1267).

APPLICATION DETAILS

Full planning permission is sought for the erection of a single detached dwelling on an infill site at land between no.'s 6 and 10 Cambrian Terrace, Llwynypia. The site was formerly occupied by three dwellings and following their demolition a landscaped area was created at the site by the Council. The site is now privately owned.

The proposed dwelling would have a typical two-storey design measuring 10.2 metres in width by 10.27 metres in depth. The sloping topography of the street would give the dwelling a maximum height of 8.2 metres from ground level to its northern side and 7.2 metres to its southern side. The dwelling would be finished in a cement render with slate tiled roof. The layout of the dwelling would comprise a ground floor living room, kitchen/dining area, study room and small utility. At first floor level the dwelling would accommodate four bedrooms (one en-suite) and a bathroom.

As part of the proposal a single storey, pitched roof garage would be created to the northern side of the dwelling. The garage would be set back behind the building line of the main property by a distance of 6.35 metres. The garage structure would measure 4.95 metres in width (maximum) by 6.6 metres in depth, with a maximum height of 4.2 metres falling to 2.2 metres at eaves level. Access to the garage would be via a single garage door positioned within the front elevation, measuring 2.3 metres in width. A driveway area would be created to the front of the garage alongside the existing hard standing positioned to the side of no.10 Cambrian Terrace.

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

SITE APPRAISAL

The application site comprises a vacant, infill site within the built up area of Llwynypia. The site is positioned immediately to the east of the vehicular highway of Cambrian Terrace, between two existing end of terrace properties. Vehicular hard standings offset the front of the plot from the side elevations of the adjoining dwelling buildings. The broadly rectangular shaped plot covers an area of approximately 500 square metres falling gradually from south to north. The rear of the plot falls sharply toward Glamorgan Terrace that abuts the east of the site. The front of the plot hosts a number of small trees and low level planting although the rear of the site appears overgrown and unmaintained.

PLANNING HISTORY (post 1974)

13/1267	Erection of two dwellings .	Grant 09/04/14
071261	Erection of two semi-detached dwellings. (Amended plans received 31 July 2008)	Grant 30/10/08
00/6045	Informal Enquiry for residential development	Permission required 04/02/00
96/115	New footpaths, paved surfacing, seating, tree planting & shrubs	Grant 30/03/96

PUBLICITY

The application has been advertised by means of direct neighbour notification and site notice. One individual letter of objection from the occupier of no. 9 Glamorgan Terrace and a petition signed by the occupiers of no's. 6, 10, 11 and 12 Cambrian Terrace has been received against the scheme. One anonymous letter of objection has also been received against the planning application. The objections raised are summarised below:

- The proposed 'modern' build house is not in keeping with the 1900's miners cottages that characterise the area.
- The dimensions of the dwelling are excessively large and not in keeping with the neighbouring terraced houses.
- The size and scale of the building is overly large, it would block all sunlight and overshadow other properties in the street and those behind the site.

- The proposal would have an immediate impact on no. 10 Cambrian Terrace, overshadowing the rear conservatory and garden area.
- A side window would be positioned within the building overlooking no. 10 Cambrian Terrace.
- People living in the new house would directly overlook the front windows of properties sited to the rear of the site.
- Access via the parking areas/space to the front of Glamorgan Terrace for the construction phase would not be allowed as the space is in constant use.
- Cambrian Terrace has difficult access points particularly during icy conditions. Therefore the turning area/passing bay opposite the site is essential for vehicles needing to pass/manoeuvre within the street.
- An existing bollard close to no. 10 on several occasions has prevented serious damage to no. 10 as a result of vehicles moving as handbrakes fail on parked cars, given the sloping nature of the street.
- Such a large house will bring more vehicles to the street and cause more parking problems. Additional vehicles pushing into other people's parking spaces will cause havoc and unrest amongst residents, who voluntarily offered up land to aid the street widening programme previously undertaken along Cambrian Terrace.
- The proposal would result in significant disruption and disturbance as a result of construction traffic.
- The proposal should not affect other garden boundary walls that are already unsafe.
- Japanese knotweed is a problem in the area and will need to be carefully treated.
- The new development would add further strain to the existing drainage system in the area that already experiences problems in periods of heavy rainfall.
- The rear garden of the new house would slope toward Glamorgan Terrace placing additional drainage problems on this street and neighbouring gardens.

CONSULTATION

Transportation Section - raise no objection subject to conditions.

Land Reclamation and Engineering - raise no objection subject to conditions.

Public Health and Protection - raise no objection subject to conditions.

Natural Resources Wales - raise no objection.

Dwr Cymru Welsh Water - raise no objection subject to conditions.

Wales and West Utilities - raise no objection.

Countryside Landscape, Ecology - raise no objection with no relevant Sewbrec Records of Statutory Protected Species from immediate vicinity. A condition is advised to ensure appropriate measures are undertaken to control Japanese Knotweed on the site.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

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

Policy CS1 - emphasises the need to build strong and sustainable communities in the Northern Strategy Area.

Policy AW1 - sets provisions for the creation of new housing throughout Rhondda Cynon Taf between 2006 – 2021.

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.

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

Policy NSA10 - sets housing density requirements for the Northern Strategy Area.

Policy NSA12 - supports housing development within and adjacent to settlement boundaries.

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), Chapter 4 (Planning for Sustainability) and Chapter 9 (Housing), 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

Permission is sought for the erection of a detached property within the existing built up area of Llwynypia. The application site is situated between existing residential properties on an 'in-fill' plot that is situated within the settlement boundary. Furthermore, the planning history of the site reveals planning permission was previously granted for the erection of two dwellings at the site in 2008 and again in April 2014. The site was previously occupied by residential properties with a single dwelling considered an appropriate use of the site.

In summary, the principle of the development is established on the site and in accordance with the provisions of the local development plan that aims to focus new development within defined settlement boundaries.

Impact on the character and appearance of the area

With regard to the character and appearance of the area, the application site comprises a gap in the street scene of terraced properties. The proposal is to erect a single, relatively simply designed dwelling house that aims to respect the layout and general appearance of existing dwellings in the street. Whilst acknowledging the proposal has a relatively large footprint, the overall dimensions of the building are very similar to the scheme earlier approved at the site for the erection of two dwellings, ref no: 13/1267. The width of the main building facing the front is identical to the earlier approved scheme for the two dwellings although the depth of the proposed dwelling building is 27cm more than the earlier approved scheme (10.27m depth compared to the 10.0 metres depth previously approved). The height of the proposed dwelling at its maximum point is 0.7 metres higher than the building previously approved under ref no: 13/1267. The applicant originally proposed to develop a slightly larger dwelling on the site, although following consideration of the building dimensions of the previously approved scheme to develop two dwellings on the site, has amended the plans to better reflect the dimensions of the approved scheme.

It is acknowledged a garage structure is proposed to the side of the dwelling, although given this has a recessed nature that is set back from the main front elevation of the building, it would not appear as an overly obtrusive or prominent addition to the street scene. Whilst having regard to the comments raised by local residents in relation to the design and scale of the dwelling, it is not unusual

to find larger detached properties set alongside or between more traditional terraced properties, indeed between no's. 14 and 17 Cambrian Terrace two larger, more modern semi-detached properties have been developed between the more traditional, terraced properties and are not considered to significantly detract from the character of the area.

Overall, given the appropriate amendments undertaken to the scheme to reduce the mass and bulk of the proposed building, the planning history of the site and the acceptable and relatively simple appearance of the dwelling including the key front elevation of the building, on balance, it is considered the dwelling would visually integrate into the existing street scene. It is also acknowledged the approved consent to develop two dwellings on the site could be implemented and at a later date the two dwellings could potentially be converted to a single dwelling without the need for planning permission. Inevitably the new dwelling would result in the loss of the existing vacant, relatively green space at the site, although the site has a neglected and unmaintained appearance and currently offers limited opportunities for use as a formal recreation space especially given the site is within private ownership. The presence of Japanese Knotweed on the site has been noted (and acknowledged by the applicant) and the Council's Landscape Officer has advised a standard condition to ensure this matter is appropriately addressed by the applicant, should planning permission be granted.

In conclusion, it is considered the development would not have a significant adverse impact on the character or appearance of the surrounding locality.

Impact on residential amenity and privacy

Representation raised by neighbouring residents, as earlier detailed, raise concerns about the scale of the dwelling and likely overshadowing and overbearing impact it is likely to have on adjacent properties and the likely overlooking impact of such a scheme.

The dwelling, in the main, would be sited between the blank gable ends of two existing terraced properties and offset from the neighbouring buildings by existing and proposed vehicular hard standings. Given the depth of the proposed building is larger than the neighbouring properties the rear aspect of the property would extend beyond the main rear elevations of the flanking properties. However, the proposed two-storey element of the building would be sited over six metres from the flanking properties (no's. 6 & 10 Cambrian Terrace). The single storey garage to the northern side of the dwelling would be set 1.5 metres from the garden boundary with number 10 Glamorgan Terrace and is unlikely to cause any adverse overbearing or overshadowing impact given the single storey nature of such a structure. The rear aspect of the proposed dwelling would be visible from neighbouring garden areas and would change the outlook currently enjoyed whereby residents would have been accustomed to viewing the undeveloped

green area flanking their properties. Nevertheless, it is not considered the scheme would give rise to such a harmful level of overshadowing or overbearing impact that would warrant a recommendation to refuse the scheme.

The windows being proposed within the side elevations of the dwelling serve the stairway and kitchen area of the dwelling and would generally face toward the blank side elevations and side parking areas associated with the neighbouring properties. Boundary fencing is likely to further screen the side windows particularly the ground floor kitchen window facing toward no. 6 Cambrian Terrace. Residential properties to the rear of the site would also have an offset from the rear of the main dwelling building by a distance of approximately 21 metres. The rear garden area of the proposed dwelling, whilst slightly elevated in comparison to the rear garden area of no. 10 Cambrian Terrace and properties to the rear, would also incorporate boundary treatments to further limit any overlooking impact. It is also noted the site was historically occupied by three terraced properties and again the similarities of the application under consideration and the proposal to develop the site under the extant planning permission ref no: 13/1267 should be considered when assessing the impact of the scheme on residential amenity and privacy.

On balance, it is therefore considered the proposed development would not result in a significant detrimental impact to the residential amenity and privacy of surrounding residential properties.

Access and highway safety

The proposal would create an access to the property from the highway fronting the site with off street parking areas and a vehicular garage being created alongside the main dwelling building. The Council's Transportation Section has considered the proposal and has raised no objection. It is commented that two off street car parking spaces are proposed within the site and a condition has been suggested to re-instate block paving over the tree planting area opposite the site to further increase the availability of on-street parking in the area. There is some concern with regards the sub-standard carriageway width of Cambrian Terrace and visibility at the junction with Hillside Terrace. However, given the increase in vehicular movement associated with the proposed dwelling will be minimal and considering the proposal is located on land which previously accommodated three dwellings, no highway objection is raised.

General concerns raised by residents in relation to the disruption and disturbance likely to arise during the construction phase, particularly as a result of construction traffic are also acknowledged, although not considered a material reason to warrant the refusal of the planning application. Inevitably, like most development projects a degree of disturbance to residents and users of the street is likely during the construction phase of the development, although this is normally only of a temporary nature. Controlling the hours of operation during

the construction phase of the development and limiting the delivery times of HGV's would help safeguard levels of residential amenity enjoyed within the area. Any potential property damage experienced by neighbouring properties as a result of the development/construction process is not considered a material reason to warrant the refusal of such a planning application.

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

Following consultation with the Council's Public Health and Protection Division no adverse comments have been raised against the scheme.

Drainage

Comments of the relevant drainage bodies raise no objection against the proposal subject to the imposition of standard drainage conditions. Although comments have been raised in relation to drainage issues in the area by local residents, it is not considered a single dwelling house on an infill plot would have a significant impact in this regard and the recommended conditions would appropriately control the drainage arrangements for the development.

CONCLUSION

The application is considered to comply with the relevant policies of the Rhondda Cynon Taf Local Development Plan, representing an appropriate form of infill development within an existing built up area. 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. Building operations shall not be commenced until samples/brochure details of the external finishes 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(s) so approved.

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.

3. 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.

4. 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 policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

5. Notwithstanding the submitted details, no development shall take place, until there has been submitted to and approved by the Local Planning Authority a comprehensive scheme for boundary treatments for the development (detailing heights, finishing materials and exact positions). The approved scheme shall be implemented prior to the first occupation of the dwelling hereby approved.

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.

6. 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 drainage of the development and ensure the development does not cause or exacerbate flood risk within the area in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

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

Reason: To ensure adequate drainage of the development and ensure the development does not cause or exacerbate flood risk within the area in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

8. Prior to the commencement of development details of the existing and proposed profiles of the land to the rear of the site shall be submitted to and approved by the Local Planning Authority. 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 policy AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

9. Before the development is brought into use the means of access, together with the parking facilities for 2 vehicles (drive and garage), shall be laid out and constructed in accordance with the submitted site layout plan (plan 03 dated 28/08/2014). The area shall not thereafter be used for any other purpose other than the parking of vehicles.

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

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

Reason: To ensure that mud and debris are not deposited from the construction site onto the public highway, in the interests of highway safety in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

11. The steel street bollard affected by the proposed parking area shall be relocated in a position to be first agreed in writing by the Local Planning Authority prior to any works commencing on site.

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

12. HGV's used as part of the development (during the construction phase)

shall be restricted to 09:30am to 15:00pm weekdays, with no deliveries on Weekends and Bank Holidays unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of the safety and free flow of traffic in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

13. Notwithstanding the submitted plans, prior to the development being brought into use, the reinstatement of the tree planting area/tree pit fronting the site shall be carried out in block paving to match the existing, in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and improved on-street parking in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

14. Full details of a scheme for the eradication and/or control of Japanese Knotweed (*Fallonia japonica*, *Rouse decraene*, *Polygonum cuspidatum*) shall be submitted to and approved by the Local Planning Authority prior to the commencement of work on site. The approved scheme shall be implemented prior to the occupation of any dwelling/building.

Reason: To ensure compliance with the Wildlife and Countryside Act 1981.

15. The development, hereby approved, shall be carried out in accordance with the amended/revised plans received by the Local Planning Authority on 28/08/2014.

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

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

- Monday to Friday 0800 to 1800 hours
- Saturday 0800 to 1300 hours
- Not 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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