



## **PLANNING & DEVELOPMENT COMMITTEE**

**13 JUNE 2019**

### **REPORT OF THE SERVICE DIRECTOR, PLANNING**

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

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 19/0463/15  
**(RP)**  
**APPLICANT:** Mr W Archer  
**DEVELOPMENT:** Variation of condition 2 (approved plans) of previously approved planning application 16/1299/10 for re-siting of the detached garage to a different position within the site boundary.  
**LOCATION:** 10 GLENBOI, MOUNTAIN ASH, CF45 3DG  
**DATE REGISTERED:** 08/05/2019  
**ELECTORAL DIVISION:** Mountain Ash West

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**RECOMMENDATION:** Grant

#### **REASONS:**

While there is some concern with the visual impact of the proposed garage being sited forward of the building line of the street, on balance, the application is considered to comply with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan in respect of its visual impact.

Furthermore, it is not considered there would be further impact upon the amenity and privacy of the neighbouring residential properties or highway and pedestrian safety in comparison to that which would occur if the garage were to be constructed in accordance with the previously approved scheme.

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

Four letters of objection have been received from occupiers of neighbouring properties following the consultation process.

#### **APPLICATION DETAILS**

Full planning permission (16/1299/10) was granted on the 22/12/2016 to construct a two storey extension to the pine end and rear of the dwelling, and double bay windows and a single storey garage to the front of the property.

The current application is submitted under Section 73 of the Town & Country Planning Act 1990, and seeks to vary condition 2 of the previously approved planning permission (16/1299/10) as referred to below:

- 2) The development hereby approved shall be carried out in accordance with the approved plan no's 1, 2, 3 and 1 (New Detached Garage) and documents received by the Local Planning Authority on 25/11/2016, unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

This application proposes to vary the condition by allowing an amendment to the previously approved plans. The alteration proposes the re-positioning of the previously approved garage from the east to the west of the plot frontage, adjacent to the boundary with 11 Glenboi. The application also proposes to increase the dimensions of the garage previously approved from 6m to 6.3m in length, from 3.1m to 3.3m in width and from 3.2m to 3.3m in height. It should be noted that the garage has been partly constructed in its new location within the plot, with the blockwork for the structure being erected. No other changes to the previously approved scheme are proposed, and the design, elevations and pitched roof proposed remain unchanged.

## **SITE APPRAISAL**

The application site is located within a residential area of Glenboi, Mountain Ash and consists of a two-storey, detached property which is set within a rectangular shaped plot. The property faces a northerly direction with the principal elevation being set back from the adopted highway at Glenboi by an enclosed front garden. A further enclosed garden is positioned to the rear elevation with this being bound on all three sides by the gardens of neighbouring properties to the south, east and west.

Neighbouring properties in the immediate area are all of a similar scale to the application property, there are slight variations in terms of their architectural style and design, however, they are mostly similar in appearance with decal to the fronts of the properties. It is noted that properties within the wider street scene have been extended by means of single storey and two-storey additions.

## **PLANNING HISTORY**

The most recent applications on record associated with this site are:

16/1299	10 Glenboi, Mountain Ash, CF45 3DG	Double storey extension to pine end and rear, double storey bay windows and single storey garage to front. (Re-submission of 16/1009/10).	Grant 22/12/16
16/1009	10 Glenboi, Mountain Ash, CF45 3DG	Double storey extension to pine end and rear, double storey bay windows with balcony to front and single storey garage to front.	Refuse 24/10/16

## **PUBLICITY**

The application has been advertised by direct notification to neighbouring properties and the erection of site notices in the vicinity of the site.

Four letters of objection have been received from neighbouring residents, their objections and comments are summarised below:

- The application would create a precedent for similar applications to be made.
- The new plan and partly built structure shows the garage as an eyesore in the street, and I feel strongly that it is unsightly and completely ruins the look and character of the street and area, as well as hindering our lovely view.
- We pride ourselves on the sympathetic restoration of our houses and there are no other garages in the 40 plus houses in Glenboi which are at the bottom of the garden.
- I am led to understand that the speed bump outside the property (on the highway) is to be removed and a dropped kerb installed. I feel this will lead to highway and pedestrian safety issues.
- The new garage proposals affect my light and access to sunlight, and my garden is now in shade in the morning till noon.
- The new proposal will affect parking in the street, as the property will have two openings which cannot be blocked.

## **CONSULTATION**

Highways & Transportation – no objections subject to conditions relating to highway provisions.

## **POLICY CONTEXT**

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

The application site lies within the settlement boundary for Mountain Ash 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.

The following Supplementary Planning Guidance documents are also applicable:

1. Access, Circulation and Parking;
2. A Design Guide for Householder Development

### **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.

The Welsh Government published Planning Policy Wales 10 on 5<sup>th</sup> December 2018, and the document aims to incorporate the objectives of the Well-being of Future Generations (Wales) Act 2015 into Town & Country Planning.

It is considered that this proposal meets the seven wellbeing of future generations goals inasmuch as they relate to the proposed development and that the site has been brought forward in a manner consistent with the five ways of working.

It is considered that the proposed development is consistent with the key principles and requirements for placemaking as set down in Chapter 2 People and Places: Achieving Well-being Through Placemaking, of PPW10 and is also consistent with the following inasmuch as they relate to the development:

- Chapter 3 (good design and better places, promoting healthier places, sustainable management of natural resources)
- Chapter 4 (moving within and between places, transport, living in a place, housing)
- Chapter 6 (green infrastructure, landscape, biodiversity and ecological network, water and flood risk, air quality and soundscape, lighting)

Other policy guidance considered:

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**

Planning permission (Reference 16/1299/10) has previously been granted at the site for the construction of two storey extensions to the pine end and rear of the dwelling, and double storey bay windows and a single storey garage to the front of the plot.

Therefore, the principle of the proposed development has already been established at the site and the key considerations of this application are whether the proposed amendments are acceptable in respect of their potential impact upon the character

and appearance of the locality; the amenities of the surrounding neighbours; and upon highway safety in the vicinity of the site.

### **Residential Amenity and Character & Appearance**

On balance, the re-siting of the garage and the minor increase in its scale are considered to be acceptable, this view is taken for the following reasons:

By simply re-positioning the garage from the east to the west of the plot, and with only a minor increase in scale, it is not considered the garage will result in any greater impact upon the residential amenity of the neighbouring properties or character and appearance of the area in comparison to that which were to occur if the garage were to be constructed in accordance with the previously approved scheme.

The proposal remains compatible with the original consent by not providing any overshadowing impact towards the habitable rooms of either neighbouring property, due to the garage being sited to the north of the row of dwellings, and, while it is acknowledged the proposal will result in some adverse impact towards no. 11 Glenboi compared to no. 9 Glenboi due to the garages re-positioning, it is considered that by being sited further forward in its plot the garage will have a reduced impact upon neighbouring properties amenity in comparison to the previously approved scheme.

Where the objectors concerns are noted and appreciated, as they do show validity in that all other garages in Glenboi (whether detached or integral) are not sited forward of the front building line of their respective properties, in this case, the principle of a garage to the front of the dwelling has already been approved and, therefore, it is considered its re-siting would have no further impact upon the character and appearance of the area in comparison with the previously approved scheme.

Furthermore, it is considered that the amendments are acceptable as they meet Planning Policy Requirements and Supplementary Planning Guidance in that the garage shows subservience to the existing house, will be finished in materials to match the dwelling and has a narrow, single up and over garage door which is in keeping with other garages in the area. It is also noted that no changes are proposed to the design, elevations and roof type of the garage and to this end, the proposed amendments are viewed as acceptable.

### **Highways Assessment**

Following consultation the Council's Highways and Transportation Section commented that the proposed dwelling requires up-to a maximum of 3 off-street car parking spaces with 3 provided which is acceptable.

The Highways and Transportation section did note however that there is some concern that the repositioned garage would access / egress in close proximity to the existing speed ramp outside of the site along Glenboi, which could be problematic for vehicles wishing to turn towards Mountain Ash. However, taking into account reversing movements would only take place at the start of the ramp with little

elevation change, on-balance, the proposed is acceptable and no highway objections are raised subject to conditions relating to a vehicular footway crossing being implemented prior to beneficial use of the garage, surface water run-off from the proposed parking areas not discharging onto the public highway and that no works be permitted to the existing speed table located on Glenboi in the vicinity of the garage.

### **Community Infrastructure Levy (CIL) Liability**

The Community Infrastructure Levy (CIL) was introduced in Rhondda Cynon Taf from 31 December 2014.

The application is for development of a kind that is not CIL liable under the CIL Regulations 2010 (as amended).

### **Conclusion**

While there is some concern with the visual impact of the proposed garage being sited forward of the building line of the street, on balance, the application is considered to comply with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan in respect of its visual impact.

Furthermore, it is not considered there would be further impact upon the amenity and privacy of the neighbouring residential properties or highway and pedestrian safety in comparison to that which would occur if the garage were to be constructed in accordance with the previously approved scheme.

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

1. The development shall be carried out in accordance with the following approved plans:
  - New detached garage to front of house (Location Plan and Block Plan)
  - New detached garage drawing no.1 (Plan View, Elevations and Sections)
  - New detached garage (Specification)

and documents received by the Local Planning Authority on 29/04/2019, unless otherwise to be approved and superseded by details required by any other condition attached to this permission.

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

2. Prior to the development being brought into use, a vehicular footway crossing shall be provided in accordance with submitted detail 111 approved by the Local Planning Authority. The crossover should be implemented prior to beneficial use of the garage.

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

3. Surface water run-off from the proposed parking areas shall not discharge onto the public highway.

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

4. No works will be permitted to the existing speed table located on Glenboi in the vicinity of the garage unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of safety to all highway users in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan--Enter text here.

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