



PLANNING & DEVELOPMENT COMMITTEE

3 DECEMBER 2020

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 20/1091/10 (LJH)
APPLICANT: Mr & Mrs J Parry
DEVELOPMENT: Part two storey, part single storey rear extension.
LOCATION: 8 DYFODWG STREET, TREORCHY, CF42 6NN
DATE REGISTERED: 07/10/2020
ELECTORAL DIVISION: Treorchy

RECOMMENDATION: GRANT SUBJECT TO CONDITIONS

REASONS: The application is considered to comply with the relevant policies of the Local Development Plan in respect of its visual impact and the potential impact it would have upon the amenity and privacy of the neighbouring residential properties.

REASON APPLICATION REPORTED TO COMMITTEE

- The application is reported to Committee for determination as three or more objections have been received.

APPLICATION DETAILS

Full planning permission is sought for the construction of a part two-storey and part single storey rear extension at 8 Dyfodwg Street, Treorchy.

The proposed extension would be sited on the southern facing rear elevation of the property, adjoining an existing two-storey extension, to create an almost full-width extension across the back of the house. The overall structure would measure a total of 5 metres in width, with the new addition extending 3.3 metres from the eastern side of the existing two-storey projection. The overall structure would measure 7.6 metres in depth at ground floor level, being set back to 4 metres at first floor level. A pitched roof is proposed above the two-storey element measuring a maximum of 7.9 metres

in height, falling to 5.1 metres at the eaves. The single storey element would also have a pitched roof design, measuring 3.9 metres at the ridge, falling to 2.6 metres at its eaves. The single storey element's roof would contain 4 no. rooflights, 2 within each roof slope.

The addition would accommodate an enlarged kitchen/dining area at ground floor, while the first floor would accommodate a bedroom and family bathroom. It would be finished with smooth render to the side elevations and face brick to the rear. The roof would consist of concrete tiles to match the existing dwelling, and uPVC windows and doors would be provided.

SITE APPRAISAL

The application property is a two-storey, mid-terraced dwelling located within a residential area of Treorchy. It is set back from the road to the north by a small enclosed front garden and benefits from an average sized rear garden to the south, to a depth of approximately 10 metres, which is bound by the rear gardens of nos. 7 & 9 to the east and west respectively. A service lane is located to the rear.

Neighbouring properties are of a similar scale and design, all being traditional terraced properties, with many having examples of similar two-storey extensions to that proposed.

PLANNING HISTORY

No previous planning applications have been submitted at the site in the last 10 years.

PUBLICITY

The application has been advertised by means of direct neighbour notification. Three letters of objection have been received from the occupants of nos. 7 & 9 Dyfodwg Street. The concerns raised are summarised below:

- Consent will not be given for the applicant or their builders to enter onto either of the neighbours' land to complete the proposed works.
- The eaves/guttering of the extension will overhang no. 9 Dyfodwg Street and the owner of this property will not give consent to this.
- Loss of privacy is already an issue as the applicant has CCTV installed on both the front and rear elevations.
- The extension will allow the applicant to look directly into the neighbours' gardens and cause more loss of privacy.
- If the height of the extension exceeds the height of the extension at the property next door it will cause shadowing to next doors garden.
- The re-locating of the mains drains to accommodate the extension may cause issues with drainage.

- The noise and traffic during construction will be a disturbance. The neighbour is a registered nurse who works night shifts and therefore needs to sleep during the day.
- As the works are non-essential and purely cosmetic, is it wise to commence works during the pandemic? The duration of construction could be lengthened due to shortages in materials and possibility of workers having to self-isolate.
- The applicant is an inconsiderate neighbour and has previously undertaken works to his property without prior notification. The works would last until 10pm in the evenings 7 days a week and the applicant would cause a lot of mess to the neighbouring properties on either side with no attempt to clean up anything but his own property.
- If approved, the neighbours insist that the applicant should use sheeting to protect the neighbouring properties from dust and debris.
- The police have been called to the site on at least two occasions in recent months regarding the applicant's behaviour.

CONSULTATION

None undertaken.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies within the settlement boundary for Treorchy and 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 Edition 10 (PPW) sets out the Welsh Government's (WG) current position on planning policy. The document incorporates the objectives of the Well-being of Future Generations (Wales) Act into town and country planning and sets out the WG's policy on planning issues relevant to the determination of planning applications.

It is considered that the proposed development is consistent with the key principles and requirements for placemaking set out in PPW; and is also consistent with the Well-being of Future Generations (Wales) Act's sustainable development principles through its contribution towards the Welsh Ministers' well-being objectives of driving sustainable development and building healthier communities and better environments.

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 to improve living standards at the dwelling. The principle of development is therefore acceptable, subject to compliance with the criteria set out below.

Impact on the character and appearance of the area

The proposed extension is considered to be acceptable in terms of its scale, design and overall visual appearance. It is noted that the height of the extension is proposed to match that of the main ridge line of the host property and a set down would be preferable, however there are many examples of similar structures in the locality and therefore this design is considered typical of the area and would not be out of character within its surroundings. Furthermore, the materials proposed would match the existing property and sited to the rear of the dwelling, there would be no impact upon the street scene. Therefore it is not considered the proposed extension would have a detrimental impact upon the character and appearance of the existing dwelling or the wider area, and the application is considered acceptable in this regard.

Impact on residential amenity and privacy

The proposed extension would be sited close to the common boundary with no. 7, and on the common boundary with no. 9, therefore it is acknowledged that there would inevitably be a degree of impact upon the amenity and privacy standards currently enjoyed by the occupiers of both adjoining properties.

In terms of potential overshadowing and overbearing impacts, the proposed extension would be sited adjacent to an existing two-storey extension of a similar depth at no. 7. Therefore any potential impact to this property would be minimal. Furthermore, the two-storey element would not project any further than the existing two-storey addition at the property which is already adjacent to no. 9. Therefore no further impact would occur to this property.

There are windows proposed within the rear elevation of the two-storey element and it is acknowledged that there would be some overlooking of the rear amenity spaces of the neighbouring properties, as noted by the objectors. However, with an existing window in this position at the site it is not considered the additional windows would significantly increase the amount of overlooking that already occurs. In addition, the rear windows at ground floor level would be adequately screened by existing boundary treatments to either side boundaries. Furthermore, as noted above, this type of development is typical of the area and relationships of this kind are commonplace throughout the locality. It is considered necessary however to attach a condition to any consent ensuring that the window serving the bathroom contains obscure glazing and shall remain as such in future.

Therefore, whilst the concerns raised by the objectors in this respect are acknowledged, it is not considered the proposal would result in a significant impact upon the residential amenities or privacy of the surrounding neighbours.

Other Issues Arising from Consultation Process:

An objector has commented that the proposed extension may cause issues with drainage as it will sit above the street's main sewer line. The plans indicate that a sewer line does run parallel to the rear of the property and that the extension would be built over it. However the building over or moving of a sewer is an issue that would form the subject of a separate consent from Dwr Cymru Welsh Water and is not material to the determination of this planning application.

With regards to the concerns raised about the applicants' previous un-neighbourly behaviour, works previously carried out at the site, and the current COVID-19 pandemic impacting upon the construction phase, these issues are not material planning considerations.

The neighbours are also concerned that works will be carried out at unreasonable times given historical issues that have occurred at the property, and the Council's Public Health and Protection Department have confirmed that they have received a complaint regarding the occupiers of the application property which related to building noise, late working hours, and mess/dust etc. However given the minor nature of the works proposed it is not considered necessary to add a condition to any consent restricting working hours at the site and that an informative note would suffice. Members are also advised that construction noise, waste and dust matters can be more efficiently controlled by other legislation open to the Council.

Finally, in relation to comments from both adjoining neighbours that consent will not be given for the applicant or their builders to enter onto either of the neighbour's land to undertake or complete works to the extension, this issue would be a civil matter that would need to be resolved between the applicant and their neighbours.

Similarly, the issue of the overhang of the eaves/guttering between the application property and no. 9 Dyfodwg Street is also a private matter. The correct notice has been served on the adjoining property prior to submission of the planning application and the relevant Certificate B within application forms completed. Therefore it is considered the necessary processes have been followed in this respect and the application can be determined.

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

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) and is recommended for approval.

RECOMMENDATION: GRANT SUBJECT TO THE BELOW CONDITIONS

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason: To comply with Sections 91 and 93 of the Town and Country Planning Act 1990.

2. The development hereby approved shall be carried out in accordance with the approved plans: hdw/ph/jp.01, hdw/ph/jp.02, and documents received by the Local Planning Authority on 07/10/2020, unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

3. The window in the rear elevation of the extension serving the bathroom shall at all times be obscure glazed to industry standard privacy level 3 or above.

Reason: In the interests of the amenity and privacy of the neighbouring residents in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.