



## **PLANNING & DEVELOPMENT COMMITTEE**

### **REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT**

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

Members are asked to determine the planning application outlined below:

**APPLICATION NO: 19/1214 - REAR FIRST FLOOR EXTENSION, 16 LLEWELLYN STREET, HENDREFORGAN, GILFACH GOCH, PORTH**

#### **1. PURPOSE OF THE REPORT**

Members are asked to determine the above planning application.

#### **2. RECOMMENDATION**

That members consider this report and determine the application having regard to the advice given.

#### **3. BACKGROUND**

This application was originally reported to the 5<sup>th</sup> March 2020 meeting of the Planning and Development Committee with an officer recommendation of refusal. A copy of the original report is attached as Appendix A. At that meeting Members resolved that they were minded to approve the application contrary to the officer recommendation. Members considered that the proposed first floor extension to the rear of 16 Llewellyn Street would not result in a significant impact on either the visual amenity of the wider area or the residential amenity and privacy of the neighbouring properties.

As a consequence, it was resolved to defer determination of the application for a further report from the Service Director, Prosperity & Development to highlight the potential strengths and weaknesses of taking a decision contrary to officer recommendation.

#### **4. PLANNING ASSESSMENT**

The officer considerations in respect of the potential impact the proposed development works could have upon the neighbouring properties are set out in the original Committee report (Appendix A), however, a brief outline is set out below:

It was considered that, on balance, the creation of a first floor rear extension, almost 6 metres in depth, would result in a loss of light, outlook and an increased sense of overbearing for adjoining and adjacent residential properties. Furthermore, it was considered the new, first floor,

side facing windows proposed would result in a degree of direct overlooking and a loss of privacy to the neighbouring dwellings. Each issues that would result in a degree of impact significant enough to warrant refusal of the application.

It was also considered that whilst the proposal displays certain aspects of appropriate design and would not impact upon the street scene of Llewellyn Street, it's visibility from Holly Street to the rear and the comparable impact upon the massing and appearance of the dwelling would, on balance, result in a visually incongruous and poorly scaled addition to the host dwelling.

However, it is acknowledged that a number of similar examples of large first floor rear extensions exist within the locality, that arguably result in a comparable impact to that which would occur as a result of the proposed extension at this property. Members are advised that the impact of any development upon the amenity and privacy standards of neighbouring residents and the visual appearance of the area is subjective, and the original officer considerations were an 'on balance' recommendation. This clearly highlights that whilst the officer considers the scheme to be unacceptable and the works would undoubtedly result in some detrimental impact, it could be argued that any potential impact would not be so significant as to warrant refusal of the application.

Therefore, if, having considered the above advice and after further consideration, Members remain of a mind to approve planning permission, it is suggested that the following conditions of consent would be appropriate:

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 plan(s) and documents received by the Local Planning Authority as set out below:

Site Location Plan	– PS/01 – Received: 18/11/2019;
Existing Ground Floor Plan	– PS/02 – Received: 18/11/2019;
Existing First Floor Plan	– PS/03 – Received: 18/11/2019;
Existing & Proposed Elevations	– PS/04 – Received: 26/11/2019;
Proposed First Floor Plan	– PS/05 – Received: 26/11/2019;
Section AA	– PS/06 – Received: 26/11/2019.

That is, 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.

**PLANNING & DEVELOPMENT COMMITTEE**

**13 MARCH 2020**

**REPORT OF THE SERVICE DIRECTOR, PLANNING**

**PURPOSE OF THE REPORT**

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 19/1214/10 (GS)  
**APPLICANT:** Mr P Stanton  
**DEVELOPMENT:** Rear first floor extension.  
**LOCATION:** 16 LLEWELLYN STREET, HENDREFORGAN,  
GILFACH GOCH, PORTH, CF39 8UA  
**DATE REGISTERED:** 02/01/2020  
**ELECTORAL DIVISION:** Gilfach Goch

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**RECOMMENDATION:** Refuse

**REASONS:**

It is considered that the proposed extension, by virtue of its scale, massing and siting, would have a detrimental impact upon the character and appearance of the host dwelling and surrounding locality. The proposal would also have a detrimental impact upon the residential amenities of adjoining occupiers by resulting in a loss of privacy and increase in overlooking, whilst also having an overbearing impact. The proposal is therefore contrary to the relevant policies of the Local Development Plan (AW5 and AW6) and Supplementary Planning Guidance contained within the 'Design Guide for Householder Development (2011)'.

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**REASON APPLICATION REPORTED TO COMMITTEE**

The application is reported to Committee by the request of the Local Member, Councillor A. Roberts, in order to assess the potential impact of the proposed development upon the character and appearance of the locality and the amenity and privacy of surrounding residents.

**APPLICATION DETAILS**

The application relates to a first floor rear extension. The proposal would be sited atop the existing ground floor rear projection and feature an 'L-shaped' profile.

The proposal would be between 5.8 and 2.7 metres in depth and between 5.2 and 2.9 metres in width. The rear most projection would feature a small gable-end roofing profile 6.3 metres high to the ridge. The larger part of the addition would feature a similar gable-end roofing profile at 7.1 metres high to the ridge. Both roofing forms would run perpendicular to the host dwelling and feature a similar eaves height to the existing property.

Materials and finishes would be in a style to match existing. Two rear facing windows would be present to the northern elevations at first floor level. A new first floor window is proposed within the western facing side elevation of the host dwelling.

## **SITE APPRAISAL**

The site is located towards the northern side of Llewellyn Street and contains a two-storey, semi-detached dwellinghouse. The property currently benefits from a ground floor rear extension, similar in appearance and scale to adjacent and adjoining dwellings. The site is abutted to the north by allotments, to the south by the highway and to the west and east by the residential curtilages of 18 and 14 Llewellyn Street respectively. Site levels rise sharply from west to east, so that the dwellings off Llewellyn Street are generally substantially elevated from their neighbours to the west.

## **PLANNING HISTORY**

The most recent, relevant application related to the site is listed below:

**19/0849/10:** First floor rear extension. **Decision:** 01/10/2019, Refuse

## **PUBLICITY**

The application has been advertised by direct notification to 4 neighbouring properties.

No letters of objection or representation have been received.

## **CONSULTATION**

None undertaken

## **POLICY CONTEXT**

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

The application site lies within the settlement boundary for Gilfach Goch 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.

## **Supplementary Planning Guidance**

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.*

Planning Policy Wales Edition 10 sets out the Welsh Government's current position on planning policy, which incorporates the objectives of the Wellbeing of Future Generations (Wales) Act in to planning.

It is considered that the current proposals fail to meet the seven wellbeing of future generation's goals and, as a result, the proposed development is also inconsistent with the five ways of working.

It is also considered that the proposed development is inconsistent with the key principles and requirements for placemaking as defined by Chapter 2 People and Places: Achieving Wellbeing through Placemaking of the policy document; with the proposal also being contrary to the following insofar as they relate to the development proposed –

Chapter 3 (good design and better places, promoting healthier places, sustainable management of natural resources)

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 an extension to an existing residential dwelling; this type of development could therefore be considered acceptable in principle. However, in this case and on balance, the works are considered to have an unacceptable impact upon the character and appearance of the host property and wider street scene, as well as the residential amenity of surrounding occupiers. The reasons for this recommendation are set out in detail below.

### **Impact on the character and appearance of the area**

Policy AW 5 of the RCT Local Development Plan reminds that proposals within the County Borough will only be recommended for approval where “The scale, form and design of the development would have no unacceptable effect on the character and appearance of the site and the surrounding area”.

Policy AW 6 reinforces this by stating development will only be supported where:

- They are of a high standard of design, which reinforces attractive qualities and local distinctiveness and improves areas of poor design and layout;
- They are appropriate to the local context in terms of siting, appearance, scale, height, massing, elevational treatment, materials and detailing;
- In the case of extensions to buildings, they reflect, complement or enhance the form, siting, materials, details and character of the original building, its curtilage and the wider area.

The proposal displays certain aspects of appropriate design, being set down from the ridge, and with various features that would echo the character of the host dwelling. The extension would be contained entirely to the rear of the host dwelling and feature no views from the street scene of Llewellyn Street. However, due to the open aspect to the rear and the allotments to the north of the site, the proposal would be visible from the majority of Holly Street.

The proposal, even in isolation, would result in considerable impact on the massing and appearance of the host dwelling. An addition of nearly 6 metres in depth, when visible, will always materially alter the character and visual aesthetic of a small dwelling. Given the prominent views of this addition that are prevalent from the north and the reasoning above, on balance, the proposal, by virtue of its scale, massing and siting, is considered to have a detrimental impact upon the character and appearance of the host dwelling and wider area. The proposal is therefore considered to be contrary to the relevant policies of the Local Development Plan (AW5 and AW6) and Supplementary Planning Guidance.

### **Impact on residential amenity and privacy**

Dwellings to the north and south of the site are either shielded from the proposal entirely or situated too far away from the proposal to be impacted in terms of residential amenity.

The proposal would be sited away from the boundary of the neighbouring dwelling to the west, no.18. The current difference in site levels mean that the

proposal would appear slightly larger than the dimensions suggest; however, given the proposals limited depth along this boundary and the fact that the roof pitches away from this dwelling's rear facing openings, it is considered that this neighbour would not be unduly affected by this aspect of the addition.

The Council's SPG relating to Householder Development advises that "Extensions and conservatories should not be overbearing to your neighbours. As a general rule lengthy two-storey extensions should not be positioned very close to the boundary adjacent to the garden of a neighbour's property and positioning any two-storey extension adjacent to a neighbour's boundary should be avoided where possible." In this case, the proposed extension would be positioned on the adjoining boundary with the adjacent property, No.14.

No.14 has an existing, adjoining ground floor rear addition that would prevent any impact from the proposal at this level. The proposed extension, however, would be positioned along the boundary between dwellings at first floor, and in close proximity to rear facing openings that service habitable rooms. Since the proposal would extend to a depth of almost 6 metres beyond this neighbouring property's rear elevation, it is considered that there would inevitably be a harmful impact to the residential amenity of this neighbour. The increase in bulk along the boundary between the two dwellings would mean a loss of outlook would occur, together with a sense of enclosure. Therefore, on balance, the result would be an overbearing addition to the detriment of the occupiers at no.14.

During the course of the application, the applicant has indicated that they believe comparable extensions exist within the locality. Whilst it is accepted that there are a number of two storey extensions in the locality, they each have a lesser depth than that proposed. Therefore, these examples are not considered to justify the erection of an extension of the depth proposed.

Fenestrations proposed to the rear elevation would have no greater impact in terms of loss of privacy or overlooking than the existing situation. The new first floor window within the eastern elevation of the host dwelling would however look directly out to no.18 and its rear amenity space. This is considered, on balance, unacceptable.

For the reasons listed above, it is, on balance, considered that the proposal would have a detrimental impact upon the residential amenity of the adjoining and adjacent neighbouring properties of 14 & 18 Llewellyn Street. The application is therefore considered unacceptable and would not comply with the relevant policies of the Local Development Plan (AW5 and AW6).

### **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 considered that the proposed extension, by virtue of its scale, massing and siting, would have a detrimental impact upon the character and appearance of the host dwelling and surrounding locality. The proposal would also have a detrimental impact upon the residential amenities of adjoining occupiers by resulting in a loss of privacy and increase in overlooking, whilst also having an overbearing impact. The proposal is therefore contrary to the relevant policies of the Local Development Plan (AW5 and AW6) and Supplementary Planning Guidance contained within the 'Design Guide for Householder Development (2011)'.

## **RECOMMENDATION: REFUSE**

1. It is considered that the proposed extension, by virtue of its scale, massing and siting, would have a detrimental impact upon the character and appearance of the host dwelling and surrounding locality. The proposal would also have a detrimental impact upon the residential amenities of adjoining occupiers by resulting in a loss of privacy and increase in overlooking, whilst also having an overbearing impact. The proposal is therefore contrary to the relevant policies of the Local Development Plan (AW5 and AW6) and Supplementary Planning Guidance contained within the 'Design Guide for Householder Development (2011)'.