



## **PLANNING & DEVELOPMENT COMMITTEE**

**20 MAY 2021**

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

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

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 21/0075/10 (JE)  
**APPLICANT:** Mr J Slade  
**DEVELOPMENT:** Garage and hardstand to rear of property.  
**LOCATION:** 59B PANTYGRAIGWEN ROAD, PANTYGRAIGWEN,  
PONTYPRIDD, CF37 2RS  
**DATE REGISTERED:** 19/01/2021  
**ELECTORAL DIVISION:** Rhondda

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#### **RECOMMENDATION: APPROVE**

#### **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 and highway safety in the vicinity of the site.

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

- Three or more letters of objection have been received from occupiers of neighbouring properties.

#### **APPLICATION DETAILS**

Full planning permission is sought for the construction of a garage and hardstanding at 59B Pantygraigwen Road, Pontypridd.

The proposed development would be located to the rear of the property towards its boundary with the adjacent highway, Aelybryn. The proposal would see the construction of a garage and separate hardstand above a new raised terrace area, with the proposed garage sited along the boundary with the adjoining neighbour no. 59A and the hardstand on the boundary with the other adjoining neighbour, no. 60.

Both aspects would gain vehicular access from Aelybryn and a new set of steps would be created to provide access to/from the existing amenity space.

To accommodate the proposal the development would see the construction of a new retaining wall within the existing amenity space to a height of 1.3 metres. A 0.9 metre high wall would be created above to enclose the new hardstand. The proposed retaining wall would measure a width of 6.6 metres with the new steps proposed along the boundary with no. 60.

The proposed garage would be set back 1.1 metres from the new retaining wall and would measure a width of 3.5 metres by a depth of 5.8 metres. It would incorporate a mono pitched roof design measuring a maximum height of 3.2 metres sloping to 2.6 metres at the eaves. The garage would be finished externally in down render, box profile sheet roofing and a roller shutter door.

The proposed hardstand would measure a width of 3.9 metres by a maximum depth of 6.8 metres.

## **SITE APPRAISAL**

The application site is located within a residential area of Pantygraigwen, Pontypridd and comprises a two storey mid terrace dwelling and its associated amenity space. The dwelling is set back and elevated from the highway at Pantygraigwen Road with access gained via steps. Whilst attached, the property is set back from and at an oblique angle from no. 59A to the north west. To the rear of the property is an enclosed area of amenity space bounded on both sides by neighbouring properties. A small grass verge is located directly to the rear beyond which is the highway Aelybryn. Giving the siting of the property on a valley hillside the general topography of the area rises steeply from south west to north east. As such there is a significant increase in ground level from the front of the site to the rear with the adjacent highway to the rear, Aelybryn, set above the ridge level of the application property.

Neighbouring properties within the locality are all terraced dwellings of a similar scale and design. There are several examples of similar existing garage structures to the rear of properties at Pantygraigwen Road which are also accessed via Aelybryn.

## **PLANNING HISTORY**

The most recent planning applications on record associated with the site are:

**19/0667/10:** 59B PANTYGRAIGWEN ROAD, PANT-Y-GRAIG-WEN, PONTYPRIDD, CF37 2RS

Two storey rear extension and single storey rear extension  
Decision: 19/08/2019, GTD

**19/1069/10:** 59B PANTYGRAIGWEN ROAD, PANT-Y-GRAIG-WEN, PONTYPRIDD, CF37 2RS

Two Storey Rear Extension (Amended plans received 24/10/2019)

Decision: 18/11/2019, GTD

## **PUBLICITY**

The application has been advertised by direct notification to 8 no. neighbouring properties. 6 no. letters of objection have been received with the points raised summarised below:

- Highway safety concerns associated with the access along Aelybryn.
- Garage/hardstanding does not benefit from required vision splays.
- Grass verge outside of applicant's ownership and has been maintained by residents for a number of years.
- Additional noise and disturbance.
- Set a precedent for future development.
- Development is out of character with area. Would result in overdevelopment of the rear of Panygraigwen Road and concerns with proposed external materials, adversely impacting the street scene at Aelybryn.
- Loss of Privacy.
- Damage to cars on the opposite side of Aelybryn created by vehicles accessing/egressing the proposed development.

## **CONSULTATION**

**Transportation Section:** No objection raised, subject to the imposition of a condition.

## **POLICY CONTEXT**

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

The application site lies within the settlement boundary for Pontypridd 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 placemaking, including landscaping.

**Policy AW10** - the policy ensures that development proposals are not permitted which could cause or result in a risk of unacceptable harm to public health and safety.

### **Supplementary Planning Guidance**

- A Design Guide for Householder Development
- Delivering Design and Placemaking: Access, Circulation and Parking Requirements

## **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 11) (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 all planning applications. Future Wales: The National Plan 2040 (FW2040) sets out guidance for development at both regional and national level within Wales, with the thrust and general context also aimed at sustainable development.

It is considered that the proposed development is consistent with the key principles and requirements for placemaking set out in PPW; and is 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.

Furthermore, given the minor scale of the proposed development and its relationship with only the immediate surrounding area, there are limitations to the extent such a scheme can have in promoting planning objectives at a national scale. As such, whilst the scheme aligns with the overarching sustainable development aims of FW2040, it is not considered the policies set out in the document are specifically relevant to this application.

Other policy guidance considered:

PPW Technical Advice Note 12 – Design

PPW Technical Advice Note 18 – Transport

## **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 construction of a hardstanding and garage within the curtilage of an existing residential property. The proposed development would be used for domestic purposes in association with the host property to improving living conditions. The principle of development is therefore considered acceptable subject to compliance with the criteria set out below.

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

Concern has been raised by a number of objectors in respect of the potential impact the proposed development could have upon the character and appearance of the street scene at Aelybryn. Objectors commented that the proposal would constitute overdevelopment when viewed in the context of other garages and that it would be out-of-keeping with the character of the area.

Whilst these comments are acknowledged, when considering the fact that there are a number of existing garages spread out along Aelybryn which are comparable in scale and design to that proposed, it is not considered the proposal would result in a dominant or incongruous addition to the area and would actually be typical of the street scene here. It is also noted that the proposed garage would be of an appropriate domestical scale and design and finished in suitable external materials consistent with its domestic setting and widely seen on other structures within the vicinity.

As such, it is not considered that the proposal would detract from the character or appearance of the area and is considered acceptable in this regard.

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

The neighbouring properties at Aelybryn are elevated above the level of the highway. As such they would look over the top of the proposals and the outlook from these dwellings would not be significantly compromised.

It is acknowledged however that the raised structures would be highly visible from the adjoining properties along Pantygraigwen Road. However, the existing change in levels in the rear gardens here already results in a considerable amount of overbearing impact and it is not considered that the siting of the hardstanding and garage towards the rear of the site would significantly increase that impact. Furthermore, as set out above, this type of development/relationship is typical of the area with many similar structures along the terrace row. As such, whilst it is accepted a degree of overbearing would occur, it is not considered any impact would be to a degree that would warrant refusal of the application.

Concern was also raised regarding potential noise and disturbance created by the proposal adversely impacting upon the amenity of neighbouring occupiers. Again,

whilst these comments are acknowledged, the proposal would be typical of numerous comparable structures seen in the street and would be used for domestic storage and parking only. As such, it is not considered that the proposal would create any significant additional noise and disturbance in comparison to that which already occurs.

With regard to overlooking and loss of privacy, it is acknowledged that the proposal will have views of the adjoining properties. However, given the existing terraced nature of the area a mutual level of overlooking has been already established between neighbouring occupiers. There are also existing views from the highway at Aelybryn into the amenity spaces of properties along Pantygraigwen Road. Furthermore, the proposals will be used for domestic storage rather than general garden space where people may sit/stand for extended periods of time. As such, it is not considered any overlooking would be significantly worse than that which already occurs.

There is some concern associated with a proposed window on the rear of the proposed garage facing the properties along Pantygraigwen Road, however, it is considered that this could be overcome through the use of obscure glazing. As such a condition to this affect is suggested below.

Taking the above into account, it is not considered the proposal would adversely impact upon the residential amenity and privacy standards currently enjoyed by surrounding neighbours.

### **Impact on highway safety**

A number of concerns with regard to highway safety associated with existing access along Aelybryn and access/egress from the proposed development were raised by objectors. However, following consultation with the Council's Transportation Section no objection was raised to the proposal.

In their assessment of the scheme the Transportation Section commented that the proposed garage and hardstanding are located to the rear of the property and would be served off Aelybryn in the same manner as numerous other garages along the street. As such, the proposed development gives no undue cause for concern in this instance. Furthermore, the proposed development would result in the creation of 2 no. off-street parking spaces that would remove existing on street parking demand to the betterment of highway safety and free flow of traffic in the area.

It was noted however that in order to facilitate access the proposal would require the construction of a vehicular crossover, but that this could be controlled through a condition.

Taking the above into account, the proposal is considered acceptable with regard to its potential impact upon highway safety.

## **Other issues raised by the objectors**

The objectors also raised concern that access to the garage would require the use of a grass verge that is not within the ownership of the applicant and has historically been maintained by residents of Aelybryn. Whilst this is not disputed, landownership does not form a material planning consideration. However, Members are advised that the applicant has completed the relevant Ownership Certificate B and served notice on the landowner (the Council).

## **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, the residential amenity of the surrounding neighbouring properties or highway safety in the vicinity of the site. The application is therefore considered to comply with the relevant policies of the Local Development Plan (AW5 and AW6).

## **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 plan(s) no(s)

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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 required vehicular crossover shall be constructed in accordance with Highway Design Guide Standard Details drawing no 111 prior to beneficial use of the proposed garage and hardstand.

Reason: To ensure the adequacy of the proposed development, in the interests of highway safety and the free flow of traffic, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

4. Prior to the first beneficial use of the garage hereby approved, the proposed window on the south (rear) elevation of the garage shall be glazed in a minimum of Pilkington Level 3 or above obscure glass. Once installed obscured glazing shall remain in place in perpetuity.

Reason: In the interests of residential amenity, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.