



PLANNING & DEVELOPMENT COMMITTEE

12 AUGUST 2021

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 21/0023/10 (JE)
APPLICANT: Mr S Wall
DEVELOPMENT: Raised decking in rear garden. (Amended Site Location and Block Plan received 30/06/21)
LOCATION: 6 RED ROSE HILL, PENTRE, CF41 7PU
DATE REGISTERED: 12/04/2021
ELECTORAL DIVISION: Ystrad

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 impact it has upon the amenity and privacy of the neighbouring residential properties.

REASON APPLICATION REPORTED TO COMMITTEE

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

APPLICATION DETAILS

Full planning permission is sought for the retention of an area of raised decking at 6 Red Rose Hill, Pentre. The area of decking is located to the rear of the property towards its north western boundary.

The area of decking measures a maximum width of 4.8 metres by a maximum depth of 5.3 metres. The decking is elevated on wooden posts and measures a maximum height of 1.7 metres above ground level to the front. The proposed decking is enclosed by a 2.2 metre timber screen on its western and northern elevations. On its southern and eastern elevations, the decking is enclosed by a 1.2 metre timber balustrade. Access to the decking is gained from the rear amenity space via an attached staircase on the front elevation.

SITE APPRAISAL

The application property is a traditional end of terrace property situated on a cul-de-sac which forms part of a residential area of Gelli, Pentre. The property is attached on its south western side elevation and benefits from a large wrap around amenity space on its side and rear elevations. The amenity space is bounded by no. 5 Red Rose Hill to the south west, Briarfield to the west, Four Seasons to the north and the highway at Red Rose Hill to the east. The property occupies a valley side location with the nature of the area sloping from north to south with the level of the amenity space increasing to the rear of the property. As such, there are existing terraced areas and levels within the amenity space which are raised above the ground floor level of the dwelling. Within the amenity space of the property is an existing detached wooden playhouse currently used as chicken coup accessed from Red Rose Hill.

Neighbouring properties are a mix of traditional terrace dwellings and larger more recently constructed detached dwellings to the north and west.

PLANNING HISTORY

There are no recent planning applications on record associated with this site.

PUBLICITY

The application has been advertised by direct notification to 6 neighbouring properties. 3 letters of objection have been received. The points raised have been summarised below:

- Decking blocks access through lane at the rear of property which is a public right of way for local residents
- Creates precedent for other properties to build similar developments
- Development has created the impression that the area isn't a right of way and fly tipping has occurred since the decking has been in place.

CONSULTATION

No consultation has been undertaken.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies within the settlement boundary for Pentre and isn't allocated for a 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 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 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

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 retention of an area of raised decking within the curtilage of an existing residential dwelling. The principle of development is therefore acceptable subject to the criteria set out below.

Impact on the character and appearance of the area

Given its location to the rear of the property which is largely screened from view by the existing pattern of development in the vicinity, the area of decking does not form a prominent or incongruous addition that adversely impacts upon the character and appearance of the area.

Additionally, the decking is of an acceptable scale and design which is consistent with its domestic setting. Furthermore, when considering the extent of the amenity space which is significantly larger than average, the area of decking is considered to form a sympathetic addition to the application property.

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

Impact on residential amenity and privacy

When considering the relationship with the neighbouring property Four Seasons to the north, as this property is located higher in level, the outlook from this property would largely be across the top of the structure. As such, it is not considered the structure results in any adverse impact upon amenity on this property.

With regard to the impact upon the attached property 5 Red Rose Hill, which stands to the south. As the curtilage level of the application property is higher it is considered that a level of overbearing impact already occurs between the two properties. In addition, as the decking is set back from the boundary with 5 Red Rose Hill by 9 metres, the proposal is not considered to result in any greater overbearing impact on this elevation. Furthermore, due to the relationship with this property views from the raised decking on this elevation are largely screened by existing vegetation and ground levels. As such, the decking is not considered to result in any new opportunities for overlooking.

It is also noted that the objections received did not raised concerns in this regard. As such, taking the above into account, the proposal is not considered to adversely impact upon residential amenity and is considered acceptable in this regard.

Concerns raised by the objectors

Members are advised that whilst the objectors claim that the decking has obstructed a Public Right of Way (PRoW), following a review of the Council's records, the area along the rear of the property is not a formal PRoW and does not benefit from a highway designation. Additionally, the applicant has confirmed that the boundaries of the property extend the full extent of the land to the rear of the decking and the other areas of amenity space set out.

Objectors have also raised concerns that approval of this application would set the precedent for future similar development. However, any future similar developments at neighbouring properties would require planning permission and would be considered on their own individual merits.

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 the proposal does not have a significant impact on the character and appearance of the locality or upon the residential amenity of the surrounding neighbouring properties. The application is therefore considered to comply with the relevant policies of the Local Development Plan (AW5 and AW6).

RECOMMENDATION: Grant

1. The development hereby approved shall be carried out in accordance with the approved plan(s):
 - Proposed Raised Decking Area
 - Decking 6 Redrose Hill block plan – Location Plan
 - Decking 6 Redrose Hill block plan

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.