



## **PLANNING & DEVELOPMENT COMMITTEE**

**7 OCTOBER 2021**

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

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

Members are asked to determine the planning application outlined below:

Application No: **21/0809 - Proposed rear dormer loft conversion, front porch & kitchen extension, 38 Clos Myddlyn, Beddau, Pontypridd**

#### **2. RECOMMENDATION**

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

#### **3. BACKGROUND**

This application was originally reported to the 2<sup>nd</sup> September 2021 meeting of the Planning and Development Committee with an officer recommendation of approval. A copy of the original report is attached as **APPENDIX A**. At that meeting Members were minded to refuse the application contrary to the officer recommendation as they considered the proposal would result in overdevelopment of the site and an unacceptable level of overlooking of properties to the rear (Minute No. 55 refers).

As a consequence, it was resolved to defer determination of the application for a further report from the Service Director of Prosperity and 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 would have upon the character and appearance of the area and residential amenities of surrounding residents are set out in the original Committee report, however, a brief summary is set out below:

It is acknowledged that the proposal would see the construction of a rear dormer and front extension to the property which would inevitably

impact upon the overall character and appearance of the dwelling. However, when considering the fallback position that could see similar structures of a slightly smaller scale constructed under the properties permitted development rights, it is not considered that any potential impact would be great enough to warrant a refusal of the application.

In relation to the loss of privacy, as highlighted above, given the fallback position that could see a similar dormer with a comparable fenestration arrangement located to the rear of the property without the need for planning permission, it is considered that any opportunities for overlooking from the proposed dormer would not be significantly above those which could occur if a dormer were to be constructed under the properties permitted development rights. As such, it is not considered any potential impact would result in an impact great enough to warrant a refusal of the application.

Members are advised however that the impact of any development upon the character and appearance of the property and upon the amenities of neighbouring residents is subjective. The original considerations were an 'on balance' recommendation, highlighting that the proposed development will result in considerable additions and alterations to the application property and that the proposed dormer would inevitably result in loss of privacy to the occupiers to the rear.

Therefore, whilst the application is recommended for approval, if, having considered the above advice and after further consideration, Members remain of a mind to refuse planning permission, it is suggested that the following reason would reflect those views:

**REASON: The proposed extensions, by virtue of their scale, overall resulting mass and location, would represent a visually incongruous and un-neighbourly form of development that would lead to overdevelopment of the site and an unacceptable level of direct overlooking of the surrounding properties, contrary to Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.**

**PLANNING & DEVELOPMENT COMMITTEE**

**2 SEPTEMBER 2021**

**REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT**

**PURPOSE OF THE REPORT**

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 21/0809/10 (JE)  
**APPLICANT:** Mr K Dudzik  
**DEVELOPMENT:** Proposed rear dormer loft conversion, front porch & kitchen extension.  
**LOCATION:** 38 CLOS MYDDLYN, BEDDAU, PONTYPRIDD, CF38 2JS  
**DATE REGISTERED:** 10/06/2021  
**ELECTORAL DIVISION:** Beddau

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**RECOMMENDATION: APPROVE**

**REASONS:**

**The proposal 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.**

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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 dormer extension and single storey extension at 38 Clos Myddlyn, Beddau.

The proposed dormer would be located to the rear of the property and would facilitate a loft conversion. It would measure a width of 4.9 metres and would protrude outwards to a maximum depth of 3.5 metres. The proposed dormer would have a flat roof design measuring a maximum height of 2.2 metres and would match the ridge level of the dwelling, being set back from the eaves by

0.18 metres. The proposed dormer would have a Juliet balcony and bathroom window on its rear elevation.

The proposed single storey extension would be located to the front of the property at an area currently forming amenity space. It would measure a width of 4.4 metres and would protrude outwards to a depth of 1.6 metres. The addition would have a mono pitched roof design measuring a maximum height of 3.1 metres sloping to 2.6 metres at the eaves.

Both additions would be constructed of materials to match that of the host property.

## **SITE APPRAISAL**

The application property is a two storey mid terrace dwelling located towards the rear of a cul-de-sac forming part of a larger housing development within Beddau. The property is set back from a turning head and area of off-street parking by an area of lawn with an access path to the property. To the rear of the dwelling is an enclosed amenity space bounded on all sides by neighbouring properties at Clos Myddlyn. It is noted that the properties to the rear, nos.60 & 61 Clos Myddlyn, are located at lower level.

Neighbouring properties consist of various property types that all share a similar overall design theme. There are a number of existing extensions located to the front and rear of properties within the area.

## **PLANNING HISTORY**

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

## **PUBLICITY**

The application has been advertised by direct notification to 8 neighbouring properties.

3 letters of objection have been received following consultation with neighbouring occupiers. The points raised have been summarised below:

- Loss of privacy from rear dormer extension
- Loss of light
- Light pollution
- Impact upon property value

## **CONSULTATION**

No consultation has been undertaken.

## **POLICY CONTEXT**

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

The application site lies within the settlement boundary for Beddau 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.

#### 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.

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 construction of a dormer extension and front extension at an established residential dwelling to improve current living standards. The principle of development is therefore acceptable subject to an assessment of the criteria set out below.

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

Whilst the proposed front extension would see alterations to the principal elevation of the property that would be visible from the highway at Clos Myddlyn, when considering the minor scale and appropriate design of the proposal it is considered the extension would form a sympathetic and subservient addition to the property. In addition, a number of neighbouring properties within the vicinity benefit from existing front porch and canopy extensions of a similar design and scale. As such, it is not considered the front extension would result in any adverse impact upon the character and appearance of the area.

With regard to the proposed rear dormer, although this would be the first of its kind within the vicinity, the dormer is of a scale that is not significantly larger than that which could be constructed at the property under its permitted development rights. In addition, the dormer would not extend above the ridge level of the dwelling and its location to the rear of the property means that it will be screened from most vantage points outside of the immediate area. Therefore, it is not considered the addition would result in a significant visual impact.

In addition to the above, the proposed extensions would be finished in materials to match the existing property which will further ensure they are not overly prominent within their surroundings.

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

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

The objectors concern with regards to loss of privacy and light pollution created by the proposed dormer are acknowledged. However, when considering the permitted development fallback position of a slightly smaller dormer of a similar design with fenestration along its rear elevation, as highlighted above, it is not

considered that the any impact would be great enough to warrant a refusal of the application on this basis. Additionally, given the location of the dormer within the plane of the roof, it is not considered it would result in any detrimental overbearing or overshadowing impact upon neighbouring properties.

With respect to the proposed front extension, given its minor scale and siting, it is not considered it would result in any adverse impact upon the amenity and privacy of neighbouring occupiers.

Taking the above into consideration, the application is considered acceptable in terms of the potential impact upon the amenity and privacy of neighbouring residents.

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

The impact upon property value was also raised as a concern within the letters of objection received. However, this is not a material planning consideration and cannot be taken into consideration during the determination of this application.

### **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 proposals would have a significant impact upon the character and appearance of the locality or upon the residential amenity and privacy standards currently enjoyed by the surrounding 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 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:
  - Drawing No. 002

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.