



PLANNING & DEVELOPMENT COMMITTEE

21 OCTOBER 2021

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 21/1156/10 (AM)
APPLICANT: Mr & Mrs Newland
DEVELOPMENT: Garden fencing and widening of driveway.
LOCATION: 14 HEOL-Y-SARN, LLANTRISANT, PONTYCLUN,
CF72 8DB
DATE REGISTERED: 17/08/2021
ELECTORAL DIVISION: Town (Llantrisant)

RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS

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

REASON APPLICATION REPORTED TO COMMITTEE

Three or more letters of objection have been received.

APPLICATION DETAILS

Full planning permission is sought for garden fencing and the widening of the driveway at 14 Heol-y-Sarn, Llantrisant.

The existing driveway at the front of the property would be widened from 2.5 metres to 4.9 metres allowing for an additional vehicle space and widened vehicle crossover to the front of the property. The new parking area would be surfaced in tarmac and would be at existing ground levels.

The proposed garden fencing would be sited to the rear of the application property. It would comprise reinforced stone pillars above the existing boundary wall at the western boundary

of the site, of matching design and materials as the existing, with vertical timber panels of the same height sited in-between. The height of the pillars will be between 0.8 and 1.5 metres above the existing wall, having a maximum overall height of 3.2 metres from ground level at the application site, but only approximately 1.8 metres in height from the adjacent properties due to them being set at a higher ground level.

SITE APPRAISAL

The property is located within the residential area of Llantrisant Town and adjacent to the historic town's Conservation Area.

The application site relates to a detached dwelling accessed off Gwaunruperra Road. The principal elevation is set back from the footway at Gwaunruperra Road by an amenity space consisting of a driveway and front garden. An enclosed garden is sited to the rear.

Neighbouring properties within the vicinity are of varying scale and design with various external materials and boundary treatments being visible within the street scene.

PLANNING HISTORY

05/1630/10	Proposed rear conservatory	Granted	29/12/2014
------------	----------------------------	---------	------------

PUBLICITY:

The application has been advertised by direct notification letter to neighbouring properties. 5 letters of objection have been received, which raised the following points:

- Views of the Common will be spoilt;
- The new wall and fencing will have a significant impact on the light and views from the adjacent property, No. 16;
- The proposal will spoil the enjoyment of the limited outdoor space at No. 16;
- Dramatic effect on quality of life and well-being of neighbours;
- Affect the value of No. 16; and
- Concerns over ownership of the boundary wall.

CONSULTATION

Highways and Transportation

No objections, conditions recommended.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan:

The application site lies within the defined limits of development set out in the LDP.

Policy AW5 – New Development: This policy sets out criteria for new development in relation to amenity and accessibility.

Policy AW6 – Design and Placemaking: This policy requires development to involve a high-quality design and to make a positive contribution to placemaking.

Supplementary Planning Guidance:

A Design Guide for Householder Development

Access, Circulation and Parking

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) was issued on 24th February 2021 in conjunction with Future Wales: The National Plan 2040 (FW2040). PPW incorporates the objectives of the Well-being of Future Generations (Wales) Act into town and country planning and sets out Welsh Government's (WG) policy on planning issues relevant to the determination of all planning applications. FW2040 sets out the National Development Framework for Wales (NDF), WGs current position on planning policy at regional and national level.

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.

It is also considered the proposed development is compliant with the NDF.

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 seeks consent for the widening of a driveway to provide additional access and new garden fencing at an existing residential dwelling. The principle of development is therefore considered acceptable subject to compliance with the relevant material considerations set out below.

Impact on the character and appearance of the area

Policy AW5 stipulates that the scale, form and design of a development should not have a detrimental effect on the site or surrounding area. Similarly, Policy AW6 is supportive of proposals that are of a high standard of design, reinforce attractive qualities, and that are appropriate to the local context.

The proposed development is considered acceptable in terms of the design, siting, massing, scale, materials and overall visual appearance. This view is taken for the following reasons:

In terms of the widening of the driveway, this will be a visible addition to the street scene given its position directly fronting Gwaunruperra Road. However, the works would simply involve the widening of the stone walling from 2.5 to 4.9 metres and the addition of a parking space, with a tarmac finish. Given the minor nature of the development, it is not considered that the proposal would have any undue visual impact.

Additionally, sited to the rear of the property the proposed fence will not be visible from the street, only from within the site and from the rear amenity space of the adjacent neighbours from which it would appear as a typical boundary treatment between properties. Therefore, it is not considered the proposal will have any noticeable impact upon the visual amenity of the host dwelling or the wider area.

The proposal is therefore considered to be in accordance with the relevant policies of the Local Development Plan (AW5 and AW6) and Supplementary Planning Guidance in respect of its potential visual impact.

Impact on residential amenity and privacy

The proposed development is considered to have limited impact upon the residential amenity of any neighbouring occupiers. This view is taken for the following reasons:

It is acknowledged the new boundary fence would be high when viewed from within the application site. However, the adjacent properties to the west, Nos. 16 and 28 Heol y Sarn are set at a higher ground level, approximately 1 metre above. Therefore, with new fence appearing only approximately 1.8 metres in height from the ground level of these properties at its highest points, it would appear as a typical boundary treatment seen between residential properties and it is not considered it would result in any undue overbearing or overshadowing impact.

Subsequently, whilst the objector's concerns are acknowledged and it is accepted that a degree of impact would inevitably occur in these respects, it is not considered that any potential impact would be significant enough to warrant refusal of the application.

It is acknowledged the new fence would be sited in close proximity of ground floor windows at No. 28 resulting in a loss of outlook, but as set out above, it would be only approximately 1.8 metres in height from the ground level of this property, 200mm below that which No. 28 could erect under its permitted development rights. It is subsequently considered any potential impact would not be significant enough to warrant refusal.

It is therefore considered the proposal generally complies with the relevant policies of the Local Development Plan (AW5 and AW6) in this regard.

Impact on highway safety

The proposal would allow for vehicular access to the application site off Gwaunruperra Road. The Council's Highways and Transportation department have raised no objections to the proposal as it is not considered that the development would pose any risk to highway safety in the vicinity. It was noted that an increase in off-street parking spaces will decrease on-street parking demand in close proximity to a road junction, which would be an improvement and is considered acceptable. It is considered however that a condition should be attached to any consent requiring the parking area be constructed in permanent materials and retained for the purposes of parking only.

Other issues

With regard to the objections raised by neighbouring residents and interested parties that have not been covered above, a loss of view and impacts on property values are not material planning considerations and cannot be considered during the determination of this application. In addition, any concerns regarding land ownership are a civil matter between the relevant parties that the Council cannot enter into. Members are advised however that the applicants have signed Certificate A of the application forms and confirmed that they are the sole owners of the boundary wall in question.

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

The proposal is considered to have an acceptable impact upon the character and appearance of the locality as well as upon the residential amenities of the surrounding neighbouring properties and highway safety. The application is therefore considered to comply with the relevant policies of the Local Development Plan (AW5 and AW6).

RECOMMENDATION: APPROVE SUBJECT TO THE FOLLOWING 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 Section 92 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)

- 246-103
- 246-104

and documents received by the Local Planning Authority on 17/08/2021 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 parking area shall be constructed in permanent materials and retained for the purposes of parking only thereafter.

Reason: To ensure that vehicles are parked off the highway, in the interests of highway safety in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.