

## **PLANNING & DEVELOPMENT COMMITTEE**

**6 OCTOBER 2022**

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

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

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 22/0819/10 (JE)  
**APPLICANT:** Mr Nish Amin  
**DEVELOPMENT:** Two storey rear extension and first floor side extension (Resubmission of 21/1691/10)  
**LOCATION:** 3 HILLTOP CRESCENT, PONTYPRIDD, CF37 4AD  
**DATE REGISTERED:** 04/07/2022  
**ELECTORAL DIVISION:** Trallwng

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#### **RECOMMENDATION: APPROVE:**

#### **REASONS:**

The proposed development is considered to be acceptable in respect of its visual impact and the 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.

#### **APPLICATION DETAILS**

Full planning permission is sought for the construction of a two storey extension and first floor side extension at 3 Hilltop Crescent, Pontypridd. The proposed two storey extension would be located to the rear of the property and the proposed first floor extension would be located along the western side of the dwelling.

The proposed two storey extension would measure a width of 9.8 metres covering the majority of the width of the dwelling and would protrude outwards to a depth of 2 metres. It would have a dual pitched roof design to the rear of the main dwelling measuring a maximum height of 7.6 sloping to 5.5 at the eaves and would have a hipped roof design to the side tying into rear of the proposed first floor extension.

The proposed first floor side addition would be located above an existing single storey area which is currently incorporated within the roof plane of the dwelling. The proposed

extension would measure a width of 4.2 metres by a depth of 9 metres. The proposed extension would have a hipped roof design measuring a maximum height of 7.6 metres sloping to 5.5 metres at the eaves.

The application is a resubmission following the Council's refusal of an earlier application for a similar development at the site on 25/01/2021. The previous application 21/1691/10 was refused because it was considered that the proposal would represent a visually incongruous and un-neighbourly form of development which would have a detrimental impact on both the character and appearance of the surrounding area and the residential amenity of surrounding properties

## **SITE APPRAISAL**

The application property is a detached dwelling located within a residential area of The Common, Pontypridd. The property is located within a cul-de-sac and is set back from the highway by an enclosed amenity space which provides off street parking and an area of garden. To the rear of the property is an enclosed amenity space bounded on both sides by neighbouring properties with an access lane to the rear. Within the amenity space is an existing patio area along the rear of the dwelling which gives way to an area of lawn beyond. The nature of the area slopes from east to west with the adjacent properties 1 and 5 Hilltop Crescent located at lower and higher level respectively.

Neighbouring properties are a mix of detached dwellings of a similar scale and design to the application dwelling along the western side of Hilltop Crescent and bungalows located to the opposite side of the street.

## **PLANNING HISTORY**

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

**21/1691/10: 3 HILLTOP CRESCENT, PONTYPRIDD, CF37 4AD**

Two storey extension to rear and first floor extension to side.

Decision: 01/03/2022, Refuse

## **PUBLICITY**

The application has been advertised by direct notification to 5 neighbouring properties.

6 letters of objection have been received from the occupiers of neighbouring properties. The points raised have been summarised below:

- Overbearing impact upon neighbouring properties.
- Out of character with the existing street scene at Hilltop Crescent and would set precedent for further development that could see a terracing affect should other properties follow suit.
- Impacts upon parking due to larger property.

- The proposal would be contrary to the 45 degree rule and would result in a loss of light.
- Overshadow adjoining property.
- Visual amenity.
- Impact upon property values.
- Impact upon the stability of neighbouring structures.
- Proximity to adjacent boundaries.
- Drainage issues.
- Plans could lead to future development such as a conversion to a House of Multiple Occupation.

## **CONSULTATION**

No consultation undertaken.

## **POLICY CONTEXT**

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

Members will be aware that the current LDP's lifespan was 2011 to 2021, that it has been reviewed and a replacement is in the process of being produced. The Planning (Wales) Act 2015 introduced provisions specifying the period to which a plan has effect and providing that it shall cease to be the LDP at the end of the specified period. These provisions were commenced on 4<sup>th</sup> January 2016 but do not have retrospective effect. Therefore, the provisions do not apply to LDPs adopted prior to this date and plans adopted before 4<sup>th</sup> January 2016 will remain the LDP for determining planning applications until replaced by a further LDP. This was clarified in guidance published by the Minister on 24<sup>th</sup> September 2020. Subsequently, Members are advised that the existing Plan remains the development plan for consideration when determining this planning application.

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.

### **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 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.

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 national 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 the extension of an existing residential dwelling within the settlement boundary for Pontypridd. As such, the principle of development is therefore acceptable subject to the criteria set out below.

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

Although the proposed first floor side extension would form a prominent addition to the dwelling which would be visible from the highway to front of the site, when considering the revised proposal which includes a hipped roof design in place of the previous flat roof, it is considered that the extension would form a sympathetic addition to the dwelling that would not adversely impact upon its overall character and appearance. In addition, neighbouring property No. 16 Hilltop Crescent has an existing first floor level extension to the side of the dwelling comparable to that proposed. As such, when viewed in the context of the street scene, the proposed first floor side extension would not be considered to adversely impact upon the character and appearance of the wider area.

With regard to the proposed rear extension, located to the rear of the property it would not be widely visible in the surrounding vicinity. When considered in conjunction with the proposed first floor extension, the full development would form a large addition to the application property. However, it is not considered to result in such an impact that would warrant a refusal in this regard.

Taking the above into account, the proposed development is considered to comply Policies AW5 and AW6 of the Local Development Plan.

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

In terms of residential amenity, any impact would be greatest upon the adjacent properties 1 and 5 Hilltop Crescent given their proximity to the proposed extension. Given the relationship with these properties, with no.1 located lower in level and angled towards the application property, there is some concern raised with regard to the impact upon the amenity of occupiers. However, when considering the depth of the rear extension which measures only 2 metres beyond the rear property line, a reduction of 1 metre from the previously refused application, this would represent a minimal increase in depth which is not considered to result in a feature that would result in an impact great enough to warrant a refusal of the application. It is also noted that no.5 Hilltop Crescent is set back from the application property and any impact associated with the proposed extension would be similar to that which occurs between these properties and others within the vicinity.

Whilst the objectors raised concerns with regard to overlooking and loss of privacy, fenestration would largely be located on the front and rear elevations of the proposed extensions. Only landing and dressing room windows would be sited on the side elevation that would overlook the roof of no.1 Hilltop Crescent only. However, to ensure no overlooking opportunities are gained from these openings a condition to

require the installation of obscure glazing has been recommended. As such, the proposed development is not considered to result in any additional opportunities for overlooking above those already experienced by neighbouring properties.

Taking the above into account, the application is not considered to result in a significant adverse impact upon the amenities of adjacent occupiers. As such, the application is considered to comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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

Whilst it is acknowledged that the development would increase the number of bedrooms at the property that could result in increased parking demand, there is sufficient room within the front amenity space to increase the width of the existing driveway at the property to create additional parking.

The objectors raised concerns in relation to the impacts upon neighbouring properties through structural works and increased drainage requirements associated with the development of the extensions. These matters would be covered through the Building Regulations process and cannot be taken into account during the consideration of this application.

The objectors also commented that the development would likely result in the conversion to a House of Multiple Occupation (HMO) in the future which would impact upon the nature of the area. Any such change of use would require separate planning permission and would be considered on its own merits.

The right to light and impact upon property values were also raised within the objector's comments. Whilst these points are noted, they do not form material planning considerations and cannot be taken into account during the consideration 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 considered the proposal would 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 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 plans

- DRG.NO. 3A
- DRG.NO. 4A
- DRG.NO. 5A
- DRG.NO. 7A

and documents received by the Local Planning Authority on 04/07/2022, 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. Prior to beneficial occupation, the proposed first floor windows on the western side elevation of the dwelling shall be glazed in a minimum of Pilkington Level 3 or above obscure glass. Once installed this level of obscurity shall remain in perpetuity.

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