

PLANNING & DEVELOPMENT COMMITTEE

9 March 2023

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 22/1453/10 (AM)
APPLICANT: Mr R Green
DEVELOPMENT: Domestic garage with storage area
LOCATION: LLOYD STREET, GELLI, PENTRE
DATE REGISTERED: 12/01/2023
ELECTORAL DIVISION: Ystrad

RECOMMENDATION: GRANT

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.

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 detached domestic garage with storage area at first floor level to the western end of Lloyd Street, Gelli, on vacant land adjacent to no. 27. This is a resubmission of previous application ref. 22/0854/10 which proposed a larger, two-storey garage in the same position, and which was refused due to its visual impact and as a result of the public footpath having to be altered to provide access which would have resulted in a detrimental impact to the safety of all highway users.

The revised submission has seen a reduction in height to 5.6 metres at the ridge and 3.3 meters at the eaves. The garage would measure 6.6 meters in width at the front and 4.7 metres to the rear, with a depth of 7.9 metres. The garage would accommodate two vehicles and have space within the loft area for storage accessed via a hatch and loft ladder. Externally the garage would be finished in a dash or cement sand render with cream coloured paint. The roof will comprise of interlocking roof tiles and roof lights on the rear roof slope. The principle (southern facing) elevation would feature metal roller shutter doors and a pedestrian entrance door.

To the rear of the garage there would be further space for parking one vehicle. This hardstanding would measure a maximum width of 5 metres and a depth of 6.5 metres.

SITE APPRAISAL

The application site is located within a triangular plot of land at the western end of Lloyd Street in close proximity to Gelli Park. To the rear of the site is an access lane serving the rear of the properties on Lloyd Street which allows for a secondary access point to the site. Within the vicinity are a number of single-story domestic garages of varying design and scale.

The site is bound by neighbouring properties to the south and east with Gelli Park to the north and west. The surrounding area is residential in character being made up of predominantly terraced properties. The site is located within settlement limits and is unallocated.

PLANNING HISTORY

22/0854/10	Domestic garage with storage area.	Refuse	30/10/2022
09/1204/10	Construction of new end of terrace two storey house (amended plans received 15/04/10)	Grant	04/06/2010
08/0137/10	Construction of new end of terrace two storey house. (Additional information and amended description received 17/12/09)	Withdrawn	06/01/2010
07/1272/10	Proposed single garage	Grant	24/08/2007

PUBLICITY

The application has been advertised by direct notification to 5 neighbouring properties and a site notice. Three letters of objection have been received from neighbouring residents. Their comments are summarised below:

- Resembles something from an industrial estate.
- Reduce the kerb appeal on my property.
- Constant noise pollution from the opening and shutting of the garage door.
- Small gap between house will make it impossible for any maintenance work to be carried out.
- Limited parking withing street.
- If the garage will be used as a workshop will there be deliveries and customer vehicles.
- Loss of light would impact on mental health increasing PTSD episodes.

- Is there a contingency plan to compensate for the loss of light such as removal of trees.
- Structure remains unchanged to that previously refused with only minimal revisions.

CONSULTATION

Highways and Transportation:

No objection raised; conditions suggested.

Flood Risk Management:

No objection raised; conditions suggested.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The current LDP's lifespan was 2011 to 2021. It has been reviewed and it is in the process of being replaced. 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 4th 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 4th January 2016 will remain the LPD for determining planning applications until replaced by a further LDP. This was clarified in guidance published by the Minister on 24th September 2020. Subsequently, the existing Plan remains the development plan for consideration when determining this planning application.

The application site lies within the settlement boundary for Pentre and is unallocated.

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

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) 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

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 seeks consent for the construction of a domestic garage and a hardstand. It is acknowledged that a recent application for a similar development at this site has been refused, however, it is considered the earlier concerns have been overcome through appropriate amendments. Therefore, with the proposal to be used for domestic purposes only in this residential area, the principle of development is considered acceptable.

Impact on the visual amenity of the area

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

The proposed garage would have a similar roof type to dwellings within the vicinity, with external materials also matching neighbouring properties. Further, sited at the end of the street and largely screened from view, the structure would not be overly prominent in the street scene. As such the design and materials of the garage would blend well within the locality and would not detriment the visual amenity of the site or wider area.

Additionally, whilst it is accepted there are no detached garages in this section of Lloyd Street, there are many similar garages within the vicinity of the site that feature a range of scales and designs, including roller shutter doors. As such it is not considered the proposal would be out of context at this site.

Overall, the proposal is not considered to have a detrimental impact on the character and appearance of the existing site or the wider area and the application is therefore considered acceptable in this regard.

Impact on residential amenity

In terms of residential amenity, the proposed garage would be sited at the end of the terrace adjacent to the blank side elevation of the neighbouring property, no. 27. As such it would have no undue overshadowing or overbearing impact to this dwelling. Further, sited approximately 11 metres away from the front elevations of neighbouring properties at the opposite side of the street and to a maximum height of only 5.6 metres, it is not considered the structure would have any undue impact to these properties either in respect of overbearing or overshadowing. Additionally, with no window openings there would be no opportunities for overlooking.

It is accepted the garage would result in a degree of noise and disturbance to surrounding properties, but with domestic use only any associated noise would be comparable to any other domestic garage in the area and would not be so detrimental as to warrant refusal.

Subsequently, whilst the objector's comments are acknowledged, it is not considered the development would have any adverse impacts on the existing residential amenity or privacy standards currently enjoyed by the surrounding properties. The application is therefore considered acceptable in this regard.

Impact on highway safety

The proposed garage would be served off Lloyd Street where there is a high on-street parking demand restricting traffic flow to one way. However, the site provides an existing vehicle crossover which is proposed to be utilised for the garage which is considered acceptable.

There is concern that the parking area to the rear may be surfaced in non-permanent materials, to the detriment of the highway and pedestrian safety, and no details of the tie-in here have been submitted. However, it is considered appropriate materials and a suitable tie-in could be implemented and therefore a suitably worded condition has been suggested accordingly.

There is some concern that surface water run-off from the proposed may discharge onto the public highway, however this could be controlled condition.

As such no highway objection is raised and the scheme is considered acceptable in this regard.

Other issues

With regard to the objections raised by neighbouring residents and interested parties that have not been covered above, further comments are provided below:

Concerns were raised in regard to future maintenance between the neighbouring property and the proposed garage. Any future maintenance issues would be a private matter between the two parties that the Council could not enter in to. As such, while these concerns are acknowledged and it is accepted the siting of the garage would prevent access between the two structures, it is not considered the issue is significant enough to warrant refusal of the application.

In terms of the proposed use, the applicant has stated, and the submitted plans show that the garage would be used only for the parking of their personal vehicles and domestic storage within the roof space. It is considered domestic use in this residential location would not result in a significant impact to the amenities of surrounding neighbours. However a condition has been suggested below to ensure no trade or business shall be carried out nor shall the garage be converted to living accommodation to ensure any potential impact is minimised.

In terms of impacts on kerb appeal / neighbouring property values, this is not a material planning consideration.

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, upon the residential amenity of the surrounding neighbouring properties, or upon highway safety. 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

- Proposed site plans, elevations & section – Received 13/12/2023

received by the Local Planning Authority, 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. Surface water run-off from the proposed development shall not discharge onto the public highway or be connected to any highway drainage system unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to prevent overcapacity of the existing highway drainage system and potential flooding, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

4. The use of the garage hereby approved, shall at all times be restricted to purposes normally associated with a domestic use and no trade or business shall be carried out therein and at no time shall it be converted to habitable living accommodation.

Reason: For the avoidance of doubt as to the extent of this consent, in the interests of the safety of all highway users, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

5. Prior to any works commencing on site design and detail of the proposed parking area to the rear to be surfaced in permanent material along with details of the tie-in with the adopted side lane shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented to the satisfaction of the Local Planning Authority prior to beneficial use of the garage and be retained as such in perpetuity.

Reason: In the interests of safety of all highway users, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.