

PLANNING & DEVELOPMENT COMMITTEE

03 August 2023

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 23/0498/10 (AM)
APPLICANT: Mr D Evans
DEVELOPMENT: Attic extension and two storey extension to rear
LOCATION: ST LUCIA, GELLIFEDI ROAD, BRYNNA,
PONTYCLUN, CF72 9QG
DATE REGISTERED: 04/05/2023
ELECTORAL DIVISION: Brynna and Llanharan

RECOMMENDATION: APPROVE 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 potential impact it would have upon the amenity and privacy of the neighbouring residential properties.

REASON APPLICATION REPORTED TO COMMITTEE

The applicant is an Elected Member and the proposal has received 3 or more objections.

APPLICATION DETAILS

Full planning permission is sought for the construction of a first floor and two-storey extension at St Lucia, Gellifedi Road, Brynna.

The proposed extension would be located towards the eastern section of the property resulting in an L-shaped addition by extending over this element of existing dwelling and projecting out from the rear in this location in the form of two gable features. It would measure a maximum depth of 13.7 metres and maximum width of 14.5 metres, with an overall height of 6.6 metres.

A small single-storey element is also proposed at ground floor level which would allow the existing hallway area to be extended to a depth of 7.6 metres to accommodate a new shower room and an area for a staircase. The front door would be repositioned approximately 7 metres to the west.

SITE APPRAISAL

The application site forms a detached bungalow and its curtilage located within the residential area of Brynna. The principal elevation is located approximately 64 metres from the highway at Gellifedi Road and is accessed by a private lane between two neighbouring dwellings to the front (north). A large enclosed garden is located to the rear. In general, the site is relatively flat, however the wider area slopes from north to south, with dwellings to the rear (south) located at a considerably lower level.

The principal elevation of the property is finished in render and there is a stone finish at the rear. There is a mix of detached bungalows and two-story properties in the surrounding area, which each vary in scale and design and many having extensions of varying design and scale. As such the relationships between properties in the area varies from plot to plot.

PLANNING HISTORY

There have been no previous planning applications related to the application property that are relevant to the determination of this application. However, the following historical applications have been summarised below:

00/2193/10	Plot alongside St.Lucia, Gellifedi Road, Brynna, Llanharan, Pontyclun.	Detached house and garage.	Withdrawn by applicant	19/04/2000
00/2991/10	Land alongside St.Lucia, Gellifedi Rd, Brynna, Llanharan, Pontyclun.	Proposed residential detached dwelling.	Withdrawn by applicant	27/03/2002
03/1344/10	Land adjacent to St. Lucia, Gellifedi Rd, Brynna, Pontyclun	Four-bedroom detached dwelling including detached double garage (Outline)	Withdrawn by applicant	25/03/2004
05/1315/13	Plot adjacent to St. Lucia, Gellifedi Road, Brynna, Llanharan, Pontyclun.	Proposed residential development for one dwelling (Outline)	Grant	28/10/2005
99/2124/16	Plot adjacent to "St.Lucia", Gellifedi Road, Brynna, Llanharan, Pontyclun	Detached dwelling.	Grant	29/09/1998
98/2503/16	St.Lucia, Gellifedi Rd, Brynna, Llanharan, Pontyclun.	Detached dwelling.	Grant	29/09/1998

96/2356/13	St.Lucia, Gellifedi Rd, Brynna Pontyclun	One detached dwelling (outline application).	Grant	08/08/1997
96/2075/13	St. Lucia, Gelli feddi Road, Brynna, Llanharan, Pontyclun	One detached dwelling (outline application).	Grant	17/09/1996

PUBLICITY

The application has been advertised by direct notification to neighbouring properties. Three letters of objection have been received from dwellings to the rear, which have been summarised below:

- Property moving closer at an increased elevation would result in a loss of privacy to gardens and bedrooms.
- Potential decrease in property values.

CONSULTATION

No consultation has been undertaken.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

Members will be aware that the current LDP's lifespan was 2011 to 2021 and 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 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 LDP for determining planning applications until replaced by a further LDP. This was clarified in guidance published by the Minister on 24th 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 Brynna but is not allocated for any specific purpose.

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

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 to the extension of an existing residential dwelling to provide enhanced living conditions at the property. 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

Given its location at the end of a lane off Gellifedi Road and between several other dwellings the application property is not readily visible from any street scene. The proposed extension would therefore have no impact upon the street scenes at Gellifedi Road or Brynna Road. Furthermore, by virtue of its design and scale, the proposal is considered to form an appropriate addition to the application property and would be finished in sympathetic external materials which will match that of the host property and ensure any visual impact is minimised. Therefore, it is not considered it would result in any adverse impact upon the character and appearance of the area.

As such, while it is accepted the addition would be visible from the immediate neighbouring properties, it is considered acceptable in terms of its siting, scale, design and overall visual appearance, in accordance with the relevant policies of the Local Development Plan (AW5 and AW6) and Supplementary Planning Guidance.

Impact on residential amenity and privacy

It is acknowledged that the proposed extension would result in a degree of overlooking to the properties at the rear due to the site being at a higher elevation than those properties, as noted by the objectors. However, generally a separation distance of 21 metres between habitable room windows is considered acceptable, as stated within the SPG: A Design Guide for Householder Development, *"Where possible there should be at least 21 metres between habitable rooms of the extension and those directly facing neighbouring homes."* In this case the proposed extension would be located approximately 34 metres away from the neighbouring properties to the south, which is considered an appropriate distance to ensure any potential overlooking impact is not significant enough to warrant refusal of the application, despite the change in ground levels.

Furthermore, when considering the separation distance between the extension and nearby properties within the vicinity of the site, it is not considered that any undue overbearing or overshadowing impact would occur.

Taking the above into account, while the comments of the objectors are acknowledged, the proposal is, on balance, considered acceptable in this regard.

Other Issues

With regard to the objections raised by a neighbour in respect of impacts upon property values, this is not a material planning consideration and cannot be taken into account 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 proposal would have any impact upon the character and appearance of the locality. While it is acknowledged a degree of overlooking will occur, it is not considered any impact would be significant enough to warrant refusal of the application. 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
 - W230218_200 - *Received 05/05/2023*
 - W230218_201 - *Received 05/05/2023*
 - W230218_202 - *Received 05/05/2023*

and documents 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.