

PLANNING & DEVELOPMENT COMMITTEE

05 DECEMBER 2024

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 23/1454/FUL (RP)
APPLICANT: Mr R Watkins
DEVELOPMENT: Construction of a dormer bungalow (Amended plans and description received 04/08/2024).
LOCATION: Land to the rear of 1 Pant Place Glan Y Llyn, Taffs Well, CF15 7QG
DATE REGISTERED: 8 January 2024
ELECTORAL DIVISION: Taff's Well

RECOMMENDATION: Approve

The proposal development, by being located within the settlement boundary and in a sustainable location, as defined by Policies AW1, AW2 and SSA13 of the Rhondda Cynon Taf Local Development Plan, is considered to be acceptable in principle.

The proposal would be in keeping with surrounding land uses and would be of a scale that would be sympathetic to the context of the street scene and its relationship with neighbouring properties. The application is also considered to be acceptable in respect of its ecological impact and access and highway safety considerations, subject to conditions.

REASON APPLICATION REPORTED TO COMMITTEE

Three or more letters of objection have been received.

APPLICATION DETAILS

Full planning consent is sought for the construction of one detached dwelling on a parcel of land that is positioned to rear of 1 Pant Place, Taffs Well.

The proposed new dwelling would take the form of a dormer bungalow and would be orientated so that the dormer windows face north-west. The property would be built to a width of 7m and depth 8.5m, whilst the accommodation would include three bedrooms, a kitchen, living/dining area and two bathrooms.

The roof would be of a standard pitched form, rising from 2.4m at the eaves to 5.9m at the ridge; however, the dormer would be of box type construction and would span almost the full width of the west facing roof plane.

Vehicular access would be provided from the adopted highway to the east where two off street parking spaces would be provided.

Members are advised that the current proposal forms part of an amended scheme whereby a larger, two-storey dwelling was originally proposed to be developed at the site. However, following concerns as to the height and massing of that development, together with privacy concerns raised by neighbouring occupants, the applicant has revised the proposal to a dormer bungalow of more modest proportions.

SITE APPRAISAL

The piece of land, on which the construction of the new dwelling is proposed, is located to the rear of the end of terrace dwelling known as 1 Pant Place, Taffs Well and previously formed part of its residential curtilage.

The site is irregular in shape, amounts to approximately 328 square metres and currently contains a detached garage that once served 1 Pant Place, although has now been subdivided via the use of close boarded fencing.

The development site is located within settlement boundaries as defined by the Rhondda Cynon Taf Local Development Plan and is located within The Glan Y Llyn Conservation Area, whilst the river Taf and a Grade II Listed Railway Viaduct are located nearby, to the south-west of the site.

Neighbouring properties consist of a mix of design and scales and include traditional terraced cottages and larger, semi-detached and detached dwellings.

PLANNING HISTORY

The following application is considered to be of relevance:

23/0918/10	External refurbishment of an existing end of terrace property involving the installation of a proprietary external insulation system with through colour flat render finish. Replacement of doors and windows returning the main body of the house to a more traditional look.	Grant	26/09/23
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PUBLICITY

The application has been advertised by direct notification to neighbouring properties and the erection of site notices.

Six letters of objection were received as a result of the original consultation exercise and raised the following points:

- Concerns shown as to red line boundary plan and that it encroaches onto a shared access lane that provides access to garages on Riverside Street; questions if the applicant is in control of this land and states some residents have benefited from uninterrupted access over the lane for over 30 years.
- The two storey, modern dwelling would look out of place on the small plot and would not be in keeping with the Conservation Area.
- State the area, which is characterised by narrow lanes, is already congested with high demand for on-street parking.
- Privacy concerns raised.

Further to the above, Members are advised that three letters of objection were received in response to the re-consultation exercise, following the submission of the amended scheme for the proposed dormer bungalow, and highlighted the below points:

- The applicant intends to build on public land he does not own.
- The amended application will result in the loss of public space, via claiming publicly accessible land, which is used to access existing garages, gardens, for short term parking or as a turning area.
- Questions if the Ownership Certificate, as completed on the application form, is correct.
- States the two off street parking spaces proposed would block existing residents access to their garages.
- That the amended scheme would create on-street parking pressures.
- The first-floor windows contained within the proposed bungalow would afford the opportunity to overlook neighbouring properties and their gardens.

CONSULTATION

- Highways and Transportation – No objection, subject to conditions.
- Public Health and Protection – No objection, conditions recommended.
- Council Ecologist – No objection, subject to condition.
- Dwr Cymru Welsh Water – No objection, conditions recommended.
- Flood Risk Management – No objection.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The current LDP's lifespan was 2011 to 2021. It has been reviewed and 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 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, the existing Plan remains the development plan for consideration when determining this planning application.

The application site is located within the settlement boundary for Taffs Well.

Core Policies:

Policy CS 2 – Development in the South

Area Wide Policies:

Policy AW 1 – Supply of New Housing

Policy AW 2 – Sustainable Locations

Policy AW 4 – Community Infrastructure & Planning Obligations

Policy AW 5 – New Development

Policy AW 6 – Design and Placemaking

Policy AW 8 – Protection and Enhancement of the Natural Environment

Policy AW 10 – Environmental Protection and Public Health

Southern Strategy Area:

Policy SSA 11 - Housing Density

Policy SSA 13 - Housing Development Within Settlement Boundaries

Supplementary Planning Guidance (SPG):

Design and Placemaking;

Access, Parking and Circulation Requirements;

Nature Conservation;

The Historic Built Environment

Planning Obligations.

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 12 (PPW) was issued on 7th February 2024. 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, with the following policies being relevant to the development proposed:

- Policy 1 – Where Wales will grow – Employment/Housing/Infrastructure
- Policy 2 – Shaping Urban Growth – Sustainability/Placemaking
- Policy 9 – Resilient Ecological Networks – Green Infrastructure/Ecology

SE Wales Policies

- Policy 33 – National Growth Areas Cardiff Newport & the Valleys – SDP/LDP/large schemes.

Other relevant national policy guidance consulted:

PPW Technical Advice Note 5: Nature Conservation and Planning;

PPW Technical Advice Note 12: Design;

PPW Technical Advice Note 18: Transport;

PPW Technical Advice Note 24: The Historic Environment;

Manual for Streets

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 primary consideration in the determination of the application is whether the principle of residential development is acceptable upon the site. The application proposes the construction of a residential dwelling on a parcel of land that is located both within the

defined settlement boundary for Taff's Well and is surrounded by established residential development.

In respect of the wider policy considerations the proposed dwelling would accord with Local Development Plan Policy AW1, which establishes that the delivery of new housing may be supplied, in part, by the use of unallocated sites within the defined settlement boundary. Similarly, Policy SSA13 presumes in favour of development within or adjacent to settlement boundaries contingent on certain criteria.

Furthermore, it is noted that the site largely accords with what Policy AW2 would consider to be a sustainable location, with good access to the highway network, public transport and local shops and services.

However, whilst the principle of development may be acceptable the matter of whether the scheme complies with other policy requirements must be considered. This includes the provision of acceptable means of access, parking and amenity space, any impact upon the amenity and privacy of neighbouring dwellings and how the property would assimilate within the street scene. The impact of the development upon highway safety in the vicinity of the site is a further consideration.

Therefore, the proposed development is considered to be acceptable, in principle, however, would be subject to the material considerations outlined below.

Impact on the character and appearance of the area

Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan, amongst other things, seek to ensure that development does not have unacceptable effects on an area's character and appearance and this is to be achieved by ensuring that the scale, form and design of developments are appropriate and that they are of a high standard of design that reinforce attractive qualities and local distinctiveness and that they are appropriate to the local context in terms of siting, scale, height, massing, materials and detailing.

In terms of the street scene, the scale and massing of the dwelling would relate well to the existing development which has a mixed character and includes dwellings arranged in terraced rows and larger, semi-detached and detached dwellings which are finished in a variety of materials including stone, brick and render with tiled and slate roofs evident.

Although the proposal would be a detached dwelling, it would be simple in design and by incorporating the first-floor accommodation within the roof space, would be modest in relation to the plot size. Furthermore, the combination of appropriate external finishes would ensure the dwelling is generally in keeping with the character of the area and not overly prominent in the locality.

In terms of its siting, the dwelling would be appropriately positioned within the plot to leave adequate space for amenity and parking areas and would allow for adequate visual separation from the neighbouring plots. It is therefore considered that the proposal would not lead to an over intensive form of development.

Consequently, as the proposed dwelling would be read in the context of the existing settlement and its siting, scale and design would not have significant adverse impacts

upon the character or appearance of the immediate site or its wider setting, to a point which justifies refusal of the application, the development is considered to be acceptable in this regard.

Impact on the historic environment

The application site is located within the Glan Y Llyn Conservation Area and is also located in close proximity to the Grade II Listed Railway Viaduct over the River Taff. This listed structure is historically significant for being an unaltered railway viaduct of the later 19th Century, retaining its character and reflecting the massive expansion in railway traffic, largely caused by coal exporting.

The new dwelling would be contained within the context of existing residential development, of which it would relate to through its appropriate design and use of suitable materials, which would include white painted render, slate roof tiles and sash type windows.

It is also noted that the surrounding neighbouring dwellings have been extended in various ways and have been subject to alteration and revision, whilst the site visit showed that the applicant, although no longer the owner, has recently refurbished no. 1 Pant Place to a high standard and in a manner which is sympathetic to the Conservation Area. In this context, the more modern design of the bungalow would, given the variation in local character, be an acceptable addition to the street scene.

It is considered that the dwelling would therefore preserve the character and appearance of the Conservation Area as well as the setting of the Listed Building.

Impact on residential amenity and privacy

The property is located within an established residential area and it is therefore important that the privacy and amenity of existing neighbouring residents is safeguarded.

Although the proposed building would be sited approximately 5.6m from the rear elevation of no. 1 Pant Place and would be in close proximity to its retained garden boundary and that of no. 2 Pant Place, it would be less than 2.5m tall to eaves level, would be of limited mass and would be orientated to face north-west. Accordingly, it is considered that the proposal would not be overbearing or, noting the orientation of neighbouring properties located at Pant Place, result in an unacceptable loss of light which would justify concern to the Local Planning Authority.

In terms of privacy, a number of objections have been received which raise overlooking concerns. In this regard, the dormer windows, whilst enabling views of the Lower Garth, would look down upon the access lane and garages of properties located at Pant Place and Riverside Street and in respect of the latter, would be located in excess of 21m away from their rear facing, habitable room windows.

Notwithstanding this, there are side windows proposed in the bungalow at first floor level; however, and as noted by one of the objectors to the scheme, would not serve habitable rooms which lessens any concern. That said, to ensure that the privacy of neighbouring residents is maintained, a condition is recommended for the side facing windows to be obscured.

In addition to the above, it is considered that future occupants of the proposed dwelling would have an acceptable standard of residential amenity. The dwelling would provide spacious accommodation to be used as a family home that would provide an acceptable outlook from the proposed living room, kitchen and bedrooms and would benefit from a private garden as well as additional space for the parking of vehicles and storage of bikes and bins, whilst the proposal would also maintain a useable amenity space for the occupiers of no. 1 Pant Place.

Consequently, whilst noting that any potential adverse impacts upon the levels of privacy and amenity that neighbouring residents currently enjoy, would not be significant, the application is considered acceptable in this regard and in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

Access and highway safety

A number of objectors have raised concerns as to the development's potential to cause highway safety issues in the vicinity of the site. Members are advised that the application has been assessed by the Council's Highways and Transportation section in order to determine the potential impact of the proposal on highway safety and they have raised no objection to the proposed scheme, subject to condition. In coming to their conclusion, they made the following comments.

Access

The application site is served via Riverside Street leading to Pant Place. There are a number of dwellings served off this access, which is adopted. However, the access leading to the application site is lacking in width for safe two-way vehicular movement, sub-standard turning facilities and is lacking in segregated footway facilities which raises cause for concern.

The proposed dwelling will increase vehicular movements by up-to 10 trips per day along the sub-standard network. However, taking into account the limited additional vehicular movements, slow speeds and the potential for pedestrians to step aside to allow on-coming vehicles to pass it is not considered the concerns shown are significant enough to warrant a highway objection.

The amended plan 2325.PL-02 Rev A indicates that the existing boundary treatment on site will remain as existing, with no encroachment onto the public highway, which is acceptable.

Parking

The proposed 3-bedroom dwelling requires up-to a maximum of 3 off-street car parking spaces in accordance with the SPG Access, Circulation and Parking (2011) with 2 provided. There is potential to add a third off-street space should one be required. However, taking into account the small-scale of the development, by providing 3 bedrooms, with both bus and rail stops within walking distance, 2 off-street spaces are considered acceptable. A condition has been suggested requiring design and detail of the parking area tie in with the adopted highway.

Highways Summary

There is concern with regards the sub-standard access leading to the application site, compared to current standards. However, taking into account the limited additional movements that would occur, slow speeds due to existing geometry with provision of off-street car parking spaces, on-balance, the proposal is acceptable and would be in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Biodiversity

The site relates to part of the former garden of no. 1 Pant Place and is comprised of lawn and contains a detached structure that is to be removed to accommodate the proposed dwelling. The Council's Ecologist has appraised the submission and has raised no concern; however, this would be subject to condition for biodiversity enhancement measures to be incorporated within the new building, in the form of bird bricks which would be the most strategic and valuable ecological measure in this location.

Neighbour Consultation Responses

Where the issues raised by the objectors are not addressed above, the following additional comments are offered.

The neighbouring residents have raised concern as to the development's potential to cause highway safety issues in the vicinity of the site and have also tendered objections relating to land ownership and the potential for the development to impact upon the shared service lane, that is currently used to access and egress the garages that serve properties located at Riverside Street.

In this regard, Members would be aware that issues such as rights of access and land ownership are private matters rather than material planning considerations. That said, the applicant has provided the title plan for the application site which shows that the land that sits outside of the existing fence line, to the north and north-east of the plot, is within his ownership.

In addition, the applicant has confirmed that it is not his intention to enclose all of the land that is within his ownership and the site boundaries and proposed fence line would remain as existing, with this being reflected on the submitted proposed site plan which would be included as part of the approved plans condition. Subsequently, the access lane should remain unaffected by the development, but any future access disputes would form a private matter between the concerned parties.

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 liable for a charge under the CIL Regulations 2010 as amended. The application site lies within Zone 3 of Rhondda Cynon Taf's Residential Charging Zones, where there is a liability of £85 / sqm for residential development (including extensions to dwellings over 100 sqm).

The CIL (including indexation) for this development is expected to be £13,397.61.

Conclusion

Having taken account of all of the issues outlined above, the application is considered acceptable, representing a site which is physically large enough to accommodate the development proposed, whilst the site is located in a sustainable location, being located within settlement limits.

For the reasons set out above, it is not considered that the proposals would adversely affect the character and appearance of the site, nor would it create visual harm to the Glan y Llyn Conservation Area.

Similarly, it is not considered that the proposals would result in an unacceptable impact upon highway safety, subject to conditions; and the application is also considered acceptable in terms of potential impacts upon the levels of amenity enjoyed by neighbouring residents.

Consequently, the proposal is recommended for approval, subject to the conditions specified below.

RECOMMENDATION: GRANT, SUBJECT TO THE CONDITIONS BELOW

- 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:

- Drawing no. 2323 PL - 01 Rev. A (Site Location Plan)
- Drawing no. 2323 PL - 02 Rev. A (Proposed Site Plan)
- Drawing no. 2323 PL - 03 Rev. A (Proposed Ground Floor Plan)
- Drawing no. 2323 PL - 04 Rev. A (Proposed First Floor Plan)
- Drawing no. 2323 PL - 05 Rev. A (Proposed Roof Plan)
- Drawing no. 2323 PL - 06 Rev. A (Proposed Elevations)

and documents received by the Local Planning Authority on 04/08/2024, 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 Before the new dwelling is brought into beneficial occupation, the means of access, together with the parking facilities, shall be laid out in accordance with the submitted site layout plan ref. 2325.PL-02 Rev A and approved by the Local

Planning Authority. The parking spaces shall be surfaced in permanent material and retained thereafter for the parking of vehicles.

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

- 4 Notwithstanding the details shown on the approved plans, no development shall commence on site until design and details of the car parking areas surfaced in permanent materials, including tie in detail with the adopted highway, have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to beneficial occupation of the new dwelling.

Reason: In the interests of highway safety and to ensure the adequacy of the proposal, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

- 5 Surface water run-off from the proposed development shall not discharge onto the public highway or connect to any highway drainage system.

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.

- 6 HGVs used during the construction period shall be restricted to 09:00am to 16:30pm weekdays, 09:00am to 13:00pm Saturdays with no deliveries on Sundays and Bank Holidays.

Reason: In the interests of the safety and free flow of traffic, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

- 7 Prior to construction of the new dwelling a comprehensive scheme of hard and soft landscaping for the development shall be submitted to and approved in writing by the Local Planning Authority. The approved landscaping scheme including all planting, seeding or turfing in the approved details of landscaping, shall be carried out in the first planting and seeding season following the occupation of the dwelling or completion of the development, whichever is the sooner. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that the new development will be visually attractive and in the interests of amenity, in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

8 Notwithstanding the submitted details, no development shall commence on site until a scheme for the provision of biodiversity mitigation/enhancement has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the occupation of the new dwelling and shall be retained and maintained for the designed purpose thereafter. Any enhancements must include:

- i. The provision of at least 2no. bird bricks incorporated within the dwelling.

Reason: To provide biodiversity mitigation/enhancement, in accordance with Planning Policy Wales 12 and Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

9 Prior to the new dwelling, hereby permitted, being brought into beneficial occupation, the first-floor windows that would serve the en-suite and stairwell, located within the north-east and south-west side elevations, shall be fitted with obscure glazing to an industry standard of privacy level three or above, and maintained in perpetuity as such.

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

10 No development shall take place until a scheme to enable the provision of gigabit capable broadband infrastructure from the site boundary to the new dwelling hereby approved has been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To support the roll-out of digital communications infrastructure across Wales, in accordance with Policy 13 of Future Wales.