

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**  
**MUNICIPAL YEAR 2013-2014**

**DEVELOPMENT CONTROL  
COMMITTEE  
15 MAY 2014**

**REPORT OF: SERVICE  
DIRECTOR PLANNING**

	Agenda Item No. 8
<b>APPLICATION NO: 14/0111 - 4NO. GARAGES AND ASSOCIATED WORKS, LAND AT HURST GROVE, ABERNANT, ABERDARE</b>	

**1. PURPOSE OF THE REPORT**

Members are asked to determine the above planning application.

**2. RECOMMENDATION**

That Members consider this report in respect of the application and determine the application having regard to the advice given.

**3. BACKGROUND**

This application was originally reported to the Development Control Committee on 20<sup>th</sup> March 2014 with a recommendation of approval. A copy of that report is attached at **APPENDIX A**. At that meeting Members deferred determination for a site visit. This took place on 31<sup>st</sup> March 2014. The application was reported back to Development Control Committee on 17<sup>th</sup> April 2014 (copy of report attached as **APPENDIX B**). At that meeting Members resolved that they were minded to refuse the application contrary to the recommendation of the Service Director, Planning as they considered that the proposal would have an adverse effect on highway safety as a result of the additional traffic on Hurst Grove, a narrow residential street, the manoeuvrability problems for vehicles accessing the proposed garages and there would be a visual impact on the surrounding properties. Accordingly, the matter was deferred to the next appropriate meeting of the Development Control Committee for a further report from the Service Director, Planning, if necessary in consultation with the Director, Legal & Democratic Services, upon the strengths and weaknesses of taking a decision contrary to recommendation, prior to determining the matter (Minute No.232 (1) refers).

With regard Members concerns about highway safety no objection has been raised by the Council's Transportation Section.

With regard to the visual impact, the garages are relatively small in size and scale and there is similar existing development in the street scene. No objection was raised on these grounds as detailed in the original report to Committee (**APPENDIX A**).

If Members, however remain minded to refuse the application; the refusal reasons below are suggested.

## **REASON**

1. The use of the proposed garages would generate increased traffic in the surrounding residential area to the detriment of residential amenity, the free flow of traffic and highway safety. As such the proposal is contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan.
2. The proposed garages by reason of their appearance and unrelated to any residential curtilage would result in an adverse impact on the character and appearance of the area. As such the proposal is contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

## APPENDIX A

**APPLICATION NO:** 14/0111/10 (GW)  
**APPLICANT:** Mrs R Friel  
**DEVELOPMENT:** 4 No. garages and associated works.  
**LOCATION:** LAND AT HURST GROVE (NORTH OF 1B FORGE PLACE), ABERNANT, ABERDARE.  
**DATE REGISTERED:** 29/01/2014  
**ELECTORAL DIVISION:** Aberdare East

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**RECOMMENDATION:** Grant

### REASONS:

The garages would be within the settlement boundary and in principle would be acceptable subject to material planning considerations. The garages are for the parking of cars, would be domestic in size and appearance and there would be no significant impact on neighbour's amenity. The access would be via an existing road and is acceptable.

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### APPLICATION DETAILS

Full planning permission is sought for the construction of 4 garages for the parking of cars. The garages would be set back from the edge of Hurst Grove by between 2.2m and 2.5m. Following initial comments from the Transportation Section, the applicant has amended the plans to provide for a 1.8m wide pavement in front of the garages (within the set back) and has also grouped the garages into two blocks. Each block would provide two garages and would measure 6.9m in width, 6m in depth and with a maximum of 2.7m in height fronting Hurst Grove. They would be raised approximately 0.5m above ground level at the rear to a height of 3.2m. Its elevations would be finished with spar dash render and the roof would be covered with profiled sheets. Up and over doors would be provided on the front and pedestrian access doors at the rear. A 2m high wall would be provided in the gaps between the garages along and set back from the Hurst grove frontage.

The application is accompanied by the following:

- Design and Access Statement.

### SITE APPRAISAL

The proposed site is approximately rectangular in shape and previously formed part of the garden area of 1b Forge Place an end of link property accessed off a private drive to the rear of Forge Place. The site frontage is onto Hurst Grove and is approximately 20m in length. The land slopes from

north east to south west. The site is located at a lower level than properties in Hurst Grove but at a higher level than those in Forge Place.

Hurst Grove has a number of residential dwellings on the northern side of the street facing towards the road. On the application side of the road are several single storey garages and outbuildings to the west of the site. A detached dwelling (number 9 Hurst Grove) is located to the east of the site.

## **PLANNING HISTORY**

10/0862	Land at Hurst Grove, Detached dwelling. Abernant.	Refuse 25/10/10
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## **PUBLICITY**

The application has been advertised via the erection of a site notice and by direct neighbour notification. Five letters of objection have been received at the time of writing this report and the objections are summarised below:

- Cars park on Hurst Grove and if the garages are built it would limit space to turn vehicles.
- The road is not wide enough for cars to use the garages.
- The volume of traffic would increase and would have an impact on highway safety as children play in the street.
- If cars are parked outside they would block the road.
- Construction traffic could block the road and cause disturbance to traffic.
- The garages are not linked to any properties.
- The site is not large enough for 4 garages.
- It will result in a hemmed in environment and an adverse impact on visual amenity.
- There are already garages in the street, which are eyesores. The development would result in more.
- The Local Development Plan restricts development in this area and only land to the west of Abernant Road can be developed.
- It would create an undesirable precedent for development in rear gardens of Forge place further along the street.
- Concerned the garages could be used for commercial purposes such as car repairs and storage for shop keepers.
- If they are used for commercial purposes they would result in noise and disturbance.
- It would affect privacy as the garages would be directly opposite my property.
- It would affect the value of my house.

## **CONSULTATION**

Land Reclamation and Engineering – no objection subject to conditions.

Public Health and Protection – no objection subject to conditions on the demolition of existing dwellings, hours of operation, noise, dust and waste.

Transportation Section – no objection subject to condition.

## **POLICY CONTEXT**

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

The site is within settlement boundaries as defined by the Rhondda Cynon Taf Local Development Plan and is unallocated.

**Policy CS1** - sets out criteria for achieving strong sustainable communities including, promoting residential development in locations which support the role of principal towns and settlements and provide high quality, affordable accommodation that promotes diversity in the residential market.

**Policy AW2** - advises that development proposals on non-allocated sites will only be supported in sustainable locations.

**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 place making, including landscaping.

**Policy NSA12** – details criteria for development within and adjacent to settlement boundaries.

## **Supplementary Planning Guidance Access, Circulation & 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 Chapter 2 (Development Plans), Chapter 3 (Making and Enforcing Planning Decisions), Chapter 4 (Planning for Sustainability), and Chapter 8 (Transport) sets out the Welsh Government's policy on planning issues relevant to the determination of the application.

Other relevant policy guidance consulted:

PPW Technical Advice Note 12: Design;

PPW Technical Advice Note 18: Transport;

PPW Technical Advice Note 22: Sustainable Buildings;

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.

### **Principle of the proposed development**

The site is located within the settlement boundary as identified in the Rhondda Cynon Taf Local Development Plan. Therefore the principle of development of this land would be acceptable subject to the following material planning considerations.

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

Hurst Grove is characterised by dwellings on the north side and domestic type outbuildings and garages, (which serve the dwellings on Forge Place) on the opposite side. Objections have been raised from the public consultation exercise detailing that the garages would be eyesores and visually poor. Members are advised although the proposed garages are not related to the curtilages of individual dwellings on Forge Place, they would be set back from the road and would be of a size, scale and design, which would be considered domestic in nature and similar to other garages on this street and in the surrounding area. It is however proposed to finish both the garages and front boundary wall with spar dash render. Whilst it is acknowledged this finishing material is used in the street scene, it would be more appropriate to finish the garages and wall in a more suitable material, for example a painted smooth render and brick. Details of this could be obtained by a suitably worded condition if permission were to be granted. In summing up this issue, the development would increase the number of garages fronting on to Hurst Grove, however it is considered the visual impact would not be significant enough to warrant a refusal reason.

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

In respect of the impact on residential amenity the garages are relatively small in size and scale. As such there would be little significant impact from issues such as loss of sunlight and overbearing affects.

Objections have been raised from the public consultation exercise and these detail concerns with regard the potential of the garages being used for commercial purposes and that could result in noise and disturbance and a loss of privacy. Members are advised that the application details the garages are for the parking of cars. Furthermore if permission were to be granted a condition requiring the garages are only used for the parking of vehicles or storage for domestic purposes could be attached. Whilst it is acknowledged domestic use of the garages could also result in some noise and disturbance from the coming and goings of the users of the garages, it is considered the

impact would not be significantly greater than the residential use of existing garages along the street. Therefore taking this into account it is considered the development would not result in a significant loss of amenity to neighbouring residents.

### **Access and highway safety**

The access would be via Hurst Grove which is a narrow residential road and the garages may provide local residents with off-street parking and thus reducing the need for on-street parking.

A number of objections have been raised from local residents. Their concerns are mainly about the impact of additional traffic, problems for manoeuvring of vehicles and the potential blocking of the road. Members are advised no objection has been raised by the Transportation Section which considers the garages are set back sufficiently for vehicles to manoeuvre in and out. Furthermore whilst use of the garages may result in a small increase of traffic using Hurst Grove and potentially some short term waiting so that vehicles can use the garages; it is considered this would however not be significant enough to warrant a refusal reason.

Finally with regard to construction vehicles using and potentially blocking the road, it is considered the development is not of such a scale where there would be large or significant numbers of vehicles required, that would result in becoming a significant issue. It is recognised there potentially could be some short term requirement for vehicles such as a cement lorry; however this would be short term and no objection has been raised by the Transportation Section on this issue.

Therefore taking the above into account, in these terms the application would be acceptable.

### **OTHER ISSUES**

The following other material considerations have been taken into account in considering the application, though were not the key determining factors in reaching the recommendation:

#### **Public Health**

Whilst the comments raised by the Public Health and Protection Section are appreciated, it is considered dust and waste matters can be more efficiently controlled by other legislation. An appropriate note can be added to any permission concerning waste and dust issues.

#### **Property Values**

With regard the issue raised from the public consultation exercise that the value of properties would be affected by the proposal, Members are advised

this is not a material planning consideration that could be used to determine the application.

## **Conclusion**

The application is considered to comply with the relevant policies of the Local Development Plan in respect of the principle of development, the impact on the character and appearance of the area, impact on residential amenity and privacy and access and highway safety (policies AW2, AW5, AW6 and NSA12).

## **RECOMMENDATION: Grant**

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 91 and 93 of the Town and Country Planning Act 1990.

2. The use of the garages 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.

Reason: In the interests of highway and pedestrian safety and in the interests of residential amenity in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

3. Prior to the first beneficial use of the garages hereby permitted, a 1.8m vehicular footway crossing shall be provided along the site frontage in accordance with plan number 14/04/01 Rev. A and constructed in accordance with details to be first submitted to and approved in writing by the Local planning Authority.

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.

4. Notwithstanding the submitted plans no development shall take place until samples of the finishing materials for the elevations and roof (including colour) proposed to be used have been submitted to and approved in writing by the Local Planning Authority and all materials used shall conform to the sample(s) so approved.

Reason: To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings in the interests of visual amenity in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

5. Notwithstanding the submitted plans no development shall take place until there has been submitted to and approved in writing by the local planning



authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the dwelling hereby approved is occupied. Development shall be carried out in accordance with the approved details.

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

6. No development shall take place until drainage arrangements have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure adequate disposal of foul and surface water drainage in accordance with policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

7. No garage shall be occupied until the drainage works have been completed in accordance with the approved plans.

Reason: To ensure adequate disposal of foul and surface water drainage in accordance with policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

8. Construction works on the development shall not take place other than during the following times:

- (i) Monday to Friday 0800 to 1800 hours
- (ii) Saturday 0800 to 1300 hours
- (iii) Nor at any time on Sundays, Bank or Public holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the noise emitted from this development is not a source of nuisance to occupants of nearby residential properties in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

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**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL****MUNICIPAL YEAR 2013-2014****DEVELOPMENT CONTROL  
COMMITTEE****17 APRIL 2014****JOINT REPORT OF THE  
DIRECTOR LEGAL AND  
DEMOCRATIC SERVICES  
AND THE SERVICE DIRECTOR,  
PLANNING****Agenda Item No.4(1)****SITE MEETING  
APPLICATION NO.14/0111 – 4 NO.  
GARAGES AND ASSOCIATED WORKS –  
LAND AT HURST GROVE (NORTH OF 1b  
FORGE PLACE), ABERNANT,  
ABERDARE****Author: Mrs.Z.Maisey, Principal Officer, Committee Services  
Mr.G.Watkins, Development Control Officer****1. PURPOSE OF THE REPORT**

To consider the outcome of the site inspection in respect of the above-mentioned proposal and to determine the application, as outlined in the report of the Service Director, Planning, attached at Appendix 1.

**2. RECOMMENDATION**

To approve the application in accordance with the recommendation of the Service Director, Planning.

**3. BACKGROUND**

- 3.1 In accordance with Minute No. 206(3) (Development Control Committee, 20 March 2014) a site inspection was undertaken on Monday, 31 March 2014 to consider planning and highways issues concerning the proposed development.
- 3.2 The meeting was attended by the Chairman and Vice-Chairman of the Development Control Committee (County Borough Councillors R.B. McDonald and D.Weeks respectively) and County Borough Councillor E.Webster in consultation with Local Member for Aberdare East (County Borough Councillor M.Forey). An apology for absence was received from Local Member (County Borough Councillor S.Bradwick).

- 3.3 Members inspected the application site which was rectangular in shape and had previously formed part of the garden area of No.1b Forge Place. Forge Place which was located to the rear of the site at a much lower level than the application site and properties in Hurst Grove. Members noted that Hurst Grove had a number of residential dwellings on the northern side of the street facing towards the road and application site and several single storey garages and outbuildings located to the west of the application site.
- 3.4 The Development Control Manager outlined the proposal to seek full planning permission for the construction of 4 garages for the parking of cars. The garages would be set back from the edge of Hurst Grove by between 2.2m and 2.5m. The applicant had amended the plans to provide for a 1.8m wide pavement in front of the garages and had grouped the garages into two blocks.
- 3.5 Reference was made to the objections received from residents of Hurst Grove concerning the proposed development and the Local Member highlighted their concerns in relation to highway safety, visual impact and the use to be made of the garages. The Local Member understood that the garages currently located in the street were unused and pointed out that it was very difficult for vehicles to manoeuvre in and out of garages accessed off Hurst Grove owing to on-street parking on the opposite side of the road outside the residential properties.
- 3.6 Members were informed that no objections to the proposal had been received from the Transportation Section which considered the garages were set back sufficiently for vehicles to manoeuvre in and out.
- 3.7 Members were also informed that whilst the proposed development would increase the number of garages fronting on to Hurst Grove, it was considered the visual impact would not be significant enough to warrant refusal. With regard to the potential of the garages being used for commercial purposes, Members were advised that a condition would be imposed requiring the garages to be used only for the parking of vehicles for domestic purposes and no trade or business shall be carried out therein.
- 3.8 The Local Member expressed concerns with regard to construction vehicles visiting the site and potentially blocking the road and whilst it was recognised that there would be a requirement for delivery lorries, etc. to visit the site, it would only be for a short period of time and there was no highway objection raised on this issue.
- 3.9 The Local Member made reference to the fact that the Local Development Plan restricts development in the area and only land to the West of

Abernant Road could be developed. He was informed that the application site was located within the settlement boundary so the principle of development was established.

- 3.10 Members asked the Development Control Officer to look into the stability of the retaining wall between the application site and Forge Place and to report back on the findings to the Development Control Committee.

4. **UPDATE REPORT**

- 4.1 Having consulted the Council's Structural Engineer, he has advised that a structural assessment of the wall should be submitted to determine whether further works would be required in relation to the wall and also details would be required to prevent drainage from the garages potentially impacting on the retaining wall. The applicant has subsequently submitted a plan detailing the foundations of the garage and that they would be at a suitable depth so as not to impact on the retaining wall at the rear of the site. The Council's Structural Engineer has advised a condition should be attached requiring the garage foundations are constructed in accordance with the depth detailed on the submitted plan. A suitably worded condition is suggested below:

"The foundations of the garages hereby permitted, shall be constructed in accordance with the depth detailed on drawing no. 14/04/03 received on 2<sup>nd</sup> April 2014 unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of safety in accordance with policy AW 5 of the Rhondda Cynon Taf Local Development Plan."

- 4.2 Further to the initial report, a late letter has been received from the Glamorgan Gwent Archaeological Trust. They detail Forge Place is noted as workers housing associated with the former Abernant Iron Works. They indicate no significant buried archaeological remains would be adversely affected by the work and therefore do not object.

**LOCAL GOVERNMENT ACT 1972**

**as amended by**

**LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**LIST OF BACKGROUND PAPERS**

**DEVELOPMENT CONTROL COMMITTEE**

**15 MAY 2014**

**REPORT OF: SERVICE DIRECTOR PLANNING**

**REPORT**

**APPLICATION NO: 14/0111 - 4NO.  
GARAGES AND ASSOCIATED  
WORKS, LAND AT HURST  
GROVE, ABERNANT**

**OFFICER TO CONTACT**

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