

<u>ITEM 2.5</u>	
<u>APPLICATION NO:</u> P2014/0795	<u>DATE:</u> 22/08/2014
PROPOSAL:	Outbuilding for overspill residential accommodation
LOCATION:	9 Prettyman Drive, Llandarcy, Neath, SA10 6HZ
APPLICANT:	Mrs Annette Wingrave
TYPE:	Full Plans
WARD:	Coedffranc West

Background Information

The application is being reported to Committee as the applicant for the application is Councillor Annette Wingrave.

Planning History:

None

Publicity and Responses:

Coedffranc Community Council – No objection

2 Neighbouring Properties were notified and a Site Notice was displayed on 22 August 2014. In response, one letter of objection has been received, on the following grounds: -

- Concerns over disruption to the rear land during the construction process
- Objection over living accommodation at bottom of rear garden
- Objector considers the proposal goes against the agreement between the Council, the BP Company and Sitting Tenants to protect the beautiful village

Description of Site and its Surroundings:

The application site is an end of terrace property which is located in the conservation area of Llandarcy village. There is a lane to the rear of the terrace and the village green to the front.

The properties along this terrace of three properties have long rear gardens and the gardens to each side have a detached outbuilding/garage at the rear of their

gardens. The application property has an existing outbuilding/garage which is to be demolished to facilitate the construction of the new outbuilding. There is a lane to the rear of the property off which the residents of the terrace gain access to their garages/off street parking facilities.

Brief description of proposal:

The application seeks full planning permission for the construction of a single storey outbuilding to facilitate the provision of 'granny annexe' accommodation.

The submitted plans indicate that the structure will be located a distance of approximately 41 metres away from the rear elevation of the dwelling.

The outbuilding will have a pitched roof with the gable facing the rear lane/garden, and will measure 5.8 metres in width by 6.1 metres depth. The building will be 2.5 metres to the eaves rising to a height of 4 metres.

The elevations will be rendered and painted cream, red roof tiles to match the roof of the dwelling and the fenestration will be white Upvc.

The applicant proposes to retain the existing parking space and to create a second parking space in lieu of the lost garage space and to also retain the concrete access area between the lane and the rear access gates.

Material Considerations:

The main issues to be considered in the determination of this application are the impact upon the amenity of residents within the neighbouring properties, upon the character and appearance of the Conservation Area and the impact on Highway and Pedestrian safety.

Policy Context:

Neath Port Talbot Unitary Development Plan:

Policy GC1 – New Buildings/Structures and Changes of use

Policy ENV17 – Design

Policy ENV19 – Proposals within Conservation Areas or Which Would Affect the Setting of a Listed Building

The Household Extension Design Guide

Visual Amenity:

In terms of visual amenity, the siting of the outbuilding at the end of a long rear garden, dictates that it will not be viewable from the street scene but will be visible from adjacent neighbouring properties and the rear lane. The proposal has, however, been carefully designed to ensure that it is subordinate in design to, and finished in materials to match, the existing dwelling. As a result the proposal is in keeping with the design and finishes of the dwelling to which it relates.

As such, it is considered that it will not adversely impact upon the character and appearance of the street scene or have any adverse impact on the character and appearance of the conservation area within which it is located.

Residential Amenity:

With regards to the impact on the amenities of neighbouring properties, there are only two neighbouring properties adjacent to the proposal, both of which have long rear gardens, therefore the proposal will be approximately 33 metres away from the closest neighbouring dwelling. Both neighbouring properties have large garage/outbuilding structures towards the end of their gardens.

With regard to the neighbouring property (No 8), the proposal has a habitable room window and a door facing towards the end of the rear garden towards the outbuilding and garden area in front of the building at No 8. The elevation of the neighbour's outbuilding facing the application site is a blank elevation and there will be a separation distance of approximately 1.5 metres between the two buildings.

With regard to the neighbouring property (No 10), the proposal will be constructed in line with this building and set approximately 1.5 metres off the boundary between the two buildings. The only window facing the neighbours outbuilding will be an obscurely glazed bathroom window.

The proposal will also have a forward facing window and French doors but these will look down over the applicant's garden area.

It is therefore considered that the proposal will not cause any adverse overlooking issues of the private amenity space of the adjoining properties. To prevent any future issues of overlooking permitted development rights will be removed to ensure no doors, windows or dormer windows (other than those expressly authorised by this permission) shall be constructed. It is therefore considered that subject to these conditions there would be no issues in respect of

overlooking / privacy. With regard to overbearing and overshadowing issues, as mentioned the outbuilding is of a size and scale of an average double garage and is located at the rear of a long garden, where the two neighbouring properties also have garages/outbuilding, such that there would be no unacceptable impacts on the neighbouring properties..

With regard to any noise issues, while the accommodation would be used as annexe accommodation, given the distance between the dwelling and neighbouring properties, the proposal is considered unlikely to generate a materially greater level of noise or disturbance than the occupiers of the main dwelling. To protect the residential amenity of the neighbouring properties, however, (and due to the fact that an independent dwelling in this location would be unlikely to be acceptable) a condition will be imposed on the consent restricting the use of the proposed garage conversion and extension to be used only for use ancillary to the residential use of 9 Prettyman Drive.

It is therefore considered that due to the restricted height, siting and design of the proposal that it would have no unacceptable impact upon residential amenity from overbearing, overshadowing and overlooking issues. As a consequence, the amenities of neighbouring residents will be safeguarded and the proposal therefore complies with the Household Extension Design Guide.

Highway Safety (e.g. Parking and Access):

With regard to Highways and pedestrian safety, the property has a parking space to the rear of the proposed outbuilding accessed off the rear lane, together with the existing garage.

The applicant proposes to retain the existing parking space and to create a second parking space in lieu of the lost garage space and to also retain the concrete access area between the lane and the rear access gates. Accordingly, it is considered that the space lost within the garage space has been replaced and, subject to a condition requiring that space is provided for two vehicles between the new building and the rear lane, the proposal will not have an adverse impact on highway and pedestrian safety.

Others (including objections):

A number of the issues raised by a local resident have been addressed within the above report. The following comments address those issues still remaining.

With regard to the definition of a 'property', whether attached to the existing dwelling or detached within the grounds of an existing dwelling, from a

planning perspective, the use of the building will be considered to be a incidental use or secondary building, and not a separate dwelling/planning unit. A condition can be imposed on the consent for clarity purposes that states that the ancillary building will be incidental to the enjoyment of the dwelling house, and shall not be sold, let or sublet as a separate unit of accommodation. Furthermore, with regard to any agreement between the Council, the BP Company and Sitting Tenants “with the view to protecting the beautiful village”, this is not a planning matter and legal advice would need to be undertaken with regard to this matter.

Conclusion:

It is considered that the proposed development will not have an unacceptable impact upon the amenities of residents within the adjoining dwellings, or upon the character and appearance of the conservation area by virtue of its size, siting and design. The proposed development is therefore in accordance with Policies GC1, ENV17 and ENV19 of the Neath Port Talbot Unitary Development Plan and the approved Supplementary Planning Guidance entitled ‘A Guide to Household Extensions’.

RECOMMENDATION: Approval with Conditions

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 the requirements of Section 91 of the Town and Country Planning Act 1990.

(2)The annexe accommodation hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 9 Prettyman Drive, Llandarcy, and shall not be sold, let or sublet as a separate unit of accommodation.

Reason

The additional accommodation is considered unsuitable for occupation as a separate unit.

(3) Prior to the occupation of the proposed outbuilding the window on the south elevation serving the bathroom shall be glazed with obscured glass and any opening vent shall be top hinged with the lowest part of the opening a maximum

of 1.1 metres above the floor level of that room, and any replacement window or glazing shall be of a similar glazing and type.

Reason

In the interest of the amenities of the adjoining property.

(4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that Order with or without modification), the building hereby approved shall not be altered or extended, including by the addition of any new doors, windows or dormer windows (other than those expressly authorised by this permission).

Reason

In order to protect the character and appearance of the conservation area and amenity of neighbouring properties.

(5) Prior to the first beneficial use of the annexe hereby approved, the existing driveway between the new building and the rear access lane shall be widened sufficiently (and hard surfaced in a bound material) to accommodate two parked vehicles. The two parking spaces shall thereafter be retained to serve the dwelling unless otherwise approved in writing by the local planning authority.

Reason:

To ensure sufficient off-street parking is provided and retained to serve the dwelling and annexe

REASON FOR GRANTING PLANNING PERMISSION

The decision to grant planning permission has been taken in accordance with Section 38 of the Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise.

It is considered that the proposed development will not have an unacceptable impact upon the amenities of residents within the adjoining dwellings, or upon the character and appearance of the conservation area by virtue of its size, siting and design. The proposed development is therefore in accordance with Policies GC1, ENV17 and ENV19 of the Neath Port Talbot Unitary Development Plan

and the approved Supplementary Planning Guidance entitled 'A Guide to Household Extensions'.

