

SECTION A – MATTERS FOR DECISION

Planning Applications Recommended For Approval

<u>APPLICATION NO:</u> P2018/0652	<u>DATE:</u> 03/08/2018
PROPOSAL:	Change of Use of small corner of land associated with Neath Cricket Club into garden curtilage, plus single storey rear extension
LOCATION:	6 Bracken Road, Neath SA11 3DR
APPLICANT:	Mrs Rachel Burton
TYPE:	Change of Use
WARD:	Neath North

BACKGROUND

This application is required to be determined by Committee, under the Council's delegated arrangements, as the applicant is a close relative of Councillor Lockyer.

SITE AND CONTEXT

The site comprises a semi-detached two storey dwelling located in a close of properties known as Bracken Road. The property occupies a corner position within the close, and is flanked to the west by land which forms part of the Neath Cricket Ground.

DESCRIPTION OF DEVELOPMENT

This application seeks planning permission for the change of use of land into garden curtilage, and construction of a single storey extension.

Due to the corner position of the application site, a rear extension due to its proposed depth could not be constructed within the existing residential curtilage. In order to overcome this issue the applicant is in the process of purchasing a strip of un-usable land from Neath Cricket Club (in the ownership of NPTCBC). The additional land is triangular in shape having an average width of 6.5m, and length of 25m. The aforementioned land has never been used by the Cricket Club due to its shape and boggy nature, and is fenced off from the actual leisure area.

The proposed extension will be located to the rear of the dwelling taking up the full width of the rear elevation a distance of 7m, and will project

out from the rear elevation of the dwelling a distance of 5.8m. The roof is flat in design at a height of 2.5m. Two windows will be installed in the western side elevation adjacent to the cricket ground, one serving a lounge and the other a washroom, and the rear elevation will benefit from a window and bi-folding doors both serving a kitchen diner.

All materials and finishes are in keeping with the host dwelling.

All plans / documents submitted in respect of this application can be viewed on the [Council's online register](#).

PLANNING HISTORY

The application site has no relevant planning history.

CONSULTATIONS

Neath Town Council was notified on 30/7/2018 and replied offering no objection.

2 No. Properties have been consulted by letter on 30/7/2018. To date no responses have been received.

REPORT

Planning Policies

The Development Plan for the area comprises the Neath Port Talbot Local Development Plan which was adopted in January 2016, and within which the following policies are of relevance:

- **Policy BE1** Design
- **Policy TR2** Design and Access of New Development
- **Policy SC2** Protection of Existing Community Facilities

Issues

Having regard to the above, the main issues to consider in this application relate to the principle of changing the use of the adjacent land, along with the impact on the visual amenity of the area, the amenities of neighbouring residents and highway safety.

Principle of Change of Use of Land

Policy SC2 (Protection of Existing Community Facilities) states that any proposals which would result in the loss of an important existing community facility will only be permitted where it can be demonstrated that: The facility is surplus to requirements; or the existing use is no longer viable.

In this case, the land beyond the existing residential curtilage forms part of the cricket ground, but at present is fenced off from the ground as its shape, location and boggy nature dictates that it cannot be utilised for leisure purposes. The land is therefore considered surplus to requirement having never been used for any community use. Moreover, because of its location in the corner of the ground, 'rounding off' the site will have no detrimental impact on the overall use of the site, nor create additional pressure for incremental further extensions into the site, which would be to the cumulative detriment of the site's leisure/community use. As such, it is clear that the loss of this land will not be to the detriment of the local area and there is no objection to the principle of its change of use under Policy SC2.

Impact on Visual Amenity

It is acknowledged that the development proposes to change an area of land associated with Neath Cricket Ground into garden curtilage. However, due to the irregular shape of the land, and boggy nature, the land has not been maintained by the cricket club, and has been left to grow in an unruly manor having no visual value.

Whilst it is acknowledged that the area has no special visual value, it was noted during the site visit that the application land was separated from the actual leisure area by a natural boundary of mature trees and shrubbery which help soften the appearance of this residential area when viewed from within the cricket ground. Clarification was verbally sought, and it was confirmed and shown on the submitted plans that the aforementioned trees and shrubbery are outside the resultant curtilage of the dwelling, will remain in situ, and remain in the ownership of NPTCBC. However, in order to define the resultant curtilage, and to screen the development from the cricket ground, a condition will be imposed on the planning approval stating that prior to the first beneficial use of the development hereby approved a close boarded fence shall be erected around the side and rear boundaries of the application site.

Turning to the proposed extension, although the extension would have a flat roof, given its siting upon the rear elevation, it is not considered that the development will undermine the overall appearance, design, and finishes of the existing property. Furthermore, due to the limited height and corner position of the dwelling, the development will be for the most part hidden from the surrounding properties, and the aforementioned trees and shrubbery will screen the development from the recreational areas to the west.

It is therefore, considered that the development will not adversely impact upon the visual amenity of the application dwelling nor will it detract from the character and appearance of the surrounding area, thus according with Policy BE1.

Impact on Residential Amenity

The adjoining property No.5 already benefits from a single storey extension which projects out from the dwelling approximately the same distance as the proposed extension. Therefore, when taking into account the resultant angle of the development and the joint boundary, its limited height and projection, and its siting adjacent to the unarticulated side elevation of the neighbouring extension, it is considered that the development will not result in any unacceptable impact upon the occupiers of No.5.

In terms of privacy, 2 small windows will be installed to the side elevation facing the cricket ground, which will be screened from this leisure area by the aforementioned mature trees and shrubbery, and all other windows will be installed in the rear elevation overlooking the garden area of the application site. As such, it is not considered that the development will result in an adverse overlooking impact upon the occupiers of the adjoining property.

Given the corner position of the development, the proposed extension will be hidden from the property to the north west No.7, and as such, it is not considered that the development will impact upon the residential amenity of the occupiers of this property above and beyond that of the existing situation.

Parking and Access Requirements and Impact on Highway Safety

Given that the development will not displace any off street parking. It is not considered that the development will impact detrimentally upon pedestrian and highway safety.

CONCLUSION

The decision to recommend 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. The Development Plan comprises the Neath Port Talbot Local Development Plan (2011–2026) adopted January 2016.

There is no objection to the principle of the change of use of land in respect of any impact on existing community facilities, and it is considered that the proposal represents an appropriate form of development that would have no unacceptable impact on the amenities of neighbouring residents, visual amenity of the area or highway and pedestrian safety. Accordingly, the proposed development is in accordance with Policies BE1 (Design), TR2 (Design and Access of New Development) and SC2 of the Neath Port Talbot Local Development Plan.

RECOMMENDATION: Approval with Conditions

CONDITIONS

Time Limit Condition

(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.

Approved Plans

(2) The development shall be carried out in accordance with the following approved plans:

- i. Proposed site plan drawing no.1. received 30/7/2018.
- ii. Proposed floor plans drawing no.2.received 30/7/2018.
- iii. Proposed elevation drawing no.3.received 30/7/2018.
- iv. Proposed first floor plans no.4 received 30/7/2018.

Reason

In the interest of clarity.

Regulatory Condition

(3)The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing dwelling.

Reason

In the interests of visual amenity.

(4)Prior to the first beneficial use of the development hereby approved a close boarded fence shall be erected at the height of 1.8m to the extent shown in green on the attached plan Ref No.1A and shall be retained as such thereafter.

Reason

In the interest of visual amenity.

REASON FOR GRANTING PLANNING PERMISSION

The decision to recommend 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. The Development Plan comprises the Neath Port Talbot Local Development Plan (5) adopted January 2016.

It is considered that the proposal represents an appropriate form of development that would have no unacceptable impact on the amenities of neighbouring residents, visual amenity of the area or highway and pedestrian safety. Accordingly, the proposed development is in accordance with Policies BE1 (Design) and TR2 (Design and Access of New Development) of the Neath Port Talbot Local Development Plan.