

## **SECTION A – MATTERS FOR DECISION**

### **Planning Applications Recommended For Approval**

<b><u>APPLICATION NO:</u> P2020/0556</b>	<b><u>DATE:</u> 02/07/2020</b>
<b>PROPOSAL:</b>	Detached Double Garage and Associated Access Steps
<b>LOCATION:</b>	3 Clos Dewi Sant (Plot 22), Bryn SA13 2RZ
<b>APPLICANT:</b>	Mr Gareth Owen
<b>TYPE:</b>	Full Plans
<b>WARD:</b>	Bryn and Cwmavon

### **BACKGROUND**

Cllr Galsworthy requested on 26<sup>th</sup> August 2020 that the application be determined via Planning Committee as she disagreed with the decision of the delegated panel to refuse planning permission in respect of Visual Amenity (i.e. she considers the scheme to be acceptable). The Committee 'call-in' Panel agreed to report the matter to committee on such grounds.

### **SITE AND CONTEXT**

The application site is located at Number 3 (Plot 22) Clos Dewi Sant, Bryn, Port Talbot.

The application site measures approximately 0.0182 hectares in area. It is located to the north of the recently constructed dwelling at Plot 22 and would serve this dwelling. It was previously sloping in profile but has since been excavated to a flat area in order to construct the dwelling. It is bounded by Clos Dewi Sant access road to the north, residential dwellings to the east and west and the host dwelling to the south.

### **DESCRIPTION OF DEVELOPMENT**

This is a full planning application for the construction of a detached double garage and associated access steps to be used for the benefit of Number 3.

The proposed garage would be sited to the north (front) of the dwelling which is set behind and at a higher level with retaining wall in front. The garage would measure 6.4m wide by 6.14m in length and would reach a height of 2.54m. It is designed with a flat roof with a garden area proposed on the roof enclosed by 1m high steel and glass balustrading. The garage would be positioned so it is side-on to the road (with a blank elevation fronting the street), with the garage access door facing west with driveway in front. To the rear of the garage access steps are proposed to access the house and garden.

### **NEGOTIATIONS:**

The developer has been in discussions with the Local Planning Authority regarding the design of the garage as initial concerns were raised with the pitched roof design in terms of visual amenity. The roof has since been amended so it is flat with a garden area proposed above.

## PLANNING HISTORY

The application site has the following relevant planning history: -

P2019/0357	Detached dwelling with parking and associated works including retaining walls	Approved	11/06/19
------------	---	----------	----------

## CONSULTATIONS

**Head of Engineering and Transport (Highways Section):** No objection, but notes that the internal dimensions of a 'double garage' should be 6m by 6m.

**Head of Engineering and Transport (Drainage Section):** No objection, but notes that an amended SAB application will be required.

**CADW:** No objection.

**Natural Resources Wales:** No objection.

## REPRESENTATIONS

The neighbouring properties were consulted on 03/07/2020 with a site notice also displayed on 02/07/2020.

In response, to date, no representations have been received.

## REPORT

The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet its sustainable development (or wellbeing) objectives. This report has been prepared in consideration of the Council's duty and the "sustainable development principle", as set out in the 2015 Act. In reaching the recommendation set out below, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

### National Planning Policy

[Planning Policy Wales](#) (Edition 10) was extensively revised and restructured at the end of 2018 to take into account the themes and approaches set out in the Well-being of Future Generations (Wales) Act 2015, and to deliver the vision for Wales that is set out therein.

PPW10 takes the seven *Well-being Goals* and the five *Ways of Working* as overarching themes and embodies a placemaking approach throughout, with the aim of delivering *Active and Social Places*, *Productive and Enterprising Places* and *Distinctive and Natural Places*. It also identifies the planning system as one of the main tools to create sustainable places, and that placemaking principles are a tool to achieving this through both plan making and the decision making process.

## Local 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

## Supplementary Planning Guidance

The approved [Design SPG](#) is of relevance to this application.

## Issues

Having regard to the above, the main issues to consider in this application relate to the impact on the visual amenity of the area, the amenities of neighbouring residents and highway safety.

## Impact on Visual Amenity

It is noted that the previously approved scheme for the dwelling (P2019/0357) had a parking area to the front of the property with some landscaping and access steps up to the property (see CGI image below):



It is noted that the proposed garage would be located on the originally approved parking area and would be built up from this ground profile and also stand proud of the ground level of the properties on either side (see CGI image below). It is considered, however, that the proposed garage by virtue of its size (double garage) and siting to the front of the associated dwelling and adjacent to the highway/footpath would be an incongruous addition to the street-scene, to the detriment of the character and appearance of the surrounding area



Furthermore, the addition of a roof-terrace/garden area above the garage would result in the introduction of a seating area to the front of the dwelling, with the potential for associated paraphernalia such as tables, chairs, umbrellas etc. (which cannot be controlled by condition), which would also have a further detrimental impact upon the visual amenity of the street-scene, and the steel and glass balustrading would reinforce the applicant's intention to use this area for that purpose to get views of the valley below.

It is therefore considered that the overall proposal would have a detrimental impact on the visual amenity of the area and street-scene and would be contrary to the aims of Policy BE1 of the Neath Port Talbot Local Development Plan which requires "*high quality design*", and this is also echoed in the adopted Design SPG.

#### Impact on Residential Amenity

In respect of potential overbearing and overshadowing impacts, given the size and position of the proposed garage relative to surrounding neighbouring properties it is considered that it would not create any unacceptable issues in these regards.

Notwithstanding the above however, it is noted that the proposed roof-terrace/garden area above the garage would create a useable flat seating area to the front of the dwelling which is elevated, and the enclosure with glass and steel balustrading would reinforce the applicant's intention to use this area for that purpose to get views of the valley below.

Whilst it is noted that there was the potential to use the front area for sitting on the previous scheme, the new raised area would encourage its use for prolonged periods. It is therefore considered that this would result in unacceptable overlooking into the private amenity space of the properties below to the north, which are located off Owen Jones Way, as it would decrease the separation distance between them.

It is also considered that it would result in overlooking into the properties either side (Plot 21 and 23), as it would create a flat and elevated seating area compared to the lower 'parking area' on the previous scheme. As such, the proposal would be contrary to Policy BE1 of the Neath Port Talbot Local Development Plan and the Design SPG.

## Parking and Access Requirements and Impact on Highway Safety

It is noted that the garage measures 6m wide internally by 5.5m in length. Whilst this would be large enough to fit a car in, it is below the dimensions stated within the Parking Standards SPG. Notwithstanding this however, it is noted that there would be sufficient car parking on the driveway for 2 vehicles and, therefore, the garage would be considered the 'third' parking space together with potential for storage. As such, it is considered that the proposal would not have a detrimental impact upon highway and pedestrian safety.

## CONCLUSION

The proposed development, by virtue of its size and siting to the front of the associated dwelling and adjacent to the highway/footpath would be an incongruous addition to the street-scene, to the detriment of the character and appearance of the surrounding area. Furthermore, the addition of a roof-terrace/garden area on the roof of the garage would result in the introduction of a flat seating area to the front of the dwelling, with the potential for associated paraphernalia such as tables, chairs, umbrellas etc., which would also have a detrimental impact upon the visual amenity of the street-scene.

Finally, the proposed roof-terrace/garden area above the garage would create a flat and elevated seating area which would result in unacceptable overlooking into the private amenity space of the properties below to the north, which are located off Owen Jones Way, as it would decrease the separation distance between them. It is also considered that it would result in overlooking into the properties either side (Plot 21 and 23), as it would create a flat and elevated seating area compared to the lower 'parking area' on the previous scheme, to the detriment of their residential amenity in terms of overlooking.

The overall proposal is therefore contrary to Policy BE1 of the Neath Port Talbot Local Development Plan and the Design SPG, and refusal of the application is therefore recommended.

## RECOMMENDATION:      REFUSE

1. The proposed development, by virtue of its size and siting to the front of the associated dwelling and adjacent to the highway/footpath would result in the introduction of an incongruous addition to the street-scene, to the detriment of the character and appearance of the surrounding area. Furthermore, the addition of a terrace/garden area on the roof of the garage would result in the introduction of a flat and elevated seating area to the front of the dwelling, with the potential for associated paraphernalia such as tables, chairs, umbrellas etc., which would also have a detrimental impact upon the visual amenity of the street-scene. As such, the proposal would be contrary to Policy BE1 of the Neath Port Talbot Local Development Plan and the Design SPG.
2. The construction of the proposed garage with associated roof-terrace/garden area above would result in the create a flat seating area to the front of the dwelling, which would result in unacceptable overlooking into the private amenity space of the properties below to the north, which are located off Owen Jones Way, as it would decrease the separation distance between them. Furthermore, it would result in unacceptable overlooking into the properties

either side (Plot 21 and 23) from the elevated seating area which would encourage siting for prolonged periods compared to the previously approved scheme, to the detriment of their residential amenity. As such, the proposal is contrary to Policy BE1 of the Neath Port Talbot Local Development Plan and the Design SPG.