

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

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

<b><u>APPLICATION NO:</u></b> P2023/0480	<b><u>DATE:</u></b> 03/07/2023
<b>PROPOSAL:</b> Proposed raised decking area to rear of property, with associated privacy screening	
<b>LOCATION:</b> 6 Cardonnel Road, Skewen, Neath, Neath Port Talbot, SA10 6DE	
<b>APPLICANT:</b> Mrs Angharad Aubrey	
<b>TYPE:</b> Householder	
<b>WARD:</b> Coedffranc Central ED	

### **BACKGROUND**

This application is being brought before Committee as the applicant is an elected member of the Authority.

### **SITE AND CONTEXT**

The application site is located at 6 Cardonnel Road, Skewen. The site comprises of a mid-terrace, two-storey dwellinghouse, which is set within a relatively densely populated area. The property benefits from a modest front garden, with a more generous garden area situated the rear. It should be noted that the rear garden area sits at a lower level than the main dwellinghouse, approximately 2.15m below the ground floor finished floor level of 6 Cardonnel Road, and is accessed from the property via an external set of steps. The aforementioned relationship is similar across the vast majority of the properties along this side of Cardonnel Road, including the two immediately adjoining properties on either side of the application site. The rear garden areas of the application property and 5 Cardonnel Road can also be accessed via an internal alleyway which serves both properties.

The application site is bounded by residential dwellings to the north and south, with a rear access lane / public right of way to the east, and the residential road referred to as 'Cardonnel Road' to the west.

### **DESCRIPTION OF DEVELOPMENT**

This is a full planning application proposing the construction of a raised decking area to the rear of the application property, with associated privacy screening.

The raised decking area would wrap around the projected rear element of the main dwellinghouse, which would result in the development having an irregular footprint. Notwithstanding this, the decking would project out approximately 3m beyond the rearmost elevation of the main dwellinghouse, with a maximum depth of approximately 5.85m at the point at which it wraps around the property. The structure would have a maximum width of approximately 4.8m, and would be set in approximately 55cm off

the boundary with 5 Cardonnel Road. The development would also be set in off the boundary with 7 Cardonnel Road by approximately 1m to enable the existing access steps leading down to the rear garden area to be retained.

The platform element of the structure would sit approximately 2m above the existing ground level, and would be supported by a number of supporting pillars. A 1.8m high privacy screen constructed from close boarded panels would be installed on both sides of the raised decking area to preclude overlooking and loss of privacy.

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

## NEGOTIATIONS

The application initially only proposed a 1.8m high privacy screen on the side elevation adjacent to 5 Cardonnel Road. Prior to registration the applicants were asked to amend the proposal to also include a 1.8m high privacy screen on the side elevation adjacent to 7 Cardonnel Road, which they complied with.

## PLANNING HISTORY

The application site has no relevant planning history.

## CONSULTATIONS

**Coedffranc Town Council** – no response received.

## REPRESENTATIONS

The neighbouring properties were consulted via letter on the 3<sup>rd</sup> of July 2023.

A site notice was also displayed on the 3<sup>rd</sup> of July 2023.

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:

[Future Wales: The National Plan 2040](#) is the national development framework, setting the direction for development in Wales to 2040. The development plan sets out a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate

resilience, developing strong ecosystems and improving the health and wellbeing of our communities.

The following policies are of particular relevance to the assessment of this application:

**Policy 2** – Shaping Urban Growth and Regeneration – Strategic Placemaking.

**Policy 9** – Resilient Ecological Networks and Green Infrastructure.

[Planning Policy Wales \(Edition 11, February 2021\)](#) outlines the Welsh Government's commitment to the importance of 'places' and 'place-making', the importance of using previously developed land wherever possible in preference to greenfield sites, and the recognition of the health and wellbeing related benefits by creating a sense of place and improving social cohesion. PPW 11 confirms that the environmental components of places are intrinsically linked to the quality of the built and natural environment and contribute to the health and wellbeing of the people who live, work and play there. It emphasises the importance of creating sustainable communities and reducing reliance on the private car as part of a package of measures to reduce the country's carbon footprint and help tackle the climate emergency.

The following is of particular relevance in the assessment of this planning application:

Paragraph 6.4.2 – *“The Environment (Wales) Act 2016 introduced an enhanced biodiversity and resilience of ecosystems duty (Section 6 Duty). This duty applies to public authorities in the exercise of their functions in relation to Wales and will help maximise contributions to achieving the well-being goals. The Nature Recovery Action Plan supports this legislative requirement to reverse the decline in biodiversity, address the underlying causes of biodiversity loss by putting nature at the heart of decision-making and increasing the resilience of ecosystems by taking specific action focused around the 6 objectives for habitats and species”.*

PPW 11 is supported by a series of more detailed [Technical Advice Notes](#) (TANs), of which the following are of relevance: -

- Technical Advice Note (TAN) 12: Design (March 2016)

#### Local Planning Policies

The Local 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:

#### Strategic Policies:

- **Policy SP3** Sustainable Communities
- **Policy SP20** Transport Network
- **Policy SP21** Built Environment and Historic Heritage

#### Topic Based Policies:

- **Policy SC1** Settlement Limits
- **Policy EN6** Important Biodiversity and Geodiversity Sites
- **Policy EN7** Important Natural Features

- **Policy TR2** Design and Access of New Development
- **Policy BE1** Design

*Supplementary Planning Guidance:*

The following SPG is of relevance to this application: -

- [Design](#) (July 2017)

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

The raised decking is proposed to be constructed from tanned pine, which whilst not in keeping with the external finish of the application dwelling is not uncommon in a residential setting. The sympathetic scale and height of the proposed structure is considered to give the extension a subservient appearance, which would not dominate the rear elevation to which it adjoins. In light of this, due to its scale and design it is not considered that the proposed development would undermine the character and appearance of the application dwelling.

Furthermore, the siting of the development to the rear of the application property dictates that it would be for the most part hidden from a public vantage point, and subsequently would not detract from the character and appearance of the streetscene when viewed from Cardonnel Road. Whilst it is acknowledged that views of the development may be possible from the public right of way which runs to the rear of the application site, given that a similar – albeit more visually obtrusive – form of development is present at 7 Cardonnel Road, it is not considered that the raised decking would appear at odds with the surrounding area. It should also be noted that any potential visual impact would be further diminished by the fact that the nearest point of the proposed development would be located approximately 38m away from the public right of way.

In light of the aforementioned information, it is considered that the proposal would comply with Policy BE1 of the Neath Port Talbot Local Development Plan.

Impact on Residential Amenity

With regards to the property to the south, given that the proposed raised decking would not extend beyond the rear-most elevation of 7 Cardonnel Road, the majority of the development would be situated adjacent to either the blank or obscurely glazed side elevations of 7 Cardonnel Road, and as such it is not considered that any detrimental overbearing or overshadowing issues would arise. Whilst it is acknowledged that the development would be readily visible from the set of steps at 7 Cardonnel Road, used by the occupiers to access their lower garden area, given its stepped gradient this section of the site is considered less usable for recreational activities, and as such it is not considered that the potential impact of the development in this instance would be sufficient to justify a negative officer's recommendation.

Turning to the property to the north, whilst it is acknowledged that 5 Cardonnel Road does not benefit from a similar natured development, consideration has been given to the scale of the proposed structure. The proposed decking would have a limited projection of just 3m beyond the rearmost elevation of 5 Cardonnel Road, and whilst the massing of the development is greater given the presence of the 1.8m high privacy screening, the overall height of the development is still considered to be sympathetic. Any potential overbearing or overshadowing impact is considered further diminished by the fact that the development would be set in off the boundary with 5 Cardonnel Road. Whilst the setback from the boundary line would be 55cm, the presence of the shared access alleyway dictates that the development would be sited approximately 1.1m away from the nearest 'usable' space at 5 Cardonnel Road.

In regards to privacy, the predominant outlook from the decking area would overlook the applicant's rear garden area, and the proposed 1.8m high privacy screening on both sides of the raised decking is considered sufficient to ensure that no direct overlooking issues would arise. Whilst it is acknowledged that oblique views of the neighbouring property's rear garden areas could be possible, given that this is something that occurs commonly within residential areas, it is not considered that the development would result in a significant overlooking impact or raise privacy issues, such that would justify a negative officer's recommendation. Notwithstanding this, a condition would be attached to any given consent to ensure that the privacy screening is maintained and retained to a sufficient standard in order to prevent any potential privacy issues from arising in future.

Provided the aforementioned condition is adhered to, it is not considered that the proposal would have a detrimental impact upon the occupiers of the neighbouring properties, and as such the development is considered to accord with Policy BE1 of the Neath Port Talbot Local Development Plan.

#### Parking and Access Requirements and Impact on Highway Safety

Given that the development will not displace any of the existing off road parking, it is not considered that the proposed extension will impact detrimentally upon pedestrian and highway safety. The proposal is therefore considered to accord with Policy TR2 of the Neath Port Talbot Local Development Plan.

#### Biodiversity / Ecology

As identified above, Policies EN6 and EN7 of the Local Development Plan will be of relevance insofar as there is a need to ensure any impacts on biodiversity/ natural features are appropriately assessed and, where applicable, mitigated.

Planning Policy Wales (PPW) 11 sets out that "planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means that development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity". This policy and subsequent policies in Chapter 6 of PPW 11 respond to the Section 6 Duty of the Environment (Wales) Act 2016.

Biodiversity enhancement is necessary for all applications of development including householder development. In this case the development will provide a bird box, which would be secured by a suitably worded condition.

## 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 Future Wales - the National Plan 2040 and the Neath Port Talbot Local Development Plan (2011–2026) 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.

It is further considered that the decision complies with Future Wales - the National Plan 2040, specifically Policies 2 (Shaping Urban Growth and Regeneration – Strategic Placemaking) & 9 (Resilient Ecological Networks and Green Infrastructure), and the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.

## RECOMMENDATION

### **Approval**

Subject to the following conditions/reasons, which have been imposed for the reasons stated:-

#### Time Limit Conditions

1. The development shall begin no later than five years from the date of this decision.

Reason:

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

#### List of Approved Plans

2. The development shall be carried out in accordance with the following approved plans and documents:
  - Existing & Proposed Elevations & Proposed Plan View, received 03-JUL-2023.
  - Block & Location Plans, received 18-JUN-2023.

Reason:

In the interests of clarity.

### Action Conditions

3. Prior to the first beneficial use of the development hereby approved, a bird box shall be erected within the curtilage of the application site, and shall be retained as such thereafter.

Reason:

In the interests of Biodiversity and to provide a net benefit to Biodiversity in accordance with Policy 9 of Future Wales and so as to accord with Policy SP15 of the adopted Neath Port Talbot Local Development Plan.

4. Prior to the first beneficial use of the development hereby approved, a 1.8m high close boarded fence shall be provided on both sides of the raised decking, for its entire depth, as shown on the 'Existing & Proposed Elevations & Proposed Plan View' drawing received 03-JUL-2023, and shall be retained as such thereafter.

Reason:

In the interests of privacy of the occupier and private amenity space of the neighbouring property, and to ensure compliance with Policy BE1 of the Neath Port Talbot Local Development Plan.