

REFERENCE: P/22/337/FUL
APPLICANT: Mr M Smart: 28 Pant Glas, Pencoed CF35 6YL
LOCATION: 28 Pant Glas, Pencoed CF35 6YL
PROPOSAL: Construction of garage/store to rear garden; car port to side of dwelling and increase in levels to garden area
RECEIVED: 10 May 2022

APPLICATION/SITE DESCRIPTION

This application seeks consent to erect a car port to the side of the dwelling, construct a garage/store to the rear garden and increase the height of the rear garden by 30mm. Following a consultation and neighbour notification process, amended plans were requested to reduce the height and footprint of the proposed rear storage building.

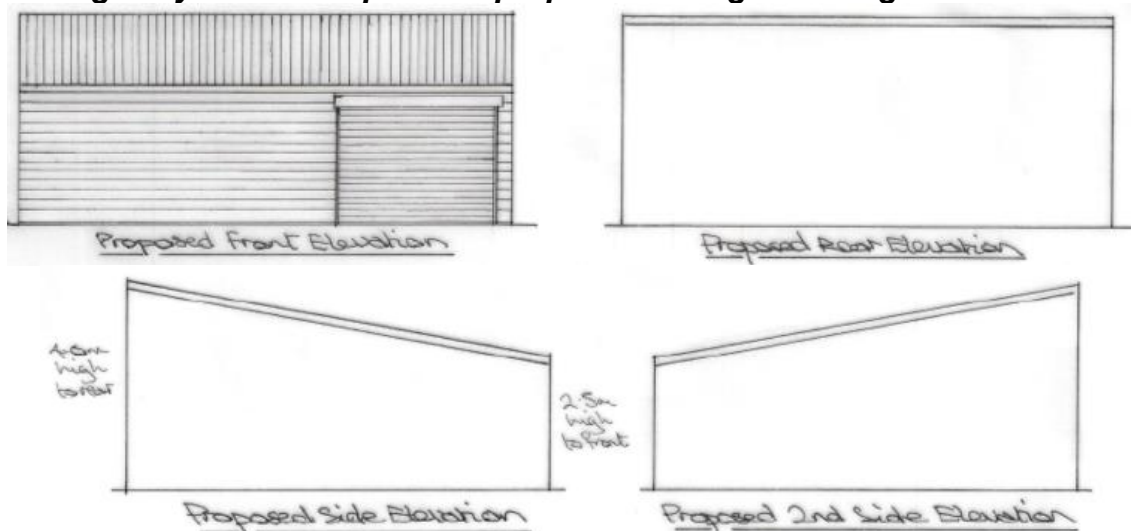
This application is submitted in conjunction with application P/22/335/FUL as both applications propose a rear storage building. The two storage buildings would be constructed as one but separated by an internal dividing wall.

Fig. 1 – Site Location Plan



These were subsequently received. The extracts below show the originally submitted plans and the amended plans for the storage building.

Fig. 2 - Originally submitted plans of proposed storage building



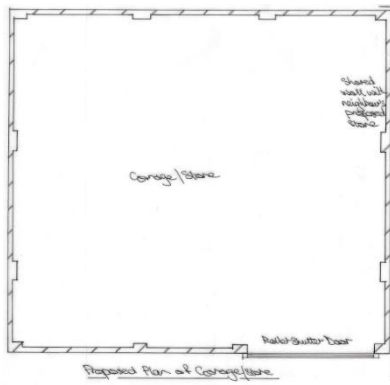


Fig. 3. - Amended plans of proposed storage building

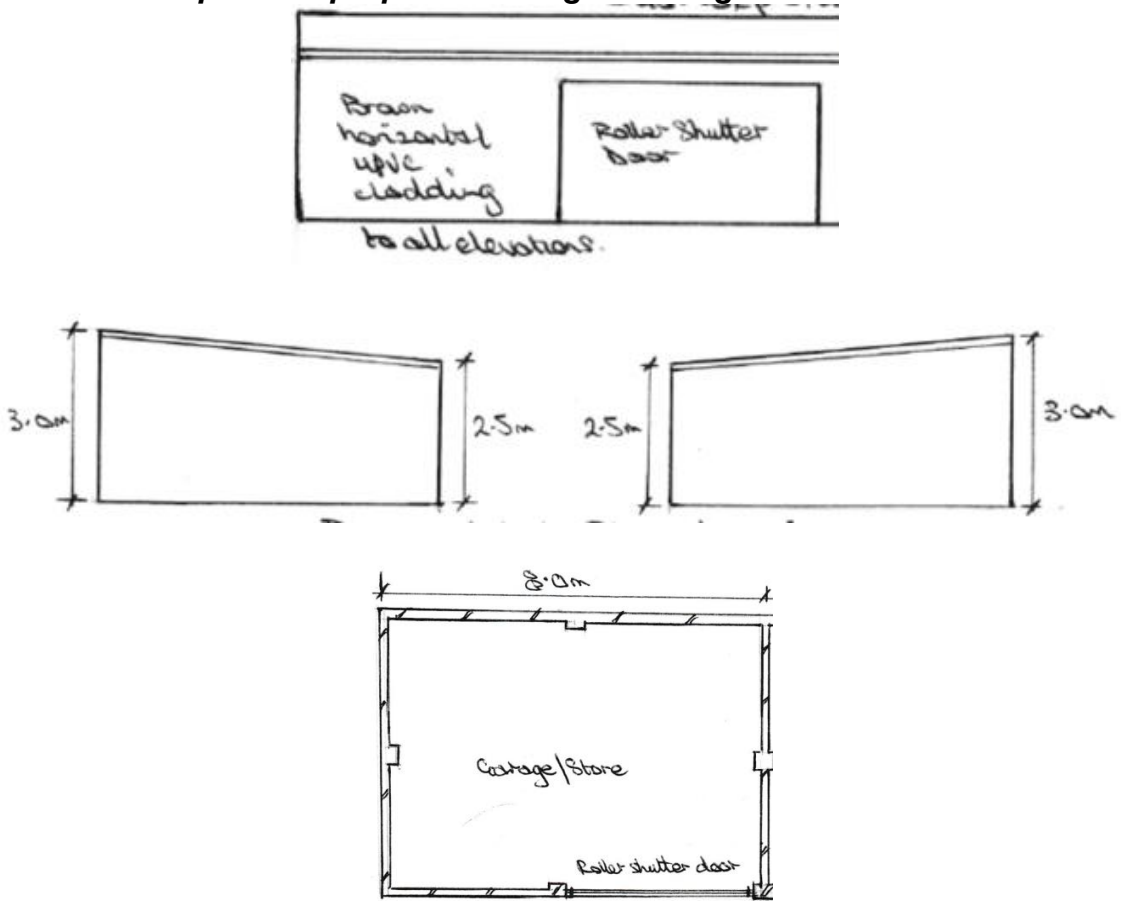


Fig. 4 – Proposed elevations of car port to side of dwelling



Pant Glas is predominantly characterised by semi-detached dwellings. The north-western side of Pant Glas, which includes 28 Pant Glas, each have front garden areas but much larger rear gardens ranging between 20m and 30m in length. The rear gardens of these dwellings back on to a small stream. The furthest side of the stream includes a band of protected trees.

RELEVANT HISTORY

T/99/27/TPO – Land to rear of 28 Pant Glas – Lopping & Felling of Trees In Area A1 Covered By Ogwr Tpo No 13 1988 – Approved 8/7/99

PUBLICITY

Neighbours have been notified of the receipt of the application.
The period allowed for response to consultations/publicity has expired.

CONSULTATION RESPONSES

Councillor Alex Williams – Considers the application can be determined under officer delegated powers.

REPRESENTATIONS RECEIVED

The following neighbours **have** responded to the re-consultation on the amended plans.

The owner/occupier 2 Heol Las – Supports the revised proposal.

The owner/occupier 30 Pant Glas – Objects for the following reasons:

- Size of the proposed units for both properties are for commercial use and not just household storage.
- Not in keeping with a residential storage area and/or garage.
- Potential future removal of the dividing wall to make a larger unit.
- No road access to garage at 26 Pant Glas.
- Damage to the roots of TPO trees.
- Increased height of garden, potential flooding and lack of drainage information.
- Impact on privacy.

The owner/occupier 14 Pant Glas – Objects for the following reasons:

- This proposed development still resembles an industrial sized unit that can be rented by BCBC on Bridgend Industrial Estate.
- Water run off causing flooding.
- Impact on protected trees.
- Lamppost in the immediate vicinity of the drive way.
- Commercial repair of vehicles.

The owner/occupier 18 Pant Glas – Objects for the following reasons:

- Noise and pollution from repairing of cars.
- Continuous fire and noise.
- Business use of the garage.
- Removal of protected TPO trees.

The following neighbours **have not** responded to the re-consultation and amended plans. However, the following is a summary of their comments lodged on the original scheme:

The owner/occupier 65 Glyn y Mel – Objects for the following reasons-

- Noise from the repairing of vehicles.
- Scale of the shed for commercial activity.
- Height of garage will engulf, encroach and infringe the view from the rear right-side of our garden/property.

- Loss of daylight due to height of garage.
- Devaluation of property.

The owner/occupier 16 Pant Glas – Objects for the following reasons-

- Use of building for commercial activity.
- Noise from repair works.
- Burning of waste.
- Visual impact of building.

COMMENTS ON REPRESENTATIONS RECEIVED

Devaluation of property

This is not a material planning consideration.

Drainage of the storage building

No plans have been provided regarding the drainage of the storage building and so a condition will be added requesting details of the proposed scheme for the treatment of surface water. The outbuildings do not include any toilet or kitchen facilities.

Existing noise and smoke issues

Any issues regarding noise from any future working on vehicles and smoke from the burning of waste should be directed to Shared Regulatory Services (SRS). The application has been made on a householder application form and on the basis of a domestic use and conditions will be used to ensure that the outbuildings are not used on a commercial basis.

Use of property for commercial car repairs

During the site visit it was noted that there were 3 cars parked on the front driveway of this property. The occupier of this property confirmed that they were all owned either by themselves or by her son who resides at 26 Pant Glas. The occupier explained that her son often works on the cars but no commercial car repairs take place at the property. A separate Planning enforcement case is currently being investigated regarding this matter and we are awaiting a log from the complainant. This Planning application has been submitted on householder application forms and there is nothing in the application documentation to suggest that any commercial car repairs will take place in the proposed storage building.

Size of proposed rear storage building, dividing wall and access

The height of the storage building has been reduced from 4m at the rear to 3m, the width has been reduced from 9m to 8m and the depth reduced from 8m to 6m. During the site visit it was noted that other dwellings in the vicinity had garden buildings of varying sizes. It is considered that the size of the proposed storage building serving this property is similar to the size of a double garage.

The application includes the dividing wall and the application is considered on this basis. Vehicular access to the storage building would be via the open ended car port at 28 Pant Glas although if the occupants do not wish to store a vehicle in the building they would access it from their own rear garden.

Roller shutter door being used on a domestic building

The applicant's agent has confirmed the roller shutter door would be electrically operated and so would not cause noise disturbance when opening/closing. This type of door is not an uncommon feature on domestic buildings.

Removal of TPO protected trees

There is an ongoing Planning enforcement investigation into this matter. This proposal

does not involve removal of any trees.

Root damage to TPO trees

The proposed storage building would be approximately 2m from the nearest tree trunk. There is a small stream between the tree and the proposed building which has a depth of 1m. It is considered there would be no significant damage to the roots of the trees due to the depth of the roots and the shallow nature of the foundations for the proposed building, as illustrated on the submitted plans.

Lack of dropped kerbs to front and lamp post

During the site visit it was noted that a dropped kerb does exist and that any extension to this will not require Planning permission but will require the consent of the Highways Department. If the occupiers wish to remove or relocate the lamp post they will need to apply to the Highways Department.

Increased height of land and potential flooding

During the site visit it was noted the driveway had been increased in height with what appeared to be a drainage pipe located to the side. The proposed plans state the increase in height of the existing garden will be 30mm. A condition will be added requiring existing and proposed levels to be agreed before any construction works take place. No drainage plans have been received and so a condition will be added requesting this detail.

Impact on privacy

As the storage building is not considered to be a habitable building it is not expected to infringe existing privacy standards. There are no side-facing windows proposed in the storage building and a gap of 1m is retained between the outbuilding and the boundaries with 24 and 30 Pant Glas.

Fig. 5 - Looking towards the rear of the garden –



Fig. 6 - Looking back towards the house



Fig. 7 – Front of property



PLANNING POLICIES

The policy context for the proposal is set out below:

National Planning Policy and Guidance

Planning Policy Wales (Edition 11, Feb. 2021) is the principal statement of national planning policy.

The following Technical Advice Notes (TANs) are also of relevance in the consideration of these proposals:

TAN12 – Design (2016)

Future Wales – the National Plan 2040 is our national development framework, setting the direction for development in Wales to 2040. It is a development plan with 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 well-being of our communities. The documents set out the key challenges and opportunities, required outcomes and a spatial strategy for the four regions of Wales.

Local Development Plan Policies

The Development Plan for the area comprises the Bridgend Local Development Plan (LDP) 2006-2021, which was formally adopted by the Council in September 2013, within which the following Policies are of relevance:

Strategic Policy SP2 – Design and Sustainable Place Making
Policy PLA11 – Parking Standards

Supplementary Planning Guidance
SPG02 – Householder Development
SPG17 – Parking Standards

Wellbeing of Future Generations (Wales) Act 2015

Section 3 of the Act imposes a duty on public bodies to carry out sustainable development in accordance with sustainable development principles to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (section 5).

The well-being goals identified in the Act are:

- A prosperous Wales
- A resilient Wales
- A healthier Wales
- A more equal Wales
- A Wales of cohesive communities
- A Wales of vibrant culture and thriving Welsh language
- A globally responsible Wales

The duty has been considered in the assessment of this application. It is considered that there would be no significant or unacceptable impacts upon the achievement of wellbeing goals/objectives as a result of the proposed development.

The Socio-Economic Duty

The Socio-Economic Duty (under Part 1, Section 1 of the Equality Act 2010) which came into force on 31 March 2021, has the overall aim of delivering better outcomes for those who experience socio-economic disadvantage and whilst this is not a strategic decision, the duty has been considered in the assessment of this application.

APPRAISAL

This application is referred to Development Control Committee for determination due to the number of objections received.

The proposed car port to the side of the dwelling would not protrude forward of the front wall of the dwelling and so would not extend beyond the building line.

The amended plans state that the proposed rear storage building would be finished in brown upvc cladding with a brown box profile roof. The proposed height of 3m to the rear and 2.5m to the front is considered acceptable, a gap of 1m will be retained between the outbuilding and the boundaries with 24 and 30 Pant Glas respectively and it would not result in an overbearing impact on neighbouring property. It is considered that this building would not have an adverse impact on the visual amenities of the area as it would not be prominent from public vantage points.

The proposed rear storage building would be sited approximately 1.5m from the stream that denotes the rear boundary of the property and approximately 8m from the boundary with the property to the rear, 10 Iestyn Drive. This dwelling is sited a further 8m in from the boundary. Existing trees and hedges would provide some screening of the proposed storage building and the colour of the proposed finishes would ensure there is no adverse impact on visual amenities.

Natural Resources Wales has not been consulted on this application as the site does not fall with a flood zone as defined by TAN15.

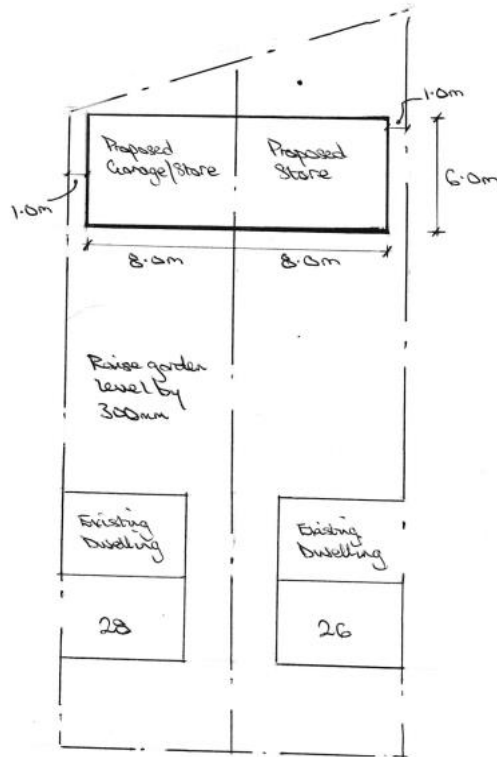


Fig. 5 – Site Layout Plan (inc. the proposals for 26, Pant Glas)

Due to the concerns raised by neighbouring residents a condition will be added requiring the use of the storage building to remain as ancillary to the main house and not used for any commercial activities.

CONCLUSION

This application is recommended for approval because the development complies with Council policy and guidelines and would not adversely affect the character of the existing property, street scene or wider area, prejudice highway safety, privacy or visual amenities nor so significantly harm neighbours' amenities.

The concerns raised by the neighbours are acknowledged, however, on balance, it is considered that they do not outweigh the other material issues connected to the development as to warrant refusal on those grounds, particularly after the scheme was amended.

RECOMMENDATION

(R02) That permission be GRANTED subject to the following condition(s):-

1. The development shall be carried out in accordance with the following approved plans:
 - For the attached car port: Sheet 1 of 1 received on 10 May 2022.
 - For the rear storage building: Amended plans and elevations received on 31 August 2022; Amended block plan received on 31 August 2022

Reason: To avoid doubt and confusion as to the nature and extent of the approved development.

2. The car port and storage building hereby approved shall only be used for purposes incidental and ancillary to the enjoyment of the dwellinghouse, known as 28 Pant Glas, Pencoed, as shown on the Site Location Plan received on 10 May 2022, and for no other purpose whatsoever including the carrying out of a trade or business.

Reason: For the avoidance of doubt as to the extent of the permission granted and to ensure that the Local Planning Authority retain effective control over the use of the property.

3. No development shall commence on site until a scheme for the comprehensive and integrated drainage of the site, showing how roof/yard water will be dealt with, including future maintenance requirements, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to beneficial use.

Reason: To ensure that effective drainage facilities are provided for the proposed development and that flood risk is not increased.

4. No development shall take place until details of the proposed floor levels of the buildings in relation to existing ground levels and the finished levels of the site have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

Reason: To ensure that the development relates appropriately to the topography of the site and the surrounding area.

5. * THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS *

- a. This application is recommended for approval because the development complies with Council policy and guidelines and would not adversely affect the character of the existing property, street scene or wider area, prejudice highway safety, privacy or visual amenities nor so significantly harm neighbours' amenities. The concerns raised by the neighbours are acknowledged however, in their case and on balance they are not considered to outweigh the other material issues connected to the development as to warrant refusal on those grounds.
- b. Should the lamp post require relocation you should contact the Highways Section of Bridgend County Borough Council, Civic Offices, Angel Street, Bridgend. Telephone No. (01656) 642541.

**JANINE NIGHTINGALE
CORPORATE DIRECTOR COMMUNITIES**

Background Papers

None