

**APPLICANT:** Mr Richard Jones 2 Westbourne Road, Penarth, CF64 3HE

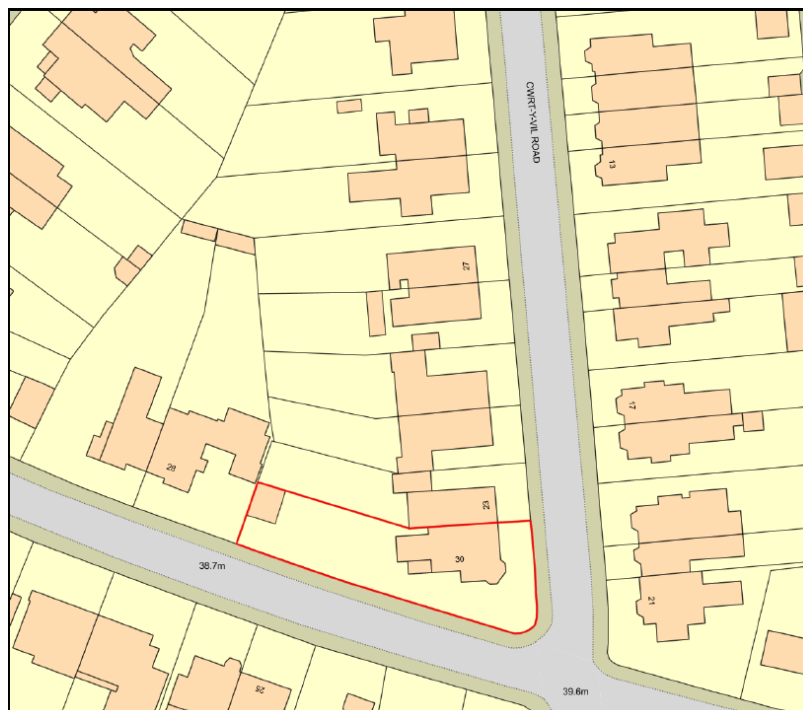
**AGENT:** Mr Richard Jones 2 Westbourne Road, Penarth, CF64 3HE

### **30, Archer Road, Penarth**

Demolition of outbuilding to rear, reinstatement of original back door, and erection of raised decked area within footprint of outbuilding. New roller door, rainwater goods and make good existing garage.

### **SITE AND CONTEXT**

The site relates to the ground floor flat of 30, Archer Road, a semi-detached Victorian building dating from the 1880s which was later converted to flats. The surrounding street scene is predominantly Victorian and Edwardian properties of varying sizes, with 30 Archer Road prominent at the junction of Archer Road with Cwrt-y-Vil Road. The site is within the settlement boundary of Penarth and is within the Penarth Conservation Area.



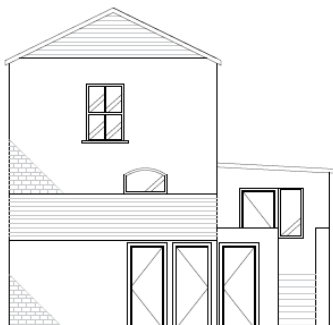
### **DESCRIPTION OF DEVELOPMENT**

This full application seeks consent for the partial demolition of the existing outbuilding attached to the rear of the property, erection of raised decking and the reinstatement of the original back door to provide access onto the decked area from the relocated second bedroom. The works would retain the sloping side walls of the lean-to and the raised patio/decking area would occupy the same footprint as the outbuilding and outside toilet, with the deck height at some 0.8m, with the surrounding retained structure 4.9m in width and 1.7m in depth.

Works had commenced on site at the time of writing, with the outbuilding removed and a raised deck area installed.

Works are also proposed to renovate the detached garage which fronts onto Archer Road with a new roller door, rainwater goods and like for like repairs.

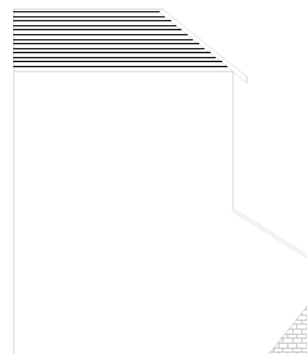
Existing:



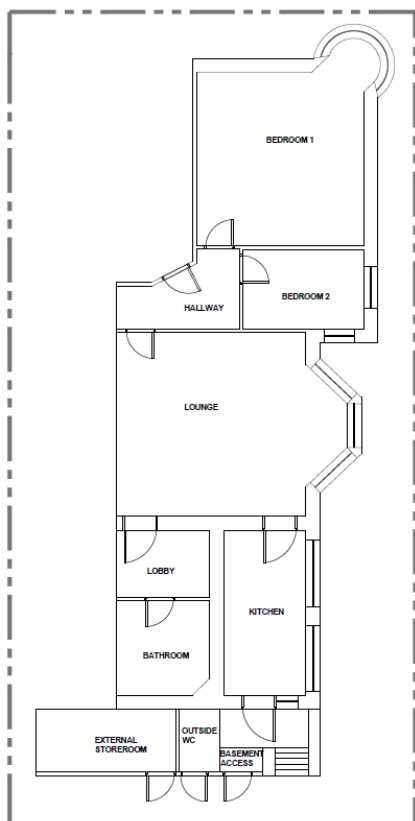
West elevation



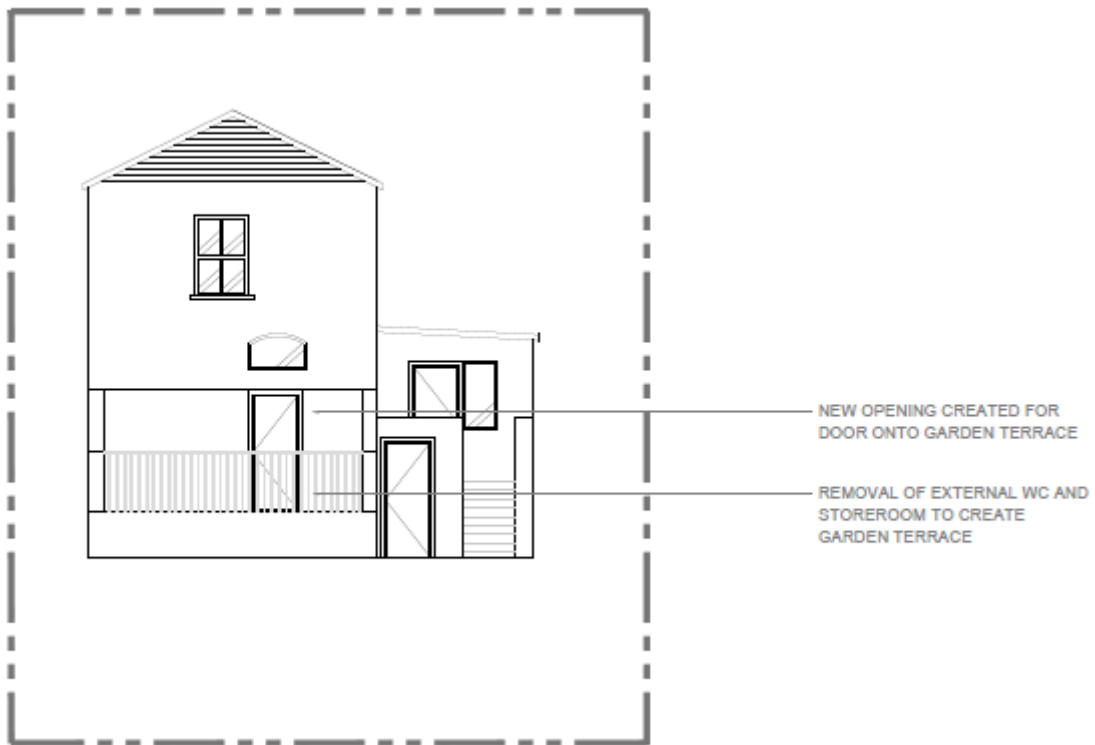
South elevation



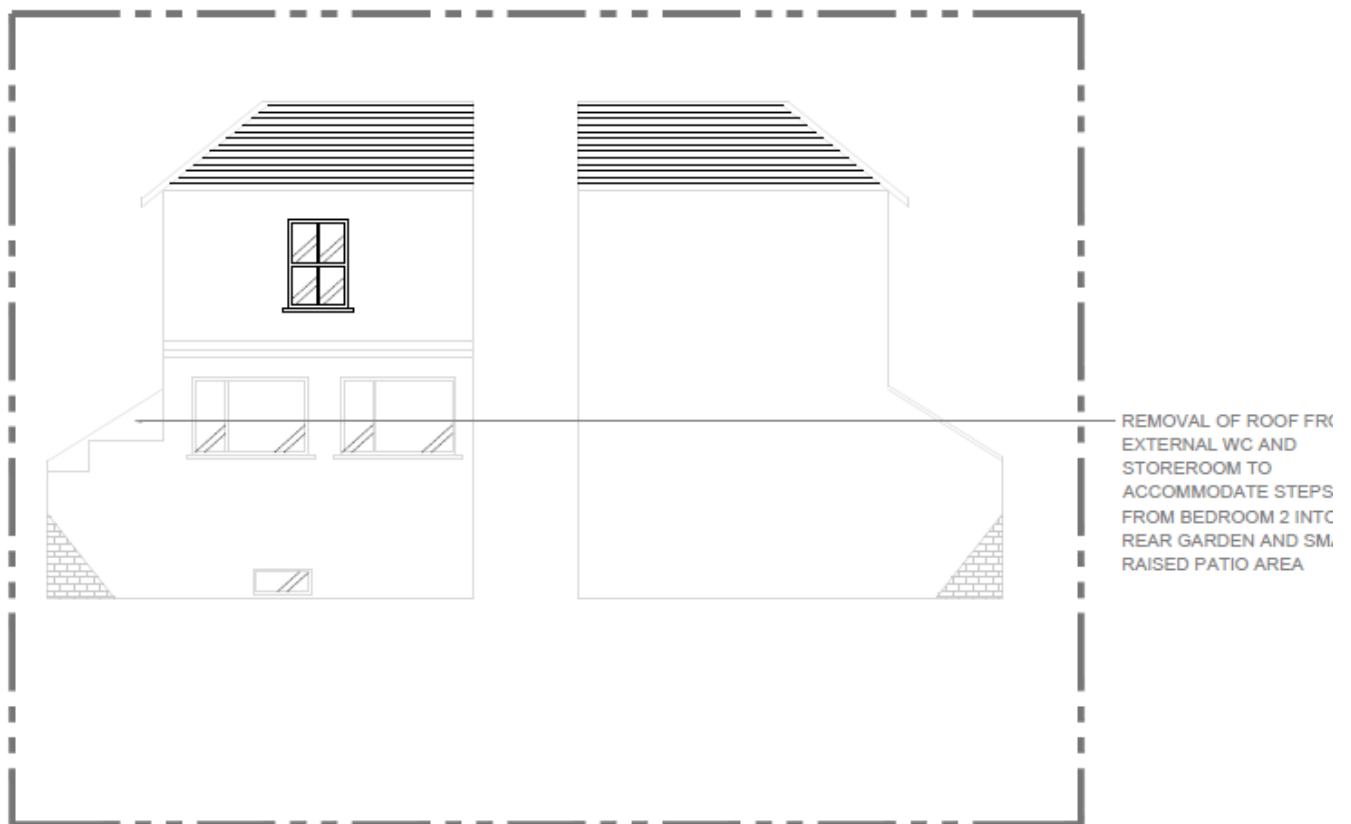
North elevation



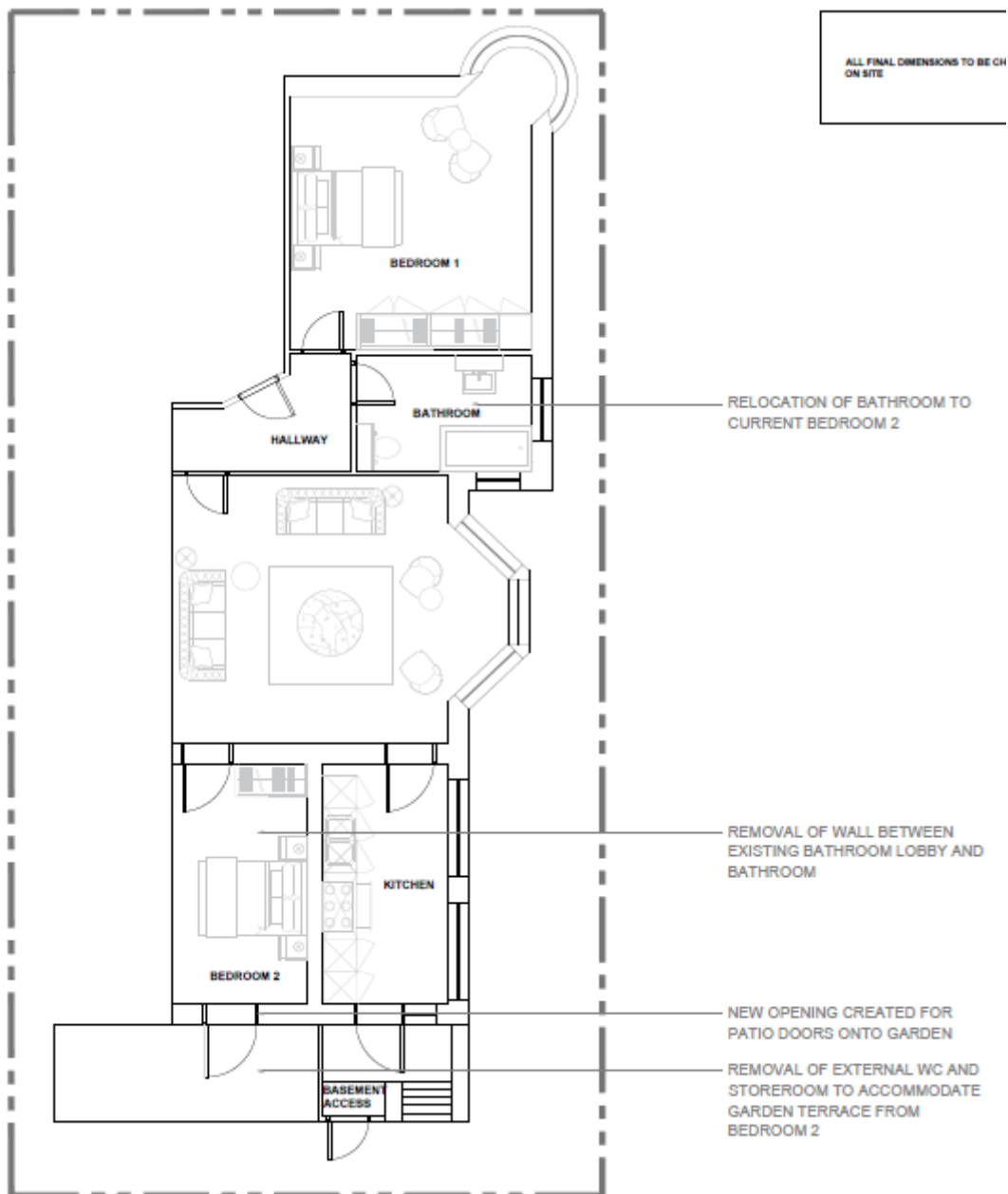
Proposed:



West elevation



South and North elevations



## PLANNING HISTORY

1984/00123/FUL, Address: 30, Archer Road, Penarth, Proposal: Erection of an architect designed detached dwellinghouse on part large walled garden, retaining some walling if stable, Decision: Refused.

2016/00799/TCA, Address: 30, Archer Road, Penarth, Proposal: Removal of a Leylandii and Lime tree, Decision: Approved.

2019/00749/TCA, Address: 30, Archer Road, Penarth, Proposal: Works to trees in Penarth Conservation Area: Removal of 1no. Palm Tree, 1no. Fir Tree and 1no. Euonymus Shrub, Decision: Approved.

2022/00797/FUL, Address: 30, Archer Road, Penarth, Proposal: We have recently purchased the ground floor flat of 30 Archer Road. The wooden sash windows are in a terrible condition and we request permission to replace these windows with sash style upvc windows. The look will be identical to what is there now, just

replacing the existing rotten wood windows with a upvc alternative. Please note that some of the windows in the flat have already been replaced with upvc, prior to our purchase., Decision: Approved.

## CONSULTATIONS

1. Penarth Town Council was consulted on 15 September 2022. Reconsultation occurred on 8 November 2022 and 14 December 2022 due to amended plans and description of works. A response was received in support, stating no objection.
2. Plymouth Ward members were consulted on 15 September 2022. To date, no response has been received. Reconsultation occurred on 8 November 2022 and 14 December 2022 due to amended plans and description of works. Cllr Ernest responded stating “Having viewed the application's details, I have no objection to the proposals which should enhance this dwelling”.

## REPRESENTATIONS

The neighbouring properties were consulted on 15 September 2022. Neighbours were reconsulted on 8 November 2022 and 14 December 2022 due to amended plans and description of works. To date, no representations have been received.

## REPORT

### Planning Policies and Guidance

#### **Local Development Plan:**

Section 38 of The Planning and Compulsory Purchase Act 2004 requires that in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Vale of Glamorgan Adopted Local Development Plan 2011-2026 forms the local authority level tier of the development plan framework. The LDP was formally adopted by the Council on 28 June 2017, and within which the following policies are of relevance:

#### **Strategic Policies:**

POLICY SP1 – Delivering the Strategy

#### **Managing Development Policies:**

POLICY MD2 - Design of New Development

POLICY MD5 - Development within Settlement Boundaries

POLICY MD8 - Historic Environment

In addition to the Adopted LDP the following policy, guidance and documentation supports the relevant LDP policies.

## **Future Wales: The National Plan 2040:**

Future Wales – the National Plan 2040 is the national development plan and is of relevance to the determination of this planning application. Future Wales provides a strategic direction for all scales of planning and sets out policies and key issues to be considered in the planning decision making process. The following chapters and policies are of relevance in the assessment of this planning application:

Chapter 3: Setting and achieving our ambitions

- 11 Future Wales' outcomes are overarching ambitions based on the national planning principles and national sustainable placemaking outcomes set out in Planning Policy Wales.

## **Planning Policy Wales:**

National planning policy in the form of Planning Policy Wales (Edition 11, 2021) (PPW) is of relevance to the determination of this application.

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales.

The following chapters and sections are of particular relevance in the assessment of this planning application:

Chapter 3 - Strategic and Spatial Choices

- Good Design Making Better Places

## **Technical Advice Notes:**

The Welsh Government has provided additional guidance in the form of Technical Advice Notes. The following are of relevance:

- Technical Advice Note 12 – Design (2016)
- Technical Advice Note 24 – The Historic Environment (2017)

## **Welsh National Marine Plan:**

National marine planning policy in the form of the Welsh National Marine Plan (2019) (WNMP) is of relevance to the determination of this application. The primary objective of WNMP is to ensure that the planning system contributes towards the delivery of sustainable development and contributes to the Wales well-being goals within the Marine Plan Area for Wales.

## **Supplementary Planning Guidance:**

In addition to the adopted Local Development Plan, the Council has approved Supplementary Planning Guidance (SPG). The following SPG are of relevance:

- Penarth Conservation Area

- Residential and Householder Development (2018)
- Penarth Conservation Area Appraisal and Management Plan

**Other relevant evidence or policy guidance:**

- Welsh Government Circular 016/2014: The Use of Planning Conditions for Development Management
- Section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, imposes a duty on the Council with respect to any buildings or other land in a conservation area, where *special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.*

**Well-being of Future Generations (Wales) Act 2015**

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.

Issues

When assessing this application with the above guidance and policies, the key issues to consider are the design and visual impact of the proposed demolition of the outbuilding and reinstatement of the back door, neighbouring amenity, and wider impact on the conservation area.

Design and Visual Impact

The site falls within Penarth Conservation Area, therefore any impact of the proposed development on the character and appearance of the dwelling, and the wider Conservation Area must be considered. Works had begun at the time of the site visit however, these were incomplete.

The removal of the outbuilding to the rear of the site would have a limited visual and street scene impact due to its small scale and low roof. It can only be glimpsed from the street, and the rear garden is largely obscured by vegetation on the boundary with Archer Road. The removal of much of the outbuilding would cause negligible harm to the character of the dwelling, and the reinstating of the original back door is considered to have a minor visual impact on the rear elevation. A raised decked area has been constructed in timber wholly within the footprint of the outbuilding to provide outdoor space at internal floor level, some 1.2m above the external ground level. The

The proposed roller door, rainwater goods and general like for like repairs proposed for the garage at the rear of the garden would improve the appearance of the structure and are considered acceptable in terms of its impact on the street scene and wider conservation area.

Overall, the proposed removal of the outbuilding, reinstatement of the doorway, erection of raised decking and works to the garage would not cause unacceptable harm to the character of the existing dwelling, or to the wider character of conservation area.

### Impact on neighbours

The site is semi-detached, with 23 Cwrt-y-Vil Road adjoining to the north. The raised decking to the rear would be at internal floor level, some 0.8m above rear garden / external level. The works would retain the sloping side walls of the lean to, which will partly screen any views. Much of the sloping side walls will be in excess of 1.7m above deck level, (at or above average above eye level). Only a very small part of the front of the decked area will provide angled views towards this neighbour's rear garden. However, this together with the set off from the boundary, the existing views from the rear garden and adjacent patio area over the stone boundary wall, are such that the proposal would not cause significant level of additional harm by way of a further loss of privacy to warrant the need for any additional screening. It is also noted that this neighbour has a large elevated first decked area which partly overlooks the rear garden of 30 Archer Road.

The proposed works to the garage would be confined to the existing structure and footprint, which would not cause any additional impacts to neighbouring occupiers.

### Amenity space

The proposal would create an additional decking area in place of a redundant outbuilding to serve the ground floor flat, which would improve the occupiers' enjoyment of the property's communal garden.

## REASON FOR RECOMMENDATION

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 for the area comprises the Vale of Glamorgan Adopted Local Development Plan 2011-2026 and Future Wales – the National Plan 2040.

Having regard to Policies SP1 – Delivering the Strategy, MD2 - Design of New Development, MD5 - Development within Settlement Boundaries, MD8 - Historic Environment of the Vale of Glamorgan Adopted Local Development Plan 2011-2026; Supplementary Planning Guidance on Residential and Householder Development, Penarth Conservation Area Appraisal and Management Plan, Planning Policy Wales 11<sup>th</sup> Edition, Technical Advice Note 12 – Design, Technical Advice Note 24 – The Historic Environment, it is considered that the proposed development and works are acceptable in terms of their impact on the existing dwelling, garage and wider conservation area, and would not unacceptably detract from the amenity enjoyed by the neighbouring properties.



It is considered that the decision complies with 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.

The appropriate marine policy documents have been considered in the determination of this application in accordance with Section 59 of the Marine and Coastal Access Act 2009.

### RECOMMENDATION

#### APPROVE subject to the following condition(s):

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.

2. The development shall be carried out in accordance with the following approved plans and documents:

Site location Plan - Ground Floor Flat Archer Road  
RR\_104 - Side elevations  
RR\_102 - Existing and Proposed Rear Elevation  
RR\_101 - Existing and Proposed General Arrangement Plan  
Door Components  
Design and Access Statement 30 Archer Road

Reason:

For the avoidance of doubt as to the approved development and to accord with Circular 016:2014 on The Use of Planning Conditions for Development Management.

### NOTE:

**Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.**

**In addition, any conditions that the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers) responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).**

**The commencement of development without firstly meeting in full the terms of any conditions that require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.**

**Failure on the part of the developer to observe the requirements of any other conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.**