

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2013-2014

**DEVELOPMENT CONTROL
COMMITTEE
5 DECEMBER 2013**

**REPORT OF: SERVICE
DIRECTOR PLANNING**

	Agenda Item No. 8
<p>APPLICATION NO: 13/0646/10 - CHANGE OF USE FROM GENERAL NEEDS RESIDENTIAL TO SUPPORTED HOUSING SCHEME FOR HOMELESS PERSONS WITH EXTERNAL AND INTERNAL ALTERATIONS AND IMPROVEMENTS, 1 MARTINS CLOSE, ABERCYNON, MOUNTAIN ASH</p>	

1. PURPOSE OF THE REPORT

Members are requested to determine the planning application for a proposed supported housing scheme at 1 Martin's Close, Abercynon.

2. RECOMMENDATION

That Members consider the planning application proposals and the report thereon and determine the application having regard to the advice given.

3. BACKGROUND

This planning application was initially reported to the meeting of the Development Control Committee held on 17th October 2013 with a recommendation that the proposal be approved subject to conditions (a copy is attached as **APPENDIX A**). At that meeting Members indicated that they were minded to refuse the application contrary to recommendation on the basis that the proposal created fear within the locality to the detriment of residential amenity and it was considered that a more appropriate use could be made of the type of accommodation available at the property, (Minute no. 112(2) refers). In accordance with the Council's adopted procedures, the following report has been prepared in respect of the strengths and weaknesses of taking a decision contrary to recommendation prior to determining the matter.

It follows therefore that Members' concerns in this matter are twofold, firstly that the proposal generates fear of crime and disturbance in the locality and that this is detrimental to local residential amenity and

secondly that the existing building subject of the application could be put to a more appropriate use as it is without alteration. Each of these issues is dealt with in turn below.

The first concern expressed by Members is that the development if allowed would increase fear in the local community exacerbating problems associated with crime and anti social behaviour in the locality and that this would have an adverse impact on local residential amenity. The fear of crime and anti social behaviour is a legitimate planning consideration particularly where there is an association between the use of land proposed and that kind of behaviour (be it criminal or anti social). However, this has to be established as an objective concern that the impact of this behaviour would interfere with the reasonable use of adjoining land and this needs to be backed up with evidence that such consequences would occur. While objectors have made claims that the proposal would lead to increased fear and concern over crime and anti social behaviour no actual evidence has been produced to indicate that this would be the case. In a recent appeal decision concerning proposals for a young persons hostel in Tyfica Road Pontypridd, the inspector allowed the appeal. He concluded that in the absence of evidence on this point it is unlikely that a reason for refusal on the basis of the fear of crime or disruption would prove sufficiently sustaining of a refusal should the matter be taken to appeal particularly so given the lack of any base line evidence on levels of crime in the area and the lack of evidence that the type of use proposed has increased criminal and anti social behaviour elsewhere. There may be a fear of the type of occurrence raised but such claims are not well founded with evidence.

Notwithstanding the above, Members will need to consider whether or not the perceived fear of the facility would have a detrimental impact on the residential amenity of the area. The facility would be run on a partnership basis that would enable the Local Authority to meet its statutory obligations with regard to the homeless. The people to be accommodated at the facility would be housed there on a referral basis which involves a multi disciplinary approach including housing, social services and mediation officers. The people referred to the facility will be required to enter into a licence agreement with the housing provider which would cover amongst other things their behaviour within the facility and in the locality, and they would be expected to abide by the house rules. Additionally, the facility would itself be managed on a 24/7 basis. In short there would be far more and far greater control over the occupant's behaviour on and off premises, than the existing use of the facility affords.

In addition to this the proposal is within the town centre with mixed residential, commercial and retail facilities that would themselves traditionally generate a level of disturbance that would be greater than that experienced in suburban or rural locations. Within such a mix any impact that the current proposal might have would be far less

noticeable than elsewhere. Furthermore the proposed development is likely to generate fewer vehicular movements than the established 18 flats at the premises and as such could be considered to have a positive impact in this regard.

The second concern expressed by Members is that more appropriate use could be made of the accommodation already available at the property. Inasmuch as the property has now been empty for a number of years this is true. The annual social housing requirement in Abercynon is –

- 8 x 1 bedroom units
- 3 x 2 bedroom units
- Surplus of 3 bedroom units
- 1 x 4 bedroom unit

However, the nature of the existing building and its historic problems cannot be ignored, Cynon Taf Community Housing have used the building for general needs housing and in the past the property has shown the following characteristics

- Turnover was high (i.e. the tenants were not remaining in the properties for very long)
- Void rates were high (i.e. it was difficult to let all the units)
- The block was highly stigmatised and in very low demand

This combination of issues acted in a manner that prevented the building effectively meeting general housing need in the area. Furthermore, it is not appropriate of a local planning authority to be suggesting how to make best use of any particular building or site, in this instance as in any other, what requires consideration is the suitability or otherwise in planning terms of the proposal under consideration.

In conclusion, the consideration of fear of impact of the proposal on residential amenity is a legitimate planning consideration, however in this case there is a shortage of evidence to support the refusal of the planning application on this basis. On the issue of making better use of the existing building, Members are advised that this can form no sustainable basis for refusal. Consequently Members are advised to support the initial recommendation of approval, if however Members remain of a mind to reject this application then the following reason for refusal is considered to reflect Members concerns in this matter.

1. The proposed development would create an increased fear amongst the local community, that existing problems within the area in relation to crime and anti social behaviour would be exacerbated, contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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APPENDIX A

APPLICATION NO: 13/0646/10 (PB)
APPLICANT: Cynon Taf Community Housing Group
DEVELOPMENT: Change of use from General Needs Residential to Supported Housing Scheme for homeless persons with external and internal alterations and improvements.
LOCATION: 1 MARTINS CLOSE, ABERCYNON, MOUNTAIN ASH, CF45 4RF
DATE REGISTERED: 24/07/2013
ELECTORAL DIVISION: Abercynon

RECOMMENDATION: Approve with conditions

REASONS:

The proposed development is compliant with planning policy requirements at a local and national level which seek to ensure that satisfactory provision is made for all types of housing. It is not considered that there are any other overriding material considerations that could justify a refusal of this planning application.

APPLICATION DETAILS

The application seeks consent for a supported housing scheme for homeless persons at 1 Martin's Close, Abercynon for the Cynon Taf Community Housing Group. The proposal will involve the refurbishment of the existing property into 13no. self contained flats for short term occupation by homeless people with the ground floor being converted into communal and administrative facilities comprising offices, management accommodation, communal leisure areas, training areas and laundry facilities. A single disability standard flat will also be provided at ground floor level. The building will be subject to general refurbishment works including the provision of a lift to all floors and a reduction in the number of flats from 18 to 13. Other than this the alterations in the appearance of the building will be limited to the enlargement of existing windows and the introduction of one new window.

Road access to the site remains unchanged via Martins Lane and the existing highway network. The amount of parking space available has been reduced to reflect the needs of the proposed use but it also remains compliant with parking requirements. Parking security will be improved by the incorporation of a wall and railings along the site boundary to the lane and access to it will be via a newly introduced gated system. Footpath access and access to the building will remain unchanged other than for necessary security improvements and ramped access to disability standards.

The application is accompanied by a Design and Access Statement which provides background information relating to the application and planning policy. It is confirmed that the scheme has been based on the identified housing and support needs of local homeless people in Rhondda Cynon Taf. The service will be delivered by Cynon Taf Community Housing Group the building is intended to be staffed 24 hours a day and only residents and staff will have access to the property.

SITE APPRAISAL

The application site is comprised in the curtilage and building that is 1 Martin's Lane Abercynon. The property is a three storey block of 18no. flats built in the early 1990's. The property is constructed in red brick with cream brick banding and detailing and a grey tiled roof. The property fronts on to Martin's Lane with access to the rear parking area from Martin's Close (which forms the rear lane to Margaret Street).

The application property occupies a relatively flat site within the centre of Abercynon. The property is well located to make best use of the many local shops on Margaret Street and Ynysmeurig Road and is also well located for access to the railway station and local bus routes.

PLANNING HISTORY

10/0957	Change of use from general needs residential to a supported scheme for young persons with external alterations and improvements	Withdrawn 28/10/10
51/95/0238	Rebuild boundary retaining wall and new boundary fencing.	Approved with conditions 07/08/95
51/90/0719	18no. flats	Approved with conditions 06/02/91
51/90/0525	18no. flats	Approved with conditions 26/10/90
51/90/0365	Change of use to a dwelling	Withdrawn 26/0/90
51/85/0433	Proposed change of use to storage/light manufacturing with ancillary residential accommodation	Approved with conditions 21/05/86

PUBLICITY

The application has been advertised by means of press notice, site notices and neighbour notification letters. This has resulted in the submission of 36 no letters of objection and 2 separate petitions opposing this application, one with

704 signatures and the other with 33 signatures. The issues raised in objection to the proposed development can be summarised as follows: –

- Abercynon is an unsuitable location for this development as it is a village/small town with a concentration of services and amenities compacted into one small area and housing homeless individuals, with the inherent problems associated with this group is irresponsible and inappropriate for such a location.
- Abercynon has no functioning police station, should the proposal generate problems there is no immediate police response available.
- The scheme will be within 200m of the new community school and opposite a chapel which hosts community groups child safety is a primary concern as well as any negative effect on local community organisations. The property is also close to the surgery which also hosts activities for elderly people with dementia. The applicant claims that this facility will serve vulnerable individuals but young children and the elderly and infirm are more vulnerable.
- Martin's Lane is a busy thoroughfare through linking the retail, commercial and social facilities of central Abercynon.
- The Rhondda Cynon Taf Development Control Committee rejected a similar scheme due to its proximity to a centre for the blind and a school at Tyfica Road in Pontypridd. The Committee should be consistent in its decision making and reject this supported housing project in Abercynon.
- The proposal will be managed by a specialist support provider but it is unclear for residents who will have direct control of the project and residents are unclear as to who will be running and funding the scheme making accountability difficult.
- Abercynon needs more one and two bedroomed properties to deal with the consequences of the "bedroom tax" and the property at 1 Martin's Lane would be better used to alleviate the current shortage by providing low cost accommodation to those who need it. Alternatively the property could be used as sheltered accommodation for the elderly.
- If this project is allowed to proceed and a child or elderly individual is harmed as a result, it seems logical that Rhondda Cynon Taf CBC and the housing association should be held corporately responsible for their actions.
- When the flats were functioning many neighbours experienced years of anti social behaviour and abuse and this should not be allowed to recommence.
- The proposal if allowed would potentially turn a village/town that is regenerating into a no go area with anti social problems.
- It is questioned that if a homeless person turns up at the premises and there is no space available what do they then do.
- The application has been made without prior public consultation with those directly affected (the residents) with public meetings taking place only after the period for public consultation had passed.
- Earlier applications for a similar development at this complex were rejected following public opposition to the proposals.

- Residents will be able to come and go from the complex at all hours, allowing them to take advantage of shops and pubs in the locality and such street drugs as may be available in the locality.
- The proposal has the potential to generate unacceptable levels of noise.
- There is a lack of privacy given the relationship of the building with existing residential property.
- The proposal could prove detrimental to the wellbeing of elderly local residents.

CONSULTATION

Transportation Section – the proposed is located in the centre of Abercynon in close proximity to a variety of local businesses, public car parks, and good public transport links with both bus and rail readily available

The proposal is to provide Supported Housing to homeless people with 11 No. 1 bedroom apartments 1 No. 2 bedroom apartment and 1 No.1 bedroom wardens apartment giving a total of 13 No. residential apartments.

The ground floor is split up into a meeting room, communal area, Disabled Apartment, Wardens Apartment, Life Skills Training, and offices.

The existing use has 17 No. 1 bedroom apartments and 1 No. 2 bedroom apartments on 3 floors.

Given that the proposal is for social housing of homeless people it is not anticipated that the car parking demand will be as high as a typical residential apartment block. There is potential should the need arise to provide additional off-street car parking within the rear amenity area. Martins Lane to the front of the proposed is a one-way street measuring 5.1m with no parking restrictions therefore there is potential for some overspill parking to take place along the site frontage without affecting the free flow of traffic.

The proposed is in the centre of Abercynon in a sustainable location with both bus and rail in close proximity it is on this basis that the 8 off-street car parking spaces proposed are deemed satisfactory.

There is some concern with the sub-standard visibility at the entrance and exit points of Martin's Close due to the high boundary walls however, given that the parking area is already served off the Martin's Close with no reported problems no objection is raised.

Taking the above into account on balance, no objection is raised to the proposed development.

Public Health & Protection – no objections subject to conditions.

South Wales Fire & Rescue Service – no observations received within the statutory consultation period.

Countryside Section – make no comment on the proposal other than to suggest that a bat advisory note be attached to any consent that might be issued.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site is within residential settlement boundary of Abercynon and is located between the two designated retail areas of Abercynon which lie on Margaret Street and Ynysmeurig Road

Policy CS1 – Places an emphasis on promoting strong sustainable communities in the northern strategy area.

Policy AW1 - residential development proposals will be expected to contribute to meeting local housing.

Policy AW2 - development proposals will only be supported in sustainable locations, including sites within the defined settlement boundary, which would not unacceptably conflict with surrounding uses, have good accessibility by a range of sustainable transport options, have good access to key services and facilities and support the roles and functions of the Principal Towns.

Policy AW5 - sets out criteria for new development centred on issues of amenity and accessibility.

Policy AW6 - outlines a series of design related criteria that new development would be expected to respect where applicable.

Policy AW8 - only permits development where it would not cause harm to features of the natural environment.

Policy AW10 - confirms that development will not be permitted where it would cause or result in an unacceptable risk of harm to health and/or local amenity.

Policy NSA12 – sets a series of criteria for consideration in relation to proposals for residential development within settlement limits.

Planning Policy Wales

In the determination of planning applications regard should also be given to the requirements of National Planning Policy which are not duplicated in the Local Development Plan, particularly where National Planning Policy provides a more up to date and comprehensive policy on certain topics.

Chapter 2 (development plans)

Chapter 3 (making and enforcing planning decisions)

Chapter 4 (planning for sustainability)

Chapter 9 (housing)

Planning Policy Wales Technical Advice Note 12 Design

The above chapters and Technical Advice note set out the Welsh Government's policy on planning issues relevant to the determination of this planning application.

REASONS FOR REACHING THE RECOMMENDATION

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Furthermore, applications that are not in accordance with relevant policies in the plan should not be allowed, unless material considerations justify the grant of planning permission.

There are a number of key issues that are paramount in the consideration and determination of this planning application these are the principle of the development itself, the effect of the proposal on the character and appearance of the area, the impact of the proposal on residential amenity, the impact of the development on local residents and other local establishments. ecology and highway safety.

However, before dealing with the above issues it is important to define the true nature of the development proposed under this planning application. The application is expressed as being for a change of use from general needs housing to that of a supported housing scheme for homeless persons with internal and external alterations and improvements. The nature of the proposal does raise the question as to whether the proposed changes and alterations serve to make the whole of the building a hostel. This is not helped by the fact that there is no legal definition in town and country planning terms of what constitutes a hostel. The proposal though does include some of the characteristics of a hostel in that it will be managed and staffed on a 24/7 basis and that there are communal living and learning facilities. On the other hand, and unlike conventional hostels, the upper floors will remain discrete self contained flats with their own kitchen bathroom bedrooms and living room and would remain capable of independent occupation in every physical sense. In light of this and the fact that there is an educational/training element in the proposal it is only possible to conclude that the proposed facility would become something of a hybrid facility the use of which lies somewhere between a hostel and conventional, unsupported flatted accommodation. As such it is fair to conclude that the proposal affects the building as a whole and for planning purposes, as the proposal does not fall into any one use class it would become a sui generis facility (that is, in a class of its own) as it has no one dominant type of use.

The principle of the proposed development

The current application relates to a supported housing facility for homeless people with the provision of various support facilities however, the majority of the accommodation to be provided comprises the 13 residential flats that would remain. These are self-contained units each consisting of one or two bedrooms, kitchen and wet room. In terms of the principle of the proposed use, the site is unallocated but is located within the defined settlement boundary where residential uses are generally considered acceptable. Therefore, although it is accepted that local residents have a number of concerns, it is considered that the proposed use is essentially residential in character and complies with Policy CS1 of the Rhondda Cynon Taf Local Development Plan.

It would normally be expected for this kind of facility to be located close to a town or community centre where local services and transport facilities can be easily accessed and the sustainability of its location is a further important consideration in assessing whether the development is acceptable. Both local and national planning policy support a presumption in favour of sustainable development and see the planning system as the key to providing for society's future needs. In identifying sites in sustainable locations, Policy AW2 sets out a number of criteria to be taken in account including locations that are within the settlement boundary, with good accessibility and access to local facilities and which support the function of the Principal Towns. In this case, the application site is located within an established mixed use, town/village centre area and the local facilities this provides and therefore fulfils a number of the policy criteria required for a sustainable location.

Character and Appearance of the Area

The building to be used to provide this facility is located in central Abercynon which is characterised by its loose mix of institutional, retail, residential and religious buildings with good transportation links sitting close by. These buildings in the centre of Abercynon are mostly of conventional two storey terraced construction but the centre is also punctuated with buildings of greater height and mass such as the new school, various religious buildings, the flats at Station Road and the application property itself. There is a policy requirement for development within such areas to avoid harming the character and appearance of the area and where possible, positively enhance it by appropriate standards of design.

In terms of the scale, form and design of the conversion element of the proposal, all of the residential units are contained within the existing building and existing window openings have been improved in a manner that respects the original appearance of the buildings as do additional windows. It is intended that the external fabric of the building will be refurbished and it is considered that these works will enhance the appearance of the building, which now has a somewhat neglected appearance resulting from the years it has remained vacant and unmaintained. It is therefore concluded that the renovation proposals are in accordance with local and national planning

policy. The proposal will enhance the character and appearance of the building in accordance with policies AW5 & AW6 of the Rhondda Cynon Taf Local Development Plan.

A number of concerns have been raised by local residents regarding the impact of the proposed use on the character of the area however, given the details submitted in support of the current application and the historic use to which the building has been put; it is not considered that such concerns could be supported. In particular, consideration has been given to the previous use for residential purposes as 18 No. general need flats. The current proposal is likely to be no more harmful to the character of the area in terms of the amount of activity generated from the site than the previous use. However the nature of the use will change given that there will now be life skills training taking place at the site and the constant management presence within the facility.

Impact on Residential Amenities

It is proposed that as the use will be restricted to 13 No. flats comprising 11 one bedroom residential units 1no. two bedroom unit (with 1 No. disability standard 1 bedroom unit). The site will be continually staffed on a 24/7 basis, this is unlikely to generate a level of activity that would be detrimental to the amenities of local residents, given the previous use of the site its level of usage and the problems that some of the objectors claimed that it experienced. The provision of an improved modern entrance, redefined parking arrangements and support facilities will restrict pedestrian activity and this is likely to minimise the impact of noise and disturbance to existing residents. The parking provision takes account of the fact that residents are unlikely to be using or for that matter own a vehicle and vehicular activity would therefore be restricted to staff members and visitors travelling to and from the site.

The application property is overlooked on all sides by residential and other property, however this is at acceptable distances and therefore it is not considered that the occupiers of those properties would suffer any loss of privacy over and above that which existed when the site functioned as 18no. flats. There are a total of three new windows to be introduced into the building (one to each floor) and these will be built into established elevations and will respect established distances between established properties and the application property. The applicant proposes to introduce a small garden as an amenity area for residents and it is considered that the proposed new boundary treatments and landscaping will improve the visual amenities for existing residents whose properties overlook the site.

Highway Safety

The existing access off Martin's Lane along Martin's Close will be utilised and it is not considered that this would lead to any highway safety issues, given the activity associated with the previous use of the building. The parking layout now proposes the provision of 8 on-site spaces, which is in accordance

with the Council's SPG relating to Access, Circulation and Parking and policy AW5 of the Local Development Plan. Given that the previous approved scheme would have required up to 36 spaces as a maximum with only 12 provided, it is considered that the current proposal will result in a significant reduction in vehicular activity to and from the site and the Transportation Section has raised no objection. Furthermore, the rebuilding of the boundary treatments and the introduction of access controls to the parking area will only serve to improve highway safety.

Should there be any concern over parking Members should also note that the proposal is for social housing of homeless people it is not anticipated that the car parking demand will be as high as a typical residential apartment block. Furthermore, Martin's Lane is a 5.1m. wide road with no restrictions so it has some capacity to accommodate overspill parking on street.

Impact on Local Residents and Other Local Establishments

As outlined above, there have been a significant number of concerns raised regarding the proposed use as a result of the public consultation exercise. However, as Members will be aware, a high level of response does not necessarily result in a proposal being considered unacceptable in planning terms and each case needs to be determined on its merits. Careful consideration has been given to the issues raised by local residents, in order to identify what material considerations should be taken into account in determining the current application. These are to some extent covered in the above comments addressing such matters as highway safety and residential amenity and what follows completes the consideration of the issues raised by residents in opposition to the proposal.

- *Suitability of site and whether other areas have been considered & need.*

The main purpose of the assisted living facility is to provide emergency residential accommodation and it is not therefore considered to be out of keeping in a residential area. Although residents have raised issues regarding the need for the facility in this location and the consideration of other suitable sites, there is no policy requirement for this to be demonstrated. The only material consideration that is required in determining the current application is the appropriateness of the proposal on this site. On the issue of the need for the facility in 2012/13 590 households presented as homeless to the council and 230 of those were accepted as homeless. This includes people made vulnerable as a result of their age, disability or other vulnerability. 30% of households accepted as homeless had dependant children (figures supplied by Shelter Cymru).

- *Impact on Abercynon School*

Concerns expressed by residents relate to the safety of children attending the New Abercynon Primary School which is located close to the proposed development who may be approached by residents. There is no evidence offered to suggest that this would occur at all or more frequently than it might

happen as an occurrence amongst the general population. However, experience elsewhere in the County Borough suggests that there is little or no interaction and what there is usually positive, e.g. the relationship of the Old Bakery Young Persons Hostel in Trecynon with Aberdare Park Primary School. Given the above it is difficult to demonstrate that the proposed development would have an adverse impact on the new school.

- *Potential impact of residents of the local area*

Local residents have expressed concern regarding the problems that residents of the hostel may have and the applicant has acknowledged the difficult backgrounds they may have come from. The applicant has also confirmed however that potential residents must be willing to engage with support and agree to a code of conduct through their licensing system to regulate their behaviour both inside and outside the proposed facility. These requirements would cover such issues as inappropriate behaviour and drug and alcohol misuse.

- *Impact on vulnerable people in the local area*

Local residents have also highlighted concerns regarding the impact of the proposed facility on vulnerable people in the area including young children, the elderly and members of vulnerable community based groups that are local to the area. The applicant has advised that the case of each person referred to the facility is assessed based on their need and consideration given as to whether the individual is suitable for accommodation. Residents will be expected to abide by a code of conduct and encouraged to be responsible members of the community. In light of this it is considered that there is insufficient evidence to suggest that the proposed use would be likely to have a significant impact on this group of people.

- *Fear of crime and anti social behaviour*

A number of residents have advised that the use of the buildings as an assisted living facility will bring about crime and a fear of crime in the area and will also impact on the quality of life enjoyed by residents due to an increase in anti social behaviour. Both national and local planning policy recognises that public health, safety and crime can be material considerations in determining applications, as well as public concerns regarding this. This is clearly acknowledged in Policy AW5 of the Local Development Plan, which places a requirement on development to design out the opportunity for crime and anti social behaviour. The extent to which these issues should influence the outcome of the application will however depend on identifying the reason for these concerns and whether the applicant has taken the necessary steps to address any opportunity for crime and anti social behaviour.

The primary function of the proposed development is to provide supported temporary accommodation for people experiencing housing difficulties and finding themselves homeless. The project will be part of the Local Authority's single point of access process for the allocation of supported housing in

Rhondda Cynon Taf. To qualify to be part of the project potential residents must be homeless, have identifiable support needs and be willing to accept support. Each person before entering the scheme will have a risk and needs assessment and will work with a support worker in developing an individual support plan, with any agreed plan subsequently implemented. Part of the tenancy agreement will be to engage in some form of vocational activity working through the support plan alongside the on site training. The project will be staffed on a 24/7 – 365 basis and residents are expected to adhere to the conditions of the tenancy agreement. These conditions and additional house rules will relate to the expected standard of behaviour of the residents both within the project and in the wider community.

It is acknowledged that residents' fear of crime and anti social behaviour is an important material consideration in determining this application. Given the additional supporting information provided by the applicants in support of this proposal and the design of the proposal, it is considered that on balance, the applicant has provided sufficient information to demonstrate that the proposal could be operated from the site, without causing an adverse impact on local residents, other groups or the wider area. It is therefore considered that the proposal complies with this element of Policy AW5 of the Rhondda Cynon Taf Local Development Plan and the refusal of the application for reasons relating to residents' fears or the increase in crime and disorder could not be supported.

Ecology

Having been built in the early 1990's the application property is a relatively modern construction and has limited potential in terms of ecological worth. However, keeping in mind that the building has been vacant for a number of years the recommendation of the Council's ecologist to include a note in respect of bats on any consent that might be issued is considered appropriate.

Conclusion

In conclusion, it is considered that the conversion of the existing buildings to provide a 13 No. unit assisted living facility for the homeless constitutes an acceptable alternative use of a building within the settlement boundary of Abercynon and complies with relevant national and local planning policies. It is acknowledged that residents and other parties have expressed a number of concerns regarding the proposed use however, it is considered that the applicant has submitted sufficient information in order to address these concerns and the use of appropriate conditions will prevent the facility having a significantly detrimental impact on the amenities of residents or the character of the area.

OTHER ISSUES

The issues covered in the above section adequately address all considerations that are material to the consideration and determination of this case as a planning application.

Accordingly, it is considered that planning permission should be granted, subject to the conditions set out below:

RECOMMENDATION: Grant

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason: To comply with Sections 91 and 93 of the Town and Country Planning Act 1990.

2. The premises shall be used as a supported housing scheme for homeless persons to provide accommodation and support facilities for no more than 13 homeless people and shall not be used for any other purpose.

Reason: To define the extent of the consent hereby granted and to ensure that the development remains compatible with other uses in the locality and to protect the amenities of occupiers of adjoining properties in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

3. Prior to the beneficial occupation of the development hereby approved a management plan for the operation of the facility shall be submitted to the Local Planning Authority. The Plan shall include: -

- a) contact details for the facility duty manager;
- b) details of the general house rules relating to the conduct of residents;
- c) details of any proposed CCTV monitoring.
- d) any arrangements for the establishment of a community forum;
- e) a procedure for local residents to contact the facility manager; and
- f) a protocol for the facility manager to respond to any representations made.

The use of the premises shall be operated in accordance with the submitted management plan, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the development hereby approved would remain compatible with other uses in the locality and to protect the amenities of the occupiers of adjoining properties in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

4. All planting, seeding or turfing in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building(s) or completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that the new development will be visually attractive in the interests of amenity in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

5. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the use hereby permitted is commenced. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the new development will in keeping with the surrounding area and to protect residential amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

6. Construction works on the development shall not take place other than during the following times:
- i) Monday to Friday 0800 to 1800 hours;
 - ii) Saturday 0800 to 1300 hours;
 - iii) Not at any time on Sundays, Bank or Public holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the noise emitted from this development is not a source of nuisance to occupants of nearby residential properties in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

7. Samples of any materials to be applied to the building in the course of any external alterations shall be submitted to and approved in writing by the Local Planning Authority prior to their use.

Reason: To ensure the retention of the character and external appearance of the existing building in the interests of visual amenity in accordance with policies AW5 & AW6 of the Rhondda Cynon Taf Local Development Plan.

8. Before the development is brought into use the means of access, together with the parking and turning facilities, shall be laid out in accordance with submitted plan 1539(04)21 and approved in writing by the Local Planning Authority prior to beneficial occupation of the first apartment.

Reason: In the interests of highway safety.

9. Surface water run-off from the proposed development shall not discharge onto the public highway or connected to any highway drainage system unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to prevent overcapacity of the existing highway drainage system and potential flooding.

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LOCAL GOVERNMENT ACT 1972

as amended by

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

LIST OF BACKGROUND PAPERS

DEVELOPMENT CONTROL COMMITTEE

5 DECEMBER 2013

REPORT OF: SERVICE DIRECTOR PLANNING

REPORT

**APPLICATION NO: 13/0646/10 -
CHANGE OF USE FROM
GENERAL NEEDS RESIDENTIAL
TO SUPPORTED HOUSING
SCHEME FOR HOMELESS
PERSONS WITH EXTERNAL AND
INTERNAL ALTERATIONS AND
IMPROVEMENTS, 1 MARTINS
CLOSE, ABERCYNON, MOUNTAIN
ASH**

OFFICER TO CONTACT

**MR G DAVIES
(Tel. No. 01443 494741)**

See Relevant Application File

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