

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL
MUNICIPAL YEAR 2015-2016

**DEVELOPMENT CONTROL
COMMITTEE
6 AUGUST 2015**

**REPORT OF: SERVICE
DIRECTOR PLANNING**

	Agenda Item No. 7
APPLICATION RECOMMENDED FOR REFUSAL	

1. PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined in Appendix 1.

2. RECOMMENDATION

To refuse the application subject to the reasons outlined in Appendix 1.

- 1** Application No:14/1593 - Construction of 8 self contained flats, 2 houses and associated works (Additional information received 06/02/15 and 09/02/15, amended plans received 30/06/15), vacant land between 117 and 119 Trehafod Road, Trehafod, Pontypridd.

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APPLICATIONS RECOMMENDED FOR REFUSAL

APPLICATION NO: 14/1593/10 (HL)
APPLICANT: Reach4Saving Ltd
DEVELOPMENT: Construction of 8 self contained flats, 2 houses and associated works (Additional information received 06/02/15 and 09/02/15, amended plans received 30/06/15)
LOCATION: VACANT LAND BETWEEN 117 AND 119 TREHAFOD ROAD, TREHAFOD, PONTYPRIDD
DATE REGISTERED: 23/01/2015
ELECTORAL DIVISION: Cymmer

RECOMMENDATION: Refuse

REASONS

The proposal will have a detrimental impact on highway safety as a result of a substandard access for safe two way vehicular movement and inadequate on site turning area resulting in reversing movements to and from Trehafod Road. The application also proposes an encroachment onto the adopted highway leading to a narrowing of the available running width of Trehafod to the detriment of the free flow of traffic and highway safety.

APPLICATION DETAILS

The application seeks full planning permission for the development of 10 residential units on land at 117-119 Trehafod Road (the site of the former Trehafod Hotel). The accommodation mix would comprise two, two-bedroom semi detached dwellings and 8, one-bedroom flats.

The proposed two storey dwellings would each measure 5.85m wide, 8m deep with a maximum height of 8m falling to 4.75m at eaves level. Each dwelling would contain a kitchen-diner, living room and wc/ shower room at ground floor level with two bedrooms and a bathroom at first floor level.

The dwellings would front Trehafod Road to the north and would each benefit from a small front garden and enclosed garden to the south (rear). Each property would benefit from one off street parking space that would be provided within a courtyard to the south (rear) of the dwellings. The dwellings would be parallel to, but lower in height than Ty Gwyn House Hotel to the west and similar in scale to the two storey terraced dwellings to the east. Externally the properties would be finished with brick and render elevations, upvc windows and doors and a concrete tiled roof.

The one bedroom flats would be accommodated within a two storey block adjacent to the southern boundary of the site. The block as a whole would measure 30m wide, 8.0m deep (9.4m including porch projection) with a maximum height of 8m falling to 5m at eaves level. Each flat would have its own front door in the northern elevation. Externally the flats would be finished with render elevations, upvc windows and doors and concrete tiled roof. A private, communal amenity area would be provided to the east of the block. 8 parking spaces would be provided in the proposed courtyard to the north (front) of the flats. The centrally positioned courtyard would also be used for onsite turning and manoeuvring.

Access to the site would be via a 5.0m, wide vehicular access with 1.8m wide pedestrian footway leading from Trehafod Road. The access would be located on the western side of the plot, between the proposed dwellings and Ty Gwyn House Hotel. A wheelie bin storage area would be provided on the western side of the courtyard, adjacent to the eastern elevation of the Ty Gwyn House Hotel.

The application is accompanied by:

- A Design and Access Statement;
- A Transport Statement;
- An Extended Phase 1 Habitat Survey; and
- A Flood Consequences Assessment

SITE APPRAISAL

The application site comprises a roughly square shaped parcel of land with an area of approximately 0.11 hectares. The site straddles the boundary between the Cymmer and Rhondda wards. However, the majority of the site is located within the settlement limits of the Cymmer Ward part of Trehafod. The site was formerly occupied by the Trehafod Hotel which was demolished in approximately 2003 and has left a large and at present, fairly unattractive open area of land positioned between terraced properties to the east and west. To the east, a lane separates the application site from a general store. The western boundary abuts the large, two and a half storey Ty Gwyn Guest House. A large concrete play area and access path is located to the south (rear) of the site. The grade II listed Trehafod Memorial Hall, residential properties and the pavement and carriageway of Trehafod Road are located to the north opposite the front of the site. The site is level with the properties closest to the site.

The site is also located entirely within Zone C1 as defined by the Development Advice Map referred to under Technical Advice Note 15: Development and Flood Risk (TAN 15) (July 2004).

PLANNING HISTORY

Previous relevant planning applications that have been made on this site are as follows:

04/2311/10	Site of former Trehafod Hotel	Eight town houses (amended plans received 30/01/06).	Grant 11/12/12
02/1208/13	Site of former Trehafod Hotel,	Outline planning for residential development following demolition of the existing dilapidated building	Granted 20/09/02

PUBLICITY

The application has been advertised by direct neighbour notification, the erection of site notices and publication of a press notice. No objections or representations.

CONSULTATIONS

Transportation Section – raise an objection to the application.

Public Health and Protection – no objections subject to advice regarding demolition; hours of operation; noise; dust and waste.

Countryside, Landscape and Ecology – no relevant records of statutory protected species within the immediate vicinity. An informative bat note is recommended.

Land Reclamation and Engineering – no objections subject to conditions.

Welsh Water/Dwr Cymru – no objections subject to conditions.

Glamorgan Gwent Archaeological trust – The site is located within the Rhondda Registered Landscape of Historic Interest as defined within the Register of Landscapes of Special Historic Interest in Wales. We have considered the impact of the proposal on the historic landscape and conclude that this is not a factor in the determination of the application.

Wales and West Utilities – advice provided regarding the position of apparatus.

Natural Resources Wales - The application site is located entirely within Zone C1 as defined by the Development Advice Map referred to under Technical Advice Note 15: Development and Flood Risk (TAN 15) (July 2004).

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The site spans the boundary of the Northern and Southern Strategy Areas. However, as the vast majority of the site is located within the settlement limits of the

Cymmer ward, the proposal will be assessed in relation to the Northern Strategy Area policies.

The relevant policies in the Local Development Plan are as follows:

Policy CS1 - sets out criteria for achieving sustainable growth including, promoting and enhancing transport infrastructure services promoting residential development with a sense of place and focusing development within defined settlement boundaries.

Policy AW1 defines the housing land supply, to be met partly by development of unallocated land in Key Settlements.

Policy AW2 promotes development in sustainable locations, which includes site within settlements boundaries, benefiting from existing services and sites that support the roles and functions of Key Settlements. The locations should not unacceptably conflict with surrounding uses.

Policy AW5 lists amenity and accessibility criteria that will be supported in new development proposals.

Policy AW6 outlines design and placemaking criteria that will be supported in new development proposals.

Policy AW7 seeks to preserve and enhance sites of architectural and/ or historical merit and sites of archaeological importance.

Policy AW8 specifies that the Authority's natural heritage will be preserved and enhanced by protecting it from inappropriate development.

Policy AW10 seeks to ensure that development proposals will not be permitted where they would result in a risk of unacceptable harm to heath or local amenity.

Policy NSA10 seeks a minimum housing density of 30 dwellings per Hectare and gives criteria for accepting lower densities.

Policy NSA11 seeks the provision of 10% affordable housing on residential development of 10 units or more.

Policy NSA12 gives further criteria for suitable housing development within and adjacent to settlement boundaries.

The following SPG is also relevant to this proposal:

- Design and Placemaking;
- Affordable Housing;
- Access Circulation & Parking Requirements.

National Guidance

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.

Planning Policy Wales (Edition 7 July 2014), Chapter 2 (Development Plans), Chapter 3 (Making and Enforcing Planning Decisions) Chapter 4 (Planning for

Sustainability) 8 (Transport) and 9 (Housing) set out the Welsh Government's policy on planning issues relevant to the determination of the application.

Other relevant policy guidance consulted:

- PPW Technical Advice Note 5: Nature Conservation and Planning;
- PPW Technical Advice Note 12: Design;
- PPW Technical Advice Note 15: Development and Flood Risk;
- PPW Technical Advice Note 18: Transport;
- Manual for Streets.

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.

As detailed above, the application proposes the development of 10 residential units on previously developed land, located within the defined development limits of Trehafod. As such the principle of residential development is considered acceptable. The site has also previously benefited from outline and full consent for residential development at the site. The key considerations with regards to the application have been determined as the impact on the proposal on the character and appearance on the area, the residential amenity of those living closest to the site, flooding implications and highway safety.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise.

Character and Appearance of the Area

As specified above the application proposes the development of 10 residential units provided by way of a pair of semi detached two storey dwellings adjacent to Trehafod road and a large, two storey block accommodating 8 one bedroom flats on the southern boundary of the site. It is considered that the density of development in association with the design will not have a detrimental impact on the overall character and appearance on the area.

The site is extremely prominent from both the front and rear. It is considered that the design, size and scale of the dwellings proposed represent an acceptable infill within the area. In general is also considered that the materials proposed would be in keeping with those in the immediate area. Concerns are raised with regards to the use of brick facing on the lower elevations of the proposed two storey dwellings.

However, it is considered that this matter could be dealt with by an appropriately worded condition.

Although, obviously more modern in appearance, it is considered that this development proposed would blend with the existing built form and provide an appropriate and acceptable infill to replace the existing unsympathetic empty space.

As specified above, the site is located entirely within Zone C1 as defined by the Development Advice Map referred to under Technical Advice Note 15: Development and Flood Risk (TAN 15) (July 2004). The Flood Consequences Assessment submitted indicates that a small portion of the site would flood to a depth of between 110 and 260mm with the site as a whole predicted to flood to a depth of between 230 and 420mm in the 0.1% (1 in 1000 year) event (The implications of the positioning of the site within Zone C1 and Natural Resources Wales consideration of the proposal are detailed more fully below). In order to mitigate for the small area that floods, the site will need to be re-graded to a level of 73.8 (AOD) Above Ordnance Datum with the finished floor levels set at 73.9 AOD. The site is currently situated at an elevation of between 73.6 AOD and 73.9 AOD in the north and 74m AOD in the south. Whilst the block of flats would therefore be set marginally higher than the existing and proposed dwellings adjacent to Trehafod Road, it is considered that the offset position of the block behind the main street scene and proposed semi detached dwellings and the height of the existing building to the west of the site, would help off-set the increased floor level and prevent the proposal from having a detrimental impact on the overall character and appearance of the area.

On the basis of the above it is considered that the development would not have a detrimental impact on the overall character and appearance on the area and is compliant with the requirements of policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

Residential amenity

The Ty Gwyn Hotel is positioned on the western boundary of the plot and has a number of windows in the southern (rear) elevation. The proposed block of flats would be positioned approximately 11m to the south of the Ty Gwyn Hotel building. Although the proximity of the proposed development to the existing property could generate some increased overlooking, the block has been designed as such that all windows in the northern elevation would serve non habitable rooms i.e. kitchens and bathrooms. Being mindful of the existing substantial boundary wall and the internal arrangement proposed it is considered that the proposal would not have a detrimental impact on the residential amenity of those living closest to the site.

The plans submitted also indicate the provision of three windows in the western and eastern elevations of the proposed semi detached dwellings. However, these are small in scale and would serve the ground floor hall, wc and first floor landing. As such it is considered that these would not generate an unacceptable level of overlooking and as such would not have a detrimental impact on the residential amenity of those living either side.

On the basis of the above it is considered that the development is compliant with the requirements of policy AW5 of the Rhondda Cynon Taff Local Development Plan.

Flooding

Following consultation Natural Resources Wales have provided the following response:

“The application site lies entirely within Zone C1, as defined by the Development Advice Map (DAM) referred to under Technical Advice Note 15: Development and Flood Risk (TAN15) (July 2004). The Flood Map information, which is updated on a quarterly basis confirms the site to be within the 1% (1 in 100 year) and 0.1% (1 in 1000 years) annual probability fluvial flood outlines of the River Rhondda, which is a designated main river.

The planning application proposes highly vulnerable development on previously developed land within a flood risk area. The Flood Risk Assessment submitted has demonstrated that the majority of the site is flood free during a 1% (1 in 100 year with an allowance for climate change) event. However, a small portion of the site would flood to a depth of between 110 and 260mm. The site is also predicted to flood to a depth of between 230 and 420mm in the 0.1% (1 in 1000 year) event.

In order to mitigate for the small area that floods. the site will be re-graded to a level of 73.8 AOD. This will ensure the proposed development is in line with the guidance set out in A1.14 and A1.15 of TAN 15.

Therefore we have no objection to the proposal subject to the imposition of conditions as recommended.”

In light of the above and subject to the imposition of the conditions recommended, the application is considered compliant with the requirements of policy AW10 of the Rhondda Cynon Taf Local Development Plan.

Highway Safety

Following consultation, The Authority's Transportation Team have provided the following response:

The proposed adopted highway leading to the site has a carriageway width that varies between 7.5m - 8.1m with 2 x yellow lines on the opposite side to the proposed which is acceptable to serve the proposed residential development.

To the east of the proposed development there is a public highway/ lane which measures between 7.3m-8.0m in width and provides rear access to properties and the river maintenance gate located to the south. The proposal narrows the available width to 5.0m at the access and 4.2m to the south. The width available to the south 4.2m is sufficient for two standard vehicles to pass one-another only which is of

concern. However, taking into account that there would be little vehicular traffic using the lane with the occasional HGV for river maintenance on balance the proposal is acceptable.

The proposal is to provide a 5.0m vehicular access with 1.8m pedestrian footway to the western boundary of the site which will provide access and parking to the 8 No. 1 bedroom flats and rear off-street car parking for the 2 No. dwellings.

As the proposal is in excess of 5 units, in accordance with council adopted design guide and policy, the access is required to be designed and built to an adoptable standard. Taking this into account, the proposal is sub-standard in terms of width for safe two-way vehicular movement, a lack of suitable turning area for emergency service and delivery vehicles resulting in reversing movements to and from Trehafod Road. In association with sub-standard visibility at the junction of 2.4m x 16m to the west with Trehafod Road, the proposal is therefore unacceptable.

It is considered that the proposal is un-acceptable in terms of access, circulation as well as highway and pedestrian safety and free flow of traffic.

The internal turning area proposed for emergency service vehicles and deliveries vehicles is sub-standard resulting in reversing movements to and from Trehafod Road with sub-standard visibility at the junction 2.4m x 16m to the west with Trehafod Road to the detriment of safety of all highway users.

This coupled with reversing movements taking place in close proximity to the front doors of numbers 6 & 8 is of a concern in terms of pedestrians coming into conflict with moving motor vehicles.

The developer has submitted plans which indicate the carriageway fronting Trehafod Road being narrowed from 7.5m to 6.6m to accommodate a vision splay of 2.4m x 43m to the west. However, scaling off the submitted drawings 19288(03)01 the vision splay proposed is still impacted on by the boundary wall of the dwelling to the west giving an achievable vision splay of in the region of 2.4m x 16m which is not acceptable. Also Trehafod Road is a strategic route when the A4058 is blocked due to maintenance works or accidents therefore no localised narrowing of the carriageway to provide visibility at this location would be acceptable.

There is on-street car parking available on the development side of Trehafod Road with double yellow lines on the opposite carriageway lane preventing on-street car parking. The developer proposes narrowing the carriageway at this location to 6.6m with 2.0m on-street car parking available which would narrow the available width to 4.6m. This is only sufficient to allow two small vehicles to pass one-another and is unacceptable. Trehafod Road carries a substantial amount of vehicular traffic therefore narrowing the available width of carriageway at this location is not acceptable.

There is a cellar access located in the public footway where the access to the site is proposed. No details have been submitted with regards to infilling of this cellar access to provide a safe and satisfactory access point.

The proposed two bedroom dwellings require up-to a maximum of two spaces per dwelling with one space per dwelling provided. The eight number one bedroom flats require up-to a maximum of sixteen spaces with one space per flat provided. However, taking into account the sustainable location of the proposal in close proximity to local bus and rail stops and a variety of local amenities, the provision proposed is considered acceptable. The scheme also requires the provision of 2 visitor spaces. However, short term visitor parking would be acceptable on-street with no carriageway narrowing.

In conclusion, the proposal provides for 10 No. units with 8 No. units served off a new access onto Trehafod Road. The new access for the 8 No. dwellings is required to be designed and built to an adoptable standard in accordance with the Council's design guide. However, the access as proposed is sub-standard in terms of visibility to the west, sub-standard turning area resulting in reversing movements with potential pedestrian conflict and sub-standard width for two large vehicles to pass one-another. Therefore the proposal is sub-standard in terms of safety of all highway users and free flow of traffic.

On the basis of the above the development is considered detrimental to the highway safely and free flow of pedestrian and vehicular traffic, contrary to policy AW5 of the Rhondda Local Plan

Other Considerations

Ecology

The extended phase one habitat survey, submitted in support of the application, identifies that the site is of low ecological value with no evidence of any species of conservation concern inhabiting or utilising the site. Following consultation the Authority's Ecologist has confirmed that there are no relevant records of statutory protected species within the immediate vicinity. However, it is recommended that an informative bat note be applied to any grant of consent.

In light of the survey documents received, the application is considered compliant with policy AW8 of the Rhondda Cynon Taf Local Development Plan.

CONCLUSION

On the basis of the above, it is considered that the development proposed would not have a detrimental impact on the character and appearance of the area, residential amenity or the ecological value of the area. It is also considered that matters relating to flooding can be appropriately mitigated. However, it is considered that the development would have a detrimental impact on the highway safety and free flow of pedestrian and vehicular traffic in the area. The application is therefore determined

as contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan and is recommended for refusal for the following reasons:

RECOMMENDATION: Refuse

1. The proposal is sub-standard in terms of width for safe two-way vehicular movement resulting in reversing movements to and from Trehafod Road, visibility at the junction with Trehafod Road and lack of adequate turning area resulting in reversing movements to and from Trehafod Road to the detriment of safety of all highway users and free flow of traffic contrary to policy AW5 of the Rhondda Cynon Taf Local Development Plan.
2. The proposed development encroaches onto adopted highway Trehafod Road narrowing the available running width to the detriment of safety of all highway users and free flow of traffic contrary to policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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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

6 AUGUST 2015

REPORT OF: SERVICE DIRECTOR PLANNING

REPORT

**APPLICATIONS RECOMMENDED
FOR REFUSAL**

OFFICER TO CONTACT

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See Relevant Application File

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