



## **PLANNING & DEVELOPMENT COMMITTEE**

**8<sup>TH</sup> MARCH 2018**

### **REPORT OF THE SERVICE DIRECTOR, PLANNING**

#### **PURPOSE OF THE REPORT**

Members are asked to determine the planning application outlined below

**APPLICATION NO:** 17/0239/10

**APPLICANT:** **Mr Michael Coughlan**

**DEVELOPMENT:** The raising of existing waste ground levels, to correspond to the existing rear lane access road level at 184 - 186 High Street, To create additional parking facilities for inhabitants.

**LOCATION:** **WASTE GROUND ON LAND TO THE REAR OF 184 - 186 HIGH STREET, GILFACH GOCH, CF39 8SH**

**DATE REGISTERED:** **29/03/2017**

**ELECTORAL DIVISION:** **Gilfach Goch**

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**RECOMMENDATION:** Approve

#### **REASONS:**

The proposed development would provide a valuable source of off-street parking in an area where such facilities are limited. Whilst objections have been received regarding the extent of the development and its future use, the proposal is considered to be visually acceptable, would not have an adverse impact on neighbouring properties and would improve parking and highway safety in the surrounding area.

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#### **REASON FOR APPLICATION BEING REPORT TO COMMITTEE**

Three or more letters of objections have been received.

#### **APPLICATION DETAILS**

Full planning permission is sought, partially in retrospect as development has commenced, for the raising of ground levels at the rear of 184-186 High Street, Gilfach Goch for the parking of vehicles.

The area of land is approximately 20m in width by 25m with a depth of fill material of a maximum of 3m and a banking with a 35 degree angle of batter. Amended details, received in August 2017 include the details of the angle of batter and indicates a drainage gully with a pipe discharging beyond the foot of the embankment.

The applicant runs an undertaker's business and intends using the parking area for his personal and works vehicles.

## **SITE APPRAISAL**

The site is currently an open area of land at the end of an existing surfaced lane to the rear of High Street Gilfach Goch. The land is a roughly level plateau which then falls away approximately 3m to the south west to open countryside beyond.

## **PLANNING HISTORY**

None.

## **PUBLICITY**

This has included site notices and the direct notification of properties surrounding the site. Three responses have been received, the main points of which are detailed below:

1. Concerns that as the land has already been raised whether there would be any further increase in its height.
2. Concerns over scrap vehicles and trailers being stored on the land.
3. Objections on the land being used as a commercial garage parking facility and the deteriorating wear on the lane that this would cause.

## **CONSULTATION**

Transportation Section – no objection, subject to a condition to restrict the use of the parking area to the owners of 184 High Street, Gilfach Goch.

Land Reclamation and Engineering Section (Drainage) – no objection, subject to a condition in relation to drainage details for the proposal.

Public Health and Protection Division – no objection, subject to a condition to restrict the hours of operation during the construction period and a condition requiring imported soils to be assessed for potential contaminants.

Countryside, Landscape and Ecology – no response received to date.

Structural Engineer – initial concerns over the excessive slope of the embankment were addressed with the amended details indicating a 35 degree slope and an extended drainage pipe run discharging away from the toe of the embankment.

Gilfach Goch Community Council – no response received to date.

## **POLICY CONTEXT**

### **Rhondda Cynon Taf Local Development Plan**

**Policy CS2** - sets out criteria for achieving sustainable growth including, promoting and enhancing transport infrastructure services.

**Policy AW5** - sets out criteria for new development in relation to amenity and accessibility.

**Policy AW6** - requires development to involve a high quality design and to make a positive contribution to place making, including landscaping.

**Policy AW10** - development proposals must overcome any harm to public health, the environment or local amenity.

### **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**

Chapter 2 (development plans), Chapter 3 (making and enforcing planning decisions), Chapter 4 (planning for sustainability), Chapter 7 (economic development).

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.

### **Principle of the proposed development**

The proposal is partially retrospective in nature and is for the retention of the raised area of land to the rear of High Street in Gilfach Goch. The applicant runs an undertaker's business with a small fleet of larger vehicles and also has several other vehicles for his normal domestic use.

While the applicant does have garaging facilities for his work vehicles there are occasions when vehicles have to be parked on the public highway with obvious consequences on highway safety.

It is considered that the provision of an area for the off-street parking of vehicles would have a beneficial impact with regard to highway safety considerations. Therefore, the principle of the development is considered to be acceptable in this regard.

### **Impact on the character and appearance of the area**

The works have been largely completed and amount to consolidated hardcore and earth creating an extended level plateau to the west of the existing lane.

The development does not have a detrimental impact on the visual amenity of the area and the issue of the previously extreme gradient and loose material has been addressed by the amended plans and can be further secured by conditions to plant the re-engineered embankment to soften its appearance and stabilise it further.

Consequently, having regard to the above it is considered that the proposal is acceptable in this respect.

### **Impact on residential amenity and privacy.**

The development is located to the rear of the main residential street and off an existing lane.

It is not considered that the parking of work or personal vehicles, associated with 184 High Street would have any impact on the amenity enjoyed by neighbouring properties.

The concerns that have been expressed relate any increases to the level of the land; there is no further increase proposed and the issue of scrap vehicles and vehicles for a repair garage which are not the subject of this application.

Members are advised that complaints have been received regarding an unauthorised car repair use within the rear lane being carried out from an existing outbuilding. This is an ongoing case and the applicant has no involvement in this matter.

The objections are acknowledged but are considered to have no relevance to the current application. Additionally, a condition is suggested that would restrict the use of the parking area to the owners of 184 High Street for the use of their work or personal vehicles which would address any issue which might arise in this regard.

### **Other issues**

The other comments of the Public Health and Protection Section are acknowledged in that they advise that the times of construction activities be restricted. However, as the application is retrospective in nature and the majority of the operations required have been undertaken, it is considered unnecessary to restrict the limited

amount of works required to complete the development. Additionally, there is more effective legislation to address this issue available to the Local Authority in this regard.

### **Community Infrastructure Levy (CIL) Liability**

The Community Infrastructure Levy (CIL) was introduced in Rhondda Cynon Taf from 31 December 2014.

The application is for development of a kind that is not CIL liable under the CIL Regulations 2010 (as amended).

### **CONCLUSION**

The application is considered to comply with the relevant policies of the Local Development Plan in respect of the impact on the character and appearance of the area, the effect on neighbouring properties and highway safety considerations and is acceptable in planning terms.

### **RECOMMENDATION: GRANT SUBJECT TO THE BELOW CONDITIONS:**

1. The development hereby approved shall be carried out in accordance with the approved plan(s) no(s)

Site location plan, Plan Ref No. 2.

Block plan, Plan Ref. No. 4.

Tipping area section plan, Plan Ref. No. 5, Amended August 2017.

unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

Reason: To ensure compliance with the approved plans and documents and to clearly define the scope of the permission.

2. The parking area, hereby approved, shall not be used for any purposes other than parking of vehicles in association with the occupation of 184 High Street, Gilfach Goch.

Reason: To ensure that vehicles are parked off the highway, in the interests of highway safety in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

3. Within 2 months of this consent the topsoil [natural or manufactured], or subsoil, imported to form the plateau shall be assessed by a competent person for chemical or other possible contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority. This shall include details for the treatment or removal of any contaminated material and a timescale for completion. Any remediation works shall be carried out with the agreed timescale.

Reason: In the interest of health and safety and environmental amenity and so as to accord with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

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