



PLANNING & DEVELOPMENT COMMITTEE

14 JUNE 2018

REPORT OF THE SERVICE DIRECTOR, PLANNING

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 18/0206/10
(JE)
APPLICANT: Mr David Demery
DEVELOPMENT: Proposed 3 bedroom dwelling. (Amended plans and redline boundary received 23/04/18).
LOCATION: LAND ADJ TO 7 JAMES STREET, GODREAMAN, ABERDARE, CF44 6EF
DATE REGISTERED: 23/04/2018
ELECTORAL DIVISION: Aberaman North

RECOMMENDATION: Grant

REASONS:

The principle of residential development at the site is acceptable. Furthermore, the proposed development is considered acceptable in respect of its visual impact, its potential impact upon the amenity and privacy of the neighbouring properties, and its potential impact upon highway safety in the vicinity of the application site.

REASON APPLICATION REPORTED TO COMMITTEE

- The matter is required to come to Committee for the reason that three letters of objection have been received from the occupiers of neighbouring properties.

APPLICATION DETAILS

Full planning permission is sought for the construction of a two storey detached dwelling and associated works on Land Adj to 7 James Street, Godreaman, Aberdare.

The proposed dwelling would be located towards the centre of the site and would measure a maximum width of 10.3 metres by a maximum depth of 7.9 metres. The proposed dwelling would have a dual pitched roof with gable ends on its side

elevations measuring a maximum height of 7.1 metres sloping to 2.8 metres at the eaves.

The proposed dwelling would provide accommodation over two storeys with a lounge, kitchen, bathroom, study and bedroom located on the ground floor with two additional bedrooms and shower room located on the first floor.

Also proposed as part of the application are 4 no. off street parking spaces with two located to the front of the dwelling and the remaining two located to the rear of the property directly behind 7 James Street. As well as the proposed parking spaces also proposed is a pedestrian footway providing access to James Street, this footway will measure a width of 1.8 metres by a length of 14 metres.

SITE APPRAISAL

The application site is an unused parcel of land which previous formed part of the curtilage of 7 James Street, Godreaman. The site measures 294m² and is located at the rear of James Street and is currently bounded on its right and rear elevation by access lane. The site can be access from the front at James Street and from the rear at Vale View Street. The nature of the area slopes from W-E with the gradient increasing towards the rear of the site. However previous works at the site have created a level area where the dwelling and is associated amenity space would be located.

The surrounding area is predominantly residential with all neighbouring properties consisting of traditional terraced dwellings of a similar scale and design. Many of the neighbouring properties have existing detached garages located within the rear amenity spaces which are served by the access lane.

PLANNING HISTORY

The most recent applications on record associated with this site are:

| | | | |
|---------|---|---|--------------------|
| 12/0518 | 7 James Street, Godreaman, Aberdare | 2 storey extension to side and rear of end terrace property and single storey detached garage | Grant 17/09/12 |
| 12/1139 | 7 James Street, Godreaman, Aberdare | 2 storey extension to side and rear of end terrace property with single storey section and detached garage | Refuse 21/12/12 |

PUBLICITY

The application has been advertised by direct notification to 15 neighbouring properties as well as notices displayed at the site.

3 Letters of objection have been received from the occupiers of neighbouring properties. The points raised have been summarised below:

- Parking
- Use of lane for access
- Not in keeping with the area
- Loss of view
- Permission previously refused at site.
- Loss of privacy
- Disruption during construction period through construction traffic

CONSULTATION

Highways - no objection however conditions suggested regarding access and parking, pedestrian footway, HGV deliveries, Construction Method Statement and surface water.

Countryside - there is a bat record from a property 53 metres from this site. However this looks like a newbuild in a gap in the street, as such a bat survey would not be required.

Dwr Cymru Welsh Water - requests that conditions relating to sewerage and surface water be applied should the development receive consent.

Land Reclamation & Engineering (Drainage) - no detail of proposed surface water drainage has been supplied, such that a condition requiring the submission of full drainage details should be appended to any consent.

Public Health & Protection - no objection although conditions suggested regarding hours of construction, waste, dust and noise.

Wales & West Utilities - no objection

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies within the settlement boundary for Aberdare and isn't allocated for a specific purpose.

Policy CS1 – sets out the criteria for development in the Northern Strategy Area.

Policy AW1 – sets out the criteria for new housing proposals.

Policy AW2 – supports development in sustainable locations.

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 – permits development proposals that result in an unacceptable risk to health or safety only where it can be demonstrated that measures can be taken to overcome such risk.

Policy NSA12 - identifies the criteria for assessment of development proposals within and adjacent to settlement boundaries.

Supplementary Planning Guidance

Design and Placemaking

Delivering design and Placemaking:, 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 Chapter 2 (Local Development Plans), Chapter 3 (Making and Enforcing Planning Decisions), Chapter 4 (Planning for Sustainability), Chapter 8 (Transport) and Chapter 9 (Housing) set out the Welsh Government's policy on planning issues relevant to the determination of the application.

Other policy guidance considered:

PPW Technical Advice Note 12 – Design

PPW Technical Advice Note 18 - Transport

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.

Main Issues:

Principle of the proposed development

The application relates to the construction of a detached dwelling on a parcel of land located inside of the defined settlement boundaries and within an established residential area. Policies AW1 and NSA12 of the Local Development Plan are supportive of the principle of the development of new housing on unallocated sites, which are located within and adjacent to defined settlement boundaries within the Northern Strategy Area.

Impact on the character and appearance of the area

The dwelling would be appropriately positioned within the plot to leave adequate space for amenity and parking areas and it is therefore considered that the proposal would not lead to an over intensive form of development. The subdivision of the rear amenity space of 7 James Street to create additional parking spaces would also allow for sufficient parking spaces to be retained at the property.

The objectors raised concerns regarding the overall appearance of the property being out of keeping with the area. Whilst it is acknowledged that the proposed dwelling would be larger than the surrounding properties within the vicinity, it is considered to be of an attractive modern design and scale with its mass and proportions having a limited impact upon the overall character and appearance of the area. Also as the proposed dwelling is located to the rear of neighbouring properties it would have no impact upon the street scene at James Street, Corben Street or Dyffryn Street.

As such, it is considered that the proposals will not detract from the character or appearance of the area. The application therefore would be compliant with the relevant requirements of policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan

Impact on residential amenity and privacy

The objectors also raised concerns regarding the loss of privacy created by the dwelling due to its elevated position. However due to the terraced nature of the area a mutual level of overlooking has been established between neighbouring properties. As such, the proposed dwelling is not considered to exacerbate existing levels experienced by neighbouring properties.

Any impact upon residential amenity would be greatest upon the neighbouring property 7 James Street due to its proximity to the proposed development, however any impact it not considered significant enough to warrant a refusal. It is also noted that the applicant is the current occupier of 7 James Street.

Having considered the relationship between the proposed dwellings and the existing properties, it is considered that the development proposed would not have a significantly detrimental impact on the residential amenity of those living closest to the site. The application is therefore considered compliant with the relevant criteria of policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Highways

The objections received raised concerns regarding access to the proposed dwelling having to use the non-adopted rear lane. However the following comments have been received from the Council's highway department regarding the access of the site. The proposed is accessed via James Street and via an un-metalled rear access lane. James Street has a carriageway width of 6.2 metres with no parking restrictions, 2x1.6 metre footways, substandard visibility 2.4x12 metres right and 2.4 x 14 metres left, sub-standard junction radii and lack of turning area.

The rear lane which is proposed as a primary means of access to the proposed lacks adequate width of carriageway 3.9 metres for safe two way vehicular movement, lacks continuous footway for safe pedestrian access is un-metalled leading to potential trips and hazards which is further exacerbated by the lack of street lighting and positive surface water drainage.

To overcome these concerns the applicant has submitted amended plans which show direct primary access via a new footway off James Street which is acceptable.

Within the letters of objection there was also concerns raised regarding parking associated with the dwelling as parking is in high demand within the vicinity. Nevertheless the Council's highways department have raised no objection to the parking arrangement with the follow comments. The proposed 3 bedroom dwelling requires up-to a maximum of 3 off-street car parking spaces in accordance with the SPG Access, Circulation & Parking 2011 with two provided leading to potential on-street car parking in an area where there is already considerable demand to the detriment of safety of all highway users and free flow of traffic.

The applicant has proposed to provide 2 additional spaces within the rear garden for number 7 James Street and 2 for the proposed dwelling. Taking into account the proposal removes the current on-street car parking associated with number 7 James Street increasing on-street space on-balance the proposed is acceptable.

The proposed is served off a network of sub-standard streets which are oversubscribed with high on-street car parking demand due to the nature of terraced dwellings with limited off-street car parking facilities, sub-standard visibility, sub-standard junction radii and lack of turning area resulting in increased risk of harm to all highway users.

However, taking into account the mitigation measures proposed by providing direct primary access off James Street, the addition of 2 off-street car parking spaces for number 7 James Street and the limited additional traffic generated by a single dwelling (7-10 trips) on-balance the proposal is acceptable. The proposed development therefore satisfies highway safety and parking in accordance with Policy AW5 of the Local Development Plan.

Issues raised by the objectors

It acknowledged that planning permission was previously refused (12/1139/10) at 7 James Street as noted by the objectors. That application was a resubmission of a previous approved planning application (12/0518/10). Both applications were for a substantial two storey extension and a large garage to the rear of the existing property. The reasons for refusal were regarding the scale and design leading to an unsympathetic addition to the dwelling. As this application seeks planning permission for a dwelling on an area of land which has been subdivided from the property, it would have no impact upon the appearance of the existing property.

Another concern raised by the objectors is the loss of view associated with the proposed development, as the right to a view is a non material consideration it would considered in determining this application.

Disruption from associated deliveries and construction traffic is also raised as a concern by the objectors. To ensure that the any disruption would not adversely affect neighbouring residents a condition regarding the submission of construction method statement would be appended to any consent.

Drainage

Consultation has been undertaken with the Council's Land Reclamation and Engineering Section with a view to assessing any potential impacts upon land drainage. No objection has been received in relation to this application, subject to a standard conditions and advice.

Public Health and Protection

The Council's Public Health and Protection Division have raised no objection to the proposal, however a number of conditions have been suggested in relation to hours of operation, noise, waste and dust. Whilst these comments are appreciated, it is considered that these issues can be more effectively controlled by other legislation and the suggested conditions are therefore not considered necessary. An appropriate informative note would be sufficient.

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 liable for a charge under the CIL Regulations 2010 as amended however, the application lies within Zone 1 of Rhondda Cynon Taf's Residential Charging Zones, where a nil charge is applicable and therefore no CIL is payable.

Conclusion

The proposed dwelling is considered acceptable in terms of its impact upon the character and appearance of the locality and the amenity and privacy standards enjoyed by the surrounding properties. Furthermore, the proposal is also considered acceptable in terms of its impact upon highway safety in the vicinity of the site. As such, the application is considered to comply with the relevant policies of the Local Development Plan and is acceptable, subject to the conditions detailed below.

RECOMMENDATION: GRANT SUBJECT TO THE BELOW CONDITIONS:

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 development hereby approved shall be carried out in accordance with

the approved plan(s) no(s):

- DD/2018/PL/001A – Received 23/04/18
- DD/2018/PL/002A – Received 23/04/18, 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.

3. Before the development is brought into use the means of access, together with the parking facilities for number 7 James Street and the proposed dwelling, shall be laid out in accordance with the submitted plan DD/2018/PL002A and approved by the Local Planning Authority. The approved details shall be implemented prior to beneficial occupation of the new dwelling and retained thereafter for the parking of vehicles only.

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

4. Notwithstanding the details shown on the approved plans, development shall not commence until design and details of the proposed footway link for primary access have been submitted to and approved in writing by the Local Planning Authority. The proposed footway shall be implemented prior to beneficial occupation of the dwelling.

Reason: To ensure the adequacy of the proposed development, in the interests of highway safety, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

5. HGV's used as part of the development shall be restricted to 09:00am to 16:30pm weekdays, 09:00am to 13:00pm Saturdays with no deliveries on Sundays and Bank Holidays unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of the safety and free flow of traffic in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

6. No development shall take place, including any works of site clearance, until a Construction Method Statement has been submitted and approved in writing by the Local Planning Authority to provide for:

- a) the means of access into the site for all construction traffic,
- b) the parking of vehicles of site operatives and visitors,
- c) the management of vehicular and pedestrian traffic,
- d) loading and unloading of plant and materials,
- e) storage of plant and materials used in constructing the development,

f) wheel cleansing facilities.

The approved Construction Method Statement shall be adhered to throughout the development process unless agreed otherwise in writing by the Local Planning Authority.

Reason: In the interests of the safety and free flow of traffic in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

7. 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 LPA.

Reason: In the interests of highway safety and to prevent overcapacity of the existing highway drainage system and potential flooding, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

8. No development shall take place until drainage arrangements have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure adequate disposal of foul and surface water drainage in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

9. The dwelling shall not be occupied until the drainage works have been completed in accordance with the approved plans.

Reason: To ensure adequate disposal of foul and surface water drainage in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

10. Building operations shall not be commenced until samples of the external finishes of the dwelling proposed to be used have been submitted to and approved in writing by the Local Planning Authority and all materials used shall conform to the samples so approved.

Reason: To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings in the interests of visual amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

=====