



PLANNING & DEVELOPMENT COMMITTEE

5 JULY 2018

REPORT OF THE SERVICE DIRECTOR, PLANNING

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 18/0193/10
(GH)
APPLICANT: Mr Gary Cummins
DEVELOPMENT: Proposed erection of 10 domestic garages.
LOCATION: LAND REAR OF MAES Y COED PRIMARY SCHOOL,
PONTYPRIDD, CF37 1EQ
DATE REGISTERED: 09/05/2018
ELECTORAL DIVISION: Rhondda

RECOMMENDATION: GRANT SUBJECT TO THE CONDITIONS BELOW:

REASONS:

The proposed garages are considered to be acceptable in appearance, sited such that they would not cause detriment to the amenity of neighbouring residents, and would have acceptable highway access. Furthermore, the garages would offer a useful off-street parking facility for rent, helping to reduce on-street parking demand nearby. The development is therefore considered to comply with Policies AW5, AW6 and AW10 of the policies of the Rhondda Cynon Taf Local Development Plan.

REASON APPLICATION REPORTED TO COMMITTEE

A request has been received from Councillor Robert Smith for the application to be determined by Committee, on the grounds of access, highway issues and proximity to a party wall with Maesycoed Primary School.

APPLICATION DETAILS

Full planning consent is sought to erect a block of ten garages on land to the rear of Maes Y Coed Primary School, Pontypridd.

It is proposed that the garages would be constructed adjacent to an adopted back lane that provides a rear access mainly to properties on Rosser Street, and some at Mound Road and Bethel Street.

Although each garage would be of a domestic scale and have an interior minimum depth of 5.3m and width of 2.8m, the block as a whole would be to a depth of 5.8m and width of around 31.5m. The elevations would be of render and spa dash, whilst the garage doors would be of the up-and-over type.

In respect of the roof, this would have a single pitch, falling from 2.5m at the front to 2.2m at the rear, to be enclosed by box profile sheets.

A Coal Mining Risk Assessment has been submitted in support of the application and the applicant's agent has subsequently advised that the garages would be available for local residents to rent.

SITE APPRAISAL

The application site is a parcel of land located to the rear of Maes Y Coed Primary School which has an irregular footprint amounting to a surface area of approximately 0.06 hectares.

The site is accessed from an adopted back lane which connects Lanwern Road with Bethel Street, and which serves as a rear access to in excess of thirty properties, including those at Rosser Street which back on to the site.

Neighbouring properties, other than the School to the south-west, are mostly Victorian terraced dwellings, the closest of which, to the site boundary, are located 5.7m to the north-west and 10m to the south-east.

The land levels demonstrate a fall towards the north-east, such that the ground floor of the School is at the height of the first floor accommodation or eaves of the Rosser Street dwellings.

PLANNING HISTORY

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

17/5088	Pre-application enquiry - 'Use of waste land for possible 1 or 2 bungalows or up to 12 domestic garages or other use which would be feasible'.	Raise objections. 27/09/17
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PUBLICITY

The application has been advertised by direct notification to thirty-eight neighbouring properties and notices were erected on site.

Two letters of objection or representation have been received raising concerns about the condition of the highway, drainage, lack of access during construction, and highway and pedestrian safety.

These matters are considered within the body of the report further below.

CONSULTATION

Highways - no objection, subject to conditions

Drainage - a condition in respect of surface water drainage is requested

Public Health and Protection - conditions are requested in respect of demolition, noise, dust, waste and hours of operation. However, since hours of construction are governed under other legislation (The Control of Pollution Act 1974 and Environmental Protection Act 1990), it is considered that the other matters can be best addressed by an informative note.

Dwr Cymru/Welsh Water - a surface water condition and informative note are requested

The Coal Authority - The Coal Authority considers that the Coal Mining Risk Assessment Report, (dated 04/05/2018) is sufficient for the purposes of the planning system in demonstrating that the application site is, or can be made, safe and stable for the proposed development as per requirement of Planning Policy Wales paragraph 13.9.

Countryside - Ecologist - there are no ecology issues concerning the site

Wales and West Utilities - WWU has supplied a plan of underground assets and a list of general conditions for the benefit of the applicant

Western Power - The applicant should be advised that any new connection or service diversion should be sought from WPD.

No other consultation responses have been received within the statutory period.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies within the settlement boundary for Pontypridd

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 - supports development proposals which are not detrimental to public health or the environment

Policy SSA13 – Development within Settlement Boundaries

Supplementary Planning Guidance

Delivering Design and Placemaking: Access, Circulation and 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 3 (Making and Enforcing Planning Decisions) and Chapter 4 (Planning for Sustainability), 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

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 site is located within the settlement boundary for Pontypridd such that there is a presumption in favour of development, where suitable schemes are submitted.

However any development should be compatible with neighbouring land uses and on this basis it is suggested that a residential use, or one that might be considered to be ancillary to residential use, would be most appropriate.

Subject to design and there being a satisfactory access within the lane and any forecourt, for the purposes of accommodating vehicular movements, any garages could be beneficial to the local area given the high demand for on street parking.

Consequently, whilst the principle of development may be acceptable, the proposal is subject to the material considerations further below.

Impact on the character and appearance of the area

The location of the site means that the proposed garages would not have a wider visual impact, being screened by the Rosser Street dwellings to the north-east, and by the large retaining wall of Maesycoed School to the south-west.

The garage roofs are quite low in height, which would help to reduce the overall massing of the proposal and their design, whilst workmanlike, would not be out of character with the boundary walls and garages already facing on to the rear lane; which consist of a wide range of materials and are of a variety of heights and style.

As such, it is considered that the development would not detract from the character or appearance of the area.

Impact on neighbouring occupiers

The location of the proposed garages means that they would be unlikely to affect the outlook of residents at Rosser Street, since they would be largely screened by rear boundary walls, adjacent elevations and outbuildings. For the same reason, they would be incapable of causing shading to rear yards and gardens, and as non-habitable structures, would not affect residential privacy. The same principle applies to the adjoining school curtilage, where the majority, if not all, the mass of the garages, would be below the level of the playground.

As noted further above the applicant's agent has suggested that the garages would be offered for local residents to rent. However, to ensure that they would not end up being used for commercial uses or non-domestic storage, and generate additional high number of vehicle movements or activities that might disturb residents, a condition is recommended restricting their use to their primary purpose of parking and/or domestic storage.

Therefore, in terms of the impact on the amenity and privacy of neighbouring residents, the application is considered to be acceptable.

Highways and accessibility

The Transportation Section have noted that the garages would be served via the rear lane of Rosser Street, Maesycoed, which connects to the wider highway network via its junction with Lanwern Road. Conversely, given the presence of acute angled bends, vehicular access is not possible from Bethel Street.

The lane does not have a uniform width but is approximately 3m wide at its narrowest point and provides access of a number of existing garages. The new garages would be set back sufficiently to facilitate satisfactory access and egress.

There is concern with the presence of a pedestrian link from the lane to the nearby play-area, given the potential for conflict between pedestrians and motor vehicles. Furthermore, regarding vision splays, the presence of boundary treatments directly abutting the lane and on-street parking on Lanwern Road, means that the available splays fall significantly below the TAN 18 requirement of 2.4m x 40m.

However, when considering the domestic nature of the proposed garages, that there are a number of existing garages served from the lane, and that the proposal has the potential to remove up to ten vehicles from the public highway; the concern is not significant enough to warrant a highway objection and the sub-standard vision splays are reluctantly considered acceptable.

The Council's adopted SPG for Access, Circulation and Parking Requirements advises that garages can only be considered as parking spaces should they have minimum internal dimensions of 2.8m x 5.5m. Scaling from the submitted plans identifies clear internal dimensions of 2.85m x 5.4m and the garages may have difficulty housing larger vehicles. However, considering the garages do not generate their own parking demand, the issue does not warrant a highway objection.

Lastly, there is concern with the lack of detail regarding the tie-in between the proposed development and the public highway, and with the use of rolled hardcore/gravel between the lane and the 1m wide concrete apron. In time this surface would break up and result in debris being carried onto the public highway, which is considered unacceptable. If it is the intention for this to negate the need for surface water drainage, permeable block paving would be considered acceptable as a permanent material. Consequently, conditions in respect of both matters are suggested.

Other issues

One of the objectors highlighted a concern about access being maintained to the rear lane during the construction period, in particular for those with mobility issues and where the alternative route was either steep or inconvenient.

The Transportation Section have recommended a pre-commencement condition requiring the submission of a construction method statement, the aims of which would ensure that access to the publicly maintainable lane.

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

It is considered the proposal would not have a significant impact on the character and appearance of the locality or upon the residential amenity of the surrounding neighbouring properties. The application is therefore considered to comply with the relevant policies of the Local Development Plan (AW5 and AW6).

RECOMMENDATION: GRANT SUBJECT TO THE CONDITIONS BELOW:

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 drawing entitled 'Ten Proposed Domestic Garages on Land Rear of Maes-Y-Coed Primary School, Pontypridd', and documents received by the Local Planning Authority on 20th February 2018, 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. No development shall commence until details of a scheme for the disposal of surface water has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to the beneficial use of the development and retained in perpetuity.

Reason: To ensure that drainage from the proposed development does not cause or exacerbate any adverse condition on the development site, adjoining properties, environment and existing infrastructure arising from inadequate drainage, in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

4. Notwithstanding the submitted plans, development shall not commence until details of the garage apron and tie-in detail with the public highway have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented on site to the satisfaction of the local Planning Authority prior to beneficial use of the development.

Reason: To ensure the adequacy of the proposed development, in the interests of highway safety.

5. 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,
- g) the sheeting of lorries leaving the site.

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

6. The use of the garages hereby permitted shall be solely for the parking of motor vehicles and/or domestic storage, and for no other purposes.

Reason: In the interests of the amenity of neighbouring residents in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

7. All HGV deliveries during the construction period shall only take place between the hours of 09:00 am and 16:30 pm on weekdays to and from the site.

Reason: In the interests of the safety and free flow of traffic.

8. No surface water run-off from the proposed development shall be allowed to discharge onto the public highway or connect to any highway drainage system, either directly or indirectly, unless agreed in writing by the Local Planning Authority.

Reason: To prevent overloading of the existing highway drainage system and potential flooding and in the interests of highway safety.

9. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

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