



PLANNING & DEVELOPMENT COMMITTEE

16 AUGUST 2018

REPORT OF THE SERVICE DIRECTOR, PLANNING

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 18/0499/10
(MF)
APPLICANT: Mr Al-Mudaffer
DEVELOPMENT: Conversion of existing dwelling to 3 no. self-contained flats.
LOCATION: ASSAM HOUSE, 71 CARDIFF ROAD, TAFFS WELL, CARDIFF, CF15 7RD
DATE REGISTERED: 22/05/2018
ELECTORAL DIVISION: Ffynon Taf

RECOMMENDATION: Approve

REASONS:

Whilst it is accepted the proposed use of the building as 3 no. separate residential units would inevitably intensify its use, the size of the building would not alter and the proposed occupation would be limited by the scale of the new units. Therefore it is not considered the potential occupation of the property would be significantly greater than that which could currently occur. Consequently, whilst it is accepted that there will undoubtedly be a degree of impact upon the amenity and privacy standards currently enjoyed by the immediate neighbours, it is not considered any potential impact would be significant enough to warrant refusal of the application.

Furthermore, whilst it is accepted that the introduction of 2 no. additional residential units at the site may increase the number of vehicles associated with the property, given that the existing four bedroom dwelling has no off-street parking provision and the proposed development would only result in four bedrooms itself, as well as the fact the site is located in a highly sustainable location, on balance, the proposal is considered to be acceptable in respect of its potential impact upon pedestrian and highway safety in the vicinity of the site.

The application is therefore considered to generally comply with the relevant

REASON APPLICATION REPORTED TO COMMITTEE

A petition signed by nine surrounding residents of Cardiff Road and a letter of objection from Taffs Well Community Council have been received following the consultation process.

APPLICATION DETAILS

Full planning permission is sought for the conversion of 71 Cardiff Road from a single residential dwelling to 3 no. self contained flats. The conversion would, in the main, be undertaken through a number internal alterations only, however, it is noted that a new window would be sited within the rear elevation of the building at first floor level and a small outbuilding within rear garden would be removed as part of the conversion works.

The development would result in 2 no. one bedroom flats at ground floor level, and 1 no. two bedroom flat at first floor level. Each unit would incorporate its own living/dining area, kitchen and bathroom. Access would be gained via the existing access off Cardiff Road to the front of the building. The rear garden would become a shared amenity area for drying clothes, bin storage and general enjoyment. A cycle store would also be located here with a secondary access off the rear lane. It not proposed any off-street parking be provided.

SITE APPRAISAL

The application property is a larger than average end of terrace dwelling located along the main highway through the village. It is two-storey in nature, accommodating 4 no. bedrooms, fronts the footway and has an enclosed garden to the rear which is abutted by a service lane. There is no off-street parking at the site.

Neighbouring properties are predominantly two-storey, traditional terraced dwellings, however the immediate neighbouring property to the south-east of the site forms a large, modern, three-storey office block. It is also noted that there are a number of further commercial uses in the vicinity of the site.

PLANNING HISTORY

No previous planning applications have been submitted at the site.

PUBLICITY

The application has been advertised by means of direct neighbour notification and site notices. A petition signed by nine surrounding residents of Cardiff Road and a letter of objection from Taffs Well Community Council have been received, making the following comments (summarised):

- There is no off-street parking at the site and none proposed. The surrounding properties are generally terraced dwellings and also have no off-street parking. As such the majority of surrounding residents already park on the

highway and cannot always park near their properties. Further, a number of commercial uses exist in the locality and employees/customers also regularly park on the highway. Consequently there are already insufficient parking facilities in the area and the introduction of three flats at the application property would exacerbate this issue, having a detrimental impact upon pedestrian and highway safety in the area.

CONSULTATION

Transportation Section – no objection, subject to condition.

Public Health and Protection – no objection, subject to conditions.

Land Reclamation and Engineering – no objection.

Countryside, Landscape and Ecology – no objection.

Dwr Cymru/Welsh Water – no objection, subject to conditions.

Wales and West Utilities – no objection, subject to conditions.

Western Power – no objection.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies within the settlement boundary for Taffs Well, but is not allocated for any specific purpose.

Policy CS2 – outlines how the emphasis on building strong, sustainable communities will be achieved in the Southern Strategy Area.

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

Policy AW2 – supports development in sustainable locations and includes sites that are accessible by a range of sustainable transport modes and would not unacceptably conflict with surrounding uses. Developments should support the role and function of small settlements.

Policy AW4 – details the criteria for planning obligations including the Community Infrastructure Levy (CIL).

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 – does not permit proposals where they would cause or result in a risk of unacceptable harm to health and/or local amenity.

Policy SSA13 – sets out the criteria for the consideration of housing development proposals within the settlement boundaries.

Supplementary Planning Guidance

- Design and Placemaking;
- Planning Obligations;

- Access, Circulation and Parking;
- Development of Flats.

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 relevant policy guidance consulted:

- PPW Technical Advice Note 11: Noise;
- 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.

Principle of the Proposed Development

The application seeks full planning permission for the conversion of the property from a single four bedroom dwelling to 3 no. self-contained flats (1 no. two bedroom and 2 no. one bedroom flats).

The building is currently used for residential purposes and is located within the defined settlement limits of Taffs Well where the principle of residential development is considered to be acceptable, subject to compliance with other relevant material considerations and the policies set out within the Local Development Plan. The proposed development therefore complies with the general principles of Policies CS2 and AW1 which aim to encourage residential development on unallocated land within settlement boundaries. Further, the site is located along the main highway through village which forms a main bus route, and is also in close proximity of Taffs Well train station. Additionally, it is accessible by other modes of sustainable transport such as by bicycle or on foot and has good access to key services and facilities in the immediate locality and within the wider Taffs Well Retail Centre. Consequently the site can be considered a sustainable location in accordance with the criteria set out in Policy AW2.

It is also considered the proposed development complies with the relevant criteria set out in SPG: Development of Flats. Each unit would accommodate the various facilities required to allow future residents a reasonable standard of living; access to each unit would be via the front elevation; the rear garden would provide a shared amenity space for drying clothes, bin storage, cycle storage and general enjoyment; and whilst it is acknowledged that the proposed ground floor units would result in relatively small units of accommodation, future residents would be aware of this fact prior to buying/letting the units and following assessment of the scheme, no concerns have been raised by the Council's Public Health Housing team.

It is therefore considered that the principle of the conversion is acceptable subject to the criteria identified below.

Highway Safety

As detailed above, a number of concerns have been raised by surrounding residents and the local Community Council in respect of the impact the proposed conversion would have upon highway safety in the locality. The objectors commented that no off-street parking is proposed at the site and therefore the introduction of 2 no. additional residential units at the property would exacerbate current on-street parking issues in the area. Whilst these concerns are acknowledged and it is accepted that the introduction of 2 no. additional residential units at the site may increase the number of vehicles associated with the property, following consultation and assessment of the scheme, no objections have been raised by the Council's Transportation Section.

The Transportation Section commented that the proposed development would result in the conversion of a four bedroom dwelling to 3 no. self contained flats (1 no. two bedroom and 2 no. one bedroom flats) within Parking Zone 3. In accordance with the Council's Adopted SPG: Access, Circulation and Parking Requirements, a 3+ bedroom dwelling has a maximum requirement of 3 no. spaces (with none provided in this instance), and dwelling conversion to flats has a requirement of 1 no. space per bedroom. As such, the proposed 2 no. one bedroom apartments would require 1 no. space each, and the two bedroom apartment would require 2 no. spaces, giving a total of 4 no. spaces for the entire development, an increased requirement of 1 no. space over the existing situation. However, whilst the lack of off-street parking provision and increased requirement of 1 no. space over the existing situation gives cause for concern, given that existing four bedroom dwelling does not currently have any off-street parking; the fact the site is located in a highly sustainable location within walking distance of sustainable modes of transport (bus and rail) and local amenities; and a cycle route that is part of the National Cycle Network is located nearby, the concern is not significant enough to warrant highway objection. Nevertheless, given that the proposal results in an increase to on-street parking requirement, the Highway Authority considers that secure communal cycle parking for at least 3 no. cycles should be provided within the rear garden of the proposed development for use of future residents and to encourage cycling as a sustainable mode of transport. As such it is recommended that a condition to this affect is attached to any consent.

Therefore, whilst the comments received from the objectors are acknowledged and it is accepted that the introduction of 2 no. additional residential units at the site may

increase the number of vehicles associated with the property, based on the Transportations Sections assessment of the scheme, on balance, the proposal is considered to be acceptable in respect of its potential impact upon pedestrian and highway safety in the locality, subject to the condition detailed below.

Residential Amenity

The proposed conversion would not involve any extension or major structural works to the building. The external works would be minor in nature, limited to the introduction of a new window in the rear elevation and the demolition of an outbuilding in the rear garden in order to improve the proposed living accommodation and the current visual appearance of the rear garden area. As such the general conversion works would have no undue impact upon the amenities of the surroundings residents.

It is acknowledged that the additional window will result in a degree of overlooking to the rear garden of the adjoining property, however, given the very nature of terraced properties, there will always be a degree of overlooking into one another's rear gardens from first floor windows. Therefore it is not considered the addition of 1 no. further window in the rear elevation of the building would increase the current levels of overlooking from the site to such an extent that would justify refusal of the application.

With respect to the proposed use of the property as 3 no. separate residential units and the potential impact this may have upon surrounding residents, whilst it is acknowledged that the use of the building would inevitably be intensified, the existing residential use at the site would not be altered and the property is currently a 4 no. bedroom residential dwelling with the proposed conversion creating only 4 no. bedrooms, albeit within 3 no. separate units. As such the proposed occupation of the building would be limited to that similar to the existing use by the small scale of each new unit, and it is therefore considered that any intensification of use would not be significantly greater than that which currently occurs.

Consequently, whilst it is accepted that there will undoubtedly be a degree of impact upon the amenity and privacy standards currently enjoyed by the immediate neighbours, it is not considered any potential impact would be significant enough to warrant refusal of the application.

Visual Impact

The scheme does not propose any increase to the footprint of the property or any external alterations to the building or wider curtilage other than the introduction of a further window within the rear elevation and the demolition of outbuilding within rear garden. Subsequently, with proposed works being minor in nature and sited to the rear of the site not affecting the principle elevation of the property, it is not considered that the proposed conversion would result in any undue impact upon the character and appearance of the property or the surrounding area. The application is therefore acceptable in this regard.

Public Health

No objections have been received from the Council's Public Health and Protection Division following consultation. They did however suggest a number of conditions be attached to any consent in relation construction noise, waste and dust. Whilst these comments are appreciated, it is considered that construction noise, waste and dust matters can be more efficiently controlled by other legislation. It is therefore considered the conditions suggested in this respect are not necessary and an appropriate note highlighting them would be sufficient instead.

Other Issues

It is noted that consultation has been undertaken with the Council's Flood Risk Management and Countryside, Landscape and Ecology Sections with a view to assessing any potential impacts upon land drainage and ecology respectively. Their responses raise no objection to the planning application subject to standard advice. Further, no adverse comments were received from Dwr Cymru/Welsh Water, Western Power or Wales and West Utilities.

Community Infrastructure Levy 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. The application site lies within Zone 3 of Rhondda Cynon Taf's Residential Charging Zones where there is a liability of £85 / sqm for residential development. However, as the proposed development involves the change of use of the existing building only with no increase in floor space, the CIL (including indexation) for this development is expected to be £0.

Conclusion

Whilst it is accepted the proposed use of the building as 3 no. separate residential units would inevitably intensify its use, the size of the building would not alter and the proposed occupation would be limited by the scale of the new units. Therefore it is not considered the potential occupation of the property would be significantly greater than that which could currently occur. Consequently, whilst it is accepted that there will undoubtedly be a degree of impact upon the amenity and privacy standards currently enjoyed by the immediate neighbours, it is not considered any potential impact would be significant enough to warrant refusal of the application.

Furthermore, whilst it is accepted that the introduction of 2 no. additional residential units at the site may increase the number of vehicles associated with the property, given that the existing four bedroom dwelling has no off-street parking provision and the proposed development would only result in four bedrooms itself, as well as the fact that the site is located in a highly sustainable location, on balance, the proposal is considered to be acceptable in respect of its potential impact upon pedestrian and highway safety in the vicinity of the site.

The application is therefore considered to generally comply with the relevant policies of the Local Development Plan.

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 plans ref. 18/655-00[P1], 18/655/101 [P0], 18/655/102 [P0] and documents received by the Local Planning Authority on 10/05/18 and 23/06/15, 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. Prior to the commencement of development on site, a plan indicating secure communal cycle parking for at least 3 no. cycles for use by future residents of the proposed development shall be 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 occupation of the proposed development and the cycle store shall remain thereafter.

Reason: In the interests of pedestrian and highway safety and to encourage cycling as a sustainable mode of transport, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

=====