



RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

PLANNING & DEVELOPMENT COMMITTEE

24TH JANUARY 2019

SITE MEETING

**APPLICATION NO. 18/1080 – RESIDENTIAL DEVELOPMENT (OUTLINE),
LAND ADJACENT TO THE JUNCTION OF GWLADYS STREET AND HEOL
KEIR HARDIE, PENYWAUN, ABERDARE.**

**REPORT OF THE DIRECTOR OF COMMUNICATIONS & INTERIM HEAD OF
DEMOCRATIC SERVICES**

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1. PURPOSE OF THE REPORT

- 1.1 To consider the outcome of the site inspection in respect of the above-mentioned proposal and to determine the application, as outlined in the report of the Service Director, Planning, attached at Appendix 1.

2. RECOMMENDATION

It is recommended that Members:

- 2.1 Approve the application in accordance with the recommendation of the Service Director, Planning.

3. BACKGROUND

- 3.1 In accordance with Minute No 176 (Planning and Development Committee – 20th December, 2018) a site inspection was undertaken on Tuesday 15th January, 2019 to gain a better understanding of the Council's pilot of the 'Plot Shop' initiative and the planning issues that it raises, in order to learn lessons from each area which could be put into practice when considering future applications.

- 3.2 The meeting was attended by the Planning and Development Committee Members County Borough Councillors S. Rees, G. Caple and G. Hughes.
- 3.3 Local Member, County Borough Councillor H. Boggis was also present at the meeting.
- 3.4 Apologies for absence were received from Committee Members - County Borough Councillors J. Bonetto, D Grehan, P. Jarman, R. Yeo, W. Owen S. Powell, J Williams and J. Harries.
- 3.5 Members of the Planning & Development Committee met at the land adjacent to the junction of Gwladys Street and Heol Keir Hardie.
- 3.6 Members were provided with an overview of the application by the planning officer in attendance, advising Members that the application seeks outline planning permission for the construction of two dwellings on the parcel of land which encompasses an area of approximately 0.1 hectares.
- 3.7 Members were advised that following direct notification to thirteen neighbouring properties, one letter of objection had been received from a resident at Heol Keir Hardie which highlighted concerns in respect of overlooking and privacy. The Planning Officer reminded Members that the application before them was for outline consent and therefore, the issue of privacy for neighbouring residents could not be assessed until a later stage. It was added that at its current stage, the proposed dwellings were not likely to cause significant detriment to the privacy of the neighbouring occupiers.
- 3.8 Members queried the outcome of the consultation with the Coal Authority and it was explained that there were no objections to the proposal, subject to there being no development involving substantial ground works within the area of the coal outcrop to the south of the application site.
- 3.9 Members noted the views of the Local Member, County Borough Councillor H. Boggis. The Councillor advised of comments made by the local residents and in particular, the elderly who regularly use the post box on the site and voiced concerns should it be moved during the development. The Highways Development Control Manager assured the Members the post box would be reinstated within the site should there be need for it to be relocated.
- 3.10 Members noted that pupils access the Comprehensive School via another route.

3.11 Members sought clarification from the Local Member in respect of other green spaces available within the area. It was explained that the children make use of the nearby recreation ground and that the application site is rarely used.

3.12 The Chair thanked the officers for the report and closed the meeting.

PLANNING & DEVELOPMENT COMMITTEE

20 DECEMBER 2018

REPORT OF THE SERVICE DIRECTOR, PLANNING

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 18/1080/08
(GH)
APPLICANT: Rhondda Cynon Taf CBC
DEVELOPMENT: Residential Development (Outline).
LOCATION: LAND ADJACENT TO JUNCTION OF GWLADYS STREET AND HEOL KEIR HARDIE, PENYWAUN, ABERDARE
DATE REGISTERED: 15/10/2018
ELECTORAL DIVISION: Penywaun

RECOMMENDATION: GRANT SUBJECT TO THE CONDITIONS BELOW:

REASONS:

By virtue of its position within the settlement boundary and sustainable location the proposed development would be in accordance with LDP Policies AW1, AW2 and NSA12. The granting of outline consent would help to improve housing land supply and give local residents the chance to construct self-build dwellings by simplifying the process of locating suitable sites and identifying any constraints.

Furthermore, the principle of residential development would be in keeping with the surrounding land uses and the application demonstrates that the site could be subdivided for new dwellings to be sited sympathetically both in the context of the street scene and their relationship with other properties.

REASON APPLICATION REPORTED TO COMMITTEE

The application has been submitted by, or on behalf of the Council or involving land owned by the Council, where the Council's interest is of more than a minor nature.

APPLICATION DETAILS

Outline planning permission is sought for the construction of two dwellings on land adjacent to the junction of Gwladys Street and Heol Keir Hardie, Penywaun. The

parcel of land is irregular in shape and encompasses an area of approximately 0.1ha.

Although the application is made in outline with all matters reserved for future consideration, the submission is accompanied by an illustrative layout. This demonstrates that the site would be subdivided into two parcels, having a surface area of 510m² and 520m².

The applicant has provided minimum and maximum parameters of scale as follows:

Width: 4m to 12m

Depth: 6m to 12m

Height 5m to 11m

The application is one of a number of similar developments proposed by the Council as part of a new housing strategy entitled 'Plot Shop'.

As explained at a previous Committee presentation, the purpose of the strategy is to increase the housing land supply by releasing land within the Council's ownership, where outline planning permission has already been granted.

The strategy is targeted particularly at locations where developer interest has not been strong and where market housing has not been able to address the needs of communities and local families.

Furthermore, by helping to address the complexities of identifying potential development sites and securing outline consent in advance of sale, it is anticipated that the Plot Shop scheme will help to address the low number of self build homes being constructed within RCT.

The application has been accompanied by a Coal Mining Risk Assessment

SITE APPRAISAL

The application property is a piece of land located adjacent to the junction of Gwladys Street and Heol Keir Hardie, Penywaun.

As noted above the surface area of the land amounts to just over 0.1 hectares and is maintained as a grassed public open space area. Like the surrounding land there is a fall in level towards the north.

The land is accessed from Gwladys Street, which together with the entrance to Heol Keir Hardie form the south and western boundaries, whilst to the north and east the land abuts the curtilages of neighbouring dwellings.

The land is not subject to any environmental designations or constraints.

PLANNING HISTORY

There are no recent or relevant applications on record associated with this site.

PUBLICITY

The application has been advertised by direct notification to thirteen neighbouring properties and notices were displayed on site.

One letter of objection has been received from a neighbouring resident relating to the impact on outlook and privacy, and that the area is used by children as a playing field. These matters are considered within the body of the report further below.

CONSULTATION

Highways and Transportation - no objection subject to conditions.

Public Health and Protection - no objection subject to conditions regarding noise, dust, waste, demolition, hours of operation.

Dwr Cymru/Welsh Water - DC/WW requests that conditions relating to sewerage and surface water be applied should the development received consent, and notes that the site is crossed by a sewer.

Land Drainage - a condition is suggested in respect of surface water drainage.

Wales and West Utilities - WWU notes the proximity of underground services to the application site, including a gas main crossing the southern part of the site, and has supplied a list of general conditions and a plan.

Countryside - Ecologist - the site is mown amenity grass with very minimal ecological value.

The Coal Authority - no objection, subject to there being no development involving substantial ground works within the area of the coal outcrop to the south of the application site.

Western Power Distribution - a new connection or service diversion would require consent 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 Penywaun

Policy AW1 - sets out the criteria for new housing proposals

Policy AW2 - promotes 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 - does not support development where unmitigated environmental, public health or amenity risks are present.

Policy NSA12 - supports housing development within defined settlement boundaries

Supplementary Planning Guidance (SPG)

1. Design and Placemaking
2. 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.

The Welsh Government published Planning Policy Wales 10 on 5th December 2018, and the document aims to incorporate the objectives of the Well-being of Future Generations Act into Town & Country Planning.

It is considered that this proposal meets the seven wellbeing of future generations goals inasmuch as they relate to the proposed development and that the site has been brought forward in a manner consistent with the five ways of working.

It is considered that the proposed development is consistent with the key principles and requirements for placemaking as set down in Chapter 2 People and Places: Achieving Well-being Through Placemaking, of PPW10 and is also consistent with the following inasmuch as they relate to the development.

Chapter 1 (Managing New Development)

Chapter 2 (Maximising Well-Being and Sustainable Places through Placemaking)

Chapter 4 (Active and Social Places)

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 relates to outline consent for the construction of two dwellings within a parcel of land located within the settlement boundary for Penywaun.

Policies NSA12 and AW1 of the Local Development Plan are supportive of the principle of the development of new housing on unallocated sites, where located within or adjacent to defined settlement boundaries in the Northern Strategy Area.

Whilst Policy AW1 is supportive of the general principle of development at this site, the criteria stipulated by Policy AW2 also require that development proposals should be positioned within a sustainable location.

In this case it is considered that the location of the site, surrounding land uses and absence of any environmental designations, including potential for flooding, would satisfy Policy AW2. Furthermore, in addition to local bus services, the site is within walking distance of local shops and services, including those at Heol Bryn Gwyn.

Residential proposals would also be subject to other policy considerations, including access, appearance, landscaping, layout and scale, and whether the development would be unacceptably detrimental to neighbouring occupiers. Submission of these details would be a requirement of a reserved matters application.

Therefore, noting the location of the site and the pattern of development within the area and surrounding uses, it is considered the principle of the residential development of the plot is acceptable.

Impact on the character and appearance of the area

It is proposed that the application site would be subdivided into two plots of almost equal size, although due to the irregular shape of the land, the footprints of each would be dissimilar.

Whilst this variation in form would dictate that the dwellings might be positioned differently, the generous plot size, in excess of 500m², means that they could each easily accommodate a dwelling, and provide acceptable on-site parking and amenity space.

Similarly, the scale of the dwellings, in terms of the dimensions of their footprints, show that there is the potential for the plot to be subdivided in order to allocate an acceptable amount of garden space for both the new houses.

Nonetheless, the development cannot be considered fully, in terms of its appearance and impact on the street scene, until such time as the detailed design proposals and supporting information are received as part of a reserved matters application.

Lastly, the objector noted that the land was being used by children as a play area and it is acknowledged that the development of the site would prevent such use.

However there is a football pitch and open space on the opposite side of Gwladys Street, and a large enclosed formal play area and green space a little further to the north, between Gwladys Street and Awelfryn.

Consequently, it is considered that the proposal for outline development will not detract from the character or appearance of the area.

Impact on neighbouring occupiers

Prior to the later submission of full details it is not possible to provide a meaningful assessment of the likely impact of any outline development on the amenity of neighbouring residents.

As highlighted further above, an objection was received from a resident at Heol Keir Hardie, albeit not of one of the properties to the rear of the site, highlighting concerns about overlooking and the impact on view.

However, since the details of the design and position of the dwellings would be part of a later application, it is not known whether there would be any windows capable of causing overlooking or if the distance by which they would be separated from existing properties would be sufficient to maintain privacy.

Similarly, the scale and siting of the new dwellings is not known and it is therefore not possible to judge whether the relationship between their elevations and those of the neighbouring houses is acceptable and would not cause harm to outlook.

Therefore, at this stage it appears possible that two dwellings could be constructed such that they would neither cause significant detriment to the outlook or privacy of other residents, nor be likely to cause overshadowing. Therefore in terms of the impact on neighbouring occupiers, the principle of development is considered to be acceptable.

Highways and accessibility

The application site faces towards Gwladys Street which has a carriageway width of 6.5m, 2m wide footways and a 20mph speed limit; and are considered acceptable for safe vehicular and pedestrian access. There is an existing bus stop opposite the site with a shelter and raised boarder kerbing.

Adjacent to the proposed is the junction of Heol Keir Hardie which is a residential street. In order to maintain visibility from the existing junction of Heol Keir Hardie a condition requiring a visibility splay of 2.4m x 22m has been suggested.

It is noted that there are a number of services located within the plot, such as a manhole, BT box and post box, which may require relocating. This would be at the developer's cost and to the satisfaction of the relevant statutory undertaker.

Off-street car parking should be provided in accordance with the Council's SPG Access, Circulation & Parking 2011 and an advisory note has been added to address this issue. Whilst a condition requiring a Construction Management Statement has

been requested, it is not considered that this is necessary or appropriate in relation to a development of two dwellings.

The site is located in a sustainable location close to a number of local facilities and public transport and since off-street parking and access are reserved matters for future consideration, the proposal is acceptable.

Conditions and the scope of outline consent

Welsh Government Circular WGC 016/2014 - The Use of Planning Conditions for Development Management, advises that local planning authorities may wish to impose conditions relating to anything other than the reserved matters, when outline permission is granted.

The Circular explains that this may be appropriate if there are certain aspects of the development that are crucial to the decision, such as the retention of particular landscape features. Conversely, if and when reserved matters are approved, conditions which directly relate to those matters should be imposed at that stage.

Therefore with the exception of those conditions recommended below and in accordance with the Circular, it is proposed that the detail of other conditions proposed by consultees should be incorporated within advisory notes to provide guidance to the developer.

Community Infrastructure Levy (CIL) Liability

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

As planning permission first permits development on the day of the final approval of the last of the reserved matters CIL is not payable at outline stage, but will be calculated for any reserved matters or full applications. However, the application site lies within Zone 1 of Rhondda Cynon Taf's Residential Charging Zones, where a nil charge is applicable.

Conclusion

Noting that all matters have been reserved, it is considered that the information submitted with the application demonstrates that the site would be able to accommodate two new dwellings and that their design, layout, appearance and scale, as well as their access, could be arranged such that they would satisfactorily address the material determining issues.

RECOMMENDATION: GRANT SUBJECT TO THE BELOW CONDITIONS:

1. (a) Approval of the details of the appearance, landscaping, layout and scale of the buildings, the means of access to the site and the landscaping of the site (hereinafter referred to as "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

(b) Plans and particulars of the reserved matters referred to in (a) above relating to the layout, scale and appearance of any building to be erected, the means of access to the site and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

(c) Applications for the approval of reserved matters shall be made before the expiration of three years from the date of this permission.

(d) The development hereby permitted shall be begun before whichever is the latter of either (i) the expiration of 5 years from the date of this permission or (ii) the expiration of 2 years of the final approval of the reserved matters or in the case of approval on different dates the final approval of the last such matter to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

2. No development shall commence until details of a scheme for the disposal of foul and 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.

3. Notwithstanding the approved plans, development shall not commence until full engineering design and details of the proposed access, circulation and parking including surface-water drainage details have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to beneficial occupation.

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

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