



PLANNING & DEVELOPMENT COMMITTEE

24 JANUARY 2019

REPORT OF THE SERVICE DIRECTOR, PLANNING

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 18/0905/13
(JE)
APPLICANT: Mr Nicholls
DEVELOPMENT: Outline permission to erect one detached dwelling with associated parking and amenity space. (All Matters Reserved)
LOCATION: LAND WEST OF HIGH STREET, YNYSYBWL, PONTYPRIDD, CF37 3EE
DATE REGISTERED: 26/10/2018
ELECTORAL DIVISION: Ynysybwl

RECOMMENDATION: GRANT SUBJECT TO THE BELOW CONDITIONS:

REASONS:

The principle of residential development at the site is acceptable and by bringing the parcel of land back into beneficial use, would result in a positive contribution to the appearance of the site. Furthermore, the accompanying layout plan illustrates that the site may be developed without resulting in an adverse impact upon character and appearance of the area, the residential amenity of neighbouring occupiers and highway safety in the vicinity of the site.

REASON APPLICATION REPORTED TO COMMITTEE

- Three or more letters of objection have been received.
- A request has been received from Councillor Sue Pickering for the matter to come to Committee for determination, in order that Members can consider the impact upon highway safety.

APPLICATION DETAILS

Outline planning permission is sought for the residential use on a parcel of land to the west of High Street, Ynysybwl.

The application is made in outline with all matters reserved for future consideration. The application is accompanied by an indicative layout plan which indicates that development could take place towards the centre of the site. The layout plan also indicates that the site would be accessed from High Street to the front.

As scale is a matter reserved for future consideration, a minimum-maximum range is provided for the depth, width and height of the dwellings, these have been derived from the supporting plans and information, as follows.

	Minimum	Maximum
Width	11m	16m
Depth	8m	12m
Height (Measured from the front)	10 m	12m

This application is supported by:

- Coal Mining Risk Assessment
- Design and Access Statement

SITE APPRAISAL

The application site consists of a parcel of land that extends to approximately 400m². The site is irregular shaped and is located to the west of the High Street and is elevated from the highway with an existing stone wall along the front boundary. The site slopes from west to east with the site increasing in elevation towards the rear. The majority of the site has been cleared with a number of trees located along the side boundaries of the site. On its south elevation the site is bounded by a wooded area, to the north the site is bounded by a former quarry which currently accommodates a number of private storage structures.

Neighbouring properties at High Street are all traditional terraced dwellings of a similar scale and design. However it is noted that throughout the village of Ynysybwl there are a number of new build properties located in close proximity to traditional terraced dwellings.

PLANNING HISTORY

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

06/0319	Land adjoining Cribbin Ddu Quarry West of High Street, Ynysybwl Pair of linked houses (outline application).	Refuse 13/04/06
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PUBLICITY

The application has been advertised by direct notification to 10 neighbouring properties as well as notices displayed at the site.

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

- Highway safety concerns as highway is safe route to school
- Not in keeping with character of locality
- Loss of view
- Access concerns
- Dominant location

CONSULTATION

Countryside - no relevant SewBrec Records of Statutory Protected Species from immediate vicinity.

Transportation Section - no objection subject to conditions.

The Coal Authority - no objection subject to conditions.

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

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

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

No other consultation responses have been received.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies within the settlement boundary for Ynysybwl 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 – does not permit proposals were they could cause or result in a risk of unacceptable harm to health and/or safety.

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.

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 3 (good design and better places, promoting healthier places, sustainable management of natural resources).

Chapter 4 (moving within and between places, transport, living in a place, housing)

Chapter 5 (reducing energy demand).

Chapter 6 (green infrastructure, landscape, biodiversity and ecological network, water and flood risk, air quality and soundscape, lighting).

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 seeks outline planning permission for the residential use at the application site. The proposal seeks consent for the principle of development only with all other matters relating to design, appearance, layout, scale, landscaping and access reserved for future consideration.

The application site is unallocated and is located within the defined settlement boundary and residential area of Ynysybwl. As such, the application complies with Policies CS1, AW1 and NSA12, all of which support the provision of new housing on unallocated sites within and adjacent to settlement boundaries within the Northern Strategy Area.

Impact on the character and appearance of the area

The proposed development is considered to be acceptable in terms of the design, siting, massing, scale, materials and overall visual appearance. This view is taken for the following reasons:

The site forms an area of land at the end of High Street and as such forms a gap in the street scene. Furthermore, having regard to the size of the site and the indicative site layout plan submitted, it is considered that the site is capable of accommodating a carefully designed dwelling that would not result in a detrimental impact upon the character and appearance of the surrounding area. It is however acknowledged that the submitted details are for indicative purposes only and that this issue would be given further careful consideration at reserved matters stage

Whilst the objectors concerns regarding the development being out of character and occupying a dominant position within the street scene are acknowledged. As the appearance, landscaping, layout and scale of the scheme are reserved for future consideration, this would however allow the Council to reject any future scheme that would have an adverse impact and would ensure the development complied with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

Impact on residential amenity and privacy

As the site is located within settlement limits, in a predominantly residential area, it is important to consider the potential impacts of the development upon the levels of amenity and privacy that existing neighbouring occupiers currently enjoy.

The **illustrative** layout demonstrates that the dwelling would be set back from High Street, with fenestration contained mainly to the front and rear elevations, as such, it is not considered likely that such a dwelling would result in a loss of privacy to the occupiers of neighbouring properties.

Given the submitted scale parameters, it is noted that the proposed dwelling would have an overall footprint and height that would be larger than the neighbouring properties at High Street. However, given the relationship of the site with

neighbouring properties which are separated by a minimum of 11 metres and oriented north to south, the proposal is not considered to have a significant impact upon the residential amenity of neighbouring properties.

Highways

Whilst the objectors concerns regarding access to the site and highway safety are acknowledged, the Council's Transportation Section have responded as follows.

Access

High Street leading to the application site has a carriageway width of 7.8 meters with traffic calming measures' reducing vehicular speed to in the region of 20Mph. High street is acceptable for safe vehicular access.

Pedestrian access is gained via a continuous pedestrian links along High Street which vary in width between 1.6-1.9 metres which is below the recommended standard of 2 metres. Fronting the site the footway narrows to 1.2 metres with service poles located within the footway that totally obstructs free flow of pedestrian movement. Therefore, should planning permission be granted a condition requiring the footway to be widened to a minimum of 2.0 metres and the existing service poles/grit bin relocated in a position to be agreed with the local planning authority.

Parking

The proposed application is outline with all matters reserved and on this basis a condition requiring off-street car parking in accordance with the Council's SPG has been suggested.

The proposed development will generate up-to a maximum of 10 trips to and from the site which is not significant to warrant a highway objection subject to a number of highway related conditions. As such the application is considered to comply with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Objector Comments

With regard to the issue raised in respect of loss of views, this is not a material planning consideration and cannot be taken into account during the determination of the application.

Historic Coal Mining Activity

The application site falls within the defined Development High Risk Area where coal mining features and hazards may be present and should be considered as part of the development proposals. As such, the applicant has supplied a Coal Mining Risk Assessment in support of the application. The Coal Authority raised no objection to the application subject to a condition in relation to site investigation.

Public Health & Protection

No objections have been received from the Council's Public Health and Protection Division in respect of the application. They did however note that a search of their

records relating to potentially contaminating past land uses has shown that the application site was formerly occupied by a quarry and therefore potential hazards associated with land contamination may exist on site. As such a number conditions are suggested requiring site investigations be undertaken at the site and the results be submitted to and approved by the LPA prior to any development works starting on site.

The Public Health and Protection Division also suggested a number of conditions be attached to any consent in relation to construction noise, waste, dust and soil sampling. 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.

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.

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 future reserved matters or full applications.

Conclusion

The development in principle is acceptable and it is considered that the site is capable of accommodating a carefully designed dwelling that would not result in a significant impact upon the character and appearance of the surrounding area or the amenities of the surrounding properties. Furthermore, there would be no undue impact upon pedestrian or highway safety in the vicinity of the site, subject to works detailed in the conditions below being carried out. As such, the application is considered to comply with the relevant policies of the Local Development Plan and is recommended for approval.

RECOMMENDATION: GRANT SUBJECT TO THE BELOW CONDITIONS:

1. (a) Approval of the details of the layout, scale and appearance of the building(s), the means of access thereto 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 Sections 92 and 93 of the Town and Country Planning Act 1990.

2. Prior to the commencement of development, a detailed site investigations report shall be submitted to and approved in writing by the Local Planning Authority. The report should be sufficiently detailed to establish if any ground precautions are necessary in relation to the proposed development and the precautions that should be adopted in the design and construction of the proposed development in order to minimise any damage which might arise as a result of ground condition.

Reason: The site may be unstable and as such a stability report is required in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

3. Notwithstanding the submitted plans development shall not begin until details of the site boundary setback to provide for the creation of a 2.0 metres wide footway / vehicular crossover along the site frontage have been submitted to and approved in writing by the Local Planning Authority. The footway / crossover shall be constructed in accordance with the approved details before the development is brought into beneficial use.

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

4. Notwithstanding the submitted plans, details of the street furniture and grit bin to be relocated shall be provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site. The approved details shall be implemented to the satisfaction of the Local Planning Authority prior to beneficial occupation.

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

5. Off-street parking shall be in compliance with RCT's Supplementary

Planning Guidance on Delivering Design and Placemaking: Access, Circulation & Parking Requirements (March 2011).

Reason: To ensure that adequate parking facilities are provided within the curtilage of the site, in the interests of highway safety in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

6. Prior to the commencement of development, details of traffic management and wheel washing facilities shall be provided on site in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and maintained throughout the construction period unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that mud and debris are not deposited from the construction site onto the public highway, in the interests of highway safety in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

7. 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.

8. No unit shall 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.

9. No development shall commence until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the dwelling is occupied. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the new development will in keeping with the surrounding area and to protect residential amenity in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

10. Notwithstanding the submitted plans, the reserved matters application shall be accompanied by details of existing and proposed ground levels, along with details any retaining structures which may be required in connection with the proposed car parking and garden areas within the proposed development site. These shall include cross-sections illustrating the height and position of the structures in relation to the proposed dwelling and neighbouring properties.

Reason: In the interests of visual and residential amenity of the development. In accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

11. All planting, seeding or turfing in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building(s) or completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that the new development will be visually attractive in the interests of amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

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