



PLANNING & DEVELOPMENT COMMITTEE

21 FEBRUARY 2019

REPORT OF THE SERVICE DIRECTOR, PLANNING

**APPLICATION NO: 18/0956 1 RUPERRA STREET, LLANTRISANT,
PONTYCLUN**

1. PURPOSE OF THE REPORT

Members are asked to determine the above planning application.

2. RECOMMENDATION

That Members consider this report and determine the application having regard to the advice given.

3. BACKGROUND

This application was originally reported to the Planning and Development Committee meeting with an officer recommendation of refusal. A copy of the original report is attached as **APPENDIX A**. At that meeting, Members were minded to approve the application contrary to the Officer recommendation. Members considered that the demolition of the existing detached garage and the construction of a small detached dwelling at the site would not have a detrimental impact upon highway safety at Ruperra Street or the B4595 Newbridge Road.

As a consequence, it was resolved to defer determination of the application for a further report from the Service Director, Planning to highlight the potential strengths and weaknesses of taking a decision contrary to Officer recommendation. (Minute No. 184 refers)

1. Planning Assessment

The Officer concerns regarding the potential impact upon highway safety in the vicinity of the site are outlined in the original report, however, a brief summary is provided below:

Ruperra Street has a carriageway width of 4.0 metres, a 1.5 metre wide footway on its development side and a 2.0 metre wide footway opposite. There are no parking restrictions on Ruperra Street; however, the narrow width of the carriageway prevents on-street parking from taking place. As such the proposed development would result in an intensification of use of Ruperra Street which is sub-standard in terms

of its width, vertical geometry, junction radii, vision splays and turning facilities, to the detriment of highway safety and the free flow of traffic. The proposed development would also remove existing parking provision which is currently enjoyed by 1 Ruperra Street, resulting in the creation of on-street parking demand. In addition, there is no off-street parking provision for the proposed dwelling which would result in further on-street parking demand. As previously mentioned, Ruperra Street lacks sufficient width to accommodate on-street parking. As such, the proposed development would result in the creation of hazards to the detriment of highway safety.

In its current form, the proposed development is therefore considered to have an adverse impact upon highway safety and as such, conflicts with Policy AW5 of the Local Development Plan. Members are therefore recommended to refuse the current proposal for the reasons set out in the previous report.

Notwithstanding the above, if Members are minded to approve the application, the following conditions are recommended:

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:

- Drwg 1/616
- Drwg 2/616

and documents received by the Local Planning Authority on 26/10/18 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. 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.

4. The dwellings 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.

5. 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.

PLANNING & DEVELOPMENT COMMITTEE

10 JANUARY 2019

REPORT OF THE SERVICE DIRECTOR, PLANNING

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 18/0956/10
(JE)
APPLICANT: Mr Tim Davies
DEVELOPMENT: Demolition of existing workshop/garage and construction of single dwelling.
LOCATION: 1 RUPERRA STREET, LLANTRISANT, PONTYCLUN, CF72 8EX
DATE REGISTERED: 19/10/2018
ELECTORAL DIVISION: Town (Llantrisant)

RECOMMENDATION: Refuse

REASONS:

It is considered that the proposed development will result in the intensification of use of Ruperra Street, which is sub-standard, to the detriment of highway safety. In addition the proposed development will be likely to result in on-street parking demand on Ruperra Street to the detriment of highway safety and the free flow of traffic, which has the potential to overspill onto the B4595 Newbridge Road.

REASON APPLICATION REPORTED TO COMMITTEE

A request has been received from the Local Member, Councillor Glynne Holmes for the matter to come before Committee for determination, in order that Members can consider the proposal, having full regard to the immediate surrounding area.

APPLICATION DETAILS

Full planning permission is sought for the demolition of an existing workshop/garage and the construction of a detached one bedroom dwelling at 1 Ruperra Street, Llantrisant, Pontyclun, CF72 8EX.

The proposed dwelling would be located along the boundary with the neighbouring property 3 Ruperra Street at the site of the existing garage and would measure a maximum width of 6.5 metres by a maximum depth of 6.9 metres and would follow

an L shaped design on its ground floor. The first floor of the dwelling would be smaller in scale and measure a width of 4.4 metres by a depth of 6.9 metres. The proposed dwelling would have a dual pitched roof design with gable ends on its front and rear elevations measuring a maximum height of 5.5 metres sloping to 3.5 metres at the eaves. The proposed dwelling would be set back from the highway and would have an area of amenity space on its rear and left elevations.

SITE APPRAISAL

The application site forms an area of the existing rear amenity space of 1 Ruperra Street, Llantrisant. The area of amenity space currently accommodates a detached garage which has become derelict and is no longer used for off street parking. Whilst the application site is level throughout, the nature of the area slopes sharply from SE-NW with neighbouring property 3 Ruperra Street to the rear lower in elevation.

Neighbouring properties at Ruperra Street are a mix of traditional terraced dwellings on the southern side of the highway and a larger detached property 2 Ruperra Street located opposite the application site. Also opposite the application site is a recently approved (18/0097/10) pet shop which operates out of the detached building within the curtilage of 2 Ruperra Street.

PLANNING HISTORY

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

PUBLICITY

The application has been advertised by direct notification to 4 neighbouring properties as well as notices displayed at the site.

One letter of objection has been received from the occupiers of a neighbouring property. The points raised have been summarised below:

- Disruption and inconvenience caused by the proposed development.
- Impact upon parking and increased traffic.

CONSULTATION

Highways - objection raised.

Countryside Section - no objection.

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

Flood Risk Management (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.

No other consultation responses have been received.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies within the settlement boundary for Llantrisant and is located within the Llantrisant Town Conservation area.

Policy CS2 – sets out the criteria for development 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.

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 AW7 - requires development proposals to enhance or preserve historic settings

Policy AW10 – does not permit proposals where they could cause or result in a risk of unacceptable harm to health and/or amenity.

Policy SSA13 - permits housing development within the defined settlement boundaries where it can be demonstrated that the proposal meets set amenity, highway, design and contamination standards.

Supplementary Planning Guidance

- Design and Placemaking
- Access, Circulation and Parking

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.

National planning policy confirms that it is important that the historic environment – encompassing archaeology and ancient monuments, listed buildings, conservation areas and historic parks, gardens and landscapes – is protected. In relation to conservation areas national guidance indicates that should any proposed development conflict with the objective of preserving or enhancing the character or appearance of a conservation area, or its setting, there will be a strong presumption against the grant of planning permission.

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 (2016)

PPW Technical Advice Note 24 – The Historic Environment (2017)

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 proposed site for the dwelling is located within the defined settlement boundary and forms part of a large residential area of Llantrisant. As such the proposed dwelling would comply with LDP Policies CS2, AW1 and SSA13, all of which support the provision of new housing on unallocated sites within settlement boundaries in the Southern Strategy area.

Highways

In considering the highways issues arising from the proposed development the Council's Highways Officers have raised concern in respect of both access and parking which are detailed below.

Access

Ruperra Street has a carriageway width of 4.0 metres, a 1.5 metre wide footway on its development side and a 2.0 metre wide footway opposite. There are no parking restrictions on Ruperra Street, however the narrow width of the carriageway prevents on-street parking from taking place. There is no dedicated turning facility on Ruperra Street sufficient to allow larger service and delivery vehicles to enter and exit the street in a forward gear.

The proposed development will result in an intensification of use of Ruperra Street, which is sub-standard in terms of its width to accommodate 2-way traffic flow, steep vertical geometry, junction radii, vision splays and turning facilities to accommodate service and delivery vehicles entering and exiting the site in a forward gear, to the detriment of highway safety and the free flow of traffic.

Parking

The proposed development will remove existing off-street parking provision which is currently enjoyed by 1 Ruperra Street, resulting in the creation of on-street parking demand. Furthermore, there is no off-street parking provision for the proposed dwelling resulting in the creation of further on-street parking demand. As previously mentioned, Ruperra Street lacks sufficient width to accommodate on-street parking. As such, the proposed development would result in the creation of hazards to the detriment of highway safety and the free flow of traffic, which is considered unacceptable.

Taking the above in consideration it has been concluded that the development would have a detrimental impact on the safety of all highway users and it is therefore not considered to comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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 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 1 Ruperra Street would also allow for sufficient amenity space to be retained at the property.

Given the derelict and unkempt nature of the existing garage, the redevelopment of the site and the design of the proposed dwelling would lead to a proposal which is considered to improve the street scene at Ruperra Street. Also given the varied nature of neighbouring properties, the proposal would not form a dominant addition to the area.

As such, it is considered that the proposals will not detract from the character or appearance of the conservation area. The application therefore would be compliant with the relevant requirements of policies AW5, AW6 and AW7 of the Rhondda Cynon Taf Local Development Plan

Impact on residential amenity and privacy

Any impact upon residential amenity would be greatest upon the adjacent property 3 Ruperra Street given its proximity to the proposed development. However, given the eaves height of the proposed dwelling would measure a modest 3.5 metres combined with the presence of the existing garage and boundary wall which are located along the boundary, the proposal would not significantly increase the existing level of overbearing which has been established between the properties.

As the proposed dwelling would have no first floor windows on its side elevations and given the terraced nature of the immediate neighbouring properties which has created a mutual level of overlooking, the proposal is not considered to have an undue impact upon the privacy of neighbouring residents and is considered acceptable in this regard.

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.

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

Whilst the objector concerns regarding the potential disruption and inconvenience caused by the development are recognised. 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. The application lies within Zone 3 of Rhondda Cynon Taf's Residential Charging Zones, where there is a liability of £85 / sqm for residential development (including extensions to dwellings over 100 sqm).

The CIL (including indexation) for this development is expected to be £7,215.40.

Conclusion

While the principle of development is considered acceptable and the proposed development would not have an undue impact upon the character and appearance of the area or upon the amenity of neighbouring properties, the development would however have a detrimental impact on the safety of all highway users. It is therefore not considered to comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

RECOMMENDATION: REFUSE DUE TO THE FOLLOWING

1. The proposed development will result in the intensification of use of Ruperra Street, which is sub-standard, to the detriment of highway safety.
2. The proposed development will result in on-street parking demand on Ruperra Street to the detriment of highway safety and the free flow of traffic, which has the potential to overspill onto the B4595 Newbridge Road.

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