



**PLANNING & DEVELOPMENT COMMITTEE**

**19 DECEMBER 2019**

**REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT**

**APPLICATION NO:** 19/1084/13 (LJH)  
**APPLICANT:** Mr L Barrett  
**DEVELOPMENT:** Proposed dwelling.  
**LOCATION:** LAND ADJACENT TO 2 CHEPSTOW ROAD,  
CWMPARC, TREORCHY, CF42 6UT  
**DATE REGISTERED:** 07/10/2019  
**ELECTORAL DIVISION:** Treorchy

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**RECOMMENDATION: GRANT SUBJECT TO CONDITIONS**

**REASONS:** The principle of residential development at the site is acceptable and bringing the parcel of land 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 the character and appearance of the area, the residential amenity of neighbouring occupiers and highway safety in the vicinity of the site.

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**REASON APPLICATION REPORTED TO COMMITTEE**

- Three or more letters of objection have been received.

**APPLICATION DETAILS**

Outline planning permission is sought for one residential dwelling on a parcel of land adjacent to no. 2 Chepstow Road, Cwmparc, Treorchy.

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 rear of the site with access and turning facilities towards the front with the site, being accessed from Chepstow Road to the south-east.

As scale is a matter reserved for future consideration, a minimum-maximum range is provided for the depth, width and height of the dwelling. These details have been derived from the submitted plan and supporting information, and are shown as follows:

	Minimum	Maximum
Width	10m	12m
Depth	8m	9m
Height (Measured from the front of the dwelling)	9m	10m

## **SITE APPRAISAL**

The application site consists of a parcel of land that measures approximately 450m<sup>2</sup>. The site is irregular in shape and is located on the junction with Park Road and the entrance to Chepstow Road. The site levels increase from south-east to north-west with the highest point being at the rear of the site. The majority of the site is covered with grass and shrubbery with a couple of young trees located at the south-eastern corner of the site. An electricity sub-station is also located within the site along the south-eastern boundary. On its south-western boundary the site is bounded by unused land, to the south-eastern boundary the site is bounded by Chepstow Road with the north-eastern and north-western boundaries adjoining no. 2 Chepstow Road and the rear lane at Castle Street respectively.

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

## **PLANNING HISTORY**

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

## **PUBLICITY**

The application has been advertised by direct notification to neighbouring properties as well as notices displayed at the site. Six letters of objection have been received from the occupiers of neighbouring properties and are summarised below:

- Loss of light to the rear of properties in Castle Street.
- Loss of view from the rear of properties in Castle Street.
- Loss of privacy to the rear of properties in Castle Street.
- There is a sewerage pipe that crosses the site.
- The development may affect current access and parking arrangements at the rear of Castle Street.
- The development would de-value surrounding properties and impact upon future rental opportunities.
- There is a bat colony nearby which may be affected. Also field mice and slow worms inhabit this land, their homes would be gone.
- The land has never been developed and should remain so.

## **CONSULTATION**

Transportation Section - No objection subject to conditions.

Land Reclamation & Engineering (Drainage) – Very little detail of the proposed surface water drainage has been supplied, a condition requiring the submission of full drainage details should be appended to any consent.

Countryside, Landscape & Ecology – No objection.

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

Public Health & Protection - No objection, however, conditions are suggested regarding hours of operation, noise, dust, and waste.

Western Power – No objection.

## **POLICY CONTEXT**

### **Rhondda Cynon Taf Local Development Plan**

The application site lies within the settlement boundary for Treorchy and is not 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: 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.

Planning Policy Wales Edition 10 sets out the Welsh Government's current position on planning policy, which incorporates the objectives of the Well-being of Future Generations (Wales) Act into planning.

It is considered that the current proposals meet the seven wellbeing of future generation's goals inasmuch as they relate to the proposed development and the site is being 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 proposed:

Chapter 3 strategic and spatial choices.

Chapter 4 active and social places

Chapter 5 productive and enterprising places

Chapter 6 distinctive and natural 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 seeks outline planning permission for residential use at the application site. The proposal seeks consent for the principle of development only with all other matters relating to 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 Cwmparc, Treorchy. As such, the application complies with Policies CS1, AW1, AW2 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 site forms an area of land at the entrance to Chepstow Road 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.

The appearance, landscaping, layout and scale of the scheme are reserved for future consideration, this would allow the Council to reject any future scheme that would have an adverse impact upon the character and appearance of the area and would ensure the development complies 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 Chepstow Road. No details as to the fenestration have been submitted, as such, it is difficult to consider whether such a dwelling would result in a loss of privacy to the occupiers of neighbouring properties which is a concern of the objectors.

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 Chepstow Road and Castle Street. However, given the relationship of the site with neighbouring properties which are set at a higher ground level and separated by a minimum of 13 metres (from their rear elevations to the boundary of the application site) and oriented north-west to south-east, it is considered a dwelling of the scale proposed could be constructed on site without resulting in a significant impact upon the residential amenity of neighbouring properties.

Similarly, the layout, scale and fenestration details of the scheme are reserved for future consideration. This would allow the Council to reject any future scheme that would have an adverse impact upon the residential amenity and privacy of neighbouring properties and their occupiers, and would ensure the development complies with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

### **Highways**

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

#### Access

Primary access for the proposed is served off Chepstow Road which has a carriageway width of 7.3m with no parking restriction. There is concern that the proposed is located close to the junction with Park Road. However, taking into account the limited additional traffic generated by a single dwelling with access / egress taking place in forward gear for vehicular traffic, on-balance, the proposed vehicular access is acceptable subject to a suitably worded condition.

Pedestrian access is gained via 1.8m footways which are acceptable for safe pedestrian movement. A vehicular footway crossing will be required for safe access and therefore a condition is suggested accordingly.

There is a street name plate located in the vicinity of the proposed vehicular access which would require re-locating at the developers own cost and can also be conditioned accordingly.

### Parking

Off-street car parking shall be provided in accordance with the Council's adopted Supplementary Planning Guidance Access, Parking & Circulation 2011 and conditioned accordingly.

### Local Amenities

The proposed is located within easy walking distance of local facilities and public transport which is acceptable and places less reliance on private motor vehicles.

### **Objector Comments**

With regard to the issues raised in respect of loss of views and de-valuation of property, these issues are not material planning considerations and therefore cannot be taken into consideration during the determination of the application.

### **Public Health & Protection**

No objections have been received from the Council's Public Health and Protection Division in respect of the application. A number of conditions are suggested in relation to hours of construction, noise, dust, and waste. 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.

### **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.

### **Ecology**

Consultation has been undertaken with the Council's Countryside, Landscape & Ecology Section with a view to assessing any potential impacts upon the ecological value of the site. No objection has been received and therefore the application is considered acceptable in this regard.

### **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. The development hereby approved shall be carried out in accordance with the approved plan "Proposed construction of a house" and documents received by the Local Planning Authority on 07/10/2019, 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. Development shall not commence until details of the means of access with access / egress in forward gear onto Chepstow Road have been submitted to and approved in writing by the Local Planning Authority, and the development shall not be brought into use until the means of access has been constructed in accordance with the approved details.

Reason: In the interests of highway safety, to ensure the adequacy of the proposal in accordance with Policy AW5 of the Rhondda Cynon Taff Local Development Plan.

4. Vehicular access shall be located adjacent to house number 2 Chepstow Road.

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

5. Prior to the development being brought into use, a vehicular footway crossing shall be provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to any development on site commencing.

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

6. 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 Taff Local Development Plan.

7. The street name plate affected by the proposed access shall be relocated in a position to be agreed in writing by the Local Planning Authority prior to any works commencing on site.

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

8. No development shall commence until all relevant matters outlined on the attached Planning Requirements Relating to Flood Risk Management including full drainage details have been submitted to and approved in writing by the Planning Authority. These details shall indicate how the development is to comply with the requirements of Section 8.3 of Technical Advice Note 15.

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 policies AW5 and AW10 of the Rhondda Cynon Taff Local Development Plan.