



RHONDDA CYNON TAF

PLANNING & DEVELOPMENT COMMITTEE

20 AUGUST 2020

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 20/0065/10 (BJW)
APPLICANT: Mr D Collins
DEVELOPMENT: Demolition of pre-fabricated building and construct 2 no. 3 bedroom detached houses with garages.
LOCATION: MORIAH BAPTIST CHURCH, COMMUNITY HALL, BASSETT STREET, ABERCYNON, MOUNTAIN ASH, CF45 4SP
DATE REGISTERED: 10/03/2020
ELECTORAL DIVISION: Abercynon

RECOMMENDATION: Approve

REASONS:

The application proposes a pair of contemporary dwellings on a fairly large site within the settlement boundary that would be within the main residential area. The proposal would make a productive use of the site for residential purposes that would be in keeping with surrounding land uses and of a scale and design that would be sympathetic to the character of the area.

The relationship between the proposed dwellings and neighbouring properties is such that the proposal is not considered to cause detriment to their amenities.

The application is also considered to comply with the relevant policies of the Local Development Plan in respect of its access and highway safety considerations and the impact on the visual amenities of the area.

REASON THE APPLICATION IS BEING REPORTED TO COMMITTEE

There have been more than three objections received to the proposal.

APPLICATION DETAILS

Full planning consent is sought for demolition of the existing, single-storey pre-fabricated building on the site and the construction of a pair of semi-detached dwellings with detached single garages.

The dwellings would be located left of centre within the existing plot and would measure a total of 10.4m in width, by 9.75m at their longest point (including the ground floor entrance porch), by 4.8m in height to the eaves and 7.35m to the highest part of the roof. The dwellings would be orientated to face Basset Street.

Accommodation would consist of a hall, W.C., living room and kitchen/dining room at ground floor and three no. bedrooms and a bathroom at first floor level. The hallway porch would discharge directly onto the existing footway at the front of the property.

The detached garages would be located either side of the main properties and would measure 3m in width, by 5.5m in length by 2.2m in height to the eaves and 3.15m to the highest part of the roof. The garages would be set back approximately 7m from the footpath of Bassett Street to allow a second vehicle to be parked, off-street, for each property.

The modest rear garden would also contain a drying area, a lockable cycle store and a refuse area.

Additional details were provided in respect of the construction of the building and its internal spaces, particularly roof voids, following a request from the Council's Ecologist in order to assess the potential of the building for use by bats.

SITE APPRAISAL

The application site is an irregularly shaped piece of land located at the junction of Bassett Street and Thurston Street, Abercynon. The site has street frontages onto both Bassett Street (22m) and Thurston Street (10.5m), has an area of 332sq.m and a maximum depth of 16.5m. The land slopes gently from east (Bassett Street) to west (Thurston Street and Mountain Ash Road – B4275).

The site is within the defined settlement boundary, where development is usually considered to be acceptable, subject to other Policies within the Local Development Plan (LDP).

The surrounding area is predominantly characterised by a mixture of historic valley terraces although there is a more modern housing development to the west of the site, in Thurston Street, which is a low-rise development of 10 flats known as Bethania Flats.

The site is within a low risk area for former coal mining activity and therefore a Coal Mining Risk Assessment (CMRA) was not required. The site is outside of any flood zones as detailed in Natural Resources Wales Development Advice Maps and as such a Flood Consequence Assessment was also not required.

There is currently a single storey, pre-fabricated former church/community hall located to the right-centre of the plot. The site is bounded by a mixture of stone/brick and block walling with a gated entrance close to the centre of the Bassett Street frontage.

PLANNING HISTORY

19/5007/41	Moriah Baptist Church, Community Hall, Bassett Street, Abercynon, Mountain Ash, CF45 4SP	Development of 4 flats (2 x two beds and 2 x one bed) on current site of Moriah Baptist/Guide Hut on Bassett Street, Abercynon.	04/03/2019 Raise no objection
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PUBLICITY

The application has been advertised by neighbour notification letters, site notices and a press notice. Four responses have been received, although two were from the same respondent, the main points of which are detailed below:

- Loss of privacy and light due to the height of the proposed dwellings.
- Loss of parking at the frontage of the site. The erection of the houses will prevent residents parking and minimise the available spaces to those who already live here.
- Disruption during the construction phase, particularly from large construction vehicles.
- The applicant has stated that they have consulted with neighbours through “church meetings”. This claim is contested by the respondent.
- The materials will not fit in with the surrounding area.

CONSULTATION

Transportation Section – no objection, subject to conditions to restrict the height of the boundary wall to maintain visibility; to require details of the two pedestrian footway crossings to serve the proposal; a restriction that surface water run-off from the proposed parking areas shall not discharge onto the public highway and a restriction to the times that Heavy Goods Vehicles can attend the site during the construction period of the development.

Flood Risk Management (Drainage) – The property is situated approximately 5 metres West of a Q100 Surface Water Flood zone area and as such the developer should be made aware of the inherent risk identified outside of the development boundary.

Offers no objection, subject to standard drainage conditions. These conditions are now governed by ‘Schedule 3 of the Flood and Water management act 2010’ - ‘From the 7th January 2019 all surface water drainage for new developments are required to comply with mandatory National Standards for Sustainable Drainage systems which

will be demonstrated through the application of Sustainable Drainage Approval to the Sustainable Drainage Approval Body (SAB) prior to the commencement of works. There requirements can be specified through appropriately worded informative notes.

Public Health and Protection Division – no objection, subject to a condition to control the hours of operation during the construction phase of the development and standard informative notes.

Dwr Cymru Welsh Water – no objection, subject to conditions and informative notes.

Wales and West Utilities (WWU) – no response received.

Western Power Distribution (WPD) - the applicant is advised that if they require a new connection or service alteration they will need to make a separate application to WPD.

Countryside, Landscape and Ecology – requested that information, through photographs, be provided to allow an assessment of the building that was to be demolished for potential for bat use.

The photographs show a very simple structure with a false ceiling and the roof space above (the roof space is very shallow). Despite the poor condition of the ceiling, with gaps into the main building space below, the most telling photos show the upper side of that false ceiling which looks very clean with no bat droppings or evidence of bat use. The external photos show well-maintained soffit/wall connections with no obvious holes or gaps for bat access into that narrow roof space.

Based on the photos the bat potential of this building is probably negligibly small, and it would be unreasonable on that evidence to require a bat survey. However, as a precaution, it is recommended that the appropriate bat informative note be appended to any planning permission.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site is within the settlement boundary of Abercynon and is unallocated.

Policy CS1 – sets out criteria for achieving strong sustainable communities including: promoting residential and commercial development in locations which support and reinforce the role of principal towns and settlements.

Policy AW2 - advises that development proposals on non-allocated sites will only be supported 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.

National Guidance

In the determination of planning applications regard should also be given to the requirements of National Planning Policy that 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 (Wales) Act into Town and 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 chapters of PPW inasmuch as they relate to the development proposed:

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 6 (distinctive and natural places).

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 site is within the defined settlement boundary where development is broadly considered to be acceptable subject to compliance with other policies within the Local Development Plan.

The proposal would create modern residential accommodation, consistent with the existing pattern of development and of a scale, design and appearance that would, subject to conditions, be sympathetic to the existing area.

It is considered that the existing building on the site is currently in a reasonable state of repair, however this is likely to worsen over time given its lack of use and maintenance. The building itself is visually poor and has little architectural merit or value in terms of the visual amenity of the area. It is considered that the proposal would improve the visual qualities of the site and, consequently, the visual amenity of the immediate locality.

Consequently, it is considered that the principle of the proposed development is acceptable.

Impact on amenities of neighbouring properties

The application site is a constrained site within the immediate area with site frontages onto both Bassett Street and Thurston Street.

While there would be some impact on the houses to the west of the site, 2-6 (evens) Thurston Street, the impact would not be sufficient to warrant refusal of the application. There is already over-looking from the newer build properties to the west of the existing houses in Thurston Street, 1-4 Bethania Flats, which immediately abut no. 2 Thurston Street and are located in an elevated position. Therefore, despite their close relationship, it is not considered that the proposed development would have an adverse impact on the amenities of this or any other neighbouring property by way of loss of privacy or through its scale or design being inappropriate or overbearing.

Consequently, while the comments of neighbouring properties are acknowledged, it is considered that the proposal would not be sufficiently detrimental in this regard as to warrant refusal of the application.

Character and appearance of the area

The application proposes a modest pair of contemporary dwellings within a residential setting in the village of Abercynon.

The design of the dwellings is considered to be appropriate for what amounts to an infill site within an existing residential setting. The use of facing brick and tile is acknowledged as are the concerns of neighbouring properties that this would not be in keeping with the existing vernacular of the area.

It is considered however that the use of contemporary materials would be appropriate and in keeping with other modern developments within the area, for example Bethania Flats to the west of the site. While concern is acknowledged over the colour of the materials it should also be noted that Bethania Flats has used a buff coloured brick and there are many examples of red roof tiles within the immediate locality.

Additionally, the type and colour of materials would be subject to control and approval by the Local Authority through the use of a restrictive planning condition.

Indeed, it is considered that the proposed modern dwellings would sit comfortably within this setting and that the proposal would have a positive effect on the character and appearance of the area.

Consequently, the development is considered to be acceptable in this regard.

Highway safety

The application has been subject to consultation with the Transportation Section of the Council who have raised no objection to the proposal, subject to conditions. In coming to this view the following comments have been received:

Access

Primary access for the proposed is served off Bassett Street which has a carriageway width of 7.3m and continuous pedestrian links which are acceptable to serve the proposed development.

There is concern that there is a high demand for existing on-street car parking space due to the nature of terraced dwellings with limited or no off-street car parking facilities.

The proposal provides for two off-street car parking spaces per plot with reversing to or from Bassett Street. There is concern that the proposed results in reversing movements in close proximity to the junction with Thurston Road with limited vision. There is potential to overcome this concern by reducing the height of the boundary wall fronting Thurston Road and Bassett Street to 0.9m to afford forward vision around the bend in the interests of safety of all highway users and free flow of traffic. Such mitigation measures can be secured via suitably worded planning condition.

Parking

The existing community facility requires in the region of 8 off-street car parking spaces in accordance with the SPG: Access, Circulation & Parking 2011 with none provided. However, it is noted that a number of trips would have taken place on foot.

The proposed 3 bed dwellings require up-to a maximum of 3 spaces per dwelling in accordance with the SPG: Access, Circulation & Parking 2011 with 2 per plot provided.

Taking into account the sustainable location of the proposed, within walking distance of Abercynon Retail Area and both bus and rail stops, the off-street car parking provision is acceptable.

In conclusion, there is some concern that the proposed development will result in reversing movements in close proximity to the adjacent junction of Thurston Road. However, taking into account the majority of traffic will be local traffic travelling at slow speeds due to the built up nature and road geometry coupled with a condition limiting the boundary wall to a maximum height of 0.9m for Thurston Road and Bassett Street

and retaining at such height in perpetuity, on-balance, the proposed is considered acceptable in terms of access.

The shortfall in parking provision also gives cause for concern. However, considering the sustainable location and having regard to PPW10, on balance, the shortfall in parking provision is also considered acceptable.

Other issues

The concerns of the respondents to the application are acknowledged and the following comments are offered:

It is considered that the buildings are of a modest height that is partially mitigated by the site being at a lower level than properties to the rear. While there would be some loss of privacy, existing properties are already overlooked by other properties within the immediate locality, particularly Bethania Flats.

It is acknowledged that the development will reduce the provision of on-street parking. However, the use of the site for residential purposes would have a lesser parking requirement than the existing use. Additionally, the on-site provision for the residential use would have less impact on parking provision than if the site stayed in use as a church/community facility.

There is inevitably some disruption during the construction phase of any development, however this can be reasonably and successfully mitigated through the use of planning conditions and other means available to the Local Authority.

The applicant does not have to consult with local residents as this is covered in the application process.

Concerns regarding the materials for the proposal are acknowledged and can be addressed through an appropriately worded planning condition.

The comments of the Council's Public Health and Protection Division are acknowledged in respect of their suggested condition to restrict the hours of operation during the construction phase of the development. However, it is considered that there are more appropriate, timely and effective options available to the Local Authority in this respect. Consequently, it is not proposed to include this condition. The various other informative notes are however considered expedient to include in further informing the applicant.

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, however the application site lies within Zone 1 of Rhondda Cynon Taf's Residential Charging Zones where a £nil charge is applicable. Therefore no CIL would be payable.

Conclusion

The proposed dwellings are considered to be of an acceptable scale and design that would not have a harmful impact on neighbouring properties, the visual amenity of the area, or highway safety considerations. Consequently, the proposal is considered to be acceptable.

RECOMMENDATION: Grant

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 plan(s) no(s)
 - Site Location Plan
 - Proposed Ground Floor Plans, Drawing No. SK/200/1
 - Proposed First Floor Plans, Drawing No. SK/200/2
 - Proposed Elevation (front and left) Plans, Drawing No. SK/200/3
 - Proposed Elevation (rear and right) Plans, Drawing No. SK/200/4

and documents received by the Local Planning Authority 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. Building operations shall not be commenced until samples, including the colour of the materials proposed to be used have been submitted to and approved in writing by the Local Planning Authority. All materials used shall conform to the sample(s) so approved thereafter.

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.

4. The boundary wall fronting Bassett Street and Thurston Road shall be no more than 0.9 metres above ground level in height and shall be constructed and retained in perpetuity in accordance with details to be submitted to and

approved in writing by the Local Planning Authority prior to any dwelling being brought into beneficial occupation.

Reason: To ensure that adequate visibility is provided in the interests of highway safety, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

5. Prior to any dwelling being brought into beneficial occupation, 2 no. vehicular footway crossings shall be provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to any development works commencing on site.

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

6. HGV's used as part of the development shall be restricted to 09:30am to 16:30pm weekdays, 09:30am to 13:00pm Saturdays with no deliveries on Sundays and Bank Holidays unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of the safety and free flow of traffic, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.