

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2013-2014

**DEVELOPMENT CONTROL
COMMITTEE**

3 APRIL 2014

**REPORT OF THE
DIRECTOR LEGAL AND
DEMOCRATIC SERVICES**

Agenda Item No.4.2

**SITE MEETING
APPLICATION NO. 13/0959 – PROPOSED
CONVERSION OF PUBLIC HOUSE TO 8
NO. FLATS WITH OFF STREET PARKING
(AMENDED DESCRIPTION RECEIVED
07/02/14 AND AMENDED PLANS
RECEIVED 30/01/14) – THE COLLIERS
ARMS PUBLIC HOUSE, YNYSCYNON,
TREALAW**

Author: Mrs.Z.Maisey, Principal Officer, Committee Services

1. PURPOSE OF THE REPORT

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

To approve the application in accordance with the recommendation of the Service Director, Planning subject to the developer entering into a Section 106 agreement to provide a contribution of £5,000 towards improving bus stops along Trealaw Road and Ynyscynon Road.

3. BACKGROUND

- 3.1 In accordance with Minute No.195(1) (Development Control Committee, 6 March 2014) a site inspection was undertaken on Monday, 17 March 2014 to consider issues concerning highways, parking and access.
- 3.2 The meeting was attended by the Chairman of the Development Control Committee (County Borough Councillor R.B. McDonald) and County Borough Councillor E.Webster in consultation with the Local Member for Trealaw (County Borough Councillor J.Rosser). An apology for absence was received from County Borough Councillor D.Weeks.

- 3.3 The Development Control Officer reported that full planning permission was being sought for the conversion of the former Colliers Arms public house to eight flats. The proposed development would utilise all existing openings on the building and 4 off-street parking spaces were proposed within the existing yard area to the rear of the existing building. Members noted that the main building of the former public house faced the junction of Trealaw Road and Ynyscynon Road and the rear small yard was accessed from Trealaw Road.
- 3.4 The Development Control Officer also reported on the contents of two "late" letters received from local residents raising objections to the proposed development.
- 3.4 With regard to the impact of the proposed development on highway safety, the Transportation Section had raised no objection to the application subject to conditions.
- 3.5 It was acknowledged that only 4 off-street parking spaces were proposed for the eight flats and no off-street parking was currently available in conjunction with the use of the site as a public house. However, the site was in a sustainable location and the need for maximum car parking standards would not apply in this case. It was not considered there would be a material increase in traffic generated by the proposal and the impact on highway safety was considered acceptable.
- 3.6 The Transportation Section recommended that the developer enter into a Section 106 agreement to pay the Council the sum of £5,000 to upgrade the existing bus stops on Trealaw Road and encourage the use of public transport in light of the lower levels of off-street car parking provision provided on site. The Transportation Officer also informed Members that to facilitate the 4 off-street parking spaces on site, the developer would have to re-locate the existing bus stop on Trealaw Road to an area to be agreed with the Council.
- 3.7 The Local Member advised Members that there was also an unmarked/courtesy bus stop located opposite the former public house on Ynyscynon Road and she asked that the sign-posting of this bus stop be formalised. The Local Member was asked that this request would be passed on the Traffic Section for consideration.
- 3.8 The Local Member also highlighted the presence of double yellow lines surrounding the development site and stated that there was a serious lack of on-street parking available in the area. Local residents were concerned that the proposed development would only add to existing problems and the Local Member enquired whether there was any possibility of increasing on-street parking in the vicinity of the site by

removing some of the double yellow lines. The Transportation Officer stated that this request would also be passed on to the Traffic Section for consideration as it was an issue to be pursued outside of the planning process.

- 3.9 The Local Member then enquired whether sufficient ground would be available on site to provide the 4 on-site parking spaces required as she was concerned that vehicles would be reversing out on to the main road close to a blind bend on one side and a junction on the other. Members were informed that four parking spaces were achievable and vehicles could reverse in and drive out in a forward gear. On inspecting of the proposed parking area, Members expressed concerns about the condition and stability of the retaining wall and requested the Development Control Officer to investigate its condition along with the condition of the main building wall close to the bus stop and report back thereon to the Development Control Committee.

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APPENDIX 1

APPLICATION NO: 13/0959/10 (MJ)
APPLICANT: Mrs W Holmes
DEVELOPMENT: Proposed conversion of Public House to 8 No flats with off street parking (Amended Description Received 07/02/14 and Amended Plans Received 30/01/14)
LOCATION: THE COLLIERS ARMS PUBLIC HOUSE, YNYSCYNON ROAD, TREALAW, TONYPANDY, CF40 2LQ
DATE REGISTERED: 23/09/2013
ELECTORAL DIVISION: Trealaw

RECOMMENDATION: Approve

REASONS:

The proposal is considered acceptable in principle.

The proposal if allowed would provide housing provision in a form that is currently under provided for in this locality. The application will also bring this disused building back into beneficial use whilst maintaining its distinctive character in the street scene. The proposal is in keeping with the policies of the Rhondda Cynon Taf Local Development Plan and National Policy in that it is acceptable in terms of scale, layout, design and its impact on the residential amenity of surrounding properties as well as highway safety.

APPLICATION DETAILS

Full planning permission is sought for the conversion of this former public house to eight flats.

The proposed development will utilise all existing openings on the building. Units 1 to 4 and 6 to 8 will have two bedrooms, whilst unit 5 will have one bedroom. A laundry and drying room, and bin store are proposed in the basement of the building, and there will be a small external area for drying to the rear of the building.

4-off street parking spaces are proposed within the existing yard area to the rear of the existing building.

The application is accompanied by the following:

- Design and Access Statement.

SITE APPRAISAL

The site is currently occupied by the Colliers Public House which has been closed for a number of years and forms a single block surrounded by public highways to the north, east and west. The main building of the Colliers faces the junction of Trealaw Road and Ynyscynon Road and is a split level building (2-3 storeys) finished in brick and render with a hipped roof finished in slate. At the rear there is a small yard which can be accessed from Trealaw Road by pedestrians. There is no off-street parking available for the pub.

The site is situated on the main street through Trealaw close to a shop. The surrounding area is dominated by two-storey Victorian dwellings, mostly in the form of terraces.

PLANNING HISTORY

No previous relevant planning applications have been made on this site.

PUBLICITY

The application has been advertised by direct neighbour notification letters and site notices. Five letters have been received in response to the original submission which are summarised as follows:

- Object to the proposal on the basis that it represents overdevelopment of the site.
- Raise concerns regarding the impact of the proposal on highway safety.
- Concerns regarding the impact of the proposal on parking in the area where there are currently problems.
- Concerns that the parking spaces proposed have a sub-standard access with poor visibility.
- Concern that there is insufficient parking facilities for cars to serve the proposed development.
- Concerns that a bus stop would need to be relocated.
- Object to the proposal on the basis that it would result in increased environmental and noise disturbance.

- The site is surrounded by double yellow lines and concerns are raised regarding the impact of the development phase on the surrounding streets with reference to work vehicles parking.
- Concerns that the proposal contains a lack of amenity space for future residents.
- There is no capacity in the area for development at the density proposed.
- The proposal will result in a decrease to the value of neighbouring properties.

CONSULTATION

Transportation Section – no objections subject to conditions.

Public Health & Protection – no objections subject to conditions and informative notes relating to site investigations, hours of construction, dust suppression measures, disposal of waste, etc.

Land Reclamation & Drainage – no objections subject to a number of conditions, including the submission of a full drainage scheme to the local planning authority for approval.

Countryside, Landscape and Ecology – no SewBrec records of statutory protected species have been found for the immediate vicinity. The Council's Ecologist has confirmed that in view of the absence of protected species records from the survey, no mitigation measures will be required.

Cyfoeth Naturiol Cymru/Natural Resources Wales (NRW) – response awaited at the time of writing the report. Their comments will be reported verbally to Committee.

Dwr Cymru/Welsh Water – no objections subject to conditions.

Housing Strategy – no objections as the scheme is for 100% affordable housing.

Education Section – no objections.

South Wales Fire and Rescue – no objections subject to adequate water supplies being made available and access for emergency vehicles.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site is identified as within the residential settlement boundary of Trealaw and is unallocated.

Policy CS1 – promotes the building of strong sustainable communities.

Policy CS4 – Housing Requirements.

Policy AW1 – states that provision will be made for the development of new dwellings including, the development of unallocated land within the defined residential settlement boundaries.

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 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 following Planning Policy Wales Chapters set out the Welsh Government's policy on planning issues relevant to the determination of the application:

Chapter 4 (Planning for Sustainability),
Chapter 8 (Transport),
Chapter 9 (Housing),

Other relevant policy guidance consulted:

PPW Technical Advice Note 2: Planning and Affordable Housing;
PPW Technical Advice Note 12: Design;
PPW Technical Advice Note 18: Transport;
Manual for Streets

REASONS FOR REACHING THE RECOMMENDATION

The application site lies within settlement limits and in a residential area where the principle of residential development is considered acceptable. The key considerations in this case are whether the proposed conversion of the building to 8 flats will have an acceptable impact on the character and appearance of the surrounding area, the impact of the development on the residential amenities of neighbouring properties and the impact of the proposal on highway safety.

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.

Principle of development

The application site consists of a vacant public house which forms part of the neighbourhood of Trealaw. Under the provisions of the Local Development Plan, the site is within settlement boundaries and is unallocated. In this respect it is considered that the principle of the development of the site for residential purposes is compliant with national and local planning policy objectives, which encourage the re-use of previously developed land. The site is also well located in terms of its location on the main road through Trealaw where there is a bus service and local shops.

Overall, it is considered that the development of the site for residential purposes is in accordance with national and local planning policy, in particular, policy CS1, which seeks to promote the reuse of previously developed land, and residential development in locations which will support principal towns and key settlements in the Northern Strategy Area. As such, in policy terms, the proposal is considered acceptable in principle.

Character and Appearance of the Area

With regard to the impact of the proposal on the character and appearance of the area and objections raised in relation to overdevelopment; it is considered that the use of the site for residential development will be in keeping with the existing residential character of the area.

The proposed scheme is for a total of 8 one and two bedroom flats, arranged over two floors, with communal facilities for washing and drying in the basement. This is a high density development, which is acceptable on its own merits, although it should be ensured that there is appropriate space for the amenity of occupiers and the provision of suitable facilities. It is considered that the level of facilities proposed are proportionate to the number of units being proposed and it is not considered that the proposed development represents overdevelopment of the site and will not detract from the character of the area.

The proposal is therefore considered to be in keeping with the character and appearance of the surrounding area in accordance with the provisions of policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

Residential Amenity

With regards to the impact on neighbouring residential amenity, concerns have been raised regarding the potential noise impact of the development on neighbouring properties which are in close proximity to the site.

The site is entirely surrounded by existing streets and the local area is considered to be dominated by high-density terraced housing. The proposed building will utilise the existing windows in all elevations of the building, and it is therefore considered that whilst some overlooking may occur between habitable room windows, the development would not lead to unacceptable levels of overlooking between properties. The distance between the properties is considered to be sufficient to ensure that there is no unacceptable loss of privacy and the relationship is reflective of the terraced streets surrounding the site.

Following consultation with the Council's Public Health and Protection Section, no objections have been raised to the proposal; however some conditions are specified. Matters relating to potential for disturbance resulting from construction traffic and general on site activities during the course of the construction of the application have also been raised, as such a condition to restrict the hours during which construction operations may be undertaken is also suggested. Whilst it is inevitable that any redevelopment of the site would lead to noise and disturbance to adjacent properties during the construction stage, it is considered that such impacts could be minimised by the imposition of appropriate conditions. Overall, it is not considered that the temporary impacts experienced during the period of construction would be so great as to warrant the refusal of the application.

The proposal is therefore considered acceptable in terms of its impact on the amenities of neighbouring residential properties in close proximity to the site and it is considered that the development would have an acceptable impact on residential amenity. The proposal is therefore considered to comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Highway Safety

With regard to the impact of the proposal on highways safety and objections raised, the Council's Transportation Section has raised no objections to the application subject to conditions.

In respect of the impact of the development on the highway it is acknowledged that only 4 off-street parking spaces are proposed for the proposed 8 flats. No

off-street parking is currently available in conjunction with the use of the site as a public house. The site is close to some neighbourhood amenities and public transportation options which would encourage the use of the facility by pedestrians. It is considered that the site is in a sustainable location and the need for maximum car parking standards would not apply in this case. It is not considered that there is likely to be a material increase in traffic generated by the proposed development and the impact on highway safety is considered acceptable.

The Transportation Section has recommended that the developer enter into a Section 106 agreement to pay the Council a sum of £5,000 to up-grade the existing bus stops on Trealaw Road and encourage the use of public transport in light of the lower levels of off-street car parking provision provided on the site. The Transportation Section have also noted that to facilitate the 4 off-street car parking spaces served off Trealaw Road the developer will have to re-locate the existing bus stop to an area to be agreed with the Council.

Having regard to the above, the application is considered to be in keeping with policy AW5 of the Rhondda Cynon Taf Local Development Plan in terms of its impact on highway safety.

PLANNING OBLIGATIONS

From 6 April 2010 planning obligations should meet all of the following tests in order to comply with the Community Infrastructure Levy legislation:

- (a) necessary to make the development acceptable in planning terms
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development

The developer will also be required to enter into a Section 106 agreement to provide a contribution of £5000 towards improving bus stops along Trealaw Road and Ynyscynon Road.

It is considered that this requirement meets all of the above tests and is compliant with the relevant legislation.

Conclusion

Taking all of the above considerations into account it is concluded that the proposed development of the site for residential purposes is acceptable and is in keeping with the relevant policies of the Rhondda Cynon Taf Local Development Plan. The application proposal is considered acceptable in terms of its compatibility with the character of the immediate area, its impact upon highway safety and its potential impact upon the privacy and amenity of neighbouring

dwellings. Therefore, it is recommended that approval of full planning permission be granted subject to the conditions specified below.

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 amended/revised plans received by the Local Planning Authority on 30 January 2014.

Reason: To ensure compliance with the approved plans and clearly define the scope of the permission.

3. Construction works on the development shall not take place other than during the following times:

- Monday to Friday 0800 to 1800 hours;
- Saturday 0800 to 1300 hours;
- Not at any time on Sundays, Bank or Public holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the noise emitted from this development is not a source of nuisance to occupants of nearby residential properties in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

4. No development shall take place until drainage arrangements have been submitted to and approved in writing by the Local Planning Authority. No dwelling 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.

5. Notwithstanding the details shown on the submitted plans, development shall not commence until details of the car parking spaces increased to 5.0m have been submitted to and approved in writing by the Local Planning Authority and that area shall not thereafter be used for any other purpose

other than the parking of vehicles.

Reason: In the interests of highway safety.

6. 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.

LOCAL GOVERNMENT ACT 1972

As amended by

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

LIST OF BACKGROUND PAPERS

DEVELOPMENT CONTROL COMMITTEE

3 APRIL 2014

REPORT OF THE DIRECTOR, LEGAL AND DEMOCRATIC SERVICES

SITE MEETING

APPLICATION NO. 13/0959 – PROPOSED CONVERSION OF PUBLIC HOUSE TO 8 NO. FLATS WITH OFF STREET PARKING (AMENDED DESCRIPTION RECEIVED 07/02/14 AND AMENDED PLANS RECEIVED 30/01/14) – THE COLLIERS ARMS PUBLIC HOUSE, YNYSCYNON, TREALAW

Minute No. .195(1) (Development Control Committee, 6 March 2014)