

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2014-2015

**DEVELOPMENT CONTROL
COMMITTEE
3 JULY 2014**

**REPORT OF: SERVICE
DIRECTOR PLANNING**

	Agenda Item No. 6
APPLICATIONS RECOMMENDED FOR APPROVAL	

1. PURPOSE OF THE REPORT

Members are asked to determine the planning applications outlined in Appendix 1.

2. RECOMMENDATION

To approve the applications subject to the conditions outlined in Appendix 1.

1. Application No. 13/0778 - Two storey extension to create 14 bedrooms and associated ancillary accommodation, Ty Pentwyn Nursing Home, Pentwyn Road, Treorchy.
2. Application No. 14/0403 - Proposed two storey extension to rear, Bliss Beauty, 101 Talbot Road, Talbot Green, Pontyclun.
3. Application No. 14/0484 - Change of use from Public House to 6 residential units with associated exterior alterations and internal parking area (Amended location 19/05/2014), Former Castle Ivor Public House, 14 Jenkins Street, Hopkinstown, Pontypridd.

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APPLICATIONS RECOMMENDED FOR APPROVAL

APPLICATION NO: 13/0778/10 (SF)
APPLICANT: Quality Care (Surrey) Limited
DEVELOPMENT: Two storey extension to create 14 bedrooms and associated ancillary accommodation.
LOCATION: TY PENTWYN NURSING HOME, PENTWYN ROAD, TREORCHY, CF42 6HD
DATE REGISTERED: 16/09/2013
ELECTORAL DIVISION: Treorchy

RECOMMENDATION: Approve subject to conditions.

REASONS:

The proposed development is compatible with the existing use of the site and its design is acceptable and in keeping with the character of the existing nursing home and surrounding area. The removal of 7 TPO trees in association with the development will be compensated for by replacement planting elsewhere and this is not considered to have an adverse impact on the visual amenities of the area.

APPLICATION DETAILS

Full planning permission is sought for the construction of a two storey extension to the existing 31 bedroom nursing home to create a separate Elderly Mentally Infirm (EMI) unit comprising an additional 14 double en-suite bedrooms, together with associated accommodation including new kitchen, dining room and lounge areas.

The extension will be located set back behind the main building, but adjacent to a previous single storey addition to the property. The ground and first floor plans are similar in layout, however the ground floor accommodates a separate reception and office in the south-west corner and new dining area and kitchen, whilst the first floor accommodates more bedrooms and a sitting room.

The proposed extension would consist of a rectangular block measuring approximately 26m in width by 13m in depth, with a pitched and hipped roof with an eaves height of 5.2m and ridge height of 8m. The building is designed to provide approximately 600sq.m of additional internal floorspace and to form a subservient addition to the main building and will be seen as such, being lower in height and set back towards the rear of the site. The proportion of the windows has been amended through the application process and concrete cills introduced, in order to reflect the design of existing windows in the main building.

The extension will be finished with smooth cement render and have uPVC windows, timber doors and an artificial slate roof to match the existing building. The building will be linked to the existing nursing home by a two storey glazed link block, which will provide access for deliveries and a second means of escape. Other internal alterations to the existing accommodation will be carried out in order to provide better facilities for existing residents including a new dining room, hairdressing salon and additional en-suite bedrooms, which will result in a total of 46 bedrooms.

The existing access into the site from Pentwyn Road which is the only vehicular access, will continue to be used and it is proposed to create an additional 13 parking spaces, which will be located in an area above the existing parking area and also to the east of the main building. The existing access arrangements to the yard area at the north-west end of the building for food and medical deliveries will be retained.

The proposed location of the extension at the rear of the site adjacent to one of the previous single storey extensions will require the removal of 7 of the trees which are the subject of a Tree Preservation Order, which covers the entire application site.

The application is accompanied by the following:

- Design and Access Statement (DAS)
- Tree Survey and Report
- Survey of Trees for Use by Roosting Bats

The DAS confirms that the property has been used as a nursing home for a number of years and the further development and occupation of the building will have a significant social and economic impact on the local and wider areas. The current use employs approximately 25 staff, but has the potential with shift work to increase to 33. Similarly, the current occupancy of residents is approximately 33 and this could rise to between 47 and 53.

The Tree Survey and Report provides a report on each of the 7 individual trees which are proposed to be removed including Common Alder (1), Common Ash (1), Norway Spruce (1), Austrian Pine (3) and Corsican Pine (1) and concludes that all appear to be in a generally healthy condition and that only minor pruning is required. The report notes however that the proposed development would fall within the rooting zone of the trees, which would be likely to result in a decline in their health and the potential for collapse onto the new extension.

The Survey of Tree for Use by Roosting Bats reports that there were no signs of roosting bats found on the site. Three of the trees (T1, T2 and T3) were assessed as having very low potential to support roosting bats and the remaining trees (T4, T5 and T6) were assessed as having low potential. It is therefore concluded that the removal of the trees proposed is unlikely to impact on any roosts, individual bats or the favourable conservation of bats however, various recommendations are put

forward with regard to the timing and method of felling and the provision of bat boxes at the site.

SITE APPRAISAL

The application site is approximately 0.8 hectares in area and is located on the north side of Pentwyn Road (B4223), to the north-west of Ton Pentre and to the south of the settlement boundary of Treorchy. The existing nursing home is accommodated within a single building, which is understood to have been constructed in 1924 and formerly accommodated the Cottage Hospital. The site is accessed via an access drive which meets at the double entrance gates into the site and then divides into two roads leading down to the main building. There are continuous pedestrian links leading to the site located on the opposite side of Pentwyn Road and a bus stop adjacent to the main entrance gates.

The site is rectangular in shape and the main building is centrally located with previous extensions located towards the rear of the site. The levels vary significantly across the site with the land sloping down from Pentwyn Road to the back of the site, where it falls sharply down behind the existing kitchen. Both the site of the existing nursing home and the proposed extension are relatively level. The whole of the site is covered by an area Tree Preservation Order (TPO), however the majority of the mature amenity trees are located around the boundaries and to the rear of the nursing home. The front and side boundaries of the site are defined by high rendered masonry walls and the remainder of the site is landscaped and provides parking and amenity areas for the residents.

The property is surrounded by fields with Ysbyty George Thomas and the nearest properties in Druids Close further to the west and allotment gardens to the east. To the north, the land slopes further down to the railway line, however the property is relatively well screened from residential areas in Treorchy by existing mature trees. The nearest PROW (TRY/18/1), is located along Pentwyn Road, opposite the southern access into the site and leads in a south-easterly direction.

PLANNING HISTORY

12/0919	Installation of velux windows to roof slopes.	Granted 19/10/12
12/0412	Erection of single storey extension to create a new laundry room and new single roof to side annexe	Granted 11/06/12
11/0892	Proposed extension and alterations	Granted 06/10/11
07/1105	Proposed renewal of outline planning permission for refurbishment of existing and erection of twenty bed	Granted 29/08/07

nursing home extension.

04/1039	Proposed renewal of Outline planning permission for the erection of a 20 bed Nursing Home extension.	Granted 13/07/04
00/6385	Proposed Erection of 20 Bed Nursing Home Extension	Refused 15/06/01
95/217	Provision of walkway, drainage, and fencing	Granted 10/05/95
92/0650	Refurbishment and extension to premises to provide 30 bed nursing home	Granted 17/01/94
78/163	Container	Refused 20/03/78

PUBLICITY

The application has been advertised by way of site notices as there are no residential properties close to the site however, no response has been received.

CONSULTATION

Transportation Section – has expressed concerns regarding the existing visibility from both access points however, there have been no accidents in the past 5 years and on balance, no objections are raised. It is noted that there are continuous pedestrian links to the property however, it is anticipated that the majority of trips to and from the nursing home would be by car. In relation to the revised parking layout proposed, it is advised that one of the spaces indicated would be unusable however, on the basis that the plan indicates 22 spaces could be provided, no highway objection is raised.

Countryside, Landscape and Ecology - the Council's Ecologist has considered the conclusions of the bat survey undertaken and has agreed that it provides a reasonable conclusion and assessment. It is advised that the proposed recommendations included in the report relating to the timing and method of felling and the provision of bird and bat boxes at the site are conditioned. It is also noted that the report identifies no sign of nesting birds.

The Council's Landscape Officer - has confirmed that the tree report conclusion is accurate and the trees would co-exist if the existing distance and minimum root disturbance occurs during construction. It is suggested as an alternative, that trees T1, T2 and T3 could be removed and trees T4 – T7 retained, as they are classed as in a good condition and their removal may affect the woodland block of trees behind by wind blow.

Public Health and Protection - no objections to the proposed development, subject to standard conditions.

Dwr Cymru – no objections are raised subject to standard conditions and advisory notes. It is noted however that the site is crossed by a watermain and it may be possible for this watermain to be diverted, the cost of which would be re-charged to the developer.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The site is identified as being outside the settlement boundary NSA12 and is unallocated. Land approximately 40m to the north of the application site is identified under policy CS8a.1 for improvements to the strategic highway network (The Gelli/Treorchy Relief Road) however, it is not considered that the proposed development would affect the future provision of this infrastructure.

Policy CS1 – advises that in the North Strategy Area, emphasis will be given to promoting residential and commercial development which supports and reinforces the roles of Principal Towns and Key Settlements and to providing high quality and affordable housing which promoted diversity in the housing market.

Policy AW2 - advises that development proposals on non-allocated sites will only be supported in sustainable locations and proposals relating to existing buildings in the countryside, must also accord with Policy AW9.

Policy AW5 - sets out criteria for new development in relation to amenity and accessibility and requires the development to have no unacceptable effect on the character and appearance of the site or surrounding area and existing features of natural environment value to be retained.

Policy AW6 - requires development to involve a high quality design and to make a positive contribution to placemaking including, that extensions reflect, complement or enhance the details and character of the original building and the design protects and enhances the landscape and biodiversity.

Policy AW8 - permits development only where it would not cause harm to locally designated sites or features of importance to landscape and nature conservation and that proposals demonstrate measures for the mitigation and compensation of potential impacts.

Policy AW9 – proposals for the alteration of existing buildings outside settlement boundaries for residential or community uses will be supported where the existing building is structurally sound and does not require major external alteration or reconstruction.

SPG – Nature Conservation

SPG – Design and Placemaking

SPG – 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 Chapter 4 (Planning for Sustainability), Chapter 5 (Conserving and Improving Natural Heritage and the Coast) and Chapter 8 (Transport), set out the Welsh Government's policy on planning issues relevant to the determination of the application.

Other relevant policy guidance consulted:

PPW Technical Advice Note 5: Nature Conservation and Planning;

PPW Technical Advice Note 12: Design;

PPW Technical Advice Note 18: Transport;

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.

Principle of the proposed development

The application site is located outside the settlement boundary, where new development is subject to assessment against a number of policy constraints. Both local and national planning policy support a presumption in favour of sustainable development and see the planning system as the key to providing for society's future needs. In identifying sites in sustainable locations, Policy AW2 sets out a number of criteria to be taken in account including locations that are within the settlement boundary, with good access to local facilities but also sites that may be outside including, existing buildings in the countryside which accord with Policy AW9. Whilst it may be considered preferable for a nursing home to be located close to a town or community centre where local services or transport facilities can be easily accessed, in this case, the application site is accessible by foot and public transport and therefore fulfils a number of the policy criteria required for a sustainable location. In

relation to the relevant criteria under Policy AW9 relating to alterations to existing buildings in the countryside, these require that the building is structurally sound, or can be made so without substantial reconstruction. The current building has been in use as a nursing home for a number of years and its alteration and extension is therefore considered acceptable in principle, subject to the other policy criteria identified below.

Impact on the visual amenities and character of the area.

The existing building is located some distance from the access road on Pentwyn Road and is currently well screened by mature trees, which significantly reduce any views into the site. The main visual impact resulting from the current application will be from the main entrance at the front of the site. The additional two storey accommodation wing will be set back from the front of the nursing home and lower in height and will therefore not be seen as a prominent addition from the main entrance. The extension, whilst constituting a relatively large addition in comparison with previous single storey additions, is designed to reflect the main building and is not considered to detract from its character. The window proportions on the extension have been amended to reflect this. Whilst the new extension will be located in close proximity to habitable rooms within the existing building, the layout of the accommodation is such that there will be no direct overlooking between habitable room windows, or adversely impact on the amenities of existing residents.

The boundaries of the site are well screened by mature trees and the extension is therefore unlikely to be readily visible from land immediately surrounding the site or detract from the rural character of the area. Whilst the rear of the extension is likely to be visible from some locations within the built settlement of Treorchy, the intervening distance will prevent any significant impact.

Landscape issues

The main impact of the proposed development in terms of the surrounding landscape is the removal of 7 TPO trees that has been included in conjunction with the current the application. It is evident from the tree survey carried out on the trees and report submitted, that all of the trees which are proposed to be felled are in a healthy condition. Their removal has only therefore been sought on the basis that they are either positioned where they would come into direct conflict with the new extension, or are likely to become unstable in the future as a result of their proximity to the development.

In relation to trees T1 (Common Alder), T2 (Common Ash) and T3 (Norway Spruce), these are all mature trees and are likely to be partially visible in cross valley views, however their removal is clearly necessary to enable the development to proceed. Whilst it would be preferable for these trees to be retained, it is considered that the impact of their removal would not be significantly harmful to the existing landscape, particularly taking account the number of mature trees which remain within the site

and surrounding area. Trees T4, T5 and T6 (Austrian Pines) and, T7 (Corsican Pine) are located outside of the immediate footprint of the new extension but will be in close proximity to it. Whilst the Council's Landscape Officer has suggested the retention of these trees, the applicant's agent has advised that it is unlikely they would be able to be retained due to the need to provide access for emergency vehicles, such as fire fighting appliances and ambulances, to the site. It is however proposed that replacement trees would be provided in a location to be agreed with the Landscape Officer to provide protection to the existing woodland.

This second group of trees would not come into direct contact with the proposed extension however, the comments raised by the applicant's tree consultant regarding future instability and difficulties with emergency access are acknowledged. These trees are only partially visible from within of the site and it is not therefore considered that their removal would be significantly harmful to the surrounding landscape or public amenity, particularly as the trees are viewed against a backdrop of mature woodland and are situated in a semi-rural location. Therefore on balance, it is considered that their removal is acceptable and their replacement with suitable trees can be secured by condition.

Ecology

In relation to ecology issues, the main impact that has been identified resulting from the proposed development is the effect that the removal of 7 mature trees could have for bats and other protected species. As previously identified, the applicant has submitted a Survey of Trees for Use by Roosting Bats, which includes both a daytime inspection of the trees searching for signs of bats and an assessment of the potential of the trees within the site to support roosting bats. The results of this survey concluded that there were no signs of roosting bats or nesting birds and the trees were therefore assessed as having low potential for roosting bats. The Council's Ecologist has agreed with the conclusions of the survey, but has requested that the recommendations contained in the report in relation to the timing and method of felling are the subject of a condition. In relation to the consultant's suggestion for enhancing roosting opportunities through the provision of artificial bat roosts within the site, this is considered reasonable as well as the provision of bird boxes as a number of trees will be removed from the site.

Access and highway safety

With regard to highway safety and parking issues, the development would utilise the two existing access/egress points onto Pentwyn Road. Whilst Highways Officers have highlighted concerns with these access points, in the absence of any accident data during the last 5 years and taking into account the fact that there would only be a slight increase in vehicular movements associated with the extension, no highway objection has been raised.

In relation to parking provision within the site, the existing parking is presently restricted to the area directly outside the front of the nursing home and provides 13 spaces. The revised parking layout indicates that 22 useable spaces can be provided which Highways Officers have advised is appropriate and it is therefore considered that the proposed access and parking arrangement are acceptable and are in compliance with Policies AW5 and AW6 of the Local Development Plan.

Conclusion

Having taken into account all of the issues identified above, it is considered that the proposed extension incorporating an additional 14 bedrooms together with the associated improvement of facilities for existing residents of the nursing home is acceptable, will not detract from the character or visual amenities of the area and complies with relevant policies of the Local Development Plan.

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 layout and elevations plans no.13/2107/03 Rev A and 13/2107/04 Rev A received by the Local Planning Authority on 8 November 2013.'

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

3. Building operations shall not be commenced until samples of the materials 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 sample(s) 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.

4. No development shall take place until there has been submitted to and approved by the Local Planning Authority a comprehensive scheme of landscaping, which shall include indications of all existing trees (including spread and species) and hedgerows on the land and details of the replacement planting of those trees proposed to be removed.

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.

5. 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.

6. Before any work is commenced on site, including site works of any description, each of the trees to be retained shall be securely fenced off by a chestnut paling or similar fence erected in a circle round each tree to coincide with the extremity of the canopy of the tree. Within the areas so fenced off the existing ground level shall be neither raised nor lowered, and no materials or temporary buildings or surplus soil of any kind shall be placed or stored thereon during the period of construction works. If any trenches for services are required in the fenced-off areas during construction works they shall be excavated and back-filled by hand and any tree roots encountered with a diameter of 5cms or more shall be left unsevered.

Reason: To protect the existing trees on the site during the course of building work in the interests of amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

7. All tree felling works shall be carried out in strict accordance with the recommendations contained within Section 5.0 of the report entitled 'Trees at Ty Pentwyn Nursing Home, Treorchy - Survey of Trees for Use by Roosting Bats' (December 2013 Acer Ecology), unless otherwise agreed in writing by the Local Planning Authority.

Reason: To afford protection to animal and plant species in accordance with Policies AW5 and AW8 of the Rhondda Cynon Taf Local Development Plan.

8. Prior to the commencement of development, details for the provision of 3 bird boxes and 3 bat boxes shall be submitted to and approved in writing by

the Local Planning Authority. The development shall be completed in accordance with the approved details and maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest nature conservation in accordance with Policies AW5 and AW8 of the Rhondda Cynon Taf Local Development Plan.

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

- i) Monday to Friday 0800 to 1800 hours;
- ii) Saturday 0800 to 1300 hours;
- iii) 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.

10. 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.

11. The proposed extension 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.

12. Before the development is brought into use the means of access, together with the parking facilities for 22 vehicles, shall be laid out in accordance with submitted plan 13/0721/07 and approved 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 in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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APPLICATION NO: 14/0403/10 (LE)
APPLICANT: Mr Christopher
DEVELOPMENT: Proposed two storey extension to rear.
LOCATION: BLISS BEAUTY, 101 TALBOT ROAD, TALBOT GREEN, PONTYCLUN, CF72 8AE
DATE REGISTERED: 24/04/2014
ELECTORAL DIVISION: Talbot Green

RECOMMENDATION: Approve

REASONS:

The extension is considered to represent a suitable proposal to an existing commercial premise that is situated within a well used retail centre. The objections raised by the owner of the adjacent commercial premises are not considered so adverse to warrant refusal of the scheme.

APPLICATION DETAILS

Full planning permission is sought for the construction of a two-storey extension to the rear of 'Bliss Beauty', 101 Talbot Road, Talbot Green, Pontyclun. The proposed extension would measure 8.0 metres in length by 4.2 metres in width. The extension would be linked to the existing property by means of an enclosed, flat roofed, 1.0 metre long glazed walkway at first floor level. The design of the extension aims to retain an informal pedestrian access under the building for use by neighbouring commercial properties. Access to the very rear of the plot would be retained toward the eastern side of the extension via a 1 metre wide, stepped walkway.

The extension would have a pitched roof design to a height of 6.4 metres from ground level (maximum). It would be set into the existing sloping amenity space to the rear of the site to match the finished floor levels of the existing building. It is proposed the extension be finished with a mixture of facing brick and cement render, with tiled roof. A number of windows (with obscured/frosted glazing) would be positioned in the side, east facing elevation of the extension. A window opening would also be positioned within the rear of the extension. The extension would accommodate two additional treatment rooms for the business at first floor level and a staff room and small office at ground floor level. The applicants indicate the addition would add approximately 52 square metres of useable floor space to the property (existing internal floor area of the building is approximately 102 square metres).

The application is accompanied by a Design and Access Statement that highlights the business 'Bliss Beauty' seeks to expand and improve their operational space to

offer additional treatments to clients and ensure the business remains sustainable in the longer term.

SITE APPRAISAL

The application site comprises an established retail premise situated upon the main commercial street of Talbot Road, Talbot Green. The premise currently operates as 'Bliss Beauty' (Beauty salon). The building is a two-storey, mid terraced property and is surrounded by numerous commercial premises. Immediately adjoining the east of the site is a letting agency and to the west is a computer shop, beyond the highway fronting the site is Talbot Green Retail Park. To the rear of the building is a sloping, linear amenity space that is abutted by residential properties within Danygraig Crescent. These residential properties are elevated above the application site. A number of neighbouring properties along Talbot Road benefit from rear additions.

PLANNING HISTORY (most recent)

05/1805	Bliss Beauty 101 Talbot Road Talbot Green Pontyclun	Advertisement Display	Granted 09/11/05
05/1806	Bliss Beauty 101 Talbot Road Talbot Green Pontyclun	Change of Use to Beauty Salon from Café	Granted 31/10/05
99/2206	101 Talbot Road Talbot Green	Change of use to class A3 sale of hot food, and the consumption of food & beverages on the premises	Conditions 30/07/99

PUBLICITY

The application has been advertised by means of direct neighbour notification and site notice. One letter of objection has been received against the proposal from the owner of the adjoining neighbouring property (owner of both no. 99 and no.97 Talbot Road). The objections raised are summarised as follows:

- The development occupies a large floor area that fills nearly the whole width of the plot and appears virtually as an independent building in the rear garden.
- The proposed extension is set significantly beyond the rear building line and would adversely affect the character and appearance of the site.
- The extension fails to complement or enhance the local context.
- Positioned on the boundary with no. 99 Talbot Road the development would adversely affect the amenity of the occupiers and users of the neighbouring

premise, contrary to the provisions of Policy AW5 and AW6 of the Local Development Plan (It is stated no. 99 Talbot Road is used for residential accommodation and business use).

- Changes in the level of the land would accentuate the height of the building and lead to a feeling of over domination when viewed from no. 99 Talbot Road.
- The scale and mass of the extension would overshadow no. 99 Talbot Road and would conflict with Supplementary Planning Guidance.
- The development would limit accessibility at the rear of the properties along Talbot Road.
- An increase in the footprint of the proposed building is proposed but no indication of increased parking provision is provided. The area already experiences parking pressures.
- Given the poor access arrangements to the rear of the site, any building work authorised is likely to have an adverse impact on accessibility to the properties fronting Talbot Road.
- Building works in this locality would cause severe disruption to the detriment of existing businesses.
- The area already suffers from poor drainage arrangements and further building work would add to this problem.
- It is appreciated businesses in the area wish to expand and develop. The existing proposal of the dimensions and siting proposed should not be supported. A more modest scheme that is discussed with neighbours would more likely find favour.

CONSULTATION

Public Health and Protection - no objection raised, subject to the imposition of a condition restricting the hours of operation during the construction phase of the development.

Transportation Section - no objection raised, subject to the imposition of a condition relating to the drainage of the development and the provision of wheel washing facilities to prevent mud and debris being deposited on the public highway during the construction phase.

Land Reclamation and Engineering - raise no objection, subject to the imposition of conditions regarding the detailed drainage of the development.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site is within the settlement boundary and within the principal retail centre of Talbot Green.

Policy CS1 - promotes sustainable growth in the Southern Strategy Area.

Policy AW2 - supports development proposals in sustainable locations including sites within the defined settlement boundary.

Policy AW5 - sets out criteria for new development.

Policy AW6 - supports development that involves high quality design and makes a positive contribution to place making.

Policy SSA3 - sets out criteria for development in the Principal Town of Talbot Green, including that which reinforces the role of the town and which integrates positively with existing development.

Policy SSA16 - supports retail uses that maintain or enhance a centre's position within the retail hierarchy.

Policy SSA17 - sets out criteria for appropriate retail development in the retail centres of Principal Towns.

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 Chapter's 2 (Development Plans), Chapter 3 (Making and Enforcing Planning Decisions), Chapter 4 (Planning for Sustainability), Chapter 7 (Economic Development), Chapter 8 (Transport), and Chapter 10 (Planning for Retail and Town Centres), set out the Welsh Government's policy on planning issues relevant to the determination of the application.

Other relevant policy guidance consulted:

PPW Technical Advice Note 4: Retailing and Town Centres;

PPW Technical Advice Note 12: Design;

PPW Technical Advice Note 23: Economic Development.

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 relates to the proposed construction of an extension to an existing commercial property that is situated within the settlement boundaries and within an identified retail centre. The scheme to improve the existing facilities and aid the future viability of the beauty salon business is considered compatible and complementary to the existing function and role of the retail centre and is acceptable in principle.

Impact on the character and appearance of the area

The proposed extension would represent a relatively large addition to the rear of the existing building and whilst noting the objector's comments in terms of the size and mass of the addition it is considered acceptable in visual terms. It is acknowledged the extension is of a relatively large scale and would be sited within close proximity to the rear boundaries of adjacent premises. Nevertheless, the proposal would be erected to the rear of the building within a relatively private and screened position in terms of public view points, and would have no impact on the principal front elevation of the building. A glazed, first floor link whilst giving the extension somewhat of a detached appearance would allow pedestrian access to continue under the building to the benefit of users of the adjacent properties (although it is acknowledged no formal public right of way exists to the rear of the building). Such a feature also breaks the mass of the proposed extension and forms a distinct form of separation between the old building and proposed new building.

Finishing materials of the main extension are appropriate for the development and generally in keeping with the existing finishes of the locality. There is also other examples of additions of varying designs and scale at the rear which is predominantly commercial in nature; such variety not being uncommon when considering the rear of commercial buildings positioned along such commercial high streets. On balance, it is therefore considered the development would have no adverse impact on the existing character and appearance of the locality.

Impact on residential amenity and privacy

In terms of residential amenity, there is some concern about the scale and proximity of the proposed extension to the rear amenity areas associated with adjacent properties, with objections being raised against the scheme by the owner of no. 99 and 97 Talbot Road as earlier detailed. On balance however, the scheme is considered acceptable in this respect. Due regard in this instance should be given to the context and wider setting of the application site with the proposal representing an extension to an existing commercial property that is flanked by further commercial units; the site being situated within a principal retail centre. The objector does state the adjacent property no. 99 Talbot Road is in both residential and commercial use, although the level of amenity expected to be enjoyed within such a property should be reflective of the surrounding, established commercial context. To the rear of the objectors property is a large linear amenity area, although this is poorly maintained and at the time of the site visit was being partially used to store old computers and

parts in association with the use of the ground floor computer shop that operates from the site. It is also noted the most recent planning history for the neighbouring properties no's.99 and 97 indicates that in 2005 planning permission was granted for the commercial use of the building both at ground and first floor level.

The extension would inevitably have some impact on the amenity space of adjacent properties, although any loss of light would be limited to early morning given the orientation of the site and the existing outlook from first floor windows of neighbouring properties would remain relatively unaffected by the scheme. Furthermore, the rising topography of the existing rear amenity space would require some excavation to ensure the finished floor level of the proposed extension matches that of the existing building, which in turn would reduce the visual bulk and height of the extension when viewed from adjacent properties. The dwellings situated to the rear of the site are appropriately offset and elevated above the application site, and should not experience any undue overshadowing or overbearing impact as a result of the scheme. All of the proposed windows within the extension would also have an obscured nature (controlled through suggested condition) to prevent any direct overlooking.

Overall, when considering the merits of the scheme and the existing context of the application site with the application building being situated within a key retail centre, on balance, it is considered the scheme would not have such a harmful impact on levels of neighbouring amenity or privacy to warrant refusal of the planning application.

Access and Highway Safety

Following consultation with the Transportation Section it is highlighted the existing business requires in the region of 2 off-street car parking spaces (to accord with Supplementary Planning Guidance), although no parking is available within the curtilage of the site or can be provided to the rear of the premises. The proposed extension would increase the car parking requirement by 1 further space (in accordance with the same aforementioned guidelines) that represents an increase in the parking requirement for the property. This gives cause for concern in terms of additional parking that would be generated from the proposed development which would impact on-street where there is limited supply. However, the site is located within a sustainable area with access to public transport links and the site is within walking distance of potential customers living close by in the surrounding residential areas. Furthermore, there is short term parking availability within the nearby Talbot Green Retail Park that would potentially represent a linked trip to the application site and neighbouring retail premises. Therefore, no highway objections are raised against the proposal.

General concerns raised by the objector in relation to potential disruption and traffic accessibility during construction are also acknowledged, although not considered a material reason to warrant the refusal of the planning application. Inevitably, like

most development projects a degree of disturbance is likely during the construction phase of the development, although this is normally only of a temporary nature. Controlling the hours of operation during the construction phase of the development would also help reduce levels of construction disturbance. A condition suggested, requesting the provision of wheel washing facilities at the site during the construction phase is however considered unreasonable for a proposal to erect a two-storey extension.

Drainage

Whilst acknowledging the objector's comments in relation to the drainage of the development, it is not considered a proposal of the scale and nature being proposed gives rise to any adverse land drainage issues. Following consultation with the Drainage Section a condition is suggested to appropriately control the drainage of the development.

Conclusion

The proposal has been determined as compliant with the policy framework of the Rhondda Cynon Taf Local Development Plan and Planning Policy Wales. As such, the application is recommended for approval.

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. Building operations shall not be commenced until samples/brochure details of the type and colour of render, face brick, windows, and roof tiles 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 sample(s) so approved.

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.

3. Building operations shall not be commenced until samples/brochure details of the type and design of window glazing proposed to be used within the first floor linking structure from the existing building has been submitted to and approved in writing by the Local Planning Authority and all materials used shall conform to the sample(s) so approved.

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

4. Prior to the occupation of the development, the window openings in both the east facing side elevation of the extension and the rear north facing elevation of the extension shall be glazed with obscure/frosted glass to a height of 1.7 metres above internal finished floor levels, the detail of which shall first be submitted to and agreed in writing by the Local Planning Authority. The windows shall thereafter be retained in their approved form unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential amenity in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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APPLICATION NO: 14/0484/10 (EL)
APPLICANT: Mr & Mrs A & C Norris
DEVELOPMENT: Change of use from Public House to 6 residential units with associated exterior alterations and internal parking area (Amended location 19/05/2014)
LOCATION: **FORMER CASTLE IVOR PUBLIC HOUSE, 14 JENKINS STREET, HOPKINSTOWN, PONTYPRIDD, CF37 2RA**
DATE REGISTERED: 19/05/2014
ELECTORAL DIVISION: Rhondda

RECOMMENDATION: Approve subject to conditions

REASONS:

The redevelopment of the site for residential purposes is compatible with the area and the conversion would bring back into use a prominent building within the village. The design of the conversion, the impact on residential amenity and potential impact on highway safety are also considered acceptable.

APPLICATION DETAILS

Full planning permission is sought for the conversion of the former Castle Ivor Public House, 14 Jenkins Street, Hopkinstown, to form 6 no. independent residential units of accommodation, with associated exterior alterations and internal parking area.

The conversion would be undertaken within the fabric of the existing property, with no increase in the footprint of the building being proposed. It is proposed that 4 no. 2 bedroom units and 2 no. 1 bedroom units would be created over the ground and first floor of the building. Each residential unit would benefit from an open plan kitchen/living space and bathroom.

Car parking would be provided within the lower ground floor level of the building. Vehicular access would be gained via a lane that bounds the rear (east) elevation of the building.

The proposed conversion would be undertaken largely within the fabric of the existing building, however modifications to the existing pattern of fenestration are proposed, with a change in the number and style of the openings, which would serve the proposed flats. It is also proposed that a small structure be accommodated upon the roof of the building. This structure would have an area of 25m² and extend to 2.3 metres in height (above the existing flat roof). This addition would accommodate a staircase that would provide access to the roof of the building, which is required for maintenance purposes. It is proposed that the external elevations (currently painted brickwork) would be rendered.

SITE APPRAISAL

The application property is a substantial building with a flat roof construction located on the junction of Jenkins Street and Foundry Road, Hopkinstown. Accommodation is arranged over three levels, with the building benefiting from a lower ground floor/basement level. The immediate area surrounding the application site is predominantly residential in character, with the majority of properties being terraced in character. However, immediately to the south is a large public hall/ church building.

PLANNING HISTORY

12/0820	The Castle Ivor, 13 Jenkins Street, Hopkinstown, Pontypridd	Roof alterations and conversion of existing public house into 4 No. self contained flats and car parking.	Granted with conditions 04/12/12
88/0342	Hopkinstown Non-Pol Club, Jenkins Street, Hopkinstown	Internal improvements, provision of new toilets and change of use from a club to a public house	Granted with conditions 18/07/88

PUBLICITY

The application was advertised by direct neighbour notification and site notices. Two letters of representation have been received, which are summarised as follows:

- It is commented that there is already insufficient parking in Foundry Road, adding 6 new residential units will only exacerbate this problem.
- Questions are raised with regard to the number of residents who have been consulted on the planning application.
- Concern is expressed that the building would become a 'half-way house' and that future residents may have drug related issues. As such, concern is expressed with regard to their family's safety.
- It is also commented that residents on Castle Ivor Street, Foundry Road, Jenkins Street and Telekebir Road often find it difficult to park their cars outside their own properties.
- Concern is expressed that any increase in traffic associated with the development may be a risk to young and elderly residents in the area.
- A neighbouring occupier had also written directly to the Council's Traffic Management Section, requiring that Foundry Road be made a residents parking permit area.

CONSULTATION

Transportation Section – no objections raised, subject to conditions.

Public Health & Protection – no objections raised.

Land Reclamation & Drainage - no objections raised, conditions and consultation with Natural Resources Wales recommended.

Natural Resources Wales – no objections raised.

Dwr Cymru/Welsh Water – awaiting consultation response, verbal update to follow.

Countryside Section – no objections raised.

Housing Strategy - a contribution toward the provision of affordable housing is recommended.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

Indicates that the site is within settlement limits.

Policy AW1 - sets out the requirements for new housing development and the methods by which the provision of new housing will be met. Policy AW1.5 refers directly to the conversion of suitable structures to provide housing.

Policy AW2 - promotes development in sustainable locations.

Policy AW5 - sets out criteria for new development in relation to amenity and accessibility.

Policy AW6 - sets out the criteria for new development in terms of design and place-making.

Policy SSA12 - sets out the criteria for the provision of affordable housing in the southern strategy area.

Policy SSA13 - sets out the criteria for development within and adjacent to settlement boundaries.

National Guidance

Planning Policy Wales Chapter 3 (Making and Enforcing Planning Decisions), Chapter 8 (Transport) and Chapter 9 (Housing), set out the Welsh Government's policy on planning issues relevant to the determination of the application.

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 development

Castle Ivor is a prominent building located within settlement limits and within the village of Hopkinstown, with the area that immediately adjoins the site, being predominantly residential in character. Given its location and the fact that the building layout lends itself to conversion, without significant external alterations, it is considered that the proposed re-use of the building for residential purposes would be compatible with surrounding land uses. Consideration must also be given to the planning history of the site, which illustrates that in 2012 planning permission was approved for the conversion of the building to 4 no. independent residential units. Therefore it is considered that the proposed residential use is acceptable in principle; subject to an assessment of the impact of the development upon the character and appearance of the surrounding area; the residential amenities of neighbouring properties; and highway safety.

Character and appearance

As identified above, planning policy promotes the re-use and conversion of existing buildings in sustainable locations, as such proposals can often assist regeneration and at the same time relieve pressure for development on greenfield sites. Whilst in order to convert and subdivide the building, it is necessary to carry out alterations to the fabric of the building, the most significant of these alterations are contained within the interior of the property.

In terms of external alterations, it is acknowledged that the application proposes the construction of a small addition to the roof of the building. However, this structure would be modest in its scale, extending to an area of 25m² and height of 2.3 metres (above the existing flat roof) and is required to accommodate a staircase required to provide access to the roof of the building (for maintenance purposes). Further external alterations relate to modifications to the pattern of fenestration and the rendering of the existing painted brickwork elevations. Whilst these works would alter the appearance of the building, it is not considered that they would be harmful to the character of the building. Areas of the building currently appear to be in a poor state of repair, resulting from neglect over a number of years. As such, it is considered that the proposed repairs and general refurbishment of the external elevations would improve the appearance of the building in the street scene. Similarly, the addition to the roof is modest in its scale and proportions, and therefore would not form an overly prominent feature in the street scene. Overall, it is not considered that the proposed works, required to bring the building back into use, would result in a detrimental impact upon the character or appearance of the immediate area. Therefore, the development is considered to be in keeping with the character and appearance of the surrounding area, and, is in accordance with the requirements of policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

Residential amenity

When assessing applications for the conversion and adaptation of existing buildings, it is important to consider the potential impacts of such schemes upon the existing neighbouring properties. In this instance, it is not considered that the re-use of the building for residential purposes would unduly compromise the amenities of nearby residents. It is noted that the last known use of the building was as a public house with function room. Having assessed the proposal, it is considered that the conversion to residential units would be compatible with neighbouring uses, and would be likely to generate less potential disturbance to existing nearby residents, than that of a bar or other Class A3 use, which could be open to visiting members of the public until late into the evening.

As noted above, the proposed conversion would broadly retain and utilise the existing pattern of fenestration, however a number of additional openings are proposed. It is acknowledged that the separation distances between the habitable room windows in the front (west) elevation and the closest dwelling on Foundry Road are less than would be expected on proposals for new build residential properties;

with number 11 Foundry Road being located approximately 12 metres to the west of the building. However, it is considered that the relationship and separation distance between the two buildings is comparable with that of neighbouring properties in the immediate surrounding area, whereby properties do not benefit from front garden curtilages and are separated only by the highway and footpath.

Similarly, it is acknowledged that the building is also located in close proximity to the closest dwelling to the north, which currently benefits from a single storey conservatory to its front elevation, facing the application site. It is acknowledged that a number of openings, serving habitable rooms for some of the flats, would be located in the northern elevation, directly facing the conservatory. However, it is noted that a boundary fence has been erected to the front boundary of this property, between the conservatory and Jenkins Street. It is considered that the position and height of this enclosure would limit any potential for direct overlooking to the conservatory and front elevation of the bungalow to an acceptable degree.

Finally, it is acknowledged that the proposed conversion also involves the provision of openings, to serve the units, within the rear eastern elevation. It is acknowledged that this elevation addresses the side of the neighbouring property on Jenkins Street. These two buildings are separated by a rear access lane that serves Foundry Road and Castle Ivor Street.

Whilst the initial proposal involved provision of openings to serve both bedrooms and living spaces, the scheme has been revised, with a view to limiting the potential impacts upon the neighbouring occupier. Windows to the rear elevation, which would have served the living/kitchen space and bedroom 1, have been deleted from the scheme, thereby removing any potential for overlooking from these spaces. It is acknowledged that two bedroom windows are retained, however, given the internal configuration of the units, it is not possible to re-locate these to another elevation. Furthermore, Building Regulations require that such spaces must be served by natural ventilation. However, with a view to limiting any adverse impacts upon the neighbouring occupier, the design of these windows has been revised. The window aperture would be split into two sections, the lower of which would be heavily obscured and non-opening, with the upper section being top-hung, thereby appropriately limiting any potential for overlooking. In assessing this element of the scheme consideration should also be given to the fact that a number of existing openings are currently located in the rear elevation of the building and given the variation in level between the two buildings, the position of the proposed openings at first floor level would look over, rather than into the neighbouring dwelling.

Overall, it is considered that the privacy distances achieved in relation to the development are consistent with the standards set in the area and are a typical characteristic of the terraced streets of Hopkinstown. Furthermore, consideration must also be given to the fact that an earlier planning permission, which permits the conversion of the building to 4 no. residential units has already been approved at the site (12/0820). As such, on balance, it is not considered that the proposal would

result in a loss of privacy or amenity to neighbouring occupiers that would be so great as to warrant the refusal of the planning application.

Highway Safety

In order to aid in the assessment of the proposal upon highway safety, consultation has been undertaken with the Council's Transportation Section. Their response identifies that the area surrounding the site consists of predominantly residential streets. Whilst it is acknowledged that Foundry Road, which bounds the western extent of the site is a no-through road, it is noted that no traffic management measures are currently in place in the vicinity of the site, to limit the supply of on-street parking.

Their response comments that whilst it is difficult to establish the exact parking requirement for the use of the building as a public house, it is noted that this is likely to be in excess of the residential parking requirement. This is based on the fact that, in accordance with the Council's Supplementary Planning Guidance, 1 space per staff and 1 space per 5sqm of public area including servery would be required for a public house and at present, there is currently no off-street parking available.

In accordance with the Council's Supplementary Planning Guidance, the proposed residential conversion would generate a maximum parking requirement of 12 on-site parking spaces. Given site constraints, it is not possible to accommodate the maximum parking requirement on-site, as the building occupies the full extent of the plot. However, the scheme has been designed in order that the lower ground floor of the building be converted to a parking area. This would provide parking for 6 no. vehicles, which would be accessed off the lane, which bounds the rear (east) of the site. Having assessed this arrangement, the Transportation Section have indicated that given that the site is located within a sustainable built up area, within walking distance of public transport and local amenities, the parking provided is considered to be at an acceptable level, with one space per unit.

It is also noted that as there would be no net increase in trip generation, when compared to the existing use as a public house, in accordance with the requirements of the Council's Supplementary Planning Guidance, in this case the proposal would not generate a transport tariff.

Overall, their assessment concludes that the proposal provides for adequate access, circulation and parking. As such, no objections have been raised by the Council's Transportation Section and it is not considered that the proposed conversion would result in an adverse impact upon highway safety in the vicinity of the site.

Other Issues

The following other material considerations have been taken into account in considering the application, though were not the key determining factors in reaching the recommendation.

Ecology

As set out above, having reviewed the planning history of the site it is apparent that permission was approved in December 2012 (12/0820) for the conversion of the building to 4 no. residential units. As part of the assessment of this application, the potential for the building to act as habitat for roosting bats was considered. This application was accompanied by a bat survey, which undertook both an assessment of the building and emergence survey work. The report concluded by stating that no evidence was found to suggest that the building was used as a roost and that no bats were seen emerging or returning to the building. As such, the earlier planning application report concluded that the proposed conversion of the building would not adversely impact upon protected species. Given the relatively short period of time between the determination of the earlier application and the submission of the current scheme, it is considered reasonable to rely upon the conclusions of the earlier report. Nevertheless, should Members be minded to approve planning permission, an informative note is recommended, which reminds the applicant of their responsibilities in regard to this matter.

Occupation

It is noted that following the advertisement of the planning application a number of residents have expressed some concern with regard to the future occupancy of the building. Their letters express concern that the building may be operated as a hostel, providing short-term accommodation to specific categories of people, eg. the young, or homeless. In this regard it must be noted that whilst the status of the individuals who may occupy the proposed units cannot be controlled as part of the planning application process, it is important to distinguish between the types of accommodation referred to.

The application seeks permission to convert the building to 6 no. independent flats. However, residents concerns relate to the occupation of the building on a hostel. It is first important to note that each of these uses falls within a different use class. Under the Use Classes Order, a dwelling or flat is categorised as Class C3, however, a hostel is categorised as sui generis (in a Use Class of its own). As such, there would be no permitted change from a residential flat to a hostel, without the submission of a further planning application. As set out above, in assessing the proposal as 6 no. independent flats, it is considered that this use would be compatible with neighbouring uses, and would be acceptable in planning terms.

Section 106 Contributions / Planning Obligations

Section 106 of the Town and Country Planning Act (as amended) enables local planning authorities and developers to agree to planning obligations to require operations or activities to be carried out on land (in-kind obligations) or require payments to be made (financial contributions), to mitigate any unacceptable impacts of development proposals.

The Community Infrastructure Levy (CIL) Regulations 2010, with effect from 6 April 2010, state that a planning obligation (under S.106) may only legally constitute a reason for granting planning permission if it is:

1. necessary to make the development acceptable in planning terms;
2. directly related to the development; and,
3. fairly and reasonably related in scale and kind to the development.

Planning Policy Wales (Chapter 3) advises that contributions from developers may be used to offset negative consequences of development, to help meet local needs, or to secure benefits which will make development more sustainable. Further guidance regarding what types of obligations developers may be expected to contribute towards is also contained within Policy AW4 of the Local Development Plan and the Council's SPG on Planning Obligations, however it is made clear that this is intended to form the basis of negotiations between all parties.

The Section 106 requirements in this case

Policy SSA12 of the Local Development Plan requires 20% affordable housing provision on sites of 5 units or more in the Southern Strategy Area. As the proposal concerned is for 6 residential units, 1 unit of affordable housing should be secured to satisfy these requirements.

Following consultation with the Council's Housing Strategy Team it has been established that 1 no. 2-bedroom Low Cost Home Ownership unit would normally be sought to address the housing need, identified in the Local Housing Market Assessment 2012. However, the applicant has indicated that all of the units in this scheme are intended for rent. As such, in this instance, it is considered that a commuted sum would be acceptable, in lieu of on-site provision. The commuted sum should equate to 30% of the open market value for a two-bedroom apartment in the local vicinity, and would be utilised toward the provision of alternative affordable housing provision off-site.

As such, the following Heads of terms are suggested:

- Payment of a commuted sum equivalent to 30% of the open market value of one no. two bedroom apartment within the local vicinity of the application site (the value should be based on figures which are correct at the time the development is commenced). Payment of the commuted sum is to be made following occupation of the third residential unit.

- That the applicant undertakes to pay all reasonable costs associated with the preparation of the legal agreement.

Conclusion

Having taken account of all of the issues outlined above, the application proposal is considered acceptable in terms of its impact upon the character and appearance of the area, compatibility with existing uses, impact upon the amenities of existing residents and its potential impact upon highway safety. Therefore the proposal is recommended for approval, subject to the conditions specified below and the applicant entering into a Section 106 legal agreement, the Heads of Terms of which are specified above.

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 plan(s) received by the Local Planning Authority on 19.06.2014.

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

3. Building operations shall not be commenced until a schedule of the finishing materials for the elevations and roof addition, 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.

4. The parking area, as illustrated within drawing no. PI 01 Lower ground floor plan dated 07/05/14, shall be constructed in permanent materials, prior to beneficial occupation of any residential unit and thereafter retained for the purposes of parking only, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that vehicles are parked off the highway, in the interests of road safety.

5. Surface water run-off from the proposed development shall not discharge onto the public highway or connect to any highway drainage system unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to prevent overcapacity of the existing highway drainage system and potential flooding.

6. Prior to the commencement of development, details of traffic management 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.

7. Prior to the residential units, hereby permitted, being brought into use, the bedroom window openings in the rear east elevation shall be glazed with obscure glass, to a height of 1.75 metres above internal finished floor levels and fitted with top hung openings only, details of which shall first be submitted to and agreed in writing by the Local Planning Authority. The windows shall be retained as such thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential amenity in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

8. 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.

9. No residential 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.

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

- i) Monday to Friday 0800 to 1800 hours;

- ii) Saturday 0800 to 1300 hours;
- iii) 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.

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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 JULY 2014

REPORT OF: SERVICE DIRECTOR PLANNING

REPORT

**APPLICATIONS RECOMMENDED
FOR APPROVAL**

OFFICER TO CONTACT

**MR J BAILEY
(Tel: 01443 425004)**

See Relevant Application File

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