

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2014-2015

**DEVELOPMENT CONTROL
COMMITTEE
19 FEBRUARY 2015**

**REPORT OF: SERVICE DIRECTOR
PLANNING**

	Agenda Item No. 9
APPLICATION NO: 14/0578 – CONSTRUCTION OF 6 LINK HOUSES ON LAND AT STATION ROAD, TREORCHY.	

1. PURPOSE OF THE REPORT

Members are asked to consider the determination of the above planning application.

2. RECOMMENDATION

That Members approve the application.

3. BACKGROUND

This application was originally reported to the Development Control Committee of 4th September 2014 and a copy of the original report is attached as **APPENDIX A**. At that meeting Members resolved to approve the application subject to the applicant entering into a Section 106 Agreement to make a transport tariff contribution towards improving the strategic highway network (minute no. 64(2) refers). The applicant has however subsequently raised issues with the Authority regarding the requirement of the Transport Tariff and the Section 106 Agreement has not therefore progressed.

As Members will be aware the Community Infrastructure Levy (CIL) was introduced by the Council on December 31st 2014. CIL is now the means by which the Council secures contributions for infrastructure improvements. Under the relevant Regulations a Section 106 Agreement can no longer constitute a reason for granting planning permission to the extent that the obligation provides funding for infrastructure which will be funded by CIL.

This site is within Zone 1 where there is a £0 charge for residential development and therefore there is no contribution required in this case and it would be unlawful to pursue the previous contribution requested.

Having regard to the previous resolution and the advice given above Members are requested to approve the application without the requirement for the transport tariff contribution.

This page intentionally blank

APPENDIX A

APPLICATION NO: 14/0578/10 (BJW)
APPLICANT: Gilheaney Construction
DEVELOPMENT: 6 No. link houses.
LOCATION: **SITE OF OLD BINGO CLUB AND SNOOKER ROOMS,
STATION ROAD, TREORCHY, CF42 6UE.**
DATE REGISTERED: 06/05/2014
ELECTORAL DIVISION: Treorchy

RECOMMENDATION: Approve.

REASONS:

The proposal would make productive use of a disused site that would be in keeping with surrounding land uses and of a scale and design that would be sympathetic to the character of the area. The relationship between the proposed dwellings and existing neighbouring properties is not considered to cause detriment to their amenities.

APPLICATION DETAILS

Full planning permission is sought for the construction of 6 link houses on a cleared, triangular shaped piece of land that was formerly the site of a snooker hall on Station Road, Treorchy.

The dwellings would be located at the front of the site, directly onto the access road for Treorchy railway station. The properties would consist of a pair of three link, two storey dwellings with rear garden areas.

The properties would measure 5.2m in width by 8.7m in depth by 5.05m in height to the eaves, 7.25m in height to the ridge of the roof and would be finished in facing brickwork with contrasting brick quoins and headers at ground floor level, fine down render at first floor level and a grey tile roof.

Accommodation would consist of a living room, W.C., kitchen and dining area at ground floor; 3 bedrooms, 1 en suite and a bathroom at first floor.

The layout, which has been amended due to concerns over parking, turning and general highway safety, now includes the following:

- A widened pedestrian footway at the front of the site with a width of 2m;
- 2 no. parking areas, each with 6 spaces and including turning facilities

The application is accompanied by a Design and Access Statement (DAS) in support of the application. The DAS states that the proposal would respect the surrounding area in terms of building finish that will allow the dwellings to blend in and would supply housing appropriate to the area that meets local demand and also make the best use of available land.

SITE APPRAISAL

The application site is a triangular shaped piece of land located between Station Road and the approach road to Treorchy Railway Station.

The site has an area of approximately 1368 square metres and a road frontage, onto the station approach road, of 73 metres. The land is relatively flat, although the rear boundary onto Station Road, rises steeply to approximately 2.7m.

The application site was formerly occupied by a large bingo/snooker hall which has been demolished for some time and the land has been cleared. There is now some light ground flora, particularly on the sloping rear bank.

The site is on one of the approach roads to Treorchy Town Centre, although it is unallocated for any particular use. The surrounding area contains the Railway Station to the south and a retail food store to the east.

PLANNING HISTORY

08/0920	Old Bingo hall & snooker rooms, Station Road, Treorchy.	Construction of 18 No. 1 and 2 bedroom apartments in three storey block.	Refused 26/11/08 Appeal Allowed 06/04/09
04/2354	Old Bingo hall & snooker rooms, Station Road, Treorchy.	Construction of 18 No. 1 and 2 bedroom apartments in three storey block.	Granted 16/09/05
03/0317	Old Bingo hall & snooker rooms, Station Road, Treorchy.	Residential development	Granted 04/07/03
83/0212	Old Bingo hall & snooker rooms, Station Road, Treorchy.	Change of use of part of existing bingo club to private members club.	Granted 27/04/83
81/1053	Old Bingo hall & snooker rooms, Station Road, Treorchy.	Extension to provide changing rooms toilets & kitchen facilities	Granted 12/01/81
80/0890	Old Bingo hall & snooker rooms, Station Road, Treorchy.	Sheet panel advertisement	Refused 06/01/80
79/0246	Old Bingo hall &	Rebuild retaining wall	Granted

	snooker rooms, Station Road, Treorchy.	02/10/79
76/0425	Old Bingo hall & Sign snooker rooms, Station Road, Treorchy.	Granted 29/06/76

PUBLICITY

This has included site notices and the direct notification of properties surrounding the site. No responses have been received.

CONSULTATION

Transportation Section – no objection, subject to conditions. Also recommends the contribution of a Transport Tariff of £9024 in accordance with adopted Supplementary Planning Guidance (SPG) based on the 6 dwellings proposed at the site. The contribution should be secured through a Section 106 Agreement.

Land Reclamation and Engineering – no objection, subject to conditions.

Public Health and Protection – no objection, subject to conditions restricting the hours of operation during construction and for a scheme dealing with the noise from the station and nearby food store and mitigation to the proposed dwellings. Advice is offered in relation to the minimisation of noise, dust and the disposal of waste at the site.

Natural Resources Wales – no adverse comments, standard advice offered.

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

Countryside Landscape and Ecology – no objection, subject to a condition requiring a Wildlife Protection Plan for construction to be submitted and approved by the Council prior to any works commencing.

POLICY CONTEXT

The site is within the settlement boundary and unallocated.

Rhondda Cynon Taf Local Development Plan

Policy CS1 - sets out criteria for achieving sustainable growth.

Policy AW1 - outlines the Councils need to meet the housing land requirement from sources including unallocated land within the defined settlement boundary of Key Settlements.

Policy AW2 - sets out criteria to ensure that development of non-allocated sites are only permitted in sustainable locations.

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

Policy AW6 - requires development to involve a high quality design and to make a positive contribution to place making, including landscaping.

Policy AW8 - only permits development where it would not cause harm to features of the natural environment.

Policy AW10 - development proposals must overcome any harm to public health, the environment or local amenity.

Policy NSA2 - sets out the criteria for development proposals within the identified Key Settlement of Treorchy.

Policy NSA10 - seeks residential densities of 30dph or more, and gives criteria for any allowances for lower densities.

Policy NSA12 - gives further criteria for development within settlement boundaries.

Policy NSA13 - sets out criteria concerning the rehabilitation and conversion of large buildings in the Northern Strategy Area.

National Guidance

In the determination of planning applications regard should also be given to the requirements of National Planning Policy that are not duplicated in the Local Development Plan, particularly where National Planning Policy provides a more up to date and comprehensive policy on certain topics.

Chapter 2 (development plans), Chapter 3 (making and enforcing planning decisions), Chapter 4 (planning for sustainability), Chapter 9 (housing) set out the Welsh Government's policy on planning issues relevant to the determination of this planning application.

Other relevant policy guidance consulted.

Planning Policy Wales Technical Advice Note 12 Design

Planning Policy Wales Technical Advice Note 11 Noise

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

The site also benefits from two previous consents, both for the construction of a three storey apartment block consisting of 18 flats. Consequently, it is considered that the principle of using the site for residential purposes has been established by the previous consents and is acceptable.

It is considered that the dwellings currently proposed could be accommodated at the site without leading to over development and that the proposal would make a productive use of the land that would be in keeping with surrounding land uses.

Character and Appearance of the area

The immediate surrounding area is characterised by commercial development and the railway station with the closest residential dwellings consisting of a block of Police flats 35m to the north of the site.

The town of Treorchy is a Key Settlement with a fairly large retail area and housing being a mix of styles with a predominance of traditional terraced housing. It is considered that the site would represent an “infill” opportunity within the existing environment.

It is considered that the design of the properties are in keeping with existing terrace properties within the area in terms of their design, albeit they are a more modern interpretation of a traditional terrace.

It is considered that the properties are of an acceptable design and scale in terms of its street frontage and are sympathetic to the character and appearance of the area in this regard. Additionally, due to the disused nature and character of the area, it is considered that the proposal would be a visual improvement on the existing situation at the site.

Therefore, it is considered that the proposal is respectful, sympathetic and acceptable in terms of the character and appearance of the area.

Impact on amenities of neighbouring properties

The site represents an infill plot but due to its location, is one that would not have a close relationship with existing neighbouring properties despite the densely built-up urban form of this area. Indeed the closest affected dwellings are some 35m from the edge of the development site.

Consequently, having regard to the layout, scale and design of the properties and their relationship with surrounding dwellings, it is considered that the proposal would not have a detrimental impact on neighbouring residential properties.

In terms of the existing adjacent railway station and retail food store, it is acknowledged that there is potential for some disturbance to residents of the proposed dwellings. This could become a problem for both the activities of the existing uses and the amenity of future residents.

In this regard it is considered that a suitably worded condition, as suggested by the Public Health and Protection Division, requiring a scheme for protecting the future occupiers of the development from noise from the existing uses be submitted and implemented prior to beneficial occupation of the properties would be a suitable means of ensuring an acceptable outcome for both parties. It is considered to be reasonable and necessary to include the suggested condition to address this issue.

Consequently, having regard to the issues above, it is considered that the proposal is acceptable.

Highway safety

The Transportation Section has raised no objection to the application. This view has been offered after negotiation and amendments to the initially submitted scheme and in acknowledgement of the previous planning history of the site.

The proposal would create a turning facility for all users of the access road to the train station as well as parking and turning facilities for the proposed dwellings.

While the maximum requirement of parking provision for each dwelling would be 3 spaces per dwelling, it is considered that due to the sustainable nature of the site, within close proximity to alternative modes of transport and local amenities, that 2 spaces would be acceptable and in line with current national guidance.

Consequently, due to the amended layout of the site, its planning history and sustainable location it is considered that the proposal is acceptable in this regard.

Conclusion

The application represents an acceptable form of residential development that would be in keeping with the existing properties, sympathetic to the surrounding area and would not be detrimental to the existing amenities or highway safety of the area.

Consequently, the application is considered to comply with the relevant policies of the Local Development Plan in respect of the issues outlined above (and in accordance with Policies AW5, AW6, AW8 and AW10).

RECOMMENDATION:

Approve, subject to the applicant entering into a Section 106 agreement the Heads of Terms of which are set out below:

Heads of Terms

Transport Tariff

That the applicant enters into an agreement to make a transport tariff contribution towards improving the strategic highway network at a rate of:

Residential 3/4/5 + bedrooms at £3,008 / unit x 50% Level 3 tariff = £9024

With regard to the timing of payment, 25% would be payable upon commencement of development, 50% upon the completion of 50% of the development and the remaining 25% upon the completion of 75% of the development.

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 01/08/2014.

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

3. Prior to the commencement of development, a detailed site investigations report shall be submitted to and approved in writing by the Local Planning Authority. The report should be sufficiently detailed to establish if any ground precautions are necessary in relation to the proposed development and the precautions that should be adopted in the design and construction of the proposed development in order to minimise any damage which might arise as a result of ground condition. The development, hereby permitted, shall be carried out in accordance with the approved site investigations report.

Reason: The site may be unstable and as such a stability report is required in accordance with Policy AW10 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 any to be retained together with measures for their protection during the course of development.

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. No development shall take place until a Wildlife Protection Plan for Construction has been submitted to and approved in writing by the local planning authority. The plan shall include:

- a. An appropriate scale plan showing 'Wildlife Protection Zones' where construction activities are restricted and where protective measures will be installed or implemented;
- b. Details of protective measures (both physical measures and sensitive working practices) to avoid impacts during construction;
- c. A timetable to show phasing of construction activities to avoid periods of the year when sensitive wildlife could be harmed (such as nesting bird season).
- d. Persons responsible for:
 - i) Compliance with legal consents relating to nature conservation;
 - ii) Compliance with planning conditions relating to nature conservation;
 - iii) Installation of physical protection measures during construction;
 - iv) Implementation of sensitive working practices during construction;
 - v) Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction;
 - vi) Provision of training and information about the importance of the 'Wildlife Protection Zones' to all construction personnel on site.

All construction activities shall be implemented with the approved details and timing of the plan unless otherwise approved 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.

7. 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.

8. 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.

9. No development shall commence until a scheme for protecting the future occupiers of the development hereby permitted from noise from both the

railway line passing through Treorchy Station and the adjacent Supermarket at Station Road, Treorchy, has been submitted to and approved in writing by the Local Planning Authority. All works which form part of the scheme shall be completed before any part of the development is occupied.

Reason: To ensure that the development is adequately protected from the potential source of noise from the existing uses in accordance with Policy AW10 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. 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.

12. Before the development is brought into use the means of access, together with parking and turning facilities, shall be laid out in accordance with the submitted plan 2405 NB 1a dated 01/08/2014 and constructed to and approved in writing by the Local Planning Authority prior to any works commencing on site. The parking and turning areas shall not thereafter be used for any other purpose other than the parking and turning of vehicles.

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

13. Development shall not begin until details providing for the creation of a 2.0 metres wide footway along the site frontage along with vehicular crossover and buff coloured tactile paving for the uncontrolled pedestrian crossing have been submitted to and approved in writing by the Local Planning Authority. The footway/crossover shall be constructed in accordance with the approved details before the development is brought into use.

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

14. Heavy goods vehicles used as part of the development shall be restricted to 09:00am to 16:00pm weekdays, with no deliveries on weekends and Bank Holidays unless otherwise agreed in writing with the Local Planning Authority.

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

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

19 FEBRUARY 2015

REPORT OF: SERVICE DIRECTOR PLANNING

REPORT

**APPLICATION NO: 14/0578 –
CONSTRUCTION OF 6 LINK
HOUSES ON LAND AT STATION
ROAD, TREORCHY.**

OFFICER TO CONTACT

**MR B WORTHINGTON
(Tel. No. 01443 494762)**

See Relevant Application File

This page intentionally blank