

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2015-2016

**DEVELOPMENT CONTROL
COMMITTEE
16 JULY 2015**

**REPORT OF: SERVICE DIRECTOR
PLANNING**

	Agenda Item No.6
APPLICATION NO: 08/1575 – RENEWAL OF OUTLINE PLANNING PERMISSION (03/1273) FOR RESIDENTIAL DEVELOPMENT. THE OLD GRANARY AND POST HOUSE, FARM ROAD, ABERAMAN, ABERDARE.	

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 on 23rd June 2011 (a copy of the original report is reproduced as **APPENDIX A**). At that meeting Members resolved to approve the application subject to the applicant entering into a Section 106 Agreement to secure:

1. A transport tariff contribution towards improving the strategic highway network; and
2. 10% of the total number of units being made available for low cost home ownership (minute No. 2) refers).

Unfortunately during the processing of the Section 106, one of the original owners has passed away. As a result there has been a delay in concluding the Section 106 whilst matters relating to the Owner's estate have been resolved.

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.

The site is within Zone 1 where there is a £ nil charge for residential development and therefore there is no contribution required in this case and it

would now be inappropriate to pursue the previous Transport Tariff contribution requested.

Having regard to the previous resolution and the advice given above, Members are requested to approve the application without the Transport Tariff contribution but subject to conditions outlined in the original report and a Section 106 Agreement to secure:

1. 10% of the total number of units being made available for low cost home ownership.

APPENDIX A

APPLICATION NO: 08/1575/13 (MJ)
APPLICANT: Paul Martin
DEVELOPMENT: Renewal of outline planning permission 03/1273 for residential development
LOCATION: THE OLD GRANARY AND POST HOUSE, FARM ROAD, ABERAMAN, ABERDARE, CF44 6LJ
DATE REGISTERED: 02/10/2008
ELECTORAL DIVISION: Aberaman South

APPLICATION DETAILS

This is an application for the renewal of outline planning permission for residential development on an area of land measuring approximately 0.66 hectares. Outline planning permission for residential development was previously given on the site on 7 November 2003 (Ref: 03/1273/13).

All matters relating to layout, appearance, scale, means of access and landscaping have been reserved for future consideration.

An indicative site layout accompanied the previous application, which illustrated that the site could be developed as a cul-de-sac of 10 detached dwellings with garages, utilising the existing access to the site from Farm Road. However, since the application was submitted on the 2nd October 2008, well in advance of the change in legislation with reference to outline applications, and has been subject to negotiation and submission of additional information regarding flooding and bats, no details of the maximum and minimum scale or layout have been submitted.

Vehicular access to the properties will be from Farm Road. The application has been accompanied with a bat survey and flood consequence assessment.

SITE APPRAISAL

The site is within the settlement boundary of Aberaman and is also identified as within flood zone C2 (areas in the floodplain without significant flood defence infrastructure) in maps supplied by the Environment Agency Wales.

The site is of an irregular shape and has a road frontage to Farm Road of approximately 120m, with a maximum depth of 105m. The site tapers to a narrow point along the south-west, north-east and south-east property boundaries.

The site contains single storey buildings of industrial appearance, which appear to be vacated and in need of repair, in addition to a hard-surfaced area used for the storage of machinery.

The site adjoins Aman River and Cardiff Road to the west, Aberaman Industrial Park to the north-east, a cluster of residential development to the east, a large office building to the south-west and vacant land and a residential care home to the south. Access to the site and to the houses beyond is from the west only, via Farm Road,

which joins Cardiff Road approximately 120m to the south-west of the site. Farm Road passes beneath Cardiff Road via a narrow bridge before reaching the site.

PLANNING HISTORY

Previous relevant planning applications that have been made on the site are as follows:

06/1981	Outline application for residential development (Renewal of consent of 03/1273)	Refused 15/08/08
03/1273	Residential Development (Outline)	Granted 07/11/03
98/4567	Housing development	PRQ 27/10/98
94/0360	Retention of alterations and refurbishment of premises for vehicle repairs	Granted 20/12/94
82/0412	Change of use of storage premises to joinery workshop	Granted 20/10/82
77/0195	Vehicle Repair shop and furniture repository	Granted
74/0345	Workshop and stores Vehicle repair shop and repository	Granted 25/05/77

CONSULTATIONS

Spatial Planning Section – no policy objection.

Transportation Section – no objections subject to conditions and a requirement to enter into a legally binding agreement to make a transport tariff contribution towards improving the strategic highway network.

Housing Strategy – based on the indicative scheme which shows 10 dwellings, 10% affordable housing provision is sought through the preparation of a S106 agreement.

Public Health and Protection – no objections.

Land Reclamation and Engineering - no objections subject to conditions.

Environment Agency Wales – no objections subject to a condition that the finished floor levels of the proposed buildings should be no lower than 119.6m above Ordnance Datum (AOD).

Dwr Cymru/ Welsh Water – no objections subject to conditions and advice that there is a water main running through the site.

Countryside Landscape and Ecology - no SewBrec records of statutory protected species have been found for the immediate vicinity of the site. The bat survey submitted is considered to be thorough and comprehensive. The bat assessment is sufficient to consider the potential for the application to affect bats is low. Recommend an advisory note relating to bats.

Glamorgan Gwent Archaeological Trust – no objections.

South Wales Fire and Rescue Service – no objections subject to provision of adequate water supplies and access for emergency vehicles.

Wales and West Utilities - no objections subject to standard advice.

Western Power Distribution – no objections subject to standard advice.

PUBLICITY

The application has been advertised by direct neighbour notification and site notices. No objections have been received.

POLICY CONTEXT

The principal policies in the consideration of this application are as follows:

Rhondda Cynon Taf Local Development Plan

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

Policy CS1 emphasises the building of strong, sustainable communities in the Northern Strategy area.

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

Policy AW2 – requires new development to be in a sustainable location.

Policy AW4 lists the areas of community infrastructure contributions and planning obligations that may be sought from development proposals, as appropriate.

Policy AW5 – specifies criteria for new development. It requires new development to have an acceptable impact on the character and appearance of the site and surrounding area and no significant impact on the amenities of neighbouring occupiers. It also requires development to be of sustainable design with good accessibility.

Policy AW6 – outlines types of development criteria that will be supported, including the following:

- A high standard of design;
- Design appropriate to the local context;
- An integrated mixture of uses appropriate to the scale of the development; and
- An efficient use of land.

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

Policy NSA11 states that the provision of at least 10% affordable housing will be sought on sites of 10 units or more.

Policy NSA12 gives further criteria for development within settlement boundaries.

Policy NSA16 outlines the criteria for consideration of re-development of vacant or redundant industrial sites.

National Guidance

Planning Policy Wales

9.3.3 Insensitive infilling, or the cumulative effects of development or redevelopment, including conversion and adaptation, should not be allowed to damage an area's character or amenity. This includes any such impact on neighbouring dwellings, such as serious loss of privacy or overshadowing.

Technical Advice Note (TAN) 15: Development and Flood Risk

This document outlines a precautionary framework for the assessment of development in sites considered to be at risk of flooding. It outlines the planning requirements and acceptability criteria for development in each of the flood zones. It outlines a general presumption against residential development in flood risk zone C2. Section 11 clearly identifies the susceptibility of land to flooding as a material planning consideration, including sites where there is a history of planning consent.

PLANNING CONSIDERATIONS

The application site benefits from outline planning consent and as a result the principle of residential development on the site has previously been established. The key consideration is whether there has been a material change in circumstances since the previous consent granted in 2003, which would prevent the renewal of the application or justify the imposition of additional conditions of consent. From inspection of the site and surroundings, the other key considerations are the effects of the proposal upon the character and appearance of the surroundings, the effect on the residential amenity of nearby properties and the effect of the proposal on highway safety.

The site is an unallocated brownfield site inside the boundary of Aberaman. The application is for an extension of an existing outline permission for residential development given on 07/11/03. Having regard to the previous decision (03/1273)

and the current policies, the principle of residential development in this location is acceptable.

Character and Appearance of the Area

It is not known at this stage the number of houses/units that could be developed at this site. This would initially be subject to a detailed site investigation and subsequent layout drawings. Assuming an average building density of 30 dwellings per hectare, this would be in the vicinity of 22 dwellings. Nevertheless, the irregular shape of the site is likely to lead to a lower density of development. Existing development along Farm Road is considered to be relatively spacious and the properties vary in design and scale. It is therefore considered that a lower density of development would be acceptable given the existing character of the surrounding area. It is considered that the site could be developed to an acceptable density in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

With regard to the principle of residential development, the loss of land in employment use has previously been accepted due to the unsuitability of the existing buildings for continued industrial use, poor access for commercial vehicles, lack of parking (especially for commercial vehicles) and intentions of the former occupants to find alternative business premises.

It is considered that there is sufficient scope for dwellings to be designed and sited on the site so as to have an acceptable visual impact on Farm Road and the character and appearance of the area. The proposal will allow for the reuse of previously developed land, which would result in an improvement in the visual appearance of the site. Residential development on the site is expected to be compatible with adjacent residential development to the east. The design and scale details for the proposal will be considered at the reserved matters stage.

It is therefore considered that the proposal in terms of its principle is considered to be capable of being developed in a manner that is well related to the character of the area in keeping with policies AW5, AW6 and NSA10 of the Rhondda Cynon Taf Local Development Plan.

Residential Amenity

In terms of the effect of the proposal on the residential amenity of neighbouring properties, it is considered that suitably designed dwellings could be erected on this site without harm to the residential amenities of existing dwellings and ensures that overlooking to neighbouring properties is kept to a minimum.

The proposal also has the benefit of removing an industrial use in close proximity to existing residential dwellings. The nature of the proposed residential use is considered to be significantly less likely to give rise to noise and nuisance to local residents, than the resumption of an industrial use on the site.

Issues relating to noise (complaints arising from construction operations) have been identified by the Public Health & Protection Unit as a temporary issue capable of

being controlled by means of a condition restricting hours of operation which is recommended below.

The proposed development is therefore considered to be in keeping with the provisions of policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

Highway Safety

The Council's Transportation Section has raised no objection to the planning application and the earlier outline consent has confirmed the ability to provide satisfactory vehicular access to the site. It is also considered that the site is of sufficient size to accommodate the parking and turning requirements of multiple dwellings.

The Transportation Section has also requested a contribution towards improving the strategic highway network in accordance with Rhondda Cynon Taf's Supplementary Planning Guidance on Planning Obligations.

The proposal is considered to be in keeping with the requirements of policies AW2 and AW5 of the Rhondda Cynon Taf Local Development Plan.

Other Matters

The Housing Strategy Section has recommended that 10% affordable housing provision is sought for the site through the provision of a Section 106 agreement in accordance with the provisions of the Local Development Plan and associated Supplementary Planning Guidance should the number of dwellings proposed be 10 or more. The applicant has confirmed that they would provide a 2 bedroom unit for low cost home ownership as part of a detailed scheme.

The applicant has submitted a Flood Risk Assessment with the application and the Environment Agency Wales has raised no objection to the proposal subject to a condition requiring the finished floor level of any dwelling to be at a minimum of 119.6m AOD. It is considered that dwellings could be constructed at this level without having a detrimental impact upon the character and amenity of the area, the design details of which would be considered at the reserved matters stage.

Having regard to the above issues the application is considered to be in keeping with policies NSA10, NSA11, NSA12, AW2, AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan and is therefore recommended for approval subject to the following conditions.

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

Heads of Terms

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

- a) Residential 1/2 bedrooms £2,256 / unit x 75% at Level 2 tariff
- b) Residential 3/4/5 + bedrooms £3,008 / unit x 75% at Level 2 tariff

- That 10% of the total number of units are made available for low cost home ownership in accordance with policy NSA11 of the Rhondda Cynon Taf Local Development Plan if the final number is 10 or more.

RECOMMENDATION: Grant

1. (a) Approval of the details of the scale, appearance and layout of the building(s), the means of access thereto and the landscaping of the site (hereinafter referred to as "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

(b) Plans and particulars of the reserved matters referred to in (a) above relating to the scale, appearance and layout of any building to be erected, the means of access to the site and the landscaping of the site shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

(c) Applications for the approval of reserved matters shall be made before the expiration of three years from the date of this permission.

(d) The development hereby permitted shall be begun before whichever is the latter of either (i) the expiration of 5 years from the date of this permission or (ii) the expiration of 2 years of the final approval of the reserved matters or in the case of approval on different dates the final approval of the last such matter to be approved.

Reason: To comply with Section 92 and 93 of the Town and Country Planning Act 1990.

2. The finished floor levels to the property must be set to a minimum of 119.6m AOD.

Reason: To ensure that flood risk to the site is minimised in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

3. No works shall commence on site until full engineering details of the road layout with sections, street lighting and surface water drainage etc. have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved engineering details.

Reason: In the interests of highway safety.

4. No works shall commence on site, until details and design calculations, of

the retaining walls abutting the highway have be submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the approved details.

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

5. Prior to the commencement of development, facilities for wheel cleansing shall be provided on site in accordance with details submitted to and approved in writing by the Local Planning Authority. Wheel cleaning shall be carried out in accordance with the approved details prior to any construction works commencing.

Reason: In the interests of road safety.

6. Prior to the commencement of development details of the method(s) of sheeting lorries shall be submitted to and approved in writing by the Local Planning Authority. Before leaving the site all lorries shall be sheeted in accordance with the approved details.

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

7. No development shall commence until a scheme and method statement detailing the construction access locations, haulage routes, location of site compounds, parking, timescales, signage and the management of vehicular and pedestrian traffic has been submitted to, and approved in writing by the Local Planning Authority, and the development shall be carried out in accordance with the approved details.

Reason: In the interests of highway safety.

8. Prior to works commencing on site, the site boundary fronting Farm Road shall be set back and a 2.0m wide footway provided in accordance with details to be submitted to and approved by the Local Planning Authority. The approved details shall be implemented prior to development being brought into beneficial use.

Reason: In the interests of highway safety.

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

Monday to Friday 0800 to 1800 hours

Saturday 0800 to 1300 hours

Nor 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. Development shall not begin until a scheme for the foul and surface water drainage of the site has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as agreed prior to any of the dwellings hereby approved being brought into beneficial use.

Reason: To ensure adequate disposal of foul and surface water drainage and prevent pollution of the water environment in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

- 11. The details of landscaping required to be submitted to and approved by the Local Planning Authority in accordance with Condition 1 above shall include indications of all existing trees 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 Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

- 12. 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 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

16 JULY 2015

REPORT OF: SERVICE DIRECTOR PLANNING

REPORT

**APPLICATION NO: 08/1575 –
RENEWAL OF OUTLINE
PLANNING PERMISSION (03/1273)
FOR RESIDENTIAL
DEVELOPMENT. THE OLD
GRANARY AND POST HOUSE,
FARM ROAD, ABERAMAN,
ABERDARE.**

OFFICER TO CONTACT

**MRS H HINTON
(Tel. No. 01443 494889)**

See Relevant Application File