



PLANNING & DEVELOPMENT COMMITTEE

15 MARCH 2018

REPORT OF THE SERVICE DIRECTOR, PLANNING

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

Application No: 17/1231/10 – Demolition of former public house and construction of 9 No affordable apartments, car parking, landscaping and associated works.– The Griffin Public House 48-49 Carne Street, Pentre, CF41 7LD

1. PURPOSE OF THE REPORT

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

2. RECOMMENDATION

That Members consider this report in respect of the application and resolve how they would have determined the application, had an appeal not already been lodged with the Planning Inspectorate, having regard to the advice given.

3. BACKGROUND

This application was originally reported to the Planning and Development Committee on 1 February 2018 (a copy of the original report is reproduced as **APPENDIX A**). Following consideration of the report Members resolved to defer the application in order that officers could obtain clarification as to the length of time the premises had been closed and not trading. (Minute 129 (2) refers).

The application was subsequently reported back to Members at the meeting of the Planning and Development Committee on 15 February 2018 (a copy of the report back is reproduced as **APPENDIX B**).

Following consideration of the application at the 15 February meeting, Members resolved that they were minded to refuse the application, contrary to the recommendation of the Service Director Planning.

Members expressed strong concerns that the proposed development represented an overdevelopment of the site and as a result would have significant adverse impacts on the current level of amenity enjoyed by neighbouring residents.

The appended earlier officer's reports, recommending that planning permission be granted, set out the reasons why it is considered that the proposed scheme is considered to be compliant with planning policy and acceptable in highway terms.

On the 5 March 2018, the Authority received formal notification from the Planning Inspectorate that an appeal has been lodged by the applicant, against the non determination of the application. Accordingly, Members are now required to indicate how they would have determined the application had power to do so still rested with the Local Planning Authority.

If Members remain of the view that they would have refused planning permission, it is suggested that the following two reasons reflect the concerns previously expressed. This decision will then be conveyed to the Planning Inspectorate and used as the basis for the Council's case at appeal.

1. The mass, size and scale of the building in association with its three storey height, would represent the over development of the site that would adversely impact upon the character and appearance of the site and its immediate setting. The application is therefore determined as contrary to Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan
2. The building proposed, as a result of its proximity, scale and three storey height, would generate a level of overlooking and infringement of privacy, detrimental to the residential amenity of those living closest to the site, contrary to the requirements of policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

APPLICATION NO: 17/1231/10 (HL)
APPLICANT: WK Plasterers
DEVELOPMENT: Demolition of former public house and construction of 9no. affordable apartments, car parking, landscaping and associated works.
LOCATION: THE GRIFFIN PUBLIC HOUSE, 48-49 CARNE STREET, PENTRE, CF41 7LD
DATE REGISTERED: 16/11/2017
ELECTORAL DIVISION: Pentre

RECOMMENDATION: Approve subject to conditions

REASONS:

The proposed development presents an opportunity to provide new housing on a previously developed site within the settlement boundary of Pentre and would make a contribution to addressing the Council's housing land supply shortage. It is also considered that the proposal represents a more neighbourly form of development within a residential area, in comparison to the established A3 use of the site. The proposed development is compliant with planning policy and is acceptable with regard to all other material planning considerations.

REASON APPLICATION REPORTED TO COMMITTEE

The proposal is not covered by determination powers delegated to Service Director Planning.

APPLICATION DETAILS

The application seeks full planning permission for the demolition of an existing public house and the development of 9 flats, on the site of The Griffin, Carne Street, and Pentre. The accommodation mix would comprise four No. one bedroom apartments and five No two bedroom apartments in a single building.

The plans detail the development of an L shaped, three storey building. The front part of the building, which would front the A4058, Carne Street, would measure 20.3m wide, 8.3m deep with a maximum height of 11.3m falling to 8m at eaves level. The rear element of the building would measure 7.4m wide, 7.1m deep with a maximum height of 10.7m falling to 7.9m at eaves level. The proposal would be 2.2 to 3m higher than the existing buildings on site. Externally the building would be finished with a combination of brick, and reconstituted stone and a fibre cement slate tiled roof.

The site layout plan indicates that vehicular access to the site would be gained via a new entrance in the western boundary which would lead to a parking area containing four parking spaces, an amenity and bin storage area

- The application is accompanied by the following:
- Pre-Application Consultation Report;
- Design and Access Statement;
- Planning Statement; and
- Bat survey

SITE APPRAISAL

The site comprises a roughly square shaped parcel of land extending to 0.04 hectares located at the junction of Carne Street (A4058) and Volunteer Street. The site has a 19m wide frontage with Carne Street to the north-east and a 21m wide frontage with Volunteer Street to the west. The site is located within an established residential area, with residential dwellings surrounding the site. The properties in the area are predominantly traditional two storey terraces. Whilst there are some newer properties evident in the area, the nature of development in the wider locality is largely conventional two storey construction.

Carne Street (A4058), which defines the site's north-eastern boundary is the principal route serving the valley to the north and the principal town of Pontypridd to the south and consequently carries a substantial volume of traffic. There are bus stops on both sides of the carriageway directly outside the site.

The area as a whole is located on a slope falling from north-east to south-west. As a result the site is below the level of the terraced properties on the opposite side of Carne Street to the north-east, is level with the terraced properties to the north-west and south-east, but is raised relative to the three storey block of flats immediately adjacent to the south-eastern boundary and the terraced residential properties to the south-west.

The site is currently occupied by The Griffin Public House a two storey, stone faced building with private residential accommodation at first floor level. Pedestrian access is currently achieved directly off Carne Street with a secondary access on the Volunteer Street elevation. The site does not provide any existing off street parking. However, there is an existing parking lay-by which is used for residential parking and is open for use of the general public to the front of the site. The property has been vacant for at least 12 months and has been advertised for sale

PLANNING HISTORY

There is no planning history for the site.

PUBLICITY

The application has been advertised by direct neighbour notification and the erection of site notices.

Three letters of objection have been received which are summarised as follows:

Material

- Concerns with regard to the lack of proposed parking. Where are the vehicles going to park? There is already parking chaos in this area.
- Demolishing the pub will lead to the loss of a valued community resource, in an area that is in severe decline, and without sufficient community resources. Site should be redeveloped as a new, revamped and family friendly community pub for the area.
- The size of the development is too great for the area. The number of flats proposed (9), will have a resident population of probably in excess of 14 persons, which is a big increase from what was just one dwelling place.
- The proposal is a 3 storey development. Most of the existing housing in the area is 2 storey former mining cottages. The development will allow for increased overlooking and loss of privacy from a higher elevated angle of sight.
- The proposal will create light implications as the proposal would be developed over the courtyard with no gap between the building.
- The three storey height will tower above the existing houses and will be overwhelming.
- The assertion that the proposal creates 4 additional parking places is disingenuous and misleading. The open area, that the previous occupant had used for an open air beer garden has in the past been, and could be again in the future used for car parking for some 6 - 8 cars. Therefore the proposal is not increasing potential car parking space but reducing it by possibly some 50%, while increasing the demands on what is available.
- The increased number of cars will inevitably park in the bus stop outside the site causing mayhem.
- Car parking in the area is a problem. Few of the existing houses around have any off road parking available, resulting in on street parking. Some of the street area cannot be used due to the presence of bus-stops. The proposal will generate 10 + cars parking in an already severely congested area.

Non Material

- There will be no gap in the line of housing development allowing a view to the hill beyond.
- Is there a need for the accommodation proposed? There is already, ample, empty, low cost housing in Pentre and the surrounding area.

CONSULTATION

Highways - no objection subject to conditions.

Land Reclamation and Engineering - no objection subject to conditions.

Dwr Cymru/Welsh Water - no objection subject to conditions.

Ecology - advice provided and conditions recommended.

Natural Resources Wales - no objection.

Public Health and Protection - advice provided regarding demolition, noise, dust, waste and lighting.

Wales and West Utilities (Gas) - advice provided regarding the position of apparatus.

Western Power Distribution (Electricity) - advice provided with regards to potential new connections.

South Wales Fire and Rescue - advice provided with regard to the need for adequate water supplies on the site for fire fighting purposes and access for emergency fire fighting appliances.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The relevant policies in the Local Development Plan are as follows:

Policy CS1 sets out criteria for achieving sustainable growth including, promoting and enhancing transport infrastructure services promoting residential development with a sense of place and focusing development within defined settlement boundaries.

Policy CS4 defines the housing land requirements.

Policy CS5 identifies the affordable housing figure requirement over the plan period.

Policy AW1 defines the housing land supply, to be met partly by development of unallocated land within settlement boundaries.

Policy AW2 promotes development in sustainable locations, which includes site within settlements boundaries, benefiting from existing services and sites that support the roles and functions of Principal Towns and Small Settlements. The locations should not unacceptably conflict with surrounding uses.

Policy AW5 lists amenity and accessibility criteria that will be supported in new development proposals, giving particular attentions to neighbouring land uses and occupiers. Existing site features of natural environmental value should be retained where appropriate.

Policy AW6 outlines design and placemaking criteria that will be supported in new development proposals.

Policy AW7 seeks to preserve or enhance sites of architectural and/ or historical merit.

Policy AW8 sets out policy for the protection and enhancement of the natural environment, including that proposals should not result in harm to sites with recognised nature conservation interest or have an unacceptable impact on features of importance to landscape or nature conservation.

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

Policy NSA2 seeks to create development that will support and reinforce the roles of key settlements.

Policy NSA10 seeks a minimum density of 30 dwellings per hectare.

Policy NSA11 requires development of 10 units or more to provide at least 10% affordable housing.

Policy NSA12 gives further criteria for suitable housing development within and adjacent to settlement boundaries.

The following Supplementary Planning Guidance documents are also applicable,-

- Design and Placemaking;
- Delivering Design and Placemaking - Access Circulation and Parking Requirements;
- Planning Obligations;
- Development of Flats - Conversions and New Build;
- Nature Conservation; and
- Affordable housing

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 (Edition 9 November 2016) Chapter 2 (Local Development Plans); Chapter 3 (Making and Enforcing Planning Decisions); Chapter 4 (Planning for Sustainability); Chapter 8 (Transport), Chapter 9 (Housing), sets 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 2: Planning and Affordable Housing;
- PPW Technical Advice Note 12: Design;
- PPW Technical Advice Note 18: Transport;
- Manual for Streets

REASONS FOR REACHING THE RECOMMENDATION

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:

As detailed above, the application proposes the demolition of the former public house and the erection of a block of 9 flats. The key considerations with regard to the determination of this application are: the principle of development; impact on the

character and appearance of the surrounding area; impact on the residential amenities of neighbouring properties and highway safety.

Principle of Development

The site is within the settlement limits of an established residential area, of Pentre, as defined by the proposals map of the Rhondda Cynon Taf Local Development Plan and is not allocated for any specific use. The site is currently occupied by The Griffin Public House which has been vacant for at least 12 months. In such circumstances, residential development would be considered acceptable, subject to the proposal being able to demonstrate compliance with the planning policies that would affect the proposed development.

One of the key requirements of policy is that residential development in the northern strategy area should achieve a density of 30 dwellings per hectare. The current proposal would deliver a density of 225 dwellings per hectare and is therefore compliant with the requirements of policy NSA10 of the Rhondda Cynon Taf Local Development Plan.

Another key requirement, in terms of planning policy, is that the site should deliver 10% affordable housing. The details submitted as part of the application specify that all of the units would be retained as a social rented tenure operated and maintained by a Registered Social Landlord. The proposal is therefore compliant with the requirements of policy NSA11 of the Rhondda Cynon Taf Local Development Plan.

The site lies within the defined settlement limits and is located approximately 320 metres and 700 metres from the retail areas of Pentre and Treorchy respectively, with two bus stops located directly outside the site on Carne Street. The site is therefore considered to be sustainably located and compliant with the relevant criteria of policies AW2 and AW5.

Policy AW11 would not apply in this instance, whilst the development would result in the loss of a class (A3) community facility, the site lies outside of the defined retail centre of Pentre and Treorchy where there is no Local Development Plan policy protection afforded to the existing building. Planning Policy Wales does afford a level of protection for community facilities, stating at Paragraph 10.2.8, *“Individual small shops and businesses, such as convenience stores and public houses, which are not part of established retail and commercial centres, can play an important economic and social role, particularly in rural areas and in urban areas with limited local provision, and their loss can be damaging to a local community. The role of these businesses should be taken into account in preparing development plan policies and in development management decision making.”*

In this instance it is considered that the close positioning of the site to a number of other local facilities, including other public houses and public transport links, means that the loss of the public house would not be so detrimental to the local community to warrant refusal of the application on such grounds.

In conclusion, on this planning policy and principle of development issue, it is considered that the proposed development is compliant with Local Development

Plan policies CS1, CS4, CS5, AW1, AW2, AW5, NSA2, NSA10, NSA11 and NSA12 inasmuch as the issues outlined above relate to those policies and is considered policy compliant against these tests and the broader requirements of Planning Policy Wales.

The key considerations, beyond the principle of development itself with regard to the application are considered to be - the impact on the proposal on the character and appearance on the area; the residential amenity of those living closest to the site; highway safety and impact on the ecology of the area.

Character and Appearance

In comparison to the existing building, the proposal would be larger in height and its overall massing than the existing building and would be designed to front Carne Street, therefore filling the width of the plot. As a result, the development would be more apparent and visible in the street scene. Issues relating to the height and scale of the development have been raised as a concern by local residents. Whilst the proposed building would be larger than the vast majority of buildings in the immediate vicinity, precedent for the construction of a three storey building has been established by the adjacent block of flats, albeit these are set at a lower finished floor level than the proposal. It is considered that the focal corner plot position of the site and the width of Carne Street would provide sufficient space to offset the visual mass of the building whilst the mix of external materials and split level design helps to reduce the bulk of the development in proximity to neighbouring dwellings.

On the basis of the above, it is acknowledged that the proposed development would be larger in both mass and scale than anything in the immediate vicinity. However, it is considered that the siting, conventional design and external finish proposed would prevent the proposal from being so detrimental to the overall character and appearance of the area to warrant refusal of the application on such grounds. As such the application is considered compliant with the requirements of policies AW5, and AW6 of the Rhondda Cynon Taf Local Development Plan.

Residential amenity

As specified above the site is located within an established residential area with properties surrounding the site. In comparison to the existing building, the development of a three storey building containing nine residential units will impact on overlooking and privacy at a level not currently experienced. Furthermore, the perception of overlooking could be exacerbated by the three storey height of the building. As a result, issues relating to loss of privacy; amenity; increased overshadowing; and loss of light are a concern for neighbours.

The plans submitted indicate that the building would be sited within 2m to the north-west of the flats at 10-12 Price Street; 7.5m to the north-east of 1 Volunteer Street (an increase of 5m relative to the existing arrangement); 15m to the south-east of 50 Carne Street and 23m to the south-west of 1-5 Carne Street which are set at a slightly higher level relative to the site. 1.1m high railings would be provided on parts of the boundaries with a 1.8m high close boarded fence provided around the amenity and bin storage area. Although the development of a building of the mass and

height proposed would represent a substantial change to the area that could have an impact on amenity, it is considered that the distances maintained would not be out of keeping with the established pattern of development within the area.

The greatest impact from the proposal would be experienced by the residents of 10-12 Price Street with the proposed building being positioned within 2m of theirs. 10-12 Price Street has a number of windows in the side elevation which directly overlook the site. A minimum distance of 13m would be maintained between existing and proposed windows that directly face each other. All of the windows in the rear elevations of the proposed building would serve kitchens, bathrooms and hallways.

Based on the plans submitted it is considered that the development would cross the north-western, 25 and 45 degree light angle line. The south-western line would remain unaffected. However, the orientation of the site and position of the building would prevent the cast of a shadow over 10-12 Prince Street.

Whilst the building would be taller and significantly closer to the adjacent flats than the existing building, on balance it is considered that the use of the site for residential purposes, in comparison to the established A3 use, would be more neighbourly and that the increased loss of light and the potential for overlooking and loss of privacy would not be so overbearing or detrimental to the residential amenity of those living closest to the site to warrant refusal of the application on such grounds.

Whilst the provision of a building of the size and scale proposed in association with its position would inevitably change the outlook for many of the properties surrounding the site, loss of view is not a material consideration.

In terms of the occupiers of the units, the plans submitted indicate that an area to the south-east of the building would be retained for private amenity purposes, with an enclosed refuse storage area provided adjacent to the parking area. In light of the above, the proposal is therefore considered compliant with the requirements of the Council's Supplementary Planning Guidance for flat development.

In conclusion, it is acknowledged that the development proposed will have an impact on the amenity of existing residents in terms of the potential for increased overlooking, loss of privacy and increased overshadowing, in comparison to the previous development on site. However, it is considered that the impact of such matters is acceptable in planning terms and would not warrant refusal of the application. The proposal is therefore considered compliant with the requirements of policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Highway Safety

The plans submitted indicate the development of a new site entrance adjacent to the service lane on Volunteer Street, providing vehicular access to a rear parking court containing four off street parking spaces. As part of the public consultation, residents have raised concerns that insufficient parking spaces are proposed relative to the number of units to be provided, identifying that on street parking in the immediate area is already under considerable pressure.

Following consultation, the Council's Transportation Section have advised that the existing public house with residential property above would require a maximum of 39 parking spaces with none provided. Given the sustainable location of the proposal relative to public transport, the proposed requires nine spaces.

Although concerns are raised with regard to the shortfall in parking provision, it is acknowledged that affordable housing generate less car ownership and traffic than privately owned dwellings. As result being mindful of the tenure of the properties proposed and the proximity of the site to bus routes and the shops in Pentre and Treorchy, on balance, the off street car parking proposed is considered acceptable and would not have such a detrimental impact on the highway safety and free flow of traffic in the area to warrant refusal of the application on such grounds.

Although the plans submitted do not indicate the provision of any cycle storage this could be secured by condition.

In light of the above the application is considered as compliant with the requirements of policy AW5 of the Rhondda Cynon Taf Local Plan.

Other Considerations

Ecology

A bat survey report of the site, submitted in support of the application, identifies that whilst a small number of common species of bat were observed passing the building, no bats were observed using the building. It is therefore suggested that the proposed works would have a negligible impact on the local bat population. However, the report does recommend that any demolition be carried out under an ecological watching brief by a suitably qualified ecologist, with a further internal inspection prior to the commencement of demolition.

Following consultation the Council's Ecologist has raised no objection to the application subject to the imposition of condition requiring the submission of a bat sensitive demolition method statement prior to any works being carries out. In light of the above the application is considered compliant with the requirements of policy AW8 of the Rhondda Cynon Taf Local Development Plan.

Public Health & Protection

Following consultation with the Council's Public Health and Protection Section, no objections have been raised to the proposal. However, a number of conditions/informative notes relating to the potential for disturbance resulting from construction traffic and general on site activities during the course of the construction of the application have been recommended. Whilst it is inevitable that any development of the site would lead to noise and disturbance to adjacent properties during the construction stage, it is considered that matters such as demolition, noise, dust, disposal of waste and lighting can be more efficiently controlled by other legislation with an appropriate Informative being added to any permission notifying the applicant / developer of the need to comply with legislation.

Affordable Housing

Policy NSA11 seeks the provision of 10% affordable housing on residential development of 10 units or more with the subsequent provision secured by a Section 106 Agreement. In this instance the application proposes the development of nine units, with all dwellings being of Social Rented tenure. It is therefore considered sufficient to condition the occupancy of the units and not seek a Section 106 legal agreement.

Archaeology

Following consultation, Glamorgan Gwent Archaeological Trust have advised that whilst the Historic Environment Record shows that there are no archaeological features recorded within the proposed development area, the site is situated within The Rhondda Registered Historic Landscape (HLW (MGI) 5), specifically the Ystrad and Pentre Character Area (HLCA009), as defined within the Register of Landscapes of Special Historic Interest in Wales. It is therefore requested that a condition be placed on any grant of consent requiring the building be the subject of an appropriate historic building record and analysis prior to demolition.

Community Infrastructure Levy (CIL) Liability

The Community Infrastructure Levy (CIL) was introduced in Rhondda Cynon Taf from 31 December 2014.

The application is for development of a kind that is liable for a charge under the CIL Regulations 2010 as amended however, the site of the proposed development lies within Zone 1 of Rhondda Cynon Taf's Residential Charging Zones, where a nil charge is applicable and therefore no CIL is payable.

Conclusion

Based on the above, it is considered that subject to conditions and the completion of a Section 106 agreement, the development proposed would not have a significantly detrimental impact on the character and appearance of the area, the residential amenity of those living closest to the site, highway safety or ecological value of the area. The application is therefore considered compliant with the requirements of the policies of the Rhondda Cynon Taf Local Development Plan and recommended for approval subject to conditions:

RECOMMENDATION: Grant

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason: To comply with Sections 91 and 93 of the Town and Country Planning Act 1990.

2. The development hereby approved shall be carried out in accordance with the approved plan(s) no(s):

- A001;
- A002 Rev A;
- A003 Rev A;
- A004 Rev A;
- A005 Rev A; and
- A006 Rev A

and documents:

- Design and Access Statement;
- Bat Survey and
- Planning Statement
- Received by the Local Planning Authority on 14th and 17th November 2017 and 28th November 2017, unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

3. Prior to any works taking place on site, the applicant shall submit a bat sensitive demolition method statement and other bat mitigation and enhancement measures as set out in section 9 of the Richard Watkins September 2017 Bat report. No works shall commence until written confirmation of the discharge of this method statement condition is provided by the Local Planning Authority.

Reason: in the interest of protecting and enhancing the ecological value of the area. In accordance with policy AW8 of the Rhondda Cynon Taf Local Development Plan.

4. Prior to construction works commencing, a comprehensive drainage scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the disposal of foul, surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment. In accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

5. Before the development is brought into use the means of access, together with the parking facilities, shall be laid out in accordance with the submitted plan A002 and approved by the Local Planning Authority. The access and

parking area shall be implemented in accordance with the approved plan and provided prior to the first beneficial occupation of the units.

Reason: In the interests of highway safety and to ensure vehicles are parked off the highway. In accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

6. Prior to any construction works commencing on site, design and detail of the vehicular footway crossing including confirmation off the statutory undertakers of their acceptance of the proposal to include relocation of the lamp column and BT service box shall be submitted to and approved in writing by the Local Planning Authority. The development shall only proceed in accordance with the approved details and shall be implemented prior to beneficial occupation.

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

7. Prior to construction works commencing on site, details and design calculations of the retaining walls abutting the highway shall be submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the approved details prior to beneficial occupation.

Reason: In the interests of highway safety and to ensure no encroachment takes place onto the adopted highway. In accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

8. Prior to the first beneficial occupation, secure cycle storage shall be provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To maximise opportunities for alternative means of transport, in the interests of highway safety. In accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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

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

10. Prior to installation, details and samples of all external materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall only proceed in accordance with the approved details.

Reason: In the interests of the character and appearance of the area, in

accordance with policy AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

11. The dwellings hereby approved shall be retained as affordable housing as defined by Technical Advice Note (TAN) 2: Planning and Affordable Housing (2006).

Reason: To control the occupancy of the units to ensure that they remain available to meet the identified and specific housing need, in accordance with policy CS1 of the Rhondda Cynon Taf Local Development Plan.

12. No works to which this consent relates shall commence until an appropriate programme of historic building recording and analysis has been secured and implemented in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority

Reason: As the building is of architectural and cultural significance the specified records are required to mitigate impact in accordance with policy AW8 of the Rhondda Cynon Taf Local Development Plan.

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2017-2018:

**PLANNING & DEVELOPMENT
COMMITTEE
15 FEBRUARY 2018**

**REPORT OF: SERVICE
DIRECTOR PLANNING**

	Agenda Item No.
<p>APPLICATION NO: 17/1231 - DEMOLITION OF FORMER PUBLIC HOUSE AND CONSTRUCTION OF 9NO. AFFORDABLE APARTMENTS, CAR PARKING, LANDSCAPING AND ASSOCIATED WORKS. THE GRIFFIN PUBLIC HOUSE, 48-49 CARNE STREET, PENTRE</p>	

1. PURPOSE OF THE REPORT

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

2. RECOMMENDATION

That Members consider this report in respect of the planning application and determine the application having regard to the advice given.

3. BACKGROUND

This application was originally reported to the Development Control Committee on 1st February 2017 (a copy of the original report is reproduced as **APPENDIX A**). Following consideration of the report Members resolved to defer the application to allow additional information to be gained from the Developer with regard to vacancy.

The following information has been provided;

The business ceased trading in June 2017. However, the business and premises have been advertised for sale prior to being purchased by the current applicant.

Policy AW11 of the Rhondda Cynon Taf Local Development Plan specifies that development proposals promoting alternative uses of Class A facilities, located within defined retail frontages will need to be supported by a 12 month

marketing assessment. In this instance the site is located outside of the retail frontages of Pentre and Treorchy. The site is therefore not protected by the policy and there is no requirement to undertake a marketing period or submit a summary report of the exercise as part of the planning application.

Following the application being made valid, the Council instigated the public consultation process with 20 neighbour letters being sent on the 16th November 2017. Two, A4 yellow site notices were subsequently erected on the 4th December 2017 – one to the front of the site on Carne Street and the second on Volunteer Street.

Following consultation with the Council's Housing Strategy Officer, the following information has been provided:

“Although the falls within the Pentre Ward, it is very close to the border with Treorchy and is therefore subject to an overlapping housing market catchment area. The Local Housing Market Assessment identified a need for:

- 5 additional one bedroom social rented units per annum in Pentre
- 7 additional one bedroom social rented units per annum in Treorchy
- 2 additional two bedroom social rented units per annum in Treorchy

This scheme is within walking distance to the centre of Treorchy and is therefore a sustainable location for the tenure.”

Following the submission of three late letters, the following concerns have been raised:

Increased overshadowing and loss of light

It is acknowledged that the development proposed would be taller than any of the buildings closest to the site. Whilst the position of the building predominantly in the northern part of the site would cast a shadow over the side elevation of 50 Carne Street in the morning and the carriageway of Carne Street to the north-east. It is considered that the topography of the area, the raised level of the properties on Carne Street, opposite the front elevation of the proposal and the maintenance of 23m between the proposed building and the front elevation of the properties opposite, would prevent any increased overshadowing or loss of light from being so detrimental to residential amenity to warrant refusal of the application on such grounds.

Disruption to traffic and access

Whilst the construction phase of the development will result in increased movements to the site, the Developer would not be allowed to place anything on the highway (pavement or vehicular carriageway) without first obtaining the necessary licenses from the Council's Streetcare Team. As part of the original report, a condition is recommended, restricting the times of HGV deliveries to the site during the construction phase. It is considered that the condition would help alleviate the impact of the development phase on the free flow of traffic in the area. Deliveries to the site could have an impact on the free flow of traffic in Volunteer Street. However, the section of Volunteer Street

adjacent to the site does have a carriageway width of at least 7m. It is therefore considered that any disruption arising would be limited in time and should not prevent vehicles entering or leaving the street.

Disruption to residents

Unfortunately, it is inevitable that any development of the site would lead to noise and disturbance to adjacent properties during the construction stage. Whilst the Council could impose an hours of operation condition, this may result in an extended construction period and extended disruption to residents close to the site. It is considered that matters such as demolition, noise, dust, disposal of waste and lighting can be more efficiently controlled by other legislation with an appropriate Informative being added to any permission notifying the applicant / developer of the need to comply with legislation.

Antisocial behaviour

The application specifies that all the properties would be of Social Rented Tenure that would be regulated and controlled by a Registered Social Landlord. The Council is able to utilise a local lettings policy (outside of the planning process) to help address issues such as anti-social behaviour and has much more control over the occupancy of housing association schemes than private sector developments. Such policies are normally included within new build Registered Social Landlord schemes as standard for the first twelve months, subject to a review to determine if the local lettings policy is still necessary.