



PLANNING & DEVELOPMENT COMMITTEE

19 SEPTEMBER 2019

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 19/0615/10 (LJH)
APPLICANT: Messrs R Gill & R Johnson
DEVELOPMENT: Construction of a lock-up garage and store ancillary to carpet shop.
LOCATION: 15 LLANTRISANT ROAD, PONTYCLUN, CF72 9DP
DATE REGISTERED: 13/06/2019
ELECTORAL DIVISION: Pontyclun

RECOMMENDATION: GRANT SUBJECT TO CONDITIONS

REASONS:

The application is considered to comply with the relevant policies of the Local Development Plan in respect of its visual impact, the impact it has upon the amenity and privacy of the neighbouring residential properties, and the impact upon highway safety.

REASON APPLICATION REPORTED TO COMMITTEE

- A request has been received from Councillor Margaret Griffiths for the matter to come to Committee for the reason that she would like Members to fully consider the issues surrounding highways and parking at the site.

APPLICATION DETAILS

Full planning permission is sought for the construction of a double garage/store at the rear of no. 15 Llantrisant Road, Pontyclun, which currently operates as "Stores 4 Floors".

The proposed garage would be sited at the most western part of the plot on the existing hardstanding and is proposed to be accessed via School Street. It would measure 8.4 metres in width by 7.5 metres in depth and would have a sloped roof construction measuring a maximum of 5.6 metres in height from the lowest ground level sloping to 4.9 metres at the eaves. The garage would be sited on the existing hardstand in place of two unauthorised storage containers and would incorporate the existing boundary walls. Two roller shutter doors would be inserted into the front elevation of the garage

leading onto School Street. The garage would be finished externally with render and profiled steel sheet roof.

The building is proposed to be used ancillary to the carpet shop to garage at least one vehicle and provide storage and cutting space for carpets.

SITE APPRAISAL

The application site relates to a two-storey, end-of-terrace commercial property which is located on the main thoroughfare through Pontyclun. The property is set within an almost rectangular shaped plot with the eastern facing principal elevation being set back from the adopted highway at Llantrisant Road by a small enclosed front garden. A further hardstanding area is positioned to the rear elevation which currently sites two unauthorised storage containers. Boundary treatments at the site consist of old stone walling to the south and west boundaries.

Neighbouring properties in the immediate vicinity vary in scale and design to the application property and are located approximately 12 metres to the north (Graig Cottages), 22 metres to the east (Ty Carlan), immediately to the south (no. 13 Llantrisant Road), and 5 metres to the west (Brunel Arms Public House). It is also noted that the neighbouring properties are set at a comparable ground level to the application site.

PLANNING HISTORY

There are no applications on record at the site within the last 10 years.

PUBLICITY

The application has been advertised by means of direct neighbour notification and site notices. One letter of objection (which has been endorsed by a further eight residents) has been received and is summarised as follows:

- Before the two containers were located on the site there were three parking spaces on the hardstand. It is difficult to believe that the two proposed parking spaces within the garage will be used for their vehicles but storage.
- I have observed vehicles accessing the containers to pick up items contained within which leads me to believe that they buy in bulk and are distributing from the containers.
- The vehicles awaiting loading cause traffic issues by double parking in the street, notices on the containers also state that access is required 24 hours a day which is concerning.
- There were three parking spaces prior to the containers, the company currently owns two vehicles, it is very unlikely that they will park these vehicles in the proposed garage. Will a large van fit in the garage?
- Both directors arrive in their own vehicles and there is also a flatbed truck which is loaded with rubbish and later emptied. Rubbish has been known to blow off the back of the lorry into the street in high winds.
- I wish to reinforce the issue of parking at the junction, there are double yellow lines and the company repeatedly breach the parking restrictions and cause

issues for motorists entering and leaving the street. The enforcement agencies seem unable to resolve the situation.

- The wide pavement along Llantrisant Road is even used for cutting of rolls of artificial lawn and carpet with the residue entering the atmosphere and drains. There is no restriction on their activities and this proposal will aggravate an existing frustrating situation.
- The plans do not provide the proposed highest point of the garage in order to ascertain its impact on the roof line. The proposed garage will alter the architectural quality of the street.
- The past history of the street shows that it has been a predominantly commercial area, however as businesses have moved away the street is now more residential in character.
- No. 15 also contains two flats above the carpet shop and a chiropractors clinic, these units also require parking spaces.

CONSULTATION

Highways and Transportation - no highway objection is raised subject to conditions.

Flood Risk Management - no objection subject to a condition.

Pontyclun Community Council - concerns are raised regarding parking in School Street and the junction with Llantrisant Road. This is one of the issues causing most of the queries and complaints that we receive and we believe that these proposals may impact this further. The proposals will permanently remove 2 off road parking spaces and the Council asks that the Planning Officers ensure that prior to making any approval due consideration is given to ensure that the proposals do not adversely impact on the situation and that parking arrangements in the area remain suitable for immediate residents and users of the surgery.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies inside the defined settlement boundary for Pontyclun and is within the Pontyclun Retail Centre.

Policy CS2 – sets out the criteria for development in the Southern Strategy Area.

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 AW10 – does not permit proposals where they would cause or result in a risk of unacceptable harm to health and/or local amenity.

Supplementary Planning Guidance:

- Design and Placemaking;
- Design in Town Centres;
- Access, Circulation and 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.

The Welsh Government published Planning Policy Wales 10 on 5th December 2018, and the document aims to incorporate the objectives of the Well-being of Future Generations (Wales) Act into Town & Country Planning.

It is considered that this proposal meets the seven wellbeing of future generations goals inasmuch as they relate to the proposed development and that the site has been brought forward in a manner consistent with the five ways of working.

It is considered that the proposed development is consistent with the key principles and requirements for placemaking as set down in Chapter 2 People and Places: Achieving Well-being through Placemaking, of PPW10 and is also consistent with the following inasmuch as they relate to the development.

Chapter 3 (good design and better places, promoting healthier places, sustainable management of natural resources)

Chapter 4 (moving within and between places, transport, living in a place, housing)

Other relevant policy guidance consulted:

PPW Technical Advice Note 12: Design

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 construction of a garage/store within the curtilage of an existing commercial property. The principle of the development is therefore considered to be acceptable subject to an assessment of the following criteria:

Impact on the character and appearance of the area

The proposed garage/store would form a large addition to the site, however, it would be sited to the rear of the property on the existing hardstand and even though it would

be a visible addition within the street scene it is not considered that the garage would be out of keeping with the area due to its standard design and construction. Whilst it is acknowledged that it would be visible, it would not be too dissimilar to other developments in the wider area and it is therefore not considered that the proposal would have such a significant impact on the character and appearance of the existing property or the wider street scene that it would warrant the refusal of the application.

Impact on residential amenity and privacy

The proposed development would be sited at the rear of an existing commercial property and it is not considered that it would have any undue impact upon the amenity and privacy of the nearest neighbouring properties. Due to its size and positioning in relation to the neighbours it is not considered that the garage would create any significant shading or be overbearing towards the neighbouring properties. Furthermore, there are no windows proposed within the structure, only the roller shutter doors and therefore it is not considered that there would be any impact upon the neighbours with regards to privacy.

Highways and Transportation

The application has been subject to consultation with the Council's Transportation Section with a view to assessing the impact of the proposal on highway safety. It is noted that the response received raises no objection in relation to the proposal, subject to conditions. The highways comments are summarised below:

- The proposal would be served via the existing vehicular crossover on School Street, which gives no cause for concern.
- The submitted plan lacks detail as to the tie-in between the garage apron and the public highway. As such, a condition is suggested below accordingly.
- The clear internal dimensions of the proposed garage are sufficient to provide 2 no. off-street parking spaces, which offers betterment over the existing situation. As such, there is no undue cause for concern with regard to parking.

It is acknowledged that most of the objection received towards the scheme relates to highways and parking issues and concerns are raised with regards to the junction and illegal parking in close proximity to the junction, additional on-street parking, inhibited view of traffic at the junction, and other issues such as parking up on pavements and using the pavements for the purpose of cutting carpets. However, as per the above highways comments, the scheme has been assessed by the Councils' Transportation Section and no objection has been raised subject to two conditions requiring details and implementation of a vehicular crossover and for the garage to be retained for the purposes of parking and storage in association with the carpet shop.

As such, the proposal is considered to be acceptable in terms of the impact it would have on highway safety and it would therefore comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Other Issues

Objectors raise concern that by constructing the garage parking issues in School Street will be exacerbated, they also comment that once constructed the garage may not be used for parking purposes and used for storage of carpets. As stated above, the Council's Transport Section has suggested that a condition be appended to ensure the use of the garage remains for parking and storage in order to try to improve the current on-street parking situation on School Street. The application has been assessed by the Council's Transport Section with no objection raised and the application is considered acceptable in this regard. A condition restricting the use of the garage to parking and storage will be appended to any consent.

The objector states that the plan does not show what the maximum height of the garage will be, the plan is drawn to a scale of 1:50 and when measured shows that the proposed total height is 5.6 metres from the lowest ground level which is considered to be acceptable.

Whilst it is appreciated that concern is raised with regards to how the business operates i.e. storing rubbish on vans, cutting carpets on pavements, storing supplies in containers, the use of the site as a carpet shop is lawful and this application proposes to construct the garage/store only and therefore whilst it is appreciated that the business could be operated in a more respectful manner the concerns of the objectors cannot be given any weight in this regard.

Community Infrastructure Levy 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 not CIL liable under the CIL regulations 2010 (as amended).

Conclusion

It is not considered the proposal would have a significant impact on the character and appearance of the locality, upon the residential amenity of the surrounding neighbouring properties, or upon highway safety within the vicinity of the site. As such, the application is considered to comply with the relevant policies of the Local Development Plan (Policies AW5 and AW6).

RECOMMENDATION: GRANT SUBJECT TO THE BELOW CONDITIONS:

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 "Proposed construction of a lock-up garage/store" and documents received by the Local Planning Authority on 10/06/2019 and

19/07/2019, 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. Before the garage is brought into use, the garage entrance apron shall be constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority, before any development commences on site.

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

4. The use of the garage hereby approved, shall at all times be restricted to parking and storage associated with the adjoining carpet shop.

Reason: For the avoidance of doubt as to the extent of this consent, in the interests of the safety of all highway users in accordance with Policy AW5 of the Rhondda Cynon Taff Local Development Plan.

5. No development shall commence until details of a scheme for the disposal of surface water has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to the beneficial use of the development and retained in perpetuity.

Reason: To ensure that drainage from the proposed development does not cause or exacerbate any adverse condition on the development site, adjoining properties, environment and existing infrastructure arising from inadequate drainage in accordance with Policy AW5 of the Rhondda Cynon Taff Local Development Plan.

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