



## **PLANNING & DEVELOPMENT COMMITTEE**

**19 SEPTEMBER 2019**

### **REPORT OF THE SERVICE DIRECTOR, PLANNING**

#### **PURPOSE OF THE REPORT**

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 19/0796/13 (JE)  
**APPLICANT:** Mr Rowsell  
**DEVELOPMENT:** Proposed 4 bedroom dwelling (Re-submission of application 19/0194/13).  
**LOCATION:** LAND ADJACENT TO TY COCH, GRAIG-YR-HELFA ROAD, PONTYPRIDD, CF37 4LX  
**DATE REGISTERED:** 26/07/2019  
**ELECTORAL DIVISION:** Treforest

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#### **RECOMMENDATION: REFUSE DUE TO THE FOLLOWING:**

##### **REASONS:**

The application site is located outside of the defined, fixed, settlement boundary of Pontypridd within an unsustainable location. Consequently the proposed development fails to comply with key sustainable development objectives of Policies CS2, AW1, AW2 and SSA13 of the Rhondda Cynon Taff LDP. The application would also have an unacceptable impact upon highway safety within the vicinity of the site contrary to Policy AW5 of the LDP.

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#### **REASON APPLICATION REPORTED TO COMMITTEE**

- A request has been received from the Local Ward Member for the matter to come to Committee for determination, in order that Members can consider the full impact of the proposal.

#### **APPLICATION DETAILS**

Outline planning permission is sought for a 4 bedroom detached dwelling on a parcel of land Adjacent to Ty Coch, Graig-Yr-Helfa Road, Pontypridd, CF37 4LX. The application is a re-submission following the Council's refusal of planning permission for a similar development at this site on the 16<sup>th</sup> of April (application ref: 19/0194/13)

The application is made in outline with all matters reserved for future consideration. The application is accompanied by an indicative layout plan which indicates that development could take place towards the centre of the site. The layout plan also indicates that the site would be accessed from existing driveway serving Ty Coch.

As scale is a matter reserved for future consideration, a minimum-maximum range is provided for the depth, width and height of the dwellings, these have been derived from the supporting plans and information, as follows.

	Minimum	Maximum
Width	10.5m	14.5m
Depth	8m	12m
Height	7.5m	8.5m

## **SITE APPRAISAL**

The application site is an open field located adjacent to Ty Coch, Graig Yr Helfa Road, Pontypridd and is located outside of the settlement boundary. Access to the site is gained from an existing private single track access road which currently serves a number of neighbouring properties and adjoins the main settlement of Pontypridd to the west. The overall nature of the area slopes from north-south however the area of the site alongside Ty Coch is largely level.

There are a number of existing dwellings located within the vicinity of the site which are located outside of settlement boundary. These properties offer a variety of scales and designs. There are also a number of barns to the south west of the site which are used in conjunction with a livery.

## **PLANNING HISTORY**

The most recent planning applications on record associated with this site are:

19/0194/13	Ty Coch, Graig-Yr-Helfa Road, Pontypridd	Proposed 4 bedroom dwelling.	Decision: Refuse 16/04/2019
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## **PUBLICITY**

The application has been advertised by direct notification to neighbouring properties and notices displayed at the site.

4 letters of representation were received from the occupiers of neighbouring properties stating they have no objection to the proposal. In addition 1 letter of objection was received with the concerns raised summarised below:

- New dwelling would be completely car dependant

- Access road is substandard
- New dwelling would be clearly visible from a number of viewpoints
- Outside of the settlement boundary
- No pedestrian footway
- Existing highway concerns due to adjacent livery

## **CONSULTATION**

Highways: Objection Raised

Public Health & Protection: No objection subject to conditions regarding hours of operation, noise, dust and waste.

Dwr Cymru/Welsh Water: No objection

Land Reclamation and Engineering (Drainage): No objection

## **POLICY CONTEXT**

### **Rhondda Cynon Taf Local Development Plan**

The application site lies outside of the settlement boundary for Pontypridd and is located within a Special Landscape Area (SLA) and Sandstone Safeguarding Area.

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

**Policy AW1** – Sets out the criteria for new housing proposals.

**Policy AW2** – Supports development in sustainable locations and includes sites that are accessible by a range of sustainable transport modes and would not unacceptable conflict with surrounding uses.

**Policy AW5** – Sets out the criteria for new development in relation to amenity and accessibility.

**Policy AW6** – Requires development to involve a high quality design and make a positive contribution to place making, including landscaping.

**Policy AW8** – Sets out the criteria for the protection and enhancement of the natural environment.

**Policy AW10** – Does not permit proposals where they could cause or result in a risk of unacceptable harm to health and/or amenity.

**Policy AW14** – Safeguards resources of Sandstone from development.

**Policy SSA13** - Permits housing development within the defined settlement boundaries where it can be demonstrated that the proposal meets set amenity, highway, design and contamination standards.

**Policy SSA23.10** – The policy identifies land Taff Vale Eastern Slopes as a Special Landscape Area.

### **Supplementary Planning Guidance:**

- Design and Placemaking

- Delivering Design and Placemaking: 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 5<sup>th</sup> December 2018, and the document aims to incorporate the objectives of the Well-being of Future Generations (Wales) Act 2015 into Town & Country Planning.

For the reasons set out below, it is not considered that this proposal meets the seven goals set out within the Well-being of Future Generations Act or the aims of PPW10. The following chapters of PPW are relevant to this scheme:

Chapter 2 (People and Places: Achieving Well-being Through Placemaking)

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)

Chapter 5 (Reducing energy demand)

Chapter 6 (green infrastructure, landscape, biodiversity and ecological network, water and flood risk, air quality and soundscape, lighting)

Other policy guidance considered:

PPW Technical Advice Note 12 - Design

PPW Technical Advice Note 18 – Transport

### **REASONS FOR REACHING THE RECOMMENDATION**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Furthermore, applications that are not in accordance with relevant policies in the plan should not be allowed, unless material considerations justify the grant of planning permission.

### **Main Issues:**

#### **Principle of the proposed development**

The application seeks outline planning permission for the residential use at the application site. The proposal seeks consent for the principle of development only with all other matters

relating to design, appearance, layout, scale, landscaping and access reserved for future consideration.

The site is located outside and separate from the settlement boundary. Whilst it is acknowledged that there is a bus stop a reasonable distance from the site, access to the bus stop lacks any pavement for pedestrian movement, therefore diminishing access to public transport. The access road is also very narrow and potentially unsafe for pedestrians and cyclists. The site also has poor access to key services and facilities, with no shops within a half a mile radius. The site therefore cannot be considered a sustainable location for development as it does not accord with policy AW 2.

The application site is located outside of the defined, fixed, settlement boundary of Pontypridd in an unsustainable location. Consequently the proposed development fails to comply with the key sustainable development objectives of Policies CS2, AW1, AW2 and SSA13 and is therefore unacceptable in principle.

Whilst a supporting statement has been submitted with the application, the points raised are not considered to address the significant concerns with regards to the unsustainable location outside of the settlement boundary and adverse impact on highway safety. The key argument within the supporting statement is that the Council has already approved an existing dwelling within the vicinity outside of the settlement boundary. This point is incorrect with "Ty Heulwen" being constructed without planning permission but subsequently submitting a certificate of lawfulness (11/1320/09) which was approved. In addition there are no material changes to the application since the previous application was refused on the grounds of its unsustainable location and highway safety concerns.

### **Impact upon Highways**

A number of concerns were raised by the objector with regard to access and highway safety. In addition, the Council's Highways Department raised an objection to the application with the following response received:

The proposed dwelling would be served off a single track access road which adjoins the highway at Graig-Yr-Helfa Road 230 metres to the west. The single track access road is lacking in width for safe two-way vehicular traffic, with no segregated footway facilities and is also lacking a formal turning area to withstand the additional vehicular traffic generated by the proposed development.

The proposed dwelling would generate up-to 10 daily trips by all types of vehicle including emergency service and delivery vehicles especially with the onset of internet shopping intensifying the use of the substandard lane.

The applicant is not in control of the land leading to the proposed development to provide mitigation measures to overcome the highway and pedestrian safety concerns and on this basis highway objection are raised in the interests of safety of all highway users.

The proposed development is in an unsustainable location and would be totally reliant on the private motor vehicle for access. There are no segregated footway facilities leading to the site which is against national policy such as Planning Policy Wales 10<sup>th</sup> Edition and Active Travel Wales guidelines 2013.

Taking the above into consideration, the proposal is considered to be contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

### **Impact on the character and appearance of the area**

Having regard to the size of the site and the indicative site layout plan submitted, it is considered that the site is capable of accommodating a carefully designed dwelling that would not result in a detrimental impact upon the character and appearance of the surrounding area. It is however acknowledged that the submitted details are for indicative purposes only and that this issue would be given further careful consideration at reserved matters stage.

Whilst the objectors concerns that the development site would be visible from a number of viewpoints are acknowledged. As the appearance, landscaping, layout and scale of the scheme are reserved for future consideration, this would however allow the Council to reject any future scheme that would have an adverse impact and would ensure the development complied with policies AW5, AW6 and SSA23 of the Rhondda Cynon Taf Local Development Plan. If the proposals were considered acceptable in planning policy and highway safety terms.

### **Impact on residential amenity and privacy**

Given its location and relationship with neighbouring properties, any impact upon residential amenity and privacy would be greatest upon the adjacent property Ty Coch. However as the illustrative layout demonstrates that the dwelling would be sufficiently separated from this property. Any impact upon the amenity and privacy of the occupiers is not considered to be significant and the application is considered acceptable in this regard.

### **Public Health & Protection**

The Council's Public Health and Protection Division have raised no objection to the proposal, however a number of conditions have been suggested in relation to hours of operation, noise, waste and dust. Whilst these comments are appreciated, it is considered that these issues can be more effectively controlled by other legislation and the suggested conditions are therefore not considered necessary. An appropriate informative note would be sufficient.

### **Community Infrastructure Levy (CIL) Liability**

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

As planning permission first permits development on the day of the final approval of the last of the reserved matters, CIL is not payable at outline stage but will be calculated for any future reserved matters or full applications.

**RECOMMENDATION: REFUSE DUE TO THE FOLLOWING:**

1. The application site is located outside of the defined settlement boundary of Pontypridd in an unsustainable location. Consequently the proposed development fails to comply with the key sustainable development objectives of Policies CS2, AW1, AW2 and SSA13 of the LDP and those set out in Planning Policy Wales Edition 10 and is therefore unacceptable in principle.
2. The proposal is considered unacceptable in terms of its access and impact upon highway safety for the following reasons:
  1. The proposal will intensify the use of a substandard lane that lacks adequate vision splays, turning area, carriageway width, passing bays and structural integrity to the detriment of safety of all highway users and free flow of traffic.
  2. The proposed will result in increased reversing movements along the highway with sub-standard width, horizontal and vertical alignment to the detriment of safety of all highway users and free flow of traffic.
  3. In the absence of segregated footway facilities the proposed development would result in pedestrians being forced to share the same surface as moving / reversing vehicles with limited width of carriageway to the detriment of safety of all highway users.

The proposal would therefore be contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan in terms of its impact upon highway safety.