



PLANNING & DEVELOPMENT COMMITTEE

7 NOVEMBER 2019

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 19/0680/10 (GH)
APPLICANT:
DEVELOPMENT: Conversion of hotel into 11 no. one and two bedroom flats.
LOCATION: OLD GLANDWR COURT HOTEL, YSTRAD ROAD, PENTRE, CF41 7PY
DATE REGISTERED: 19/09/2019
ELECTORAL DIVISION: Ystrad

RECOMMENDATION: GRANT SUBJECT TO THE CONDITIONS BELOW:

REASONS:

The development would enable the beneficial re-use of a redundant building in a sustainable location. The site is close to a range of services and shops within Ystrad and the surrounding area and has access to bus and rail transport links.

Furthermore, in addition to its contribution to the regeneration of the local area the refurbished building would result in an improvement in the appearance of the street scene, whilst providing a mix of additional housing units.

REASON APPLICATION REPORTED TO COMMITTEE

The proposal is not covered by determination powers delegated to the Director of Prosperity & Development.

APPLICATION DETAILS

Full planning consent is sought to convert the former Glandwr Court Hotel, Ystrad Road, Pentre, to provide eleven flats.

The accommodation would be arranged over four floors to include the following:

Basement: 1 x one-bedroom flat
Ground Floor: 4 x one-bedroom flats and 1 x two-bedroom flat
First Floor: 5 x two-bedroom flats (extending into attic space)

To enable the development there would be a small number of external changes, to include the removal of three small lean-to ancillary type structures, and revisions to fenestration, so that all habitable rooms would benefit from natural light. This includes the attic rooms which would be served by roof lights.

The limited amenity space to the rear of the property would be laid out for the parking of four vehicles and a communal drying area. In addition, a designated bin area would be positioned adjacent to the boundary with Gelli Crossing, where there is an existing vehicular crossover into the site.

The application has been accompanied by a bat survey.

SITE APPRAISAL

The application property is a three storey L-shaped Victorian building, including a basement, which is located mid-way between the settlements of Ystrad and Gelli. Formerly a hotel, it is understood that the building was previously subdivided into four self-contained flats, but is now derelict.

Occupying a prominent site at the junction of Ystrad Road and Gelli Crossing, the principal elevation of the building, which appears as two-storey, faces north and is immediately adjacent to the highway.

A vehicular crossover provides access to a rear yard on the western side and this is retained by a substantial reinforced retaining wall, on account of the Rhondda River abutting the site to the south.

Other than the existing flats, neighbouring properties include a row of terraced dwellings immediately to the east, further dwellings to the south and north, with Gelli Primary School to the west.

PLANNING HISTORY

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

19/5003/41: Proposed refurbishment of Glandwr Court Hotel into eleven flats. Decision: 08/02/2019, Raise no objections.

PUBLICITY

The application has been advertised by direct notification to six neighbouring properties and notices were erected on site.

One letter of objection was received from a property on the opposite side of Ystrad Road with the following observations:

- The premises have been decaying for years and require demolition or significant repair. The rear part of the building is a health hazard.
- The building accommodated flats and bedsits from the 1980s into the early part of the 21st century.
- Previous tenants damaged the amenity of other residents with bad language and behaviour at all times, and discarded bottles, cans and needles thrown into neighbouring gardens.
- It would be good to see the property developed responsibly, but not if it allowed the premises to be occupied in the same manner as previously.
- Concerns in respect of parking where that on-street parking is limited by existing demand and a bus stop.

CONSULTATION

Highways and Transportation

Conditions are recommended in respect of parking, cycle stands and vehicular crossover.

Waste Management

Notes that the bin storage area is inside the property, adjacent to the kerbside collection point.

Natural Resources Wales

An advisory notes is recommended with regard to the position of the site partially within C1 Flood Zone. NRW also advises that although they do not consider that the development is likely to be detrimental to the maintenance of the identified bat population, a European Protected Species Licence will be required.

South Wales Police

No objection and a list of safety recommendations has been provided for the benefit of the developer.

Public Health and Protection

Conditions are recommended in respect of noise from construction, dust, waste, demolition and hours of operation.

With the exception of the latter issue, it is considered that the other matters can best be dealt with by an informative note.

Wales and West Utilities

A plan of underground assets and list of general conditions has been provided for the benefit of the applicant.

Western Power Distribution

A new connection or service diversion will require consent from WPD

Dwr Cymru Welsh Water

A condition is recommended in respect of additional surface water flow to the public sewer and the marking out of the sewer location on site, together with an informative note.

Countryside – Ecologist

No objection, subject to a condition requiring a pre-demolition survey for the presence of barn owls.

No other consultation responses have been received within the statutory period.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies within the settlement boundary for Pentre

Policy AW1 – The policy outlines how the housing land requirement will be met, and includes the development of unallocated sites within the defined settlement boundaries

Policy AW2 – The policy ensures that development proposals are only supported in sustainable locations. This includes sites which: 1) Accord with Policy NSA12; 2) would not unacceptably conflict with surrounding uses; 3) have good accessibility by a range of sustainable transport options; 4) Have good access to key services and facilities; and 6) support the roles of key settlements.

Policy AW4 – The policy details the types of planning obligations that may be sought in order to make the proposal acceptable in land use planning terms and that Community Infrastructure Levy contributions might apply.

Policy AW5 – The policy sets out criteria for appropriate amenity and accessibility on new development sites.

Policy AW6 – The policy encourages proposals which are of a high standard of design, and are appropriate in terms of siting, appearance, scale, height, etc.

Policy AW10 – The policy prevents development which could cause or result in a risk of unacceptable harm to health or local amenity due to land instability, contamination, or any other identified risk to local amenity and public health.

Policy CS1 – the emphasis is on sustainable growth in the northern strategy area, and is to be achieved by promoting residential development in locations which support and reinforce the roles of Key Settlements.

Policy NSA10 – The policy stipulates that the net residential density must be a minimum of 30 dwellings per hectare, and lists criteria where lower density levels are permitted.

Policy NSA11 – The policy seeks a provision of at least 10% affordable housing on sites of 10 or more units.

Policy NSA12 – The policy permits development within settlement boundaries if they demonstrate that infrastructure and car parking will not be adversely affected.

Policy NSA13 – The conversion of large buildings within the Northern Strategy Area will be permitted where there is no economically viable alternative use for the building.

Supplementary Planning Guidance

- Delivering Design and Place-making
- Access, Circulation and Parking Requirements
- Planning Obligations
- Affordable housing
- Development of Flats

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 1 (Managing New Development)

Chapter 2 (Maximising Well-Being and Sustainable Places through Placemaking)

Chapter 4 (Active and Social Places)

Other policy guidance considered:

PPW Technical Advice Note 12 – Design

PPW Technical Advice Note 15 – Development and Flood Risk

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

Policy AW1 supports residential development on unallocated land within the settlement boundary and the conversion of suitable structures to provide housing.

The site is in close proximity to the Key Settlement of Treorchy and accordingly, any application should set out how this residential development would support the role of this Key Settlement, as encouraged by LDP Policies CS1 and AW2. Nonetheless, the location of the site, within the settlement boundary and with good access to sustainable transport, evidences that it would be considered a sustainable location in accordance with Policy AW2.

Currently, the building is in a poor state of repair and does not make a positive contribution to the surrounding streetscape. The development proposal would resolve the degree of dereliction by making beneficial re-use of the site, which is supported by Policies CS1 and NSA13. However, although the latter Policy requires evidence that there are no other viable commercial uses for the site, this is considered unnecessary given the length of time that the building has been vacant.

The plans include provision for four car parking spaces to the rear of the building. Policy NSA12 seeks that residential development does not have an adverse effect on the provision of car parking in the surrounding area, meanwhile Policy AW5 requires development proposals to make car parking provision in accordance with the Council's 'Delivering Design and Placemaking: Access, Circulation and Parking Requirements' SPG. These matters are considered further below.

Impact on the character and appearance of the area

The application details show that the main structure of the property would be unaltered. In addition, the changes to fenestration within all elevations of the property would not be disproportionate in scale or quantity whereby its character would be harmed.

However, the recommissioning of the building and its curtilage would bring about a welcome improvement, since its current state of dereliction is ugly and greatly detracts from the street scene.

Therefore the development would represent an improvement to the appearance of the building as a whole and would be a positive enhancement to the public realm.

Impact on neighbouring occupiers

Most of the properties close to the application site are residential and comprise a mix of older and more traditional dwelling types. In the absence of any significant development the relationship between neighbouring properties, in terms of their built form, has been largely unchanged.

For this reason, since the conversion of the building to flats would involve mostly internal construction work, the development would not be likely to alter the outlook of other residents, except for an evident improvement to the fabric of the property and its curtilage.

Although not an issue identified by the closest residents to the east of the site, there was some concern at the six large window openings within the side elevation of the former hotel, which directly face the gardens of the adjoining houses. In theory, it might be possible for there to be direct views towards neighbour's habitable rooms.

Nonetheless, whilst the concern is material, the applicant's fall back position is one of a residential land use and the building, together with the windows, could be restored and re-glazed, with intrusive views towards neighbouring dwellings.

Furthermore, the current application would represent an improvement to the status quo, since the architect has reflected feedback given during pre-application advice about these windows. Consequently only three would be retained, two of which would serve bathrooms.

There is sympathy for the problems caused by past occupants of the building and how their behaviour was harmful to the wellbeing of neighbours. However, unless the proposed development would fall into a different residential land use, such as a secure institution or House in Multiple Occupation for example, neither the likely future occupiers nor the tenure of the accommodation are germane.

As a result it is considered that the development would not cause detriment to the amenity and privacy of neighbouring occupiers and is therefore acceptable in this regard.

Highways and accessibility

Access

Primary access for 8 of the flats would be from Ystrad Road (A4058) which, excluding the bus stop lay-by fronting the site, has a carriageway running width of 8.6m. The site is also adjacent to Gelli Crossing which has a carriageway width of 6.1m and would provide primary access to the remaining 3 flats.

There is concern that the visibility to the left from Gelli Crossing is sub-standard 2.4m x 11m with off-street car parking served off this access. However, taking into account the critical visibility is to the right and in excess of 2.4m x 40m on-balance the additional traffic using Gelli Crossing would be acceptable.

Pedestrian access.

Pedestrian access along Ystrad Road is gained by continuous 1.8m pedestrian footways which are acceptable. Conversely Gelli Crossing, which is to be used for access to the car parking area and rear flats, has 1.5m wide sub-standard footways with the existing vehicular access forming a trip hazard in the footway; especially for partially sighted residents.

The Council's Highways and Transportation Section considered that there is potential to overcome this by providing a standard vehicular crossover and both this and the absence of segregated footway along the rear car parking area to access the three rear flats, should be sought by a condition.

Parking

No floor plans of the existing upper floors of the hotel have been submitted to assess the existing car parking requirement for the established use. However, the proposed change of use to 11 apartments requires up-to a maximum of 23 spaces (including visitors) with 4 provided which is of concern.

The Council's SPG for Access, Circulation & Parking advises that the maximum off-street car parking can be reduced where a site is sustainably located. Taking into account the proximity of local facilities, bus stops and train services the proposed car parking can be reduced by 1 space per apartment, with short term visitor parking taking place on-street. On this basis, the total off-street car parking requirement would be 11 spaces with 4 provided.

There is concern with regard to the shortfall of off-street car parking provision. However, taking into account the proposal brings a derelict building back into use and that the previous use would have generated a greater car parking requirement, the proposal is acceptable on balance, subject to the identified conditions.

Furthermore, in order to mitigate the impact of the proposal on the wider highway network and to promote sustainable mode of travel with less reliance on the private motor vehicle a condition requiring secure cycle storage has been suggested.

Flooding

As the consultation response from NRW states, part of the application site lies within an area designated as a C1 flood zone, and where a residential land use would only be supported subject to compliance with a number of qualifying criteria. This relates to a small area of the rear yard and outside of the footprint of the building.

Nevertheless, NRW has recognised that the established use of the building is a residential one and since the proposed conversion does not represent any increase in the vulnerability of use it does not require a Flood Consequences Assessment.

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 application lies within Zone 1 of Rhondda Cynon Taf's Residential Charging Zones, where a nil charge is applicable and therefore no CIL is payable.

Section 106 Contributions / Planning Obligations

Section 106 of the Town and Country Planning Act (as amended) enables Local Planning Authorities and developers to agree to planning obligations to require operations or activities to be carried out on land (in-kind obligations) or require payments to be made (financial contributions), to mitigate any unacceptable impacts of development proposals.

The Community Infrastructure Levy (CIL) Regulations 2010, with effect from 6 April 2010, state that a planning obligation (under S.106) may only legally constitute a reason for granting planning permission if it is:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and,
- fairly and reasonably related in scale and kind to the development.

Welsh Office Circular 13/97 Planning Obligations provides procedural guidance on the role of planning obligations in mitigating the site-specific impacts of unacceptable development to make it acceptable in planning terms. The Welsh Government Development Management Manual also advises planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition and when it meets the three tests above.

Further guidance regarding what types of obligations developers may be expected to contribute towards is also contained within Policy AW4 of the Local Development Plan and the Council's SPG on Planning Obligations, however it is made clear that this is intended to form the basis of negotiations between all parties.

The Section 106 requirements in this case

In this case the Council's Housing Strategy Section has noted that one unit of affordable housing would be required under Policy NSA11.

This requirement can be met via the direct provision of a unit for affordable housing, usually for sale as low cost housing to a Council nominated first time buyer. The purchaser would pay 70% of the open market value and a charge would be held on the title in favour of the Council for the other 30%.

Alternatively a financial contribution, equivalent to 30% of the market value of one of the two bed apartments, would be acceptable. This would be calculated at the time the development comes forward based on evidence of achieved sale values provided by the developer; but would be subject to the development being viable to support such a contribution.

Conclusion

The development would enable the beneficial re-use of a derelict building in a sustainable location, close to the key services and shops and wider public transport links.

Furthermore, in addition to its contribution of additional housing units the refurbished building would result in a great improvement in the appearance of the street scene, and be a compatible use with the surrounding residential development.

Therefore, being located within the settlement boundary and having benefitted from a previous residential use, the development is considered to be acceptable.

RECOMMENDATION: GRANT SUBJECT TO THE CONDITIONS BELOW:

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 drawings entitled 'Proposed conversion of Glandwr Hotel to 11no flats', and documents received by the Local Planning Authority on 25th June 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. No development shall commence, including any site clearance or demolition, until a survey, to check for the presence of barn owl(s), has been submitted to and approved in writing by the Local Planning Authority. Should barn owl(s) be found then no work shall be undertaken until a method statement, detailing appropriate mitigation, has been submitted and approved in writing by the Local Planning Authority. Any mitigation measures shall be maintained in perpetuity.

Reason: In the interests of nature conservation in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

4. The development shall not be brought into use until the following details have been submitted to and approved in writing by the Local Planning Authority:
 - i) provision for 4 vehicles to be parked within the site along a with segregated footway to access the rear flats
 - ii) provision for 11 secure cycle stands
 - iii) a vehicular footway crossing along Gelli Crossing

The spaces, stands and crossing shall be constructed and laid out in accordance with the approved plans and retained thereafter.

Reason: In the interest of highway and pedestrian safety and to promote sustainable travel in accordance with Policies AW5 of the Rhondda Cynon Taf Local Development Plan.

5. During the construction phase of the development the hours of work shall be restricted to the following:

Monday to Friday	08.00 to 18.00 hours
Saturday	08.00 to 13.00 hours
Sunday and Bank Holidays	Not At All

Reason: In the interests of the amenity of other residents, in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

6. No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to 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.

7. The proposed development site is crossed by a public sewer. Its position shall be accurately located marked out on site before works commence and no operational development shall be carried out within 3 metres either side of the centreline of the 150mm and 250mm public sewer and 6 metres either side of the centreline of the 1200mm public sewer.

Reason: To protect the integrity of the public sewer and avoid damage thereto 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.