



PLANNING & DEVELOPMENT COMMITTEE

16 JULY 2020

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 20/0309/10 (GH)
APPLICANT: c/o Agent
DEVELOPMENT: Proposed affordable housing development (9 no. flats).
(Revised plans, reducing height of rear annexe, received 3rd June 2020).
LOCATION: ROYAL MAIL TREORCHY DELIVERY OFFICE, 22-23
HIGH STREET, TREORCHY, CF42 6NP
DATE REGISTERED: 26/03/2020
ELECTORAL DIVISION: Treorchy

RECOMMENDATION: GRANT SUBJECT TO CONDITIONS

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

Furthermore, in addition to its contribution to the regeneration of the local area, the refurbishment and annexe extension to the rear of the property would result in an improvement in the appearance of the site and street scene, whilst providing a useful mix of affordable housing units.

REASON APPLICATION REPORTED TO COMMITTEE

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

APPLICATION DETAILS

Full planning permission is sought to convert the former Royal Mail Delivery Office at 22-23 High Street, Treorchy into nine affordable flats, on behalf of a Registered Social Landlord.

The development would utilise part of the ground floor and all of the first floor of the two-storey building fronting onto High Street, but would not affect the operation or retail floor space currently occupied by Treorchy Post Office.

In addition, it is proposed that the existing elevation facing towards Princes Street would be extended in width by 3m and this small two-storey extension would be to the same depth, scale, form and external finish of the existing.

To the rear of the property the warehouse-like sorting office would be demolished. In its place a two-storey annexe, to a smaller footprint, would be constructed.

During the consultation process, concerns were raised regarding the height of the rear annexe and its proximity to the nearest dwellings at Tynybedw Street. Consequently, amended plans were sought and received, and these introduce a stepped down ridge line and hipped roof to that part of the development closest to the rear boundary.

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

Ground Floor: 2 x one-bedroom flats and 1 x two-bedroom wheelchair accessible flat

First Floor: 5 x one-bedroom flats and 1 x two-bedroom flat

Access to all of the flats would be from the existing vehicular and pedestrian entrance on Princes Street. The external space would be laid out for the parking of four vehicles, a bin store and some modest landscaping with benches.

In addition to floor plans and elevation drawings the application has been accompanied by the following:

- Planning Statement
- Bat Report
- Flood Consequences Assessment
- Surface Water Drainage Strategy

Lastly, it has been confirmed that this social rented scheme has been designed in dialogue with the Council's Housing Strategy Team to help address the need for additional affordable housing within Treorchy. The unit mix and tenure proposed are in accordance with the Local Housing Market Assessment 2017/23.

SITE APPRAISAL

The application property is a large two storey building located within the centre of Treorchy and within the defined retail zone.

Occupying a prominent site at the junction of High Street and Princes Street, the building is immediately adjacent to the highway. The south-westerly facing principal elevation contains the Post Office shop front, which would remain post-development, whilst the remainder of the elevations are rendered and contain numerous windows.

A vehicular crossover from Princes Street provides access to a rear yard which is enclosed by a masonry wall and gates. An adopted rear lane also provides access to other High Street properties and dwellings at Tynybedw Street to the north.

Neighbouring properties include a mix of retail uses along High Street, together with a significant number of typical Victorian terraced dwellings at adjoining streets.

The site, which is within the defined settlement boundary and retail zone and, other than for its location partly within C2 Flood Zone, is not subject to any environmental and policy designations, which would be of significant relevance to the proposal.

PLANNING HISTORY

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

19/5071/41: Demolition of single storey rear annexe. Conversion and extension of building to provide 9 affordable apartments. Post Office will be retained. Decision: 14/06/2019, Raise No Objection

PUBLICITY

The application has been advertised by direct notification to twenty neighbouring properties and notices were erected on site. A further reconsultation was undertaken on receipt of the revised plans.

Objections were received from six neighbouring dwellings highlighting the following matters:

- There has always been a problem with parking for residents, which is made worse by shoppers using High Street, during the school run, or by residents from other streets being displaced and parking near the site.
- The lack of off-street parking provision would make this matter worse.
- Tenants could be banned from owning vehicles or the development reduced in size.
- The building will be in close proximity to our house and is considerably higher than what is already there, affecting outlook and light.
- Our privacy will be affected.
- The demolition/construction/deliveries will cause noise, dust and could result in access problems.
- Elderly/ill residents may be unable to park outside their homes.
- The wall belonging to the Prince Pub is dangerous and supported by fencing so it is already difficult or impossible to walk on the pavement.

CONSULTATION

Transportation Section

No objection subject to conditions in respect of access and parking, cycle storage, a vehicular crossover and surface water run-off.

Flood Risk Management

A condition requiring the submission of drainage details is requested, together with an informative note regarding the need for SuDs/SAB approval.

Natural Resources Wales

No objection.

Public Health and Protection

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

However it is considered that these matters can best be dealt with by an informative note since existing public health legislation is able to control matters of noise and pollution.

Countryside, Landscape and Ecology – Ecologist

The bat survey concluded negligible bat potential in the parts of the building affected by the conversion works, but identifies the need for bat sensitive lighting and bat enhancement measures, which should be conditioned. As a precautionary measure an appropriate bat informative note should be appended to any planning permission.

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 Treorchy

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 when located in sustainable locations. Such locations: 1) are within a defined settlement boundary; 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 5) are not within Zone C2 floodplains in cases for highly vulnerable development.

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 requires that development proposals are of a high standard of design and are appropriate to the local context in terms of siting, appearance, scale, height, massing, elevational treatment, materials and detailing.

Policy AW10 – The policy discourages proposals which could cause or result in a risk of unacceptable harm to health and/or local amenity because of flooding, unless measures can be taken to overcome these risks.

Policy CS1 – The policy emphasis is on sustainable growth in the Northern Strategy Area, achieved by promoting residential development in locations which will support and reinforce the roles of Key Settlements, and by providing high quality, affordable accommodation that promotes diversity in the residential market.

Policy NSA2 – The policy supports proposals for residential development within the Key Settlement of Treorchy which: 1) supports and reinforces the role of the centre as a Key Settlement; 2) is of a high standard of design; and 3) promotes the beneficial re-use of vacant floor space.

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 NSA12 – The policy requires housing development within the settlement boundary to be accessible to local services by a range of sustainable transport modes without adversely affecting the highway network or provision of car parking in the surrounding area.

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.

Policy NSA18 – The policy outlines the retail hierarchy in the Northern Strategy Area, classifying the Treorchy retail centre as a Key Settlement.

Supplementary Planning Guidance

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

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 and 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)
Chapter 5 (Productive and Enterprising 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

The development proposal is to convert the former Royal Mail premises, located in Treorchy retail centre, into 9 affordable residential flats. The proposal would retain the A1 use of the Post Office at the ground floor, fronting High Street, but would require redevelopment of the remaining ground floor area and the conversion of the upper floor of the building.

According to the Welsh Government's Development Advice Maps (DAMs) it is noted that the site is partially within a C2 flood zone. Approximately 6 of the 9 dwellings are wholly within the C2 zone, and 1 is partially within, including part of the site access.

Therefore the main issues for consideration in this regard are the ability of the proposal to conform to Planning Policy Wales Technical Advice Note (TAN) 15 – Development and Flood Risk, and what impact the change of use would have on neighbouring occupiers and the vitality and viability of the retail centre. The matter of the flood zone designation is considered within the body of the report further below.

Flood risk aside, the proposal would comply with the requirements of other relevant local and national planning policies. For example, LDP Policy AW1 supports the conversion of suitable structures to provide new dwellings, and the proposal also complies with Policies CS1 and NSA2 since it would support Treorchy as a Key Settlement Retail Centre. Similarly, Planning Policy Wales (PPW) 10 recognises that residential use in retail centres can contribute to the viability and vibrancy of a centre.

Furthermore, LDP Policy AW2 is supportive of residential development in sustainable locations and in this case the site could hardly be positioned better with a range of shops and services on the doorstep. There are also a range of sustainable transport

modes available with bus stops just to the south of the site and Treorchy Railway Station a short walk away.

Consequently, subject to the material considerations discussed below, the principle of the development and residential conversion is considered to be acceptable.

Impact on the character and appearance of the area

LDP Policies AW5 and AW6 require development proposals to be of a high standard of design and appropriate to the local context in terms of siting, appearance, scale, height, massing elevational treatment, materials and detailing.

Since the main building would be retained for conversion, there are no particular concerns about the impact of the development on the street scene of High Street, which would be largely unchanged.

Clearly, this would not be the case in respect of Princes Street to the western side, where the entrance into the site would be improved and views towards the rear of the existing building and the new-build annexe and its courtyard-like layout would be possible.

Currently the site is unchanged in appearance from its last use as a delivery office and the redundant flat-roofed sorting area at the back is not an attractive structure. Therefore, both the style of the new annexe, which would be similar to that of the extant two storey building, and the redevelopment of the yard would be considered to result in a positive outcome.

Impact on neighbouring occupiers

The consultation with neighbouring residents elicited a range of responses, of which the most frequent issues were highway or parking related, and such matters are considered within the following section.

In addition the potential for disruption, noise, dust and deliveries of materials etc. were highlighted by neighbours. Whilst such concerns are well understood they would be temporary and associated with the development period. For that reason they cannot be considered sufficient to warrant a refusal of consent, and a condition for a Construction Method Statement is considered to be appropriate given the constraints of the site and surrounding area.

However, the potential impact of the alterations to the site structures on the amenity and privacy of other residents are material.

Firstly, in respect of the south-facing window within the first floor of the annexe, ordinarily this would permit direct views towards the rear yards and habitable rooms of a couple of dwellings at Tynybedw Street. Nonetheless, the submitted plan indicates that this would be obscure glazed and a condition is recommended to ensure both this and that the unit shall be non-opening below a height of 1.7m as measured from the interior floor level.

Secondly and of greater concern is how the extended building would alter the outlook from neighbouring dwellings.

The small scale extension to the side is not considered to be harmful inasmuch as it would be opposite the rear yard of the public house on the other side of Princes Street and not the principal elevation of a dwelling.

As mentioned previously though, revised plans were submitted to address the objections raised by neighbours of Tynybedw Street in respect of the two storey annexe extension and how this would affect their outlook.

The revisions, as demonstrated by the 'proposed east elevation' drawing have proposed a stepped roof line with a reduction in ridge and eaves height of just under 1m. The massing and immediate impact of the gable and has also been much reduced by the introduction of a hip.

The proposed eaves height of 5.2m, where adjacent to the shared rear lane, now compares more favourably with the 4.3m height of the existing flat roof. Notwithstanding that the new build would then have the hipped roof structure above, which the flat roof does not, it should be recognised that the flat roof of the sorting office extends to a width of 14.6m, whereas the annexe would only have a width of 8.5m.

On this basis, whilst the additional overall height of the annexe would indeed be more prominent to the affected residents of Tynybedw Street, the elevation would be far narrower and thus, on balance, the revised drawings are considered to be an acceptable compromise.

Lastly, no objection was received from the neighbouring property to the south, no.24 High Street, in respect of the position of the annexe. However, in considering any impact it is noted that the current sorting office flat roof is immediately adjacent to the boundary with no.24.

Therefore, whilst the new roof will be higher, the elevation of the annexe will be stepped back from the boundary by just over 1m, which is considered to mitigate its additional height. Again, on balance, and in the absence of any representations to the contrary, the development is considered to be acceptable.

Highways and accessibility

The primary access to the building is currently served from High Street (A4061) which has a carriageway width of 8.6m and traffic regulations to the front preventing on-street car parking at peak times.

Princes Street, to the side of the property, has a carriageway width of 5.6m, with double yellow lines to protect the junction, and resident only parking bays opposite the proposed rear access. Pedestrian access would be gained via footways varying in width between 1.6m and 5.4m, with those to the front of the post office to remain.

In respect of off-street parking provision the Council's SPG for Access, Circulation & Parking 2011 notes that the existing Post Office, which would remain in operation and within the footprint of the building, requires a maximum of 2 off-street car parking spaces.

Conversely, the proposed residential use requires a maximum of 18 spaces for residents and 2 spaces for visitors. Therefore, the total requirement for the proposed use, including the Post Office, is 22 spaces with only 4 provided.

There is concern at the shortfall. However, taking into account the sustainable location of the site and sustainable transport hierarchy as set out within PPW10, the Council's Transportation Section advises that the shortfall in parking provision is, on balance, considered acceptable.

Nonetheless, the car parking layout as proposed would have a sub-standard reversing width which would limit manoeuvrability. Therefore, the proposed 1.2m footway must have a low kerb upstand to accommodate the overhang of vehicles and for ease of use of the spaces.

Furthermore, to mitigate the shortfall in parking provision and to be in compliance with PPW's sustainable transport hierarchy and the Council's SPG, the developer should provide secure cycle storage for the proposed development.

Lastly, full engineering design and detail should be provided of any amendments to the public highway to facilitate vehicular and pedestrian movement. The existing access should be reinstated as a footway vehicular crossover giving priority to pedestrians, and a condition is recommended in this regard.

Flooding

Natural Resources Wales were consulted on this application as a matter of course and their initial response highlighted significant concerns that the development, in Flood Zone C2, would be contrary to national policy.

The reason for this is that PPW TAN15 states all residential developments are categorised as 'highly vulnerable development' in respect of flooding, and should not be considered within areas of floodplain without flood defence infrastructure.

Although an FCA had been submitted in support of the application, NRW initially advised that it would not review this document until the LPA had indicated its planning policy stance i.e. that there were overriding reasons to grant planning permission against national policy.

From the point of view of the LPA this was problematic since the development would otherwise accord with local and national planning policy. It was suggested to NRW that the issue which would tip the balance of the recommendation either way would depend upon their interpretation of the FCA, and whether it was able to demonstrate that the consequences of flooding could be acceptably managed.

Of particular relevance is that the FCA suggested the Zone C2 designation was incorrect and that the DAMs take no account of the existing River Rhondda flood defences. Although there is a separate process by which incorrect designations can be challenged it is noted that C2 Zones are described as being “areas of the floodplain without significant flood defence infrastructure”. The FCA argues that the site is only predicted to flood during an *undefended* 0.1% AEP event.

On this basis NRW provided a second response and whilst the requirements of TAN15 and Welsh Government circular of 2014 were restated, NRW had reviewed the FCA and, with relevance to paragraphs A1.14 and A1.15 of TAN15, had determined that it demonstrated that “the proposed development site is shown to be flood-free in the 1% (1 in 100 year + 25% CCA allowance) flood event and the 0.1% (1 in 1000 year) extreme flood event”.

Consequently, whilst stopping short of advising that the DAMs and C2 designation are incorrect, NRW stated that it is satisfied that the risks and consequences of flooding are manageable to an acceptable level and that they have no objection to the application as submitted. In light of these comments, the application is considered acceptable in this regard.

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 site lies within Zone 1 of Rhondda Cynon Taf’s Residential Charging Zones, where a £nil charge is applicable and therefore no CIL would be payable.

Conclusion

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

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 supporting the role of Treorchy as a key settlement, the development is considered to be acceptable.

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 drawing numbers:

- A105 Rev A
- A106
- A107 Rev A
- A108 Rev A
- A109 Rev A

and documents received by the Local Planning Authority on 25th March 2020 and 3rd June 2020, 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 on site until full site drainage arrangements have been submitted to and approved in writing by the Local Planning Authority. These details shall indicate how the development is to comply with the requirements of Section 8.3 of Technical Advice Note 15. The residential units hereby approved shall not be brought in to beneficial occupation until the drainage works have been completed in accordance with the approved plans.

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 AW10 of the Rhondda Cynon Taf Local Development Plan.

4. No development shall commence on site until details of a bat-sensitive external lighting plan and other bat enhancement measures have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details and measures shall be maintained in perpetuity, in good order. No other external lighting shall be erected.

Reason: To ensure the development is carried out with no harm to European Protected Species, in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

5. No development shall commence on site, including any works of site clearance, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority to provide for:

- a) the means of access into the site for all construction traffic,
- b) the parking of vehicles of site operatives and visitors,

- c) the management of vehicular and pedestrian traffic,
- d) loading and unloading of plant and materials,
- e) storage of plant and materials used in constructing the development,
- f) wheel cleansing facilities,
- g) the sheeting of lorries leaving the site.

The approved Construction Method Statement shall be adhered to throughout the development process unless agreed otherwise in writing by the Local Planning Authority.

Reason: In the interests of the amenity of neighbouring residents, highway safety and the free flow of traffic, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

6. No residential unit hereby approved shall be brought into beneficial occupation until space has been laid out within the site for secure cycle storage in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to any development commencing on site. The spaces shall be retained for the secure cycle storage thereafter unless agreed in writing with the Local Planning Authority.

Reason: To promote sustainable modes of travel and mitigate the shortfall in parking provision, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

7. No residential unit hereby approved shall be brought into beneficial occupation, until a vehicular footway crossing has been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to any development commencing on site.

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

8. No residential unit hereby approved shall be brought into beneficial occupation until the access, circulation and parking have been laid out in accordance with the approved plans. The access, circulation and parking area shall be completed in permanent materials and shall not be used for any purpose other than the parking of vehicles thereafter.

Reason: To ensure that vehicles are parked off the highway in the interests of road safety, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

9. Notwithstanding the development hereby approved, the proposed first floor window within the south-facing gable end of the new build annexe shall be fitted with obscure glazing to an industry standard of privacy level three or above, and maintained in perpetuity as such. Any part of the window that is less than 1.7m above the floor of the room in which it is installed shall be non-opening. The windows shall be permanently retained in that condition thereafter.

Reason: In the interests of the privacy and amenity of neighbouring residents in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

10. Surface water run-off from the proposed development shall not discharge onto the public highway or connect to any highway drainage system unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to prevent overcapacity of the existing highway drainage system and potential flooding, in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.