



PLANNING & DEVELOPMENT COMMITTEE

6 AUGUST 2020

REPORT OF THE SERVICE DIRECTOR, PLANNING

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 20/0479/10 (GW)
APPLICANT: Llanmoor Development Company Limited
DEVELOPMENT: New access and car park to rear (12 parking spaces)
LOCATION: LLANMOOR DEVELOPMENT CO LTD, 63-65 TALBOT ROAD, TALBOT GREEN, PONTYCLUN, CF72 8AE
DATE REGISTERED: 01/06/2020
ELECTORAL DIVISION: Talbot Green
RECOMMENDATION: Grant

REASONS: The development would beneficially provide off-street parking for an existing business located within the retail zone of Talbot Green and in an area where off-street parking is in high demand and on-street parking is identified as an existing problematic issue.

The objections with regard highway safety and the impact on amenity from local residents are noted and the issues are appreciated. However, no objection has been raised by the Council's Transportation Section with regard to Highway Safety. Furthermore, whilst there would be some impact upon the amenity of surrounding neighbours from the potential of additional traffic; it is considered that taking into account the town centre location, the beneficial provision of off-street parking and the small scale of the proposal that, on balance, the proposal would be acceptable.

In all other planning matters the proposal is considered acceptable.

REASON APPLICATION REPORTED TO COMMITTEE

The proposal is not covered by determination powers delegated to the Director of Prosperity and Development because there are three or more objections by persons directly affected by the proposal where the recommendation to approve is contrary to the objections.

APPLICATION DETAILS

Full planning permission is sought for the provision of a car park (12 spaces) to the rear of Llanmoor Development Co Ltd offices in Talbot Green. Two electric

charging spaces and one disabled parking space would be included and the car park area would be finished in asphalt. The plans also detail an existing shed would be re-furbished for cycle parking.

A new access and dropped kerb, from Danygraig Crescent, would be created from the turning head at the end of the cul-de-sac. This would utilise some of the curtilage of number 41 and the demolition of their garage is required. Parking would be retained for this dwelling on a drive. The access lane down to the car park would be finished in asphalt and would be re-graded to a 1:12 slope. A retaining wall along the boundary with the bus station/shopping parade area would be replaced and some small trees would be removed.

Access to the car park would be controlled by an electric sliding gate. The applicant has clarified that the:

1. Car park hours of use would be 7:30am until 18:00pm Monday to Friday; and that the
2. Car park would only be used by staff and related business.

A ramp and steps, to the rear of the office building, would be provided to access the car park. Replacement landscape planting would be provided along the access drive and around the car park. A 2.4m anti-climb fence would be provided on the boundary with the bus station. Surface water drainage would be to rain garden areas on the site.

The application is supported by:

- A Building scoping survey & Preliminary Roost Assessment for presence of Bat Roost sites by Spectrum Ecology

SITE APPRAISAL

Llanmoor Development Co. Ltd.'s office building faces on to Talbot Road in Talbot Green. The area of the proposed car park would be to the rear of the offices with the access being provided from Danygraig Crescent. This area is a suburban residential estate, albeit adjacent to the town centre. Access to this is from Talbot Road and Danygraig Drive.

The office building forms part of a terrace that has other commercial uses. The town's bus station and a parade of shops are located adjacent and to the west of the site.

PLANNING HISTORY

None

PUBLICITY

The application has been advertised via the erection of a site notices and by direct neighbour notification to the residents adjoining the site. Seven letters of objection have been received at the time of writing the report and their objections are summarised below:

- Danygraig Crescent and Danygraig Drive form an access-only residential area. It will make the quiet cul-de-sac a through road.
- Danygraig Drive is already bedevilled by traffic, using it illegally as a rat-run between Talbot Road and Ely Valley Road, by business owners, shoppers and occupiers of the flats above the shops by the bus station utilising the crescent to park, including parking on pavements and causing obstruction, and by many vehicles driving the wrong way down the one-way half of the road. It often causes issues for delivery drivers and the emergency services.
- This proposal would cause an increase in traffic on quiet narrow residential streets. This would result in potential accidents and would pose a health and safety risk to small children and the elderly who live on the estate.
- It is likely that cars will be constantly coming and going throughout the day (due to them having customers).
- It would result in noise nuisance and vehicular pollution.
- The car park may lead to others trying to use the car park.
- We already have concerns that the Council have seemed to ignore the fact that the wall at the bottom of the cul-de-sac fell down and there is nothing stopping a child falling in to the lane at the back of the shops except some red tape. It has been like this for approximately 12 months!
- The small turning cul-de-sac is also used by Council transport and the vehicles have considerable problems turning because of access.
- Despite the application form stating no trees will be removed the plans detail some trees would be.
- No opening hours are shown, this may lead to it being accessible round the clock.
- We are aware that the situation is currently different due to Covid-19, but would it not be more important to encourage the users of this business to arrive and leave by public transport? The development proposed is adjacent to Talbot Green bus station.
- The street has enough pot holes in which cause issues.
- We only learnt about the proposed development by chance and we are surprised that residents of the local area were not informed, apart from a notice adjacent to the development site on a lamp-post, which is not much use for people following the Welsh Government COVID-19 advice to stay at home.

- The neighbours or the local community should have been consulted before the application was submitted.

CONSULTATION

RCT Countryside, Landscape and Ecology - The bat report is an appropriate assessment based on a thorough building inspection. The assessment found no evidence of bat use of what is a simple (if large) flat roofed garage, and concludes negligible bat potential, with no recommendations for further survey. That appears a reasonable and justified conclusion. The report does include some precautionary demolition measures and, as enhancement, provision of bat boxes. Therefore a condition requiring the implementation of all measures in Section 5 Recommendations of the Spectrum Bat report is necessary.

The proposed landscaping scheme and management is acceptable for this urban area.

RCT Flood Risk Management – Advise that a low Q1000 surface water flood risk conveys down in a southerly direction from the rear of the shop area and into the proposed access point. During points of extreme flooding the water could have the potential to travel down the proposed access road reaching the car park and ultimately heading potentially towards the property. There is also a low Q1000 that conveys along Talbot Road to the front of the property however due to the topography this should not affect the property. The applicant should be advised of the low surface water risk affecting the area of proposed works and the potential to conveyance towards the property.

The applicant has provided surface water drainage details, however the applicant has not confirmed points of discharge and the capacity of the network to receive the additional flow. Therefore I would recommend the application is conditioned to obtain these details.

The applicant will also be required to submit a separate application for the approval of Sustainable Drainage Systems (SuDs). Advice on how to do this is provided.

RCT Public Health and Protection – No objection subject to conditions on the demolition of existing dwellings, hours of operation, noise, dust and waste.

RCT Transportation Section – There are some concerns with regard the potential for vehicular reversing movements onto the public highway should two vehicles meet in the access and that the vehicular crossover on the radius of the turning head is not ideal. However, there are minimal traffic volumes using the turning area and there is a benefit in providing 12 no. off-street parking spaces. Therefore, on balance, these issues are considered acceptable.

The proposed offers 12 no. off-street parking spaces (including provision of 1 no. disabled and 2 no. electric vehicle charging bays) where none currently exist.

Therefore the proposed offers a betterment with regard to off-street parking provision.

The proposal provides for 3 no. off-street parking spaces for house no. 41 Danygraig Crescent, which is in compliance with the maximum parking provision for a 3+ bedroom dwelling.

No highway objection is raised subject to conditions requiring the parking spaces are surfaced in permanent materials and that the vehicular crossover/dropped kerb is provided in accordance with the Council's standard design guide no.111.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The site is inside the settlement boundaries as defined by the Rhondda Cynon Taf Local Development Plan and is identified as being within Talbot Green's Retail Zone.

Policy CS 2 – emphasises that development in the Southern Strategy Area will be on sustainable growth that benefits Rhondda Cynon Taf as a whole. This will be achieved by (amongst others): promoting the reuse of under used and previously developed land and buildings; providing opportunities for significant inward investment in sustainable locations that will benefit the economy of RCT and the Capital Region; reducing daily out commuting by private car; protecting the cultural identity of the Strategy Area by protecting historic built heritage and the natural environment; and promoting sustainable forms of transport and promoting and enhancing transport infrastructure services to support growth and investment.

Policy AW 2 - advises that development proposals on non-allocated sites will only be supported in sustainable locations.

Policy AW 5 - sets out criteria for new development in relation to amenity and accessibility.

Policy AW 6 - requires development to involve a high quality design and to make a positive contribution to place making, including landscaping.

Policy AW 7- covers the protection and enhancement of the built environment.

Policy AW 8 - sets out criteria for the protection and enhancement of the natural environment.

Policy AW 10 - development proposals must overcome any harm to public health, the environment or local amenity.

Policy SSA 3 – provides criteria for development in the Principal Town of Llantrisant / Talbot Green. Proposals for commercial development will be permitted where the development:-

1. Reinforces the role of Llantrisant / Talbot Green as a Principal Town;
2. Respects the culture and heritage of Llantrisant / Talbot Green;
3. Is of a high standard of design and makes a positive contribution to the townscape in the defined town centre;
4. Integrates positively with existing development;
5. Promotes opportunities for new retail, tourism and leisure development;

6. Manage sites of importance for nature conservation;
7. Makes a positive contribution to the reduction of congestion by promoting accessibility to services by a range of sustainable modes of transport including public transport links with the north-west of Cardiff; and
8. Improves the provision of car parking.

Policy SSA 16 – Identifies Llantrisant (Including Talbot Green) as one of the Principal Town Centres in the Southern Strategy Area.

Supplementary Planning Guidance:

Access Circulation and Parking.

Design and Placemaking.

Design in Town Centres.

Nature Conservation.

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 10 sets out the Welsh Government's current position on planning policy, which incorporates the objectives of the Wellbeing of Future Generations (Wales) Act in to planning.

It is considered that the current proposals meet the seven wellbeing of future generation's goals inasmuch as they relate to the proposed development and the site is being 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 defined by Chapter 2 achieving wellbeing through placemaking, Chapter 3 strategic and spatial choices, Chapter 4 active and social places, Chapter 5 productive and enterprising places and Chapter 6 distinctive and natural places of the policy document and that the proposal is also consistent with the following insofar as they relate to the development proposed –

Chapter 1 managing new development.

Other relevant policy guidance consulted:

PPW Technical Advice Note 4: Retailing and Commercial Development;

PPW Technical Advice Note 5: Nature Conservation and Planning;

PPW Technical Advice Note 11: Noise;

PPW Technical Advice Note 12: Design;

PPW Technical Advice Note 15: Development and Flood Risk;

PPW Technical Advice Note 18: Transport;

PPW Technical Advice Note 23: Economic Development;

Manual for Streets; and

WGC 016/2014: Welsh Government Circular: The Use of Planning Conditions for Development Management.

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 site is an existing business located within the Talbot Green retail zone; which is identified in the Local Development Plan (LDP) as being one of the principal shopping centres in RCT.

It is recognised there is a lack of off-street car parking in Talbot Green town centre. The applicant details that this gives rise to employees of Llanmoor Homes having to search out parking spaces and that these are often on-street. It is also noted that this has been identified by objectors as an existing issue on the streets of Danygraig Crescent and Drive. Policy SSA 3 (Criterion 8) allows development in Talbot Green that improves the provision of car parking. The development would provide a reasonable level of off-street parking for the business.

It is noted the policy also supports development that contributes to reducing congestion (Criterion 7). In relation to this, an objector notes that the staff should be encouraged to use public transport instead. Due to the small size of the car park the development would not overly encourage more car journeys. In addition, as well as the proposed car parking, the development proposes to provide some cycle storage in a refurbished shed and this can be seen as a measure to encourage non-motorised vehicle commuting.

In assessing the principle of the development, providing a reasonable level of off-street parking (Criterion 8) and cycle parking facilities (Criterion 7) is in line with Policy SSA 3 and the proposal does not conflict with the remaining criterion. Therefore, taking this into account, the principle of the proposed development would be acceptable subject to consideration of the material considerations below:

Highway Safety

Objectors have detailed that the proposal could have highway safety implications due to the increased amount of traffic through the streets. Members are advised, it is also evident that objectors have raised that there are existing issues with on-street parking and non-residential traffic using Danygraig Crescent and Drive. The Council's Transportation Section have some minor concerns that two cars could meet in the access to the car park requiring some reversing movements and also

having a dropped kerb located on the turning head. They however do not object as there would be a benefit to providing off street parking by removing on street parking and that there would be a minimal flow of traffic due to the small scale of the proposal. Therefore, the proposal is in compliance with Policy AW 5 of the LDP in regard of these matters.

Noise and Neighbouring Amenity

Objectors have detailed the car park would result increased noise from traffic movements, and could lead to the car park being used at all times and increased pollution. The concerns are noted and it is recognised that there would be some increased impact on the amenity of residents from the coming and going of vehicles. However, the size of car park proposed is relatively small and as such it is anticipated there would not be significant numbers of vehicle movements. The car park would also be at a lower level to the rear gardens of the dwellings on Danygraig Crescent and therefore reducing the visual and amenity impact on the residents. Furthermore, the applicant has also detailed that the use of the car park would be restricted to 07:30am to 18:00 from Monday to Friday only and that it would only be used by staff and related business. Members are advised an electric sliding gate is proposed at the entrance to control access. As the access is through a residential area, it is recommended that it would be necessary to have these restrictions to reduce the impact of the use to a minimum. This can be controlled by a suitably worded condition if permission is granted. Therefore, the proposal is in compliance with Policy AW 5 of the LDP in regard of these matters.

Impact on the character and appearance of the area

In terms of the design and visual appearance of the development, the rear of the building currently has the appearance of a residential garden. It also backs on to the residential gardens of houses on Danygraig Crescent. The car park would change the existing character to some extent, however this type of development is expected within retail areas. As such, the visual impact would not detract from the visual appearance of the retail area.

The car park would result in a visually harsher border with the residential dwellings on Danygraig Crescent. Some landscaping has been proposed, and this would help soften the visual impact of the car park. These details are considered acceptable for this urban area by the Council's Countryside Section.

In addition it is proposed to place some anti-climb fencing on the boundary to the bus station area. This would be located inside the existing wall. Details of the fencing have been provided and this would be acceptable.

Therefore, the proposal is in compliance with Policy AW 5 and AW 6 of the LDP in regard of these matters.

Drainage

Surface water drainage would be to rain gardens, which are a form of sustainable drainage. The Council's Flood Risk Management highlight that a condition requiring

details of surface water drainage would be necessary. In addition, they detail that a Sustainable Drainage Systems (SuDS) approval would be required and that this is separate to the planning process. Section 3.6 of Welsh Government Circular on the use of conditions states, "Conditions should not repeat the provisions of other conditions or duplicate controls under other legislation unless there is a planning reason for doing so". A planning condition is not considered necessary and the matter can be dealt with by an informative note detailing the developer would require SuDS approval.

Other Issues

The following other material considerations have been taken into account in considering the application, though were not the key determining factors in reaching the recommendation:

Public Health Considerations

Whilst the comments raised by the Public Health and Protection Section with regard demolition, noise, dust and waste are appreciated, it is considered these matters can be more efficiently controlled by other legislation. An appropriate note can be added to any permission concerning these issues if permission were to be granted.

Other objections from the public consultation exercise

The comments that the residents should have been consulted prior to the application being submitted are noted. Whilst the applicant may have found this beneficial, this is not a statutory requirement for minor planning applications.

The issue raised with regard potholes is an issue for the maintenance of the highway as an adopted street and would not warrant a refusal reason for the application.

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 CIL rate for this type of development as set out in the Charging Schedule is £nil and therefore no CIL is payable.

Conclusion

The application is considered to comply with the relevant policies of the Local Development Plan in respect of the principle of development, access and highway safety, the impact on residential amenity, the impact on the character of the area and drainage (Policies CS 2, AW 2, AW 5, AW 6, AW 10 and SSA 13).

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 plans no's

- Site Location Plan (Received 28th May 2020)
- Dwg no 02 Rev P1 Planning Layout (Received 13th July 2020)
- Dwg no 03 Rev P1 Finishes and Setting Out (Received 13th July 2020)
- Dwg no 04 Rev P1 External Levels and Drainage Proposals (Received 13th July 2020)
- Dwg no. EN14 Anti Climb Fencing (Received 30th June 2020)
- Dwg no 503.01 Planting & Management Plant (Received 13th July 2020)

and documents received by the Local Planning Authority on 28th May 2020, 25th June 2020 and 30th 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. The car park shall only be used by staff and related business users to the site from Monday to Fridays and between the hours of 07:30am and 18:00pm. At all other times the electric gates, identified on dwg. no. 02 Rev P0 Planning Layout (Received 28th May 2020), shall be closed to restrict access.

Reason: In the interests of residential amenity in accordance with Policy AW 5 of the Rhondda Cynon Taf Local Development Plan.

4. Prior to the first beneficial use of the car park hereby approved the measures detailed in Section 6 Recommendations of the submitted protective species report by Spectrum Ecology and dated 19th March 2020 shall be provided on site.

Reason: In the interests of biodiversity in accordance with Policy AW 8 of the Rhondda Cynon Taf Local Development Plan.

5. The off-street parking spaces indicated on submitted drawing no. "02 Rev P0" shall be provided on site in permanent materials prior to beneficial use and shall remain for the purpose of vehicular parking only thereafter.

Reason: To ensure vehicles are parked off the public highway, in the interests of highway safety and the free flow of traffic in accordance with Policy AW 5 of the Rhondda Cynon Taf Local Development Plan.

6. Notwithstanding the submitted plans, development shall not commence until details providing for the construction of a vehicular crossover / dropped kerb in accordance with Highway Design Guide Standard Detail drawing no. 111 have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented on site prior to beneficial use.

Reason: To ensure the adequacy of the proposed development in the interests of highway safety in accordance with Policy AW 5 of the Rhondda Cynon Taf Local Development Plan.

7. Prior to the first beneficial use of the car park hereby approved, the proposed cycle parking shall be provided in accordance with the approved plans. Thereafter they shall remain for the purpose of cycle parking only.

Reason: In the interests of sustainable modes of travel in accordance with Policies AW 2 and AW 5 of the Rhondda Cynon Taf Local Development Plan.

8. All planting, seeding or turfing in the landscaping details on Dwg no 503.01 Planting & Management Plant (Received 13th July 2020) shall be carried out in the first planting and seeding season following the completion of the development. Thereafter the landscaping shall be maintained in accordance with the planting management details on the drawing.

Reason: To ensure that the new development will be visually attractive in the interests of amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan