



**RHONDDA CYNON TAF**

**PLANNING & DEVELOPMENT COMMITTEE**

**3 SEPTEMBER 2020**

**REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT**

**PURPOSE OF THE REPORT**

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 20/0415/10 (CA)  
**APPLICANT:** Mr Watkins  
**DEVELOPMENT:** Development of Single Dwelling  
**LOCATION:** 1 ALEXANDRA PLACE, ABERCYNON, MOUNTAIN  
ASH, CF45 4YA  
**DATE REGISTERED:** 26/05/2020  
**ELECTORAL DIVISION:** Abercynon

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**RECOMMENDATION:** Approve, subject to conditions.

**REASONS:** The application is considered to comply with the relevant policies of the Local Development Plan. The principle of the development is supported and the proposal is deemed to have an acceptable impact upon the character and appearance of the area as well as upon the residential amenities of neighbouring properties and highway safety.

The proposal would provide an additional family home in a well-established residential location.

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**REASON APPLICATION REPORTED TO COMMITTEE**

The application is reported to the Planning and Development as three or more objections have been received and the application is recommended for approval.

**APPLICATION DETAILS**

Full planning permission is sought for the development of a single dwelling on a parcel of land to the south west of 1 Alexandra Place, Abercynon.

The proposed dwelling would be orientated south east with its front elevation facing Alexandra Place. The dwelling would measure maximum dimensions of approximately 15.4 metres in width, 8.6 metres in depth and 7.8 metres in height. The dwelling would be of two storeys and of a modern design, finished in a mix of white render and natural stone with slate roof tiles and grey uPVC windows and doors. Accommodation within the dwelling would consist of an entrance hall, living room, open plan kitchen/dining room, utility room, study and W.C. There would be five bedrooms at first floor level (three with en-suite bathrooms) and a bathroom.

A detached garage is proposed within the south western corner of the site. It would measure approximately 3.5 metres in width by 5.5 metres in depth with a pitched roof design to 3.8 metres in height. External materials proposed would consist of natural stone and white render.

Access to the site would be provided off Alexandra Place and there are three dedicated car parking spaces shown on the proposed site plan.

## **SITE APPRAISAL**

The application site is a roughly triangular plot amounting to approximately 400 square metres. The site is bound by timber fencing on its eastern, northern and western sides. It has been recently cleared of vegetation and is currently free from built development.

The site is located adjacent to No.1 Alexandra Place and there are also residential dwellings located opposite the site, to the south. The railway line runs parallel to the rear boundary of the site.

The surrounding area is residential in nature and characterised by a mix of both modern and traditional, detached and semi-detached dwellings.

## **PLANNING HISTORY**

None.

## **PUBLICITY**

The application has been advertised by direct notification letter to neighbouring properties and a site notice has been displayed. Six objections have been received, with the main points summarised as follows:

- Concerns that the development would impact on the *'poor and overloaded sewer system.'*
- The proximity of the soakaway in relation to the railway cutting is inappropriate.
- The development would result in increased surface water run-off.
- Concerns regarding land stability given the proximity of the development to the railway cutting. Transport for Wales should be consulted regarding this point.
- Concerns that the development would be detrimental to highway safety due to the position of the garage at a 'pinch point' in the road, the fact that the drive appears to encroach onto the road and the additional traffic would increase risk to pedestrians and cause parking problems.
- The site area appears to infringe the boundary.
- Concerns regarding the size of the dwelling in relation to the plot.
- Concerns that site clearance/tree removal works have been undertaken – this has resulted in an adverse impact on local species (nesting birds) and has altered the character of the area.
- All residents within Alexandra Place should have been consulted on the development.
- The construction phase of the development will result in disturbance to residents of Alexandra Place, as well as potential damage.

The objections raised will be addressed in the main body of the report below.

## **CONSULTATION**

Transportation Section – No objections, subject to conditions.

Flood Risk Management – No objections or conditions recommended.

Public Health and Protection – No objections, conditions recommended.

Countryside, Landscape and Ecology – No objections, conditions recommended.

Dwr Cymru Welsh Water – No objections, subject to conditions and standard advice.

Transport for Wales – No adverse comments received.

## **POLICY CONTEXT**

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

The application site lies within the defined limits of development but is not allocated for any specific purpose.

**Policy CS 1 – Development in the North:** Places an emphasis on building strong, sustainable communities.

**Policy AW 1 – Supply of New Housing:** Provides criteria against which applications for new housing will be considered.

**Policy AW 2 – Sustainable Locations:** Provides criteria to determine whether a site is located in a sustainable location.

**Policy AW 4 – Community Infrastructure and Planning Obligations:** This policy provides support to secure planning obligations and contributions.

**Policy AW 5 – New Development:** This policy sets out criteria for new development in relation to amenity and accessibility.

**Policy AW 6 – Design and Placemaking:** This policy requires development to involve a high quality design and to make a positive contribution to place making.

**Policy AW 10 – Environmental Protection and Public Health:** Prohibits development proposals that would cause or result in a risk of unacceptable harm to health and/or local amenity.

**Policy NSA 12 – Housing Development Within and Adjacent to Settlement Boundaries:** Development within the Northern Strategy Area will be permitted within the defined settlement boundaries subject to a number of criteria.

### **Supplementary Planning Guidance:**

Design and Placemaking

Nature Conservation

Access, Circulation and Parking

**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 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 People and Places: Achieving Wellbeing through Placemaking of the policy document and that the proposal is also consistent with the following insofar as they relate to the development proposed:

- Chapter 3 (Strategic and Spatial Choices)
- Chapter 4 (Active and Social Places)
- Chapter 6 (Distinctive and Natural Places)

Other relevant national policy guidance considered:

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 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:**

Full planning permission is sought for the development of a single dwelling on land adjacent to 1 Alexandra Place, Abercynon. The plot is situated inside of the defined settlement limits and within an established residential area where the principle of residential development is considered acceptable, subject to compliance with the

policies set out in the Local Development Plan and other relevant material considerations.

As such, there would be no objection to residential development at the site, in principle.

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

The application site consists of a vacant parcel of land within Abercynon. The site has recently been cleared of vegetation and amounts to approximately 400 square metres.

With respect to the proposed dwelling itself, it would be positioned at the eastern end of the plot allowing for amenity space to the rear and side, as well as a parking area and garage at the western end of the site. As such it is not considered the proposal would lead to an over intensive form of development and would also allow for a degree of landscaping to be introduced around the new building. As such, it is considered that the appearance of the application site would be acceptable following the completion of the development.

It is acknowledged that the site has historically been free from built development and previously contained mature vegetation. As such, the proposal would result in a change to the overall character and appearance of the immediate area. It is however considered that the proposal would be viewed in the context of existing built form in a residential location and so would not appear out of place. In addition, it is not considered that the resulting structures would form overly prominent features in the street scene, especially given the mix of dwelling types in the immediate vicinity, and further, it is considered any potential impact would be minimised through the combination of appropriate external finishes, which match properties immediately adjacent.

Overall, the siting, scale and design of the proposed dwelling, as well as the materials proposed are regarded as suitable.

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

Any impact upon residential amenity would likely be greatest upon the neighbouring properties, 1 Alexandra Place and Plas Newydd, due to their positions in relation to the proposed development. The proposed development would follow the pattern of existing development, being located adjacent to 1 Alexandra Place and fronting the street. There would be a gap between the side elevations of the proposed dwelling and No. 1 of almost 8 metres. No windows would be positioned on the side elevation of the proposed dwelling which faces 1 Alexandra Place and it is not considered that the proposal would significantly exacerbate existing levels of privacy experienced by neighbouring properties. In terms of properties opposite the site, which the proposal would directly face, these would be positioned an adequate distance away to ensure their residential amenities would not be significantly compromised.

Due to the orientation of dwellings along Alexandra Place, which face south east, it is not considered that the proposal would result in a significant loss of light to neighbouring dwellings. Furthermore, the proposal is not considered to be overbearing.

It is noted that the objections received by the Council do not refer to the impact of the proposal on the residential amenities of neighbouring properties.

On balance, in terms of the impact on the amenity and privacy of neighbouring residents, the application is considered to be acceptable as it would not result in an undue loss of light or privacy or have any overbearing impacts.

It is considered that future occupants of the proposed dwelling would also have an acceptable standard of residential amenity. The dwelling would provide adequate accommodation to be used as a family home, benefitting from a private garden as well as additional storage space for bikes, bins, etc.

### **Impact on highway safety:**

A number of concerns have been raised by the objectors in respect of the potential impact the proposed development would have upon highway safety in the locality.

In their assessment of the scheme the Council's Transportation Section has noted that the application site is served off Alexander Place which is a public highway not maintained at public expense. The access leading to the proposed measures 3.5 metres in width with no footways, adjacent to the site the width increases to 5.5 metres with no footways. There are no footways for the length of Alexander Place which raises cause for concern in terms of pedestrians being forced to share the same surface as moving motor vehicles to the detriment of pedestrian safety.

The existing dwellings have set the site boundary back for potential provision of pedestrian facilities in the future. The applicant has indicated a 1.8 metre set-back for provision of a pedestrian footway, the construction details of which are not acceptable. This can however be overcome by a suitably worded planning condition.

There are no official turning areas located on Alexander Place. However, the network of streets allows for service vehicles to access / egress in forward gear.

In terms of parking, the proposed 5-bedroom dwelling requires up to a maximum of three spaces in accordance with the SPG Access, Circulation & Parking 2011 with three provided.

In conclusion, there is some concern that there are no segregated footway facilities leading to the proposed, which in turn results in pedestrians being forced to walk in the carriageway with moving motor vehicles to the detriment of safety of all highway users. The applicant has proposed to provide a pedestrian footway fronting the site in land under the applicant's control. Taking into account the limited additional pedestrian and vehicular movements generated by one dwelling, on-balance the proposed is acceptable subject to a number of conditions.

In light of the above highways assessment, whilst the comments raised by the objectors in respect of highway safety are acknowledged, it is not considered that the impacts of the proposal upon highway safety are so severe as to warrant the refusal of the application. The proposal is therefore considered acceptable in terms of its impact upon highway safety, subject to a number of relevant conditions.

## **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.

### **Drainage:**

This issue would be covered by the required, separate SuDs approval prior to any development taking place. As such, it is considered unnecessary that the submission of details relating to both surface and foul water drainage is conditioned.

In terms of the concerns raised by local residents regarding the development overloading the sewerage network, any new connection to a public sewer would require the separate approval of Dwr Cymru.

### **Public Health & Protection:**

No objections have been received from the Council's Public Health and Protection Division following consultation, although several conditions have been recommended should planning permission be granted. The conditions relate to construction noise, waste, dust and land contamination. Whilst these comments are acknowledged, it is considered that these matters can be more efficiently controlled by other legislation.

### **Ecology:**

Having reviewed the proposal, the Council's Ecologist has confirmed that no ecological survey work is required to be undertaken as part of this planning application. The Ecologist has recommended that some ecological enhancement be provided at the site, in the form of bat and bird box or brick provision. This is considered appropriate and can be secured with a suitably worded condition.

The comments received from local residents regarding the clearance of vegetation from the site are noted. These works did not require planning permission and do not form part of the current proposal. Whilst these comments are acknowledged, it is considered that these matters can be more efficiently controlled by other legislation, such as the Wildlife and Countryside Act 1981 (as amended).

### **Land Stability:**

The claim has been made by objectors that the development of the site along with its associated drainage would raise questions of the suitability of the site in stability terms. No evidence is offered to substantiate this assertion. However the site lies atop a railway embankment and the nature of the underlying land is not known. It is therefore considered prudent to require the developer to provide a ground stability report that addresses this issue and illustrates that the land is capable of supporting the development and its associated drainage features prior to any development commencing.

### **Additional issues raised as a result of public consultation:**

A number of the objections indicate that all residents of Alexandra Place should have been directly notified of the proposal. Four direct neighbour notification letters were sent to nearby neighbours and a site notice was displayed. As such, the level and

extent of advertisement undertaken is compliant with the requirements of The Town & Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended).

In terms of the proposal resulting in disturbance and potential damage, these are not issues that would warrant the refusal of 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 charge under the CIL Regulations 2010 as amended. 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 is payable.

### **CONCLUSION**

Having taken account of all of the issues outlined above, the proposal is considered acceptable and in accordance with the development plan. Therefore, the application is recommended for approval, subject to conditions.

### **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 following approved plans:

Location Plan, dated 26/05/2020;  
Proposed Site Plan (Drawing Number AP 1520 LP Rev B), dated 07/07/2020;  
Proposed Elevations (Drawing Number AP 1520 EL Rev A), dated 06/05/2020;  
Proposed Ground Floor Plan (Drawing Number AP 1520 1FL Rev A), dated 06/05/2020;  
Proposed First Floor Plan (Drawing Number AP 1520 2FL Rev A), dated 06/05/2020;  
Garage Plan (Drawing Number AP 1520 GA Rev A), dated 06/05/2020;

and documents received by the Local Planning Authority on 06/05/2020, 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 site boundary fronting Alexander Place shall be set back 1.8 metres to provide for safe and satisfactory segregated pedestrian facilities and vehicular crossover. The proposed footway including vehicular crossover shall be constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to beneficial occupation of the dwelling.

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

4. Surface water run-off from the proposed development shall not discharge onto the public highway or be connected 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 Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

5. HGV's used during construction shall be restricted to 09:00am to 16:30pm on weekdays, 09:00am to 13:00pm on Saturdays, with no deliveries on Sundays and Bank Holidays unless otherwise agreed in writing with the Local Planning Authority.

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

6. Prior to the commencement of development, facilities for wheel washing shall be provided on site in accordance with details submitted to and approved in writing by the Local Planning Authority. Wheel washing shall be in operation during the duration of the development period.

Reason: To prevent debris and mud from being deposited onto the public highway, in the interests of highway safety, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

7. No development shall take place until a site investigation has been carried out in accordance with a methodology first submitted to and approved in writing by the Local Planning Authority. The results of the site investigation shall be submitted to the Local Planning Authority before any development begins. If any land instability issues are found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development shall be submitted to and approved in writing by the Local Planning Authority. Remedial measures shall be carried out prior to the first beneficial use of the development in accordance with the approved details and retained in perpetuity.

Reason: In the interests of health and safety, in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

8. If during the course of development, any unexpected land instability issues are found which were not identified in the site investigation referred to in Condition 7, additional measures for their remediation in the form of a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority. The remediation of the site shall incorporate the approved additional measures which shall be retained for the period agreed in the remediation scheme.

Reason: In the interests of health and safety, in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

9. Notwithstanding the submitted details, prior to above ground works, a scheme for biodiversity enhancement, such as incorporation of permanent bat roosting features and or nesting opportunities for birds shall be submitted to and agreed in writing with the Local Planning Authority. The approved details thereafter shall be implemented, retained and maintained for the designed purpose in accordance with the approved scheme. The scheme shall include, but not be limited to, the following details:

- a) Description, design or specification of the type of feature(s) or measure(s) to be undertaken.
- b) Materials and construction to ensure long lifespan of the feature/measure.
- c) A drawing(s) showing the location and where appropriate the elevation of the features or measures to be installed or undertaken.
- d) When the features or measures will be installed and made available.

Reason: To provide biodiversity enhancement, in accordance with Chapter 6 of PPW.