



PLANNING & DEVELOPMENT COMMITTEE

2 DECEMBER 2021

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 20/1381/10 (CA)
APPLICANT: Mr Richards
DEVELOPMENT: Conversion of existing first floor into six bedsits with en-suite facilities and creation of associated car parking area. (Amended site plan received 27/03/2021).
LOCATION: TYNTE HOTEL PUBLIC HOUSE, MAIN ROAD, TYNTETOWN, ABERCYNON, MOUNTAIN ASH, CF45 4YH
DATE REGISTERED: 29/03/2021
ELECTORAL DIVISION: Abercynon

RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS

REASON: 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, the residential amenities of neighbouring properties and upon highway safety.

REASON APPLICATION REPORTED TO COMMITTEE

The application is reported to the Planning and Development Committee for final determination as the proposal is not covered by determination powers delegated to the Director of Prosperity and Development.

APPLICATION DETAILS

Full planning permission is sought for the conversion of the first floor of the Tynte Hotel Public House into six bedsits with en-suite facilities.

The bedsits would range in size, from a minimum of approximately 17 square metres to a maximum of approximately 27 square metres. Each bedsit would contain its own kitchen facilities as well as an en-suite bathroom. A separate storage area and communal utility room would also be located within the first floor of the building. In

addition, an external door positioned on the rear of the building would provide access onto a flat roof terrace.

The six bedsits would be accessed via an internal staircase located on the eastern side of the building which has direct access from Main Road to the south and is independent of the main entrance to the building.

In addition to the above conversion and associated works, an area to the west of the application site would be utilised for the parking of vehicles.

The existing first floor of the building currently contains a function room, lounge, bathroom and kitchen/diner along with five bedrooms.

SITE APPRAISAL

The application site consists of the Tynte Hotel Public House and parcel of vacant land to the west.

The public house is a substantial, two storey building of traditional style and design, which directly fronts Main Road. The building has been extended to the rear with a modern flat roof addition and beyond this, a large, enclosed beer garden is located.

To the immediate west of the building is lane which provides access to Nos. 1 and 2 Wood Villas (to the north), as well to the rear of properties along Main Road. Further west, a vacant parcel of land is located.

The land is sloping and rises from north to south and the immediate area is residential in character.

PLANNING HISTORY

None.

PUBLICITY

The application was advertised by direct notification letter to neighbouring properties and a site notice was displayed. One letter of objection was received, which raises the following concerns:

- The Applicant does not reside at the address submitted.
- The proposed car parking area may impact upon access to the adjoining land – it is the intention of a nearby land owner to build garages on the adjoining land in the future.
- Customers of the Tynte Hotel Public House regularly cause traffic congestion in the local area, including within the adjoining street, Milbourne Street.
- Concerns regarding the future occupiers of the bedsits.

CONSULTATION

Highways and Transportation – No objections, subject to conditions.

Public Health and Protection – No objections, conditions recommended.

Flood Risk Management – No objections and no conditions recommended.

Regeneration – No comments received.

Ecology – No objections.

Dwr Cymru Welsh Water – No objections, standard conditions recommended.

South Wales Fire Service – No objections.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan:

The application site lies within the defined limits of development and is unallocated.

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

Access, Circulation and Parking

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.

Planning Policy Wales Edition 11 (PPW) was issued on 24th February 2021 in conjunction with Future Wales: The National Plan 2040 (FW2040). PPW incorporates the objectives of the Well-being of Future Generations (Wales) Act into town and country planning and sets out Welsh Government's (WG) policy on planning issues relevant to the determination of all planning applications. FW2040 sets out the National Development Framework for Wales (NDF), WGs current position on planning policy at regional and national level.

It is considered that the proposed development is consistent with the key principles and requirements for placemaking set out in PPW; and is also consistent with the Well-being of Future Generations (Wales) Act's sustainable development principles through its contribution towards the Welsh Ministers' well-being objectives of driving sustainable development and building healthier communities and better environments.

It is also considered the proposed development is compliant with the NDF.

Other policy guidance considered:

PPW Technical Advice Note (TAN) 12 – Design

PPW TAN 18 – Transport

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

Principle of the proposed development:

The application site is unallocated, situated inside of the defined settlement limits and within an established residential area.

Based on the above, it is considered that the general principle of the proposal is acceptable, subject to the following material considerations.

Impact on the character and appearance of the area:

The immediate area is predominantly characterised by residential dwellings positioned on either side of, and directly fronting Pentwyn Avenue and Main Road, Tyntetown. The Tynte Hotel Public House is highly visible from the immediate surrounds, due to its large scale and prominent siting. It is of traditional design, with its front façade considered fairly attractive in appearance.

The majority of the works proposed to the public house itself would take place internally within the building. As such, the proposed works to convert the building are considered to preserve the character and appearance of the local area.

The proposal also incorporates the use of the vacant land to the west of the site as an area of car parking associated with the bedsits. The land would be re-graded and space would be laid out for the parking of six cars, with access provided via the adjacent lane. Due to the sloping nature of the land, this aspect of the proposal would not be highly visible from the road front. Furthermore the land in question is poorly maintained and appears to have been utilised as a unofficial area for the storage of waste materials. As such, the use of this parcel of land is likely to provide for its maintenance, to the benefit of the visual amenity of the area.

Overall, the proposals are not considered to adversely impact upon the character and appearance of the application site or surrounding area.

Impact on residential amenity and privacy:

The property is located within an established residential area and it is therefore important that the privacy and amenity of existing neighbouring residents is safeguarded.

Any impact upon residential amenity would likely be greatest upon the nearby properties known as 1 Pentwyn Avenue to the immediate west and Nos. 1 and 2 Wood Villas to the immediate north. It is noted that there is existing accommodation contained within the first floor of the building in the form of hotel rooms. As this accommodation is unlikely to be occupied on a permanent basis, the proposed use is regarded as an intensification of the number of occupiers within the building at any one time. Notwithstanding this, the site is located in a residential location, of which the proposed use would relate well to. Furthermore, the conversion would take place within the existing fabric of the building without the requirement to physically extend. As such, it is not considered that the proposal would be overbearing to nearby occupiers or result in any loss of light.

In terms of privacy, it is considered that there are established levels of mutual overlooking between dwellings within the locality, particularly given their high density. It is noted that the bedsits would utilise existing window openings and it is not considered that views from these windows would further exacerbate overlooking within the vicinity. There is some concern that the flat roof extension would be enclosed with a guard rail, as this may encourage occupiers of the bedsits to utilise this space as an outdoor amenity area for sitting. When considering the siting of the substantial beer garden to the immediate north of the building, as well as the distance of the flat roof extension from nearby properties and orientation of Nos. 1 and 2 Wood Villas, this aspect of the proposal is not considered so severe as to warrant the refusal of the application.

In terms of the car parking area, the ground works proposed are minor in nature and are not considered to result in harmful impacts upon neighbours.

It is also important to ensure the standard of residential amenity is acceptable for future occupiers of the bedsits. There is no doubt that the proposed accommodation would

be of a modest scale. However, the Council's planning policy does not stipulate a minimum floor space requirement for each bedsit. As a point of reference, the Council's 'A Landlords Guide to Standards in HMOs' has been reviewed which indicates that for single person bedsits where one room is provided, each unit should be a minimum of 13 square metres with kitchen facilities. The bedsits proposed are in excess of 13 square metres and each contains kitchen facilities as well as a separate shower room. Each space could comfortably contain a bed, area for eating and there is also adequate wall space in each unit for a wardrobe. It is also noted that a shared storage area and utility room would be provided for occupiers of the bedsits. As such, it is considered that the scheme proposed would provide sufficient living space for potential occupiers to undertake typical day to day tasks whilst also contributing to the range and choice of living accommodation within the area. Furthermore, each bedsit would be served by at least one window that would provide acceptable levels of outlook and natural light. In addition, the same openings would also provide for sufficient levels of ventilation.

There are some concerns that the outdoor amenity space associated with the bedsits would be limited, however given that planning policy does not stipulate a minimum outdoor amenity space requirement and it is not uncommon for this type of accommodation to be provided without outdoor amenity space, this factor would not warrant the application's refusal. Furthermore, given the nature of the accommodation, the bedsits are highly unlikely to be occupied by families with children. In addition, the plans do not provide a dedicated refuse storage area and it is recommended that these details be secured by way of condition.

Overall, the proposal is considered to have an acceptable impact upon the residential amenities of neighbouring properties and that of future occupiers.

Impact on highway safety:

The application has been referred to the Council's Highways and Transportation Department.

The application site is located on Main Road, Tyntetown which has a carriageway width of 7.8 metres and footways measuring 2 metres in width. There are restrictions in place along the road for the existing bus stops. It is considered that Main Road allows for safe vehicular and pedestrian access to the proposed development. To the side of the site, an un-named lane which measures 7.2 metres at the junction and narrows to 5.0 metres is located.

In terms of car parking, the existing first floor 5-bedroom hotel requires up-to a maximum of 5 spaces for the bedrooms and 1 space for staff taking the total to 6 spaces with none provided. The proposed change of use of the first floor into 6 bedsits requires up-to a maximum of 1 space per unit, which equates to 6 spaces. The Applicant has submitted amended plans indicating 6 off-street car parking spaces served off the adjacent lane access in land under their control which is acceptable and accords with the Council's SPG.

It is noted that there are a number of local facilities within easy walking distance of the proposed with bus stops located to the front of the proposed on Main Road which is acceptable.

Based on the above, it is considered that the proposal has an acceptable impact upon highway safety.

Other Matters:

Public Health and 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 and dust. It is considered that matters relating to these issues can be more efficiently controlled by other legislation.

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. In addition, as the proposed development involves the change of use of the existing building the amount due in this case is £0.

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 29/03/2021;
- Proposed General Arrangement and Section, dated 09/03/2021;
- Proposed Ground Floor Plan, dated 04/12/2020;
- Proposed First Floor Plan, dated 04/12/2020;
- Proposed Rear Elevation, dated 04/12/2020;
- Proposed South Facing Elevation, dated 04/12/2020

and documents received by the Local Planning Authority (LPA) on 04/12/2020, 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. Before the development is brought into use the means of access, together with the parking facilities for 6 vehicles, shall be laid out in accordance with the submitted site plan and approved by the Local Planning Authority. The car parking shall remain for the use of the bedsits thereafter.

Reason: 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 AW5 of the Rhondda Cynon Taf Local Development Plan.

4. Prior to works commencing on site design and detail of the car parking area's tie in with the metalled un-named lane shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented to the satisfaction of the Local Planning Authority prior to beneficial occupation of the bedsits.

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

5. 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 and pedestrian safety and to prevent overcapacity of the existing highway drainage system, in accordance with Policy AW 5 of the Rhondda Cynon Taf Local Development Plan.

6. Notwithstanding the details on the approved plans, details of facilities for the storage of refuse shall be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be provided prior to the beneficial use of the development and shall thereafter be retained and not used for any other purpose.

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