

OFFICER REPORT

Application Number: 14/P/00424

Received Date: 8th October 2014

Proposal: Proposed residential development of the former Cwmbrian Rifle Club, demolition of the disused public toilets and change of use of two storey offices at 15 Victoria Street, Cwmbrian to form 5 no. 1 bedroom and 5 no. 2 bedroom apartments

Site Address: 15 Victoria Street Old Cwmbrian Cwmbrian Torfaen

Ward: Llantarnam

Applicant: Mr Keith Smart

Agent: Mr Christopher Thomas



SITE HISTORY:

None

BACKGROUND

The application relates to the provision of 10 flats in Old Cwmbrian. The application was submitted in 2014 but was held in abeyance for some time to allow discussion regarding a separate pre-application proposal from a RSL for a higher number of flats

at the site: The RSL was advised that their scheme represented overdevelopment of the site. Discussions regarding potential S106 contributions applications have also been extensive, but are now resolved.

Part of the application site (the former toilet block) is owned by the local authority. The applicant has an agreement to purchase this land.

A committee site visit was held at this site on 25 September 2018. The minutes of this are included elsewhere within this agenda.

SITE LOCATION & DESCRIPTION

The application relates to a site which is located in the centre of Old Cwmbran village. The site occupies a corner position between Ventnor Rd and Victoria Street and faces onto the village square. The site currently includes a two storey office building, a parking area, a derelict social club and disused public toilets. Both Ventnor Road and Victoria Street include a mixture of residential and commercial properties.

PROPOSED DEVELOPMENT

Permission is sought for the construction of 10 apartments, including 5 x 1-bedroom and 5 x 2-bedroom homes. The scheme would involve refurbishing existing buildings on the site and the construction of in-fill buildings. The most significant new structure would be a block on the existing car park off Victoria Street, which would include a two bedroom apartment at first floor level with parking spaces below. The development would have a contemporary character, including materials such as wooden cladding. The scheme would include 10 parking spaces which would be located in an area off Victoria Street.

PLANNING POLICY

LDP Policy BW1 - provides a detailed Borough wide General Policy on Development Proposals with criterion covering 'Amenity and Design', the 'Natural Environment', the 'Built Environment', 'Utilities Provision' and 'Design and Transport', against which all planning applications will be determined in conjunction with other relevant policies of the Local Development Plan.

LDP Policy S2 - Gives a set of Sustainable Development criterion that should be taken into account in the design of development proposals.

LDP Policy H4 sets a target of affordable homes within Torfaen over the Plan Period and, subject to annual review, seeks to negotiate the provision of a percentage of affordable housing on all residential sites/developments over a certain size.

LDP Policy H5 sets the standards for the provision for Recreation, Open Space and Allotments which will be sought in conjunction with new residential developments of 3 or more dwellings.

LDP Policy H6 provides criteria against which proposals for the conversion, subdivision or re-use of buildings for residential purposes within the Urban Boundary will be considered.

CONSULTATION RESPONSES:

Ward Members	No reply received
Cwmbran Community Council	Cwmbran Community Council has carefully considered this application and has no objections to this Application
Gwent Police	The Gwent Police Designing Out Unit have no objections to this application.
Highways	<p>The agent has confirmed in his email and drawing no FP.55.618 demonstrates a boundary height of 850mm, which is acceptable.</p> <p>The agent has confirmed a distance of 6 metres between the undercroft and the boundary wall and spaces 1-2 and 3-5.</p> <p>I am still worried that parking space 7 in the undercroft is too narrow. It is 2.4 metres wide once you get into the space but the column at the entrance restricts the width e.g. if a car is parked in space 8 then it would be very difficult to manoeuvre into space 7.</p> <p>There is a significant shortfall in parking provision in any event and very little opportunity to park on street so my concerns remain regarding the shortfall in parking provision.</p> <p>However I have to consider if the shortfall will cause demonstrable harm to the highway. This would be difficult so reluctantly I would not oppose this application from a highway standpoint.</p> <p>I would wish to see the following conditions attached to any grant of approval:-</p>

1. Prior to beneficial occupation of the dwellings, parking provision (10 car parking spaces) in accordance with Drawing No FP.55.602B must be provided.
2. The total height of any boundary structure fronting Victoria Street and Ventnor Road must not exceed 0.9 metres in height above the carriageway level.
3. Prior to beneficial occupation of the dwellings, where the accesses cross the footway a vehicular footway crossing must be provided to a highway specification in accordance with Drawing No. 1173/B
4. Gates, if provided must be inwardly opening.
5. No surface water from the site shall drain onto the highway or into highway drainage and no soakaway may be constructed within 5 metres of the adopted highway or within 5 metres of an existing or proposed structure, (above or below ground).

Environmental Health

The proposed larger of the 2 ground floor flats in Block A is designed so that the bedrooms are inner rooms, namely the occupants have to pass through a risk room (combined lounge and kitchen) to exit the property in the event of fire. Escape-windows should therefore be provided in the bedrooms to allow for a safer, alternative escape in case of fire.

Streetscene

No objections

Welsh Water

No objections

Forward Planning

The site is a mixed use area and is well located for access to local services. The provision of both one and two bedroom apartments is welcomed in this sustainable location. The development appears low on parking and open space but with contributions to affordable housing, off site open space and recreation on balance I believe the benefits of bringing this disused site back into beneficial use are high and potentially outweigh these

concerns providing the highway design does not prejudice highway safety.

REPRESENTATIONS RECEIVED

Three local residents have submitted representations in relation to the proposal (2 residents of Victoria Street and the other address unknown). One resident of Victoria Street confirms that he supports the principle of development but raises concerns regarding detail. The main local concerns are as follows:

- The entrance to one of the car parks is opposite his house and the car headlights of vehicles exiting the car park will shine into his property.
- There is already an indiscriminate parking problem in the area and the provision of only 10 spaces for the proposed flats would be likely to worsen this problem.
- The proposed new buildings include balconies which would lead to overlooking and loss of privacy.
- Access to the new development could be hampered by this indiscriminate parking on Victoria Street.
- There is little available parking on Ventnor Road.
- The two storey structure proposed adjacent to the boundary with Victoria Street will diminish outlook and reduce the light to the property.
- The two storey structure proposed adjacent to the boundary with Victoria Street includes a chimney which would be unpleasant to look at and would produce harmful waste gases.
- The two storey structure has windows looking straight into their property and would therefore impact upon privacy.
- Noise would be generated by vehicles entering and leaving the application site and possible noise disturbance from the new residents themselves.
- Victoria Street is a busy road and is a main bus route. The two new vehicle accesses are unsafe on health and safety grounds.

ASSESSMENT & RECOMMENDATION

The application is for 10 new flats within Old Cwmbrian village centre, including a mixture of the conversion of existing buildings and the construction of new in-fill areas. The main issues for consideration are;

- Visual amenity / design
- Residential amenity
- Highway Safety
- S106 requirements

Visual Amenity / Design BW1, H6

The existing site occupies a prominent position in Old Cwmbran village centre. It is currently an untidy site which detracts from the visual amenities of the area: the site includes three vacant buildings - two of which are derelict - and an unsurfaced parking area. It is considered that the proposed development would significantly improve the visual amenities of the village centre. The proposed scheme would secure an attractive residential development which is contemporary in character. Although this area is characterised by traditional properties, including terraces and the Cwmbran Community Council offices, it is considered that the proposed design responds to this in terms of scale and massing.

The existing elevations onto Ventnor Road and Victoria Street would be completely renovated and the new build elements of the scheme are designed to respect the scale and character of the proposed refurbished areas of the scheme. Whilst a local resident raises concerns regarding the visual impact of the proposed two storey structure adjacent to the boundary with Victoria Street, which includes a chimney, it is considered that the gable end facing onto Victoria Street would not be an unattractive elevation and would sit comfortably in the context of the scheme. On this basis, the level of new build required is considered to be acceptable. The scheme also includes a dwarf wall with railings along the boundary with Victoria Street which would be a significant improvement on the current chain link fence. The application indicates that trees would be planted in the rear parking area; a landscaping scheme for the site could be secured by condition.

The proposals are therefore considered acceptable in terms of respecting the existing character of the area, improving visual amenities and quality of design.

Residential Amenity: BW1

The application site sits on a corner plot and is therefore bounded on two sides by two streets which include a good level of residential properties. Around 8.25 metres would be retained between the front elevations of the proposed development and existing homes on Ventnor Road. This is below the generally accepted distance of 21 metres which would normally be sought on new build. However, given that this is a conversion of the existing club and this relationship is common in this area as it is characteristic of terraced housing streets.

Two residents of Victoria Street have raised concerns regarding the impact of the proposed development on their residential amenities. The key concerns regarding overlooking from these residents relate to the proposed balcony proposed for the rear of the existing club and also the proposed two storey structure adjacent to Victoria Street. In terms of the balcony, around 20 metres would be retained between this feature and the front elevation of the nearest residential property which in this location is considered to be acceptable. It should also be noted that this is a Juliet balcony which future residents could not sit on and therefore the level of overlooking would be unlikely to be significantly more than a normal window. In terms of the proposed two storey element, around 8.25

metres would be retained between this and the closest residential property. As discussed above, this relationship is on balance considered to be acceptable in this location in terms of both overlooking, loss of light and sense of overbearing.

One local resident has raised concerns that the proposed chimney would produce harmful waste gases. Any emissions would be covered by environmental health legislation and is therefore not a significant material consideration in respect of this application.

Highway Safety: BW1

The application proposes ten parking spaces – one for each residential unit. This falls below the Authority's adopted parking standards. However, this is considered acceptable in this instance as there is a nearby public car park which future residents could use and a frequent bus service passes the site. In addition, regard should be given to the benefits of securing the redevelopment of this untidy prominent site.

Local residents have raised concerns regarding the existing problem of indiscriminate parking on Victoria Street and also the fact that there is currently little available parking on Ventnor Road. However, it is considered that having regard to the proximity of the existing carpark and also the level of spaces to be provided on site, these matters are not so significant to warrant the refusal of this application.

The Authority's Highways Engineer confirms that he does not object to the proposed parking layout. He also confirms that, given that the visibility splays when exiting the site meet the required standard, the proposed access is considered to be acceptable. It is considered that Victoria Street is capable of accommodating the additional vehicle manoeuvres which would be associated with the development.

A resident of Victoria Street raises concerns that the headlights of vehicles using the proposed car park would shine into their property and that they would also give rise to noise disturbance. Given that there are only 10 spaces provided, and the fact that the property is located on a main road where vehicles pass by on a frequent basis, it is not considered that the level of impact in this respect would be significant.

The Authority's Highways Engineer does not object to the application. The proposals are therefore considered to be acceptable in terms of highway safety.

S106 Requirements: H4, H5, Planning Obligations SPG

The Authority's Forward Planning Team has undertaken a viability assessment of the proposed development, based upon costs submitted by the applicant. It has been found that any S106 contributions on this site would render the scheme unviable. On this basis, the applicant would not be required to make any S106 contributions.

In conclusion, the benefits associated with bringing this site back into use outweigh concerns regarding the reduced level of parking and the fact that the development would

not secure any S106 contributions. On balance, it is considered that the application is acceptable and it is therefore recommended consent be granted.

RECOMMENDATION: Approve with Conditions

CONDITIONS:

- 1 Unless otherwise specified by another condition of this Notice, the development shall be carried out in accordance with the following approved plans and documents:

FP.55.600, FP.55.608 - FP.55.618 received 8 August 2014

FP.55.602A received 19 February 2015

Reason: To ensure the development is carried out in accordance with the approved details. Any material alteration to the approved details may have an impact that has not been assessed.

- 2 The development shall begin not later than five years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990

- 3 The visibility splays shown on plan number FP.55.602A shall be provided prior to the beneficial occupation of the flats hereby approved and shall be maintained free of any obstruction exceeding 900mm in height above the level of the adjoining carriageway for as long as the development exists.

Reason: In the interests of highway safety

- 4 Before the commencement of the development the access shall be completed in accordance with the details shown in drawing number(s) FP.55.602.A and retained for as long as the development remains in existence.

Reason: In the interests of highway safety

- 5 Prior to the commencement of development, a landscaping scheme for the site shall be submitted to and approved in writing by the local planning authority. The scheme shall include indications of all existing trees (including spread and species) and hedgerows on the land, identify those to be retained and set out measures for their protection during the course of development. Thereafter, the approved details shall be implemented in the first planting and seeding season following occupation of the building or completion of the development, whichever is sooner. Any trees or plants which die, are removed or become seriously damaged or diseased within a period 5 years from completion of development shall be replaced in the next planting season with others of a similar size and species.

Reason: To safeguard landscaping and amenity interests.

- 6 Prior to the occupation of any residential unit hereby approved the parking area shall be laid out within the site in accordance with drawing no FP.55.602A and those spaces shall thereafter be kept available for the parking of vehicles in perpetuity.

Reason: To reduce the need for on street parking in the interests of highway safety.

- 7 Any gates installed as a result of the proposal hereby permitted shall be of a type or so constructed or adapted that they are incapable of opening outwards over any part of the adjoining highway.

Reason: In the interests of highway safety to prevent any obstruction to the highway.

- 8 Prior to the construction of the development hereby approved, details of the materials to be used in the construction of the external surfaces shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity.

INFORMATIVES:

- 1 Torfaen Local Development Plan covers Torfaen County Borough. The following policy/policies is/are relevant to the consideration of this application: BW1, S2, H4, H5, H6
- 2 Your attention is drawn to the requirements of the Party Wall Act 1996. Please be advised that any works falling within the remit of the Party Wall Act require notification to adjoining occupiers.
- 3 The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com
The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

- 4 Please take note of the attached comments from the Authority's Environmental Health Team dated 03 October 2014.

Rebecca McAndrew

Appendices	None
Background Papers	Note: Members of the public are entitled, under the Local Government Act 1972, to inspect background papers to reports. The following is a list of the background papers used in the production of this report. Planning Application File: 14/P/00424

For a copy of the background papers or for further information about this report, please telephone: Richard Lewis, Head of Development Management (Tel. 01633 647628)