

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2013-2014

**DEVELOPMENT CONTROL
COMMITTEE
17 OCTOBER 2013**

**REPORT OF: SERVICE
DIRECTOR PLANNING**

	Agenda Item No.5
APPLICATIONS RECOMMENDED FOR APPROVAL	

1. PURPOSE OF THE REPORT

Members are asked to determine the planning applications outlined in Appendix 1.

2. RECOMMENDATION

To approve the applications subject to the conditions outlined in Appendix 1.

1. Application No. 11/1314 - Change of use to form 9 hole 'Academy' Golf Course and 9 hole Pitch-and-Putt Course, together with works to form holes, access, car parking, and ancillary landscaping (Amended plans received 30th August 2013 substituting previously proposed food-lit driving range with pitch-and-putt course), land at Rhydhalog Farm, Cowbridge Road, Talygarn.
2. Application No. 13/0413 - Two storey rear extension and conversion to form 4 No. bed sit accommodation at first floor and replacement shop front (Additional information received 13/09/13), 123 Broadway, Treforest, Pontypridd.
3. Application No. 13/0538 - Retrospective consent for access track and proposed stables (Amended plans received 29/08/2013), land off Rhyd Y Castell, Llanharry Road.
4. Application No. 13/0646 - Change of use from General Needs Residential to Supported Housing Scheme for homeless persons with external and internal alterations and improvements, 1 Martins Close, Abercynon, Mountain Ash.
5. Application No. 13/0720 - Part demolition of existing school building, the conversion of the retained building to 10 no. residential apartments together with the construction of 15 no.

- apartments, 3 no. bungalows and associated works, Graig Y Wion Primary School, Albert Road, Graig, Pontypridd.
6. Application No. 13/0758 - Residential development, construction of 3 no. 3 bedroom linked housing units (Amended Plans Received), land adjacent to 15 Grover Street, Graig, Pontypridd.
 7. Application No. 13/0764 - Conversion of former public house and residential accommodation to six apartments including rear first floor extension, The Anchor, 17 Cardiff Road, Taffs Well, Cardiff.
 8. Application No. 13/0784 - Construction of 7 no. 1 bed and 2 no. 2 bed affordable apartments, Land At Seymour Street, Seymour Street/Whitcombe Street, Aberdare.
 9. Application No. 13/0794 - Demolition of single storey annexe, external works and alterations to existing building, together with reconfiguration and extension of existing car park and other external areas including hard and soft landscaping, Focus, Upper Boat Trading Estate, Pontypridd.
 10. Application No. 13/0822 - Detached garage and store room facility sited at rear of car park, Hawthorn Inn, Cardiff Road, Hawthorn, Pontypridd.
 11. Application No. 13/0825 - Erection of asphalt plant within Class B, Part 19 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, Craig Yr Hesg Quarry, Berw Road, Pontypridd.
 12. Application No. 13/0841 - Erection of a single storey extension to the rear, 16 Jeffrey Street, Caegarw, Mountain Ash.

APPLICATIONS RECOMMENDED FOR APPROVAL

APPLICATION NO: 11/1314/10 (PB)
APPLICANT: Mr C Ferguson
DEVELOPMENT: Change of use to form 9 hole 'Academy' Golf Course and 9 hole Pitch-and-Putt Course, together with works to form holes, access, car parking, and ancillary landscaping (Amended plans received 30th August 2013 substituting previously proposed flood-lit driving range with pitch-and-putt course)

LOCATION: LAND AT RHYDHALOG FARM, COWBRIDGE ROAD, TALYGARN.
DATE REGISTERED: 28/11/2011
ELECTORAL DIVISION: Pontyclun

RECOMMENDATION: Approve

REASONS:

The site proposed golf course lies outside the settlement boundary of Pontyclun, but is an acceptable countryside recreation activity and cannot reasonably be located in an urban area owing to its characteristics and scale. Due to the nature and scale of the engineering operations to form the golf course, the development is likely to impact on the character and appearance of the landscape during the construction phases, but this will be outweighed in the long term by positive landscape benefits of the scheme which will be restored and completed in phases. The development will not harm the character of the adjacent Listed Building and Registered Historic Park and Gardens at Talygarn. The consequences for traffic and highway safety, ecology, surface water drainage and residential amenity are capable of being adequately mitigated by way of conditions and a planning obligation to secure a transport tariff contribution.

APPLICATION DETAILS

Full planning permission is sought for the change of use of agricultural land and engineering operations to form a 9 hole academy golf course together with a 9 hole pitch-and-putt course, with new access car parking and ancillary landscaping on 32 hectares of land at Rhydhalog Farm, Cowbridge Road, Talygarn.

The application proposal will involve ground remodelling and engineering operations, including removal of existing hedgerows, to be undertaken as the

existing landform is not considered conducive to either accommodating the golf course holes or to general high quality play. Therefore, it is proposed to undertake cut-and-fill to create a softened terraced effect as the site slope north to south integrated into the landscape through the provision of landscaping. Due the presence of limestone bedrock suitable imported material, namely subsoil, aggregate and top soil, is proposed to be used to complete the landform for the course. A submitted Landscape Master Plan clearly defines the layout of the course, where greens, tees, sand bunkers and rough areas are to be provided. It also defines areas that are proposed to accommodate new water features that will form part of the site's drainage system and provide ecological features.

It is proposed to develop the course in three phases, with the volumes of imported material for each phase is as follows:

- Phase 1: 110,000 cubic metres
- Phase 2: 137,000 cubic metres
- Phase 3: 74,000 cubic metres

This gives a total volume of material to be imported to the site of 321,000 cubic metres. The applicant has since confirmed that the substitution of the previously proposed flood-lit driving range with the 9 hole mini golf course reduces this figure to 305,000 cubic metres.

Based on these figures the applicant considers the phasing of the development will be as follows'

	Import to be completed (from date of commencement)	Landscaping implemented (from completion of earthworks)	Hole ready for play (from date of commencement)
Phase 1	12 – 14 months	4 – 6 months	16 – 20 months
Phase 2	28 – 32 months	4 – 6 months	32 – 38 months
Phase 3	40 – 42 months	4 – 6 months	44 – 48 months
Total Import time	40 – 42 months		
Time to finish project and whole golf course			Max. 48 months

A new access is proposed to serve the development, which will be formed direct off Cowbridge Road (A4222) incorporating a ghost island right turn facility. The access will be positioned between the north and south accesses to the lay by off Cowbridge Road at Rhydhalog, and will cut across the lay by and island that separates it from Cowbridge Road. The access will then turn northwards leading to a parking area for 60 cars, 2 buses, 10 cycles 1 light goods vehicle and 2 disabled vehicles in the north-west corner of the site, where also it is indicated that a club house building would be sited, though the details of this structure

would be the subject of a future application. The existing southern access to Rhydhalog off Cowbridge Road will be used during the construction phases.

The development is anticipated to provide employment for 5 people.

The application is accompanied by the following documents:

- Design and Access Statement
- Transport Statement
- Ecological Assessment

SITE APPRAISAL

The application site comprises 32 hectares of agricultural land situated to the south of Talygarn and to the east of the Cowbridge Road, Pontyclun. The land generally slopes gently downhill from north to south and is laid out in a series of interconnected fields with boundary hedgerows and field gates. The fields appear to in use mainly as grazing pasture. Currently, access is gained via a field gate situated just to the north of residential property located adjacent to the southern boundary of the site.

The application site is surrounded and contiguous with other agricultural land to the east and south, and similar agricultural land extends to the west the other side of Cowbridge Road opposite the site. To the north the site is bounded by trees that demarcate the adjacent Talygarn Park, which is a Grade II* Listed Historic Park and Garden. The nearest settlement to the site is Talygarn Pontyclun which is situated opposite Talygarn Park.

PLANNING HISTORY

97/2612	Rhyd Halog Farm, Cowbridge Road, Talygarn, Pontyclun	Renewal of outline planning permission for 18 hole golf course.	Withdrawn 15/03/00
94/0403	Rhydyhalog Farm, Cowbridge Road, Talygarn, Pontyclun	Renewal of Outline Planning Approval 56/91/0348 (Development of new 18 Hole Golf Course with Club House and Parking).	Granted 19/09/94
91/0348	Rhydyhalog Farm, Cowbridge Road, Pontyclun	Development of new 18 hole golf course with clubhouse and parking (outline)	Granted 15/10/91

PUBLICITY

Neighbouring properties have been notified of the application which also has been the subject of site and press notice publicity.

Arising from the above a total of 7 letters and emails of objection to the proposal have been received. The grounds of objection are summarised as follows:

- physical damage to the environment
- loss of agricultural land
- development out of character in the area
- application site lies outside Development Plan settlement boundary.
- viability of and need for development given other golf courses and a driving range nearby (Hensol, Vale of Glamorgan), some of which are not doing very well commercially
- development is essentially a tipping operation
- pollution of waterways close to site
- loss of wildlife habitat and hedgerows
- impact of netting and floodlighting of driving range
- danger to pedestrians and animals from stray golf balls
- nuisance, vandalism and litter.

CONSULTATIONS

Transportation Section - no objection subject to conditions and the applicant first entering into a legal agreement to make a transport tariff contribution of £106,859 towards improving the highway network and £16,500 towards the cost of remedial works associated with the additional damage caused by the extraordinary traffic use.

Land Reclamation and Engineering - no objection subject to conditions though notes the site is located within Flood Zones C2 and C3 or is identified as being within an area susceptible to surface water flooding. A Flood Consequences Assessment is required.

Public Health and Protection - no adverse comment, though offers advise and recommendations in relation to noise, dust, lighting and potential contamination from previous uses of the land.

Natural Resources Wales (legacy Environment Agency Wales & Countryside Council for Wales) - no objection subject to the development being implemented in accordance with the recommendations set out in the ecological report that accompanies the application, and subject to drainage conditions. The majority of the development site is located outside the 0.1% (1 in 1000 year) annual probability fluvial flood outlines of the Rhydhalog and Nant Dyfrig main river

watercourses, therefore no adverse comment in relation to flood risk. A small area of the development, the western and southern edges of holes 4 and 5, is located in the 1% and 0.1% fluvial flood outlines of the Nant Rhydhalog. Any intention to re-contour and raise the land within the flood outline should require floodplain compensation works to be undertaken on an equal volume and level for level basis.

Parks and Countryside Section - no SewBrec records of protected species from the immediate site vicinity. Robust site mitigation necessary to safeguard the SINC habitat in the site fringes and adjacent,

Cadw - so long as mitigation measures put in place to screen the development, particularly the car parking, from the park of Talygarn Park and Garden (Grade II*) it should not have a significant adverse impact on the park's character or setting.

Glamorgan Gwent Archaeological Trust - our view is that the development will not adversely affect the Grade II* Park and Garden of Talygarn.

Vale of Glamorgan Council (neighbouring Local Planning Authority) - no objection subject to ecological and habitat safeguards.

Dwr Cymru/Welsh Water - no adverse comment.

POLICY CONTEXT

Rhondda Cynon Taff Local Development Plan

Application site is outside any settlement boundary, includes part of a Site of Interest for Nature Conservation (SINC), is included in a Limestone resources safeguarding area, and forms part of a Special Landscape Area (Talygarn Surrounds). The adjoining land to the north-east is in a conservation area (Talygarn) and registered historic park (Talygarn).

Policy CS1 emphasises sustainable growth in the Southern Strategy Area that benefits the whole plan area.

Policy AW2 promotes development of non-allocated sites in sustainable locations.

Policy AW4 provides for planning obligations to be sought.

Policies AW5 and **AW6** give general criteria for new development.

Policy AW7 requires proposals which impact on historic sites to preserve or enhance the character and appearance of the site.

Policy AW8 gives criteria for development impacting on SINC sites.

Policy AW14 requires the safeguarding of mineral resources.

Policy SSA23 requires the highest standards of design in special landscape areas.

Planning Policy Wales

Paragraph 5.3.11 Special Landscape Areas or Site of Interest for Nature Conservation should not unduly restrict acceptable development.

Paragraph 6.5.17 should any proposed development conflict with the objective of preserving or enhancing the character or appearance of a conservation area, or its setting, there will be a strong presumption against the grant of planning permission.

Paragraph 6.5.25 local planning authorities should protect parks and gardens and their settings.

Paragraph 4.9.1 agricultural land of grades 1, 2 and 3a is the best and most versatile, and should be conserved as a finite resource for the future.

Paragraph 11.3.3 authorities need to consider the effects of sport and recreation on neighbouring uses in terms of noise, light emissions, traffic generation and, for larger developments, ease of access and safety of residents, users and the public.

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.

The principle of the proposed development

The application site lies outside settlement boundaries and generally considered to be an unsustainable location for new development under Policy AW2 of the LDP, any development of a new golf course, as this is the case here, inevitably

by their very scale, nature and characteristics will be outside the settlement boundary. Considering the particular use proposed, the site is reasonably accessible. Moreover, planning approval has been granted for a golf course development on this site in the past and whilst it has expired so no longer a weighty consideration, it is nevertheless material. Therefore in principle there is no objection to a golf course at this location.

The key issues in the consideration of this application are the consequences of the proposed development for the following:

- Character and appearance of the landscape.
- The setting of the historic park adjacent to the site.
- Transportation and highways safety.
- Ecology and surface water drainage.
- Residential amenity.

Character and appearance of the landscape

The application site lies within the Talygarn Surrounds Special Landscape Area as designated under Policy SSA 23 of the LDP. This policy requires the development to meet the highest standards in terms of the design of buildings, car parking arrears and the profile of the golf course and landscaped areas in order to minimise its impact upon the special landscape at this location.

In this regard it is has to be understood that the creation of a golf course on sloping agricultural land at this location inevitably will involve a degree of re-profiling to form the greens and fairways capable of being used in play. The application plans indicate that in general the proposed golf course seeks to work with the general slope of the land so that it will not introduce a starkly different land form. That said, it is nevertheless evident from the applicant's submission that the owing to the topography of the site and the presence of limestone bedrock the importation of suitable inert aggregate, subsoil and top soil material is considered necessary to facilitate the final landform. At face value the volume of material (305,000 cubic metres) proposed to be imported might seem excessively great and the length of time for the end use to be achieved rather protracted. This process will involve the importation of a substantial volume of material and engineering operations over a period lasting a maximum of four years and will impact significantly on the landscape during the period of those operations until the final landform is achieved and more especially the landscaping is successful.

Inevitably, this prompts speculation whether or not the proposal is primarily a tipping operation being sought on the back of golf course, a matter which features prominently in the representations received from members of the public. The applicant has explained this aspect of the proposal with reference to comparable proposals for golf course developments elsewhere in the UK, which provide

evidence to that the volume of imported material and engineering operations required to form a golf course of this scale are not atypical. Taking this evidence at face value it is difficult to argue that the proposed landform engineering operations are excessively protracted and unnecessary given the topography at this location and the characteristics and objectives of the end use.

Looking beyond the short term, the landscape impacts of the development are far more favourable in the longer term. The landform will generally follow the profile of the existing topography and mixture of fairways, greens, bunkers, and water and landscaping planting features generally will compliment the wider landscape at this location. The location of the access, car park and associated clubhouse also will be sited where they will minimise their visual impacts on the landscape.

To summarise, there is a balance to be considered between the negative landscape impacts of the development during its engineering and development phases and far more favourable impacts of the final golf course development in the longer term. On the basis the golf course is proposed to be developed in three phases with the first phase to be completed and ready for play inside two years and the second phase in just a little over three years, it is considered the short term negative impacts are capable of being mitigated to a significant extent as the overall project migrates and progresses to final completion across the site. On balance, therefore, it is concluded the proposal is unlikely to have significantly harmful impacts on the landscape at this location though this is dependant upon the phased implementation of the landscaping works and preparation of holes ready for play behind the completed engineering operations in the phases and to the timescales submitted by the applicant.

Impact on adjacent Listed Building and Historic Park and Garden

While the Rhydhalog Farm site itself does not have any existing historic environment designations, it sits adjacent to the boundary of Talygarn Manor. There are a number of listed buildings at Talygarn, including the Manor itself which is listed at Grade II*, and the parkland and landscape are designated as both a Conservation Area and a Registered Historic Park and Garden at Grade II*. These assets are an important material consideration in the determination of this application.

The north-eastern boundary of the application site runs directly along part of the boundary of Talygarn Park, and at this section of the boundary there is a tree-lined drive with what appear to be 19th century gates and gateposts at its end (which can themselves be treated as curtilage listed structures). From historic map regression, this appears to be a subsidiary access drive into the estate (the principal entrance drive is further north). Immediately north of this drive is parkland which has most likely been grazing land historically, while north of that is the ornamental arboretum. The land which is the subject of this application, to

the south of the drive, is open agricultural land belonging to the farm of Rhydhalog.

The historic significance of this part of the Talygarn Conservation Area and Registered Historic Park and Gardens, adjacent to the application site boundary, lies in the tree lined drive with gates, with open parkland on one side and open agricultural land on the other. While the belt of trees lining each side of the drive is quite thick, during the winter months there is a clear visual relationship between both sides. Although this may not be present during the summer months, the open nature of the land gives the drive its landscape setting. Any development which took place too close to this drive could have a detrimental impact on its setting, and thus on the wider Conservation Area and Registered Historic Park and Gardens.

Initially, there was some of the development will have too negative an impact on the setting of Talygarn. In particular, the proposed clubhouse with associated car parking and tree planting, plus flood-lit driving range appeared to be too close to the secondary drive. The tree planting which would screen the clubhouse from the road would also have the effect of removing the ability to understand the importance of the solid belt of trees which currently stand in isolation, lining the driveway. In addition to this, the clubhouse building and car park would completely alter the agricultural character of the land which flanks the drive. In response to this concern the applicant has since amended the layout of the development to provide a greater degree of physical separation between the car park and clubhouse and the historic driveway. The flood-lit driving range has been deleted from the scheme altogether and replaced by a mini-golf course.

As a consequence of these changes the scheme is considered unlikely to have any significantly harmful impacts for the adjacent Listed Building, Conservation Area and Registered Historic Park and Gardens.

Transportation and Highway Safety

The application is accompanied by a detailed Transport Assessment which deals with the traffic and highway safety consequences of the proposal.

The site is located off the A4222 Cowbridge Road which is subject to a 60mph speed limit. A new site access is proposed to the east of the existing access close to Rhydhalog Farm which is to be blocked off as part of the development. A seven day speed survey was undertaken between 28 June 2011 and 4 July 2011 where the northbound 85th percentile wet weather speed was 58.4 mph and the southbound 58.3mph.

A Stage 1 Road Safety Audit (RSA) of the access proposals has been undertaken by Traffic Management Consultants Ltd. where concerns are raised in terms of speeding traffic and its significance in terms of the increase in turning

movements that would be generated by the proposed development. The Road Safety Audit suggests that the speed limit is lowered to 50mph as a road safety measure. However, the Transportation Section is concerned that this would not necessarily reduce speeds to this level as the A4222 Cowbridge Road in the vicinity of the site is a straight rural road for a distance of over 500m and, therefore, would encourage faster speeds in excess of 50mph, unless it is enforced.

The existing site access close to Rhydhalog Farm has been assessed in terms of providing an alternative access to that proposed for the development. The sight lines at this location onto the A4222 Cowbridge Road have been set back and are in compliance with the requirements as set out in TAN18: Transport for a 60mph speed limit (2.4m x 215m) subject to the verge areas being maintained to restrict vegetation.

Further to discussions with the agent, an amended layout plan (Drawing No. Figure 3.3 Rev. A) has been submitted that shows a revised access arrangement that utilises the existing access off the A4222 Cowbridge Road close to Rhydhalog Farm leading to the site which is considered acceptable subject to detailed design.

The proposed site access into the site directly off the former route of Cowbridge Road must provide for vision splays of 2.4m by 40m that are achievable by setting back the site boundary capable of being conditioned in the event of planning permission being granted.

The existing access off the A4222 Cowbridge Road close to Rhydhalog Farm is to be improved by incorporating 10m radius kerbing with a carriageway width of 9.8m to facilitate the movement of large vehicles travelling to and from the site.

A revised swept path analysis (Drawing No. Figure 3.2 Rev. A) of a large car and 15m length luxury coach utilising the existing improved access has been produced to demonstrate tracked movements in and out of the site which is acceptable. However, the white hatch line markings to the left of the site access as shown on Drawing No. Figure 3.2 Rev. A is not required and therefore must be removed accordingly.

In terms of daily trip generation the supporting Transport Statement indicates that 290 daily trips (TRICS database) would be generated by the proposed development. This was calculated by using 18 hole golf course data.

The TRICS database has been subsequently re-run by the Council using 9-hole golf course and driving range (subsequently substituted by 9 hole mini-course) as per the proposed development. This has resulted in a total of 406 daily trips which is a significantly higher rate than that indicated in the Transport Statement.

Subsequently, the impact of the development on the A4222 Cowbridge Road using the same base flows has been revised as follows:

Period	RCT New Trips Generated (TRICS) based on 9 hole golf course/driving range (20 booths)	Developer New Trips Generated (TRICS) based on 18 hole golf course
Daily	406	290

The Transport Statement assumes that there would be no new trips generated by the proposed new golf course and would be just a redistribution of trips from other golf courses in the area within a 10km drive of Pontyclun (4 in total). However, the Transportation Section is of the view that 30% of the total daily trips would be non-primary trips and the remaining 70% would be considered to be primary new trips of the total daily flow.

Therefore, the proposal would result in the creation of 284 new trips (406×0.7). The Transport Tariff rate for each daily net individual trip is £376 in accordance with The Council's SPG guidelines and, therefore, the Transport Tariff would be $284 \text{ new trips} \times £376$ that equates to £106,859.

With regard to accident analysis, the Transport Statement states that a 5 year accident analysis of the A4222 Cowbridge Road in the vicinity of the site access has been undertaken that has recorded only 2 slight driver error casualties in 2010 where it is concluded that no further off-site works are required to mitigate against the impact of the development which is considered acceptable.

In terms of parking and circulation areas, on-site parking for 60 vehicles is proposed that is considered at an acceptable level of provision. Consideration must be given to the provision of coach parking together with appropriate turning facilities. There is adequate space within the curtilage of the site to be able to provide for such provision and is capable of being secured by condition in the event of planning permission being granted.

Turning to construction traffic issues, it is estimated by the applicant that the development of a golf course would result in the net importation of 305,000 cubic metres of materials in order to complete the development. In terms of timescales, it is anticipated by the developer that the site would be developed in phases on a hole by hole basis that would take up to four years to develop and complete. Based on an 8 hour period for deliveries outside peak periods, this equates to 8 to 9 trips (in and out movements) per hour on the local highway network.

The Highway Authority is concerned regarding the potential impact on the structural integrity of the local highway network in particular in the vicinity of the

access off the A4222 Cowbridge Road where vehicle manoeuvring would result in excessive damage to the fabric of the highway. Therefore, a condition is suggested to ensure that a compensation arrangement is in place to mitigate against any damage caused by extraordinary traffic movement in the vicinity of the proposed access.

Taking all of the above transportation issues into account it is considered that the proposal is acceptable, or capable of being made so by the addition of conditions and transport tariff, in terms of its consequences for the highway safety.

Ecology and surface water drainage

The application site includes a 0.71 hectare of Site of Interest for Nature Conservation (SINC)155, therefore the requirements of Policy AW8 needs to be addressed which protects the natural heritage from potentially harmful development. SINC 155 Rhydhalog is a large area of diverse habitat which runs along the southern boundary of the County Borough. The SINC includes over 2 hectares of cattle grazed, species-rich marshy grassland inhabited by a number of flowering plant species and possibly Marsh Fritillary Butterfly. Although improved and partially drained this large area of grassland is still wet and its associated drainage ditches have associated reed floras and potentially significant invertebrate fauna. The SINC also includes areas of semi-natural woodland with oak, alder, ash, and hazel, and a network of species-rich hedgerows.

The applicant's ecological assessment concludes that the application site itself has little ecological value and the development does not directly impact of the SINC along the site boundary. Clearly the surface water drainage regime on the application site has potential to significantly affect the ecological value of the SINC if adequate measures are not in place to ensure no pollution enters the runs off and the quality and quantity of water reaching the SINC from the golf course is safeguarded. The applicant has indicated that he has no objection to agreeing to a package of habitat management and mitigation measures that will safeguard the ecological value of land adjoining the development. These are matters that can be secured by conditions in the event of planning permission being approved. Likewise, surface water drainage conditions are capable being added to any grant of planning permission to safeguard water quantity and quality into water courses that flow into the SINC habitat. On this basis the Council's Ecologist and Land Reclamation and Engineering Section have offered no overriding concerns about the proposals.

Residential amenity

The application site lies outside the settlement boundary of Pontyclun and Talygarn therefore by definition does not lie sufficiently close proximity to residential properties to warrant any significant concerns over any direct affects on residential amenity. Nevertheless, there is residential property very close to

the site access and the urban area of Talygarn is situated off Cowbridge Road to the north and west of the site. These properties may be affected indirectly from traffic generated by the development, especially during the groundwork phases when the impacts of construction traffic may well be prevalent, though much will depend on the routes taken to and from the site.

Given the significant set back off Cowbridge Road of residential properties at the southern end of Talygarn it is considered unlikely construction traffic will be of a sufficient frequency to be a source of nuisance and disturbance to residents should construction traffic travel in that direction. In any event, the days and times of construction and groundwork operations are capable of being controlled by a condition to ensure that it takes place only at sociable times of day and week.

There are no longer any amenity issues arising from floodlighting at the site as the previously proposed driving range has been deleted from the scheme.

OTHER ISSUES

The following other materials considerations and representations have been taken into account in considering the application though were not the key determining factors in reaching the recommendation.

Loss of agricultural land

The application site includes agricultural land that is classified as grade 3a, which is of a quality that is normally expected to be protected from development unless there are other overriding considerations. In this case the area of land is comparatively small and following consultation and discussion the Welsh Government's Agriculture Department has not expressed any concern over its potential loss to a golf course development.

Flood risk

The Land Reclamation and Engineering Section has highlighted that the application site lies within a flood risk area and a Flood Risk Assessment ought to be requested from the applicant. National Resources Wales (NRW) has confirmed that the majority of the site lies outside an identified flood risk area and only a small area of the site (the western and southern edges of holes 4 and 5 on the course layout plan) is located within the 1 in 100 year and 1 in 1000 year annual flood probability outlines. Whilst NRW does not require the submission of a Flood Consequences Assessment it does require floodplain compensation measures to be undertaken by the applicant if it is proposed to re-contour any land within the 1 in 1000 year fluvial outline. This is a matter capable of being dealt with by condition in the event of planning permission being granted.

Sterilisation of mineral resource

The application site lies in an area of a Limestone mineral resource which Policy AW 14 seeks to safeguard from development that risks sterilisation or hindrance of their abstraction. A golf course need not sterilise the mineral resource as is reasonably capable of reinstatement after mineral extraction.

Danger to people and animals from stray golf balls

This is an inherent hazard with any golf course and is not in itself a sound reason to refuse planning permission, as players normally take precautions and courses issue warnings where pedestrians may come into close contact with play.

Vandalism, disturbance and litter

These issues are seldom associated with golf courses which normally adhere to strict codes of conduct by players and spectators.

Need for and viability of the development

These are seldom material planning considerations for this kind of proposal and normally a commercial matter for the consideration of the applicant. The fact that other golf courses exist in the locality is not in itself a good reason to prohibit another from being developed in competition.

PLANNING OBLIGATIONS

Policy AW4 of the LDP states that planning obligations may be sought where development proposals require the provision of new, improved or rely on existing services, facilities, infrastructure and related works, to make the proposed development acceptable in land use planning terms. In this regard the current proposal a transport tariff contribution of £106,859 is considered necessary for the reasons discussed earlier in this report. The tariff is considered relevant and directly related to the development, fairly and reasonably related to the scale of the development, and reasonable in all other respects, therefore meets the tests in the Planning Obligations Circular 13/97.

RECOMMENDATION

That Committee resolve to **APPROVE** the application subject to:

- The recommended **conditions** set out below in this report;
- The applicant (and any other interested parties) first entering into a legal agreement under Section 106 of the Town and Country Planning Act 1990 to secure a minimum package of **Planning Obligations contributions** comprising Transport Tariff financial contribution of £106,859 towards improving the strategic highway network.

- That the Service Director Planning be authorised to add, amend or vary any condition before the issuing of the planning permission, providing that such changes do not affect the nature of the development or permission;
- Dependant on Members' resolutions in respect of the above that the Service Director Planning be authorised to enter into further discussion with the applicant (and/or their agents/representatives) in order to negotiate further the level, scope, delivery and phasing of Planning Obligations contributions to be secured by the proposed development. On conclusion of these further discussions if the level of required mitigation provision (or financial contribution) identified above has not been agreed that a further report be brought back to a future meeting of this Committee confirming the outcome of those further negotiations

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 Section 92 of the Town and Country Planning Act 1990.

2. Before any works start on site, existing and proposed levels (including relevant sections) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To protect visual amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

3. No development shall take place until there has been submitted to and approved by the Local Planning Authority a comprehensive scheme of landscaping, which shall include indications of all existing trees (including spread and species) and hedgerows on the land and details of any to be retained together with measures for their protection during the course of development.

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.

4. All planting, seeding or turfing in the approved details of landscaping shall be carried out in the first planting and seeding season following the completion of each phase of the development and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the

Local Planning Authority gives written consent to any variation.

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.

5. Before any work is commenced on site, including site works of any description, each of the trees to be retained shall be securely fenced off by a chestnut paling or similar fence erected in a circle round each tree to coincide with the extremity of the canopy of the tree. Within the areas so fenced off the existing ground level shall be neither raised nor lowered, and no materials or temporary buildings or surplus soil of any kind shall be placed or stored thereon. If any trenches for services are required in the fenced-off areas they shall be excavated and back-filled by hand and any tree roots encountered with a diameter of 5cms or more shall be left unsevered.

Reason: To protect the existing trees on the site during the course of building work in the interests of amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

6. No development whatsoever shall commence until drainage details, incorporating sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, and to include consideration of the impact of phasing of the development, installation of oil and petrol interceptors and impact upon existing watercourses, have been submitted to and approved by the Local Planning Authority, and the scheme shall be subsequently implemented in accordance with the approved details before each phase of the development is completed and/or brought into beneficial use.

Reason: To ensure adequate disposal of foul and surface water drainage and prevent pollution of a highly sensitive Principal aquifer, in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

7. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there are multiple tankages, the compound shall be at least equivalent to the capacity of the largest tank, or the combined capacity of the interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be sealed with no discharge to any watercourse, land or underground strata. Associated pipe work shall be located above ground and protected from accidental damage. All filling points and tanks overflow pipe outlets shall be detailed to discharge downwards into the bund.

Reason: To prevent pollution of the water environment and highly sensitive Principal aquifer, in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

8. Details of any works to re-contour the land and raise any ground levels within the 0.1% (1 in 1000 year) annual probability fluvial flood outline of the Nant Rhydhalog shall be submitted to and approved before the commencement of development. The details to be submitted shall include floodplain compensation works that demonstrate an equal volume of floodplain created on a level for level basis to that taken up by the area filled, and shall calculations (that may be supported by a hydraulic model) that demonstrates this is achievable and that any filled area will not exacerbate flooding elsewhere for events up to and including the 0.1% (1 in 1000 year) extreme flood event.

Reason: In order to prevent the risk of flooding in accordance Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

9. Notwithstanding the submitted details, the existing access onto the A4222 Cowbridge Road shall be improved in accordance with full engineering and design details to be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site. The approved details shall be implemented in accordance with the approved details prior to works commencing on site unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety and free flow of traffic in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

10. Notwithstanding the submitted details, the vehicular access to the site shall be laid out, constructed and retained thereafter with 2.4m x 40m vision splays.

Reason: To ensure that adequate visibility is provided, in the interests of highway safety, in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

11. No obstruction or planting when mature, exceeding 0.9m in height shall be placed within the required vision splay areas.

Reason: To ensure that adequate visibility is provided, in the interests of highway safety, in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

12. Notwithstanding the submitted details, access, parking and circulation for all vehicles including coaches shall be provided in accordance with details to

be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site. The approved details shall be implemented with the approved details prior the development, or any phase thereof, being brought into beneficial use.

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

13. Notwithstanding the submitted details, the proposed access within the site curtilage shall be constructed in permanent materials for a distance of at least 15m from the public highway and drained in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site. The approved details shall be implemented in accordance with the approved details prior to the development, or any phase thereof, being brought into beneficial use.

Reason: In the interests of highway safety and to prevent surface water run-off from discharging onto the public highway, in the interests of highway safety in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

14. Prior to the commencement of the development, a report indicating a methodology for undertaking a conditions survey of the A4222 Cowbridge Road affected by the proposed development shall be submitted to and approved in writing by the Local Planning Authority. The report should include: the timescales for undertaking the surveys and the method(s) of reporting the findings to the Local Planning Authority; comprehensive photographs; and potential compensation arrangements. The development, or any phase thereof, shall not be brought into use until the final survey on completion of the development hereby approved and any compensation arrangements have been submitted to and approved in writing by the Local Planning Authority unless otherwise agreed in writing.

Reason: To ensure that the extraordinary traffic use arising from the proposed development does not have an adverse impact on highway safety, in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

15. No development shall take place, including any works of site clearance, until a Construction Method Statement has been submitted 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) wheel cleansing facilities,

- e) 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 safety and free flow of traffic, in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

16. Unless otherwise agreed in writing with the Local Planning Authority, the development hereby approved shall be carried out in accordance with the recommendations in Section 7 *'Summary and Conclusions'* of the report entitled *'Rhydhalog Farm, Talygarn, Pontyclun Ecological Assessment'* (Ecological Solutions Ltd 2010).

Reason: To afford protection to animal and plant species in accordance with Policies AW5 and AW8 of the Rhondda Cynon Taf Local Development Plan.

17. No development shall take place until a Wildlife Protection Plan for Construction has been submitted to and approved in writing by the local planning authority. The plan shall include:

- a) An appropriate scale plan showing 'Wildlife Protection Zones' where construction activities are restricted and where protective measures will be installed or implemented;
- b) Details of protective measures (both physical measures and sensitive working practices) to avoid impacts during construction;
- c) A timetable to show phasing of construction activities to avoid periods of the year when sensitive wildlife could be harmed (such as nesting bird season).
- d) Persons responsible for:
 - i) Compliance with legal consents relating to nature conservation;
 - ii) Compliance with planning conditions relating to nature conservation;
 - iii) Installation of physical protection measures during construction;
 - iv) Implementation of sensitive working practices during construction;
 - v) Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction;
 - vi) Provision of training and information about the importance of the 'Wildlife Protection Zones' to all construction personnel on site.

All construction activities shall be implemented with the approved details and timing of the plan unless otherwise approved in writing by the Local Planning Authority.

Reason: To afford protection to animal and plant species in accordance

with Policies AW5 and AW8 of the Rhondda Cynon Taf Local Development Plan.

18. The development hereby permitted shall not begin until a scheme to deal with contamination has been submitted and approved in writing by the Local Planning Authority. The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement specifically and in writing.
1. A desk-top study carried out by a competent person to identify and evaluate all potential sources and impacts of contamination relevant to the site. The desk top study should contain a conceptual site model.
 2. A site investigation shall be carried out by a competent person to fully and effectively characterise the nature and extent of any contamination and its implications. The site investigation shall not be commenced until a desk-top study has been completed satisfying the requirements of paragraph (1) above.
 3. A written method statement for the remediation of contamination affecting the site shall be agreed in writing with the Local Planning Authority prior to commencement and all requirements shall be implemented and completed to the satisfaction of the Local Planning Authority by a competent person. No deviation shall be made from this scheme without the express written agreement of the Local Planning Authority.

Reason: In the interests of safeguarding public and environmental health, in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan. (There is potential for contamination to exist as Council records indicate there were a former lime kiln and a gravel pit on the site).

19. The development hereby permitted shall not be occupied and/or operated until the measures approved in the scheme (referred to in Condition 18) have been implemented and a suitable validation report of the proposed scheme has been submitted to and approved in writing by the Local Planning Authority.

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

20. If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals then work shall cease and revised contamination proposals shall be

submitted to and approved in writing by the Local Planning Authority prior to the work recommencing.

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

21. Construction works on the development shall not take place other than during the following times:

- (i) Monday to Friday 0800 to 1800 hours
- (ii) Saturday 0800 to 1300 hours
- (iii) Nor at any time on Sundays, Bank or Public holidays, unless otherwise agreed in writing by the Local Planning Authority.:

Reason: To ensure that the noise emitted from this development is not a source of nuisance to occupants of nearby residential properties in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

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APPLICATION NO: 13/0413/10 (EL)
APPLICANT: CS Property Developments
DEVELOPMENT: Two storey rear extension and conversion to form 4 No. bed sit accommodation at first floor and replacement shop front (Additional information received 13/09/13).
LOCATION: 123 BROADWAY, TREFOREST, PONTYPRIDD, CF37 1BE
DATE REGISTERED: 13/09/2013
ELECTORAL DIVISION: Treforest

RECOMMENDATION: Approve subject to conditions.

REASONS:

The proposal is in keeping with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan and National Policy in that, the use is compatible with the area and the proposed alterations are acceptable in terms of scale, design; impact on residential amenity and highway safety.

APPLICATION DETAILS

Full planning permission is sought for a series of alterations to 123 Broadway, Treforest. The scheme proposes:

- The construction of a two-storey rear extension
- The installation of a replacement shop front
- The change of use of the first floor of the existing building and the proposed extension to form 4 no. bedsit accommodation.

The proposed two-storey extension would extend to 10.8 metres in length. It would measure 5.5 metres in width at ground floor level, narrowing to 4.5 metres in width at first floor level. The two-storey extension would have a flat roof construction, extending to 5.5 metres in height. The design would incorporate a mono-pitch roof construction to take account of the set-in in width, this would extend to 3.5 metres at its highest point. The extension would be constructed in a blockwork construction, with a rendered finish.

At ground floor level, the building would retain an office, with a replacement shop front also forming part of the submission. The shop front would be a painted timber shop front in a traditional style, incorporating a fascia signage panel above the display window. The shop front would incorporate pilasters in order to frame the elevation and openings. A recessed doorway, providing two separate points of access (one for ground and for first floor) would be positioned at the left-hand side of the elevation. The shop front design also incorporates a 700mm high stall riser.

At first floor level, it is proposed that 4 no. bedrooms would be created, with a shared kitchen/living space at ground floor level, within the rear extension. It is proposed that these be occupied as bedsit accommodation.

SITE APPRAISAL

The application site is a mid-terrace property, located on the main road through the village of Treforest. The property is currently vacant, but was most recently occupied at ground floor as a photographic studio, this was served by a shop front providing direct access from the Broadway. At first floor level was a separate self-contained 3-bedroom unit. The rear the property benefited from a two-storey extension, constructed with both a flat and ridge roof design. There are a mix of both commercial and residential uses in the immediate vicinity of the site, with those properties fronting the Broadway generally being commercial in character. To the rear, the site is bounded by an access lane that also serves Lewis Street. Properties on Lewis Street are predominantly residential in character.

PLANNING HISTORY

96/2334	123 The Broadway,	Remove/refurbish existing	Conditions
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Treforest, Broadway

frontage and replace with
traditional shop front

19/11/96

PUBLICITY

The application was advertised by direct neighbour notification and site notices. No representations have been received.

CONSULTATION

Transportation Section – no objections raised.

Public Health & Protection – no objections raised, it is noted that a search of their records has revealed that the application site forms part of a larger area, formerly occupied by the Taff Vale Ironworks; as such there is potential for contamination and adverse ground conditions to exist on site. An informative note to this effect is recommended.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

Indicates that the site is within the defined settlement limits and within the Local and Neighbourhood Centre.

AW2 promotes development in sustainable locations.

AW5 sets out criteria for new development in relation to amenity and accessibility.

AW6 sets out the criteria for new development in terms of design and place-making.

SSA13 sets out the criteria for development within settlement boundaries.

SSA16 sets out the hierarchy of retail centres in the Southern Strategy Area, identifying Treforest as a Local and Neighbourhood Centre.

SSA17 sets out the criteria for retail development in the retail centres of Principal Towns and Key Settlements.

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 Chapter 3 (Making and Enforcing Planning Decisions), Chapter 8 (Transport) and Chapter 9 (Housing), set out the Welsh Government's policy on planning issues relevant to the determination of the application.

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.

The principle of the proposed development

The application property lies within settlement limits and within the local and neighbourhood centre of Treforest. The proposal seeks to bring the building back into beneficial use, through its refurbishment, extension and the conversion of the upper floor to provide bedsit accommodation. As a result of its location, a variety of differing uses, including commercial and residential, immediately adjoin the site. Furthermore, the site is in a location that benefits from good public transport links. As such, it is considered that in principle, the proposal is acceptable, subject to an assessment of the following criteria;

- The impact of the proposed development upon the character and appearance of the surrounding area.
- The impact of the development on the residential amenities of neighbouring properties.
- The impact of the proposal on highway safety.

Character and appearance

The application proposes the construction of a large two-storey extension to the rear of the property, which would replace an existing addition. It is acknowledged that the proposed extension is substantial in its scale, occupying almost the entire rear yard of the plot. However, in this instance, consideration must be given to the established character of the rear streetscene. Since many of the properties, which adjoin the application site are in use as commercial premises, few have the appearance of a conventional rear residential terrace. The majority, including those that directly adjoin the site, have been extended by large additions, which

extend up the line of the rear boundary. It is also noted that there is no over-riding style amongst the additions, with extensions having been built at single and two storey heights, with a mix of ridge, mono-pitch and flat roof constructions. Therefore, despite its size, being a substantial addition, it is not considered that the construction would be overly harmful to, or out of keeping with the character of the rear street scene.

Similarly, the design and scale of the replacement shop front is also considered acceptable, with the scheme seeking to re-instate a timber shop front in a traditional style. Given that the property is located within an area identified as the local and neighbourhood centre for Treforest, it is considered that this element of the proposal would contribute positively to the streetscene fronting The Broadway.

Residential amenity

As set out above, the property is located within an area that has a varied character, with a mix of commercial and residential properties in the vicinity of the site. Whilst the change of use from a 3-bedroom residential flat to 4 no. bedsit accommodation may result in an intensification of the use, it would continue to be occupied as a residential unit, with a degree of shared living space and kitchen facilities. Therefore, in this regard the proposed use is considered acceptable.

Whilst the proposed extension would be constructed on the boundaries with the neighbouring properties in the terrace, it is noted that both 122 and 124 have also been extended by the construction of substantial additions, which extend up to the boundaries of the plot. Similarly, whilst the proposed extension would be visible from the rear of the residential properties on Lewis Street, they would remain separated by the existing rear access lane that bounds the plot. As such, despite its size, it is not considered that the proposed extension would result in such an adverse impact upon the levels of amenity currently enjoyed by neighbouring occupiers, that would warrant the refusal of the planning application.

Highway Safety

In order to aid in the assessment of the proposal upon highway safety, consultation has been undertaken with the Council's Transportation Section. Their response identifies that whilst the property is situated in a sustainable location, The Broadway (B4595) is a particularly busy route, which carries a substantial amount of vehicular traffic and pedestrian movements. Their initial assessment expressed some concern with regard to the fact that the siting and scale of the proposed extension would remove any potential to provide off-street parking within the curtilage of the site. However, their assessment finds that both the existing use (3 bedroom self contained flat and office space) and the proposed use (4 number bedsits with shared kitchen and lounge facility plus

extended office space) would generate the same parking requirement of 4 off-street car parking spaces.

Whilst it is regrettable that no off-street parking is provided within the proposed scheme, it is noted that no off-street parking is currently available at the site; therefore there would be no reduction in the amount of off-street parking available and no increase in parking demand generated by the proposal. As such, on balance, given the above points and the fact that the site is situated in a sustainable location, within easy reach of a range of transport options and facilities, no highway objections are raised.

Conclusion

Having taken account of all of the issues outlined above, the application proposal is considered acceptable in terms of its impact upon the character and appearance of the area, compatibility with existing uses and its potential impact upon highway safety. Therefore the proposal is recommended for approval, subject to the conditions specified below.

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 external materials of the proposed extension shall match as near as possible the materials of the existing building.

Reason: To ensure that the extension is in keeping with the existing building in the interests of visual amenity in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

3. Within one month of the date of this permission, details/ samples of the paint colour of the shop front, fascia board and finishes for the stall riser proposed to be used shall be submitted to and approved in writing by the Local Planning Authority and all materials used shall conform to the sample(s) so approved.

Reason: In the interests of visual amenity, to ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings, in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

4. Construction works on the development shall not take place other than

during the following times:

- i) Monday to Friday 0800 to 1800 hours;
- ii) Saturday 0800 to 1300 hours;
- iii) Not at any time on Sundays, Bank or Public holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the noise emitted from this development is not a source of nuisance to occupants of nearby residential properties in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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APPLICATION NO:	13/0538/10	(LE)
APPLICANT:	Mr S Hinton	
DEVELOPMENT:	Retrospective consent for access track and proposed stables (Amended plans received 29/08/2013)	
LOCATION:	LAND OFF RHYD Y CASTELL, LLANHARRY ROAD, CF72 9UP	
DATE REGISTERED:	21/06/2013	
ELECTORAL DIVISION:	Llanharry	

RECOMMENDATION: Approve

REASONS:

The application is considered to accord with the requirements of the Local Development Plan, representing an appropriate and compatible countryside use. Following the submission of amended plans the design of the stables is sympathetic and reflective of a typical stables building, and therefore unlikely to harm the character of the surrounding countryside locality. The scheme is also considered acceptable in terms of highway safety and access.

APPLICATION DETAILS

Full planning permission is sought for the construction of a stable block and associated access track at land off Rhyd-y-Castell, Llanharry Road, Llanharry.

The access track had been constructed at the time of the site inspection although the stable block had not been erected. Following the submission of amended plans the stable block has an 'L' shaped footprint with a maximum length of 12.5 metres and width of 11.2 metres with a 3.9 metres depth. It would have a pitched

roof design to a maximum height of 3.1 metres falling to 2.4 metres at eaves level. The roof design would incorporate a 1.2 metres overhang/ canopy to the front of the structure. It is proposed the stables be finished with blockwork render and corrugated roof sheeting. The stable block would accommodate four individual stables and a tack/storage room. Access to the site is gained via a hardcore access track that runs toward the west of the site. The access track has a width of approximately 4.2 metres and extends for approximately 126 metres from the proposed siting of the stable block to a security gate and small turning area.

The planning application is accompanied by a Design and Access Statement.

SITE APPRAISAL

The application site forms part of an irregular shaped parcel of land positioned in the open countryside to the north of the village of Llanharry. Access to the field gate that defines the north western corner of the site is via an unnamed country lane that serves Trecastell Farm from either Llanharry Road to the west or the unnamed road that serves Pontyclun to the east. The red line boundary submission includes an area of approximately 0.15 hectares, which includes the constructed hardcore access track and a broadly rectangular plot where the proposed stable block would be erected. This rectangular area also has a loose hardcore/gravel finish and is defined by low embankments and post and rail fencing to the south and west side. The northern and eastern boundaries of the site are defined by mature hedges and trees. The applicant has also highlighted they own a further 1.38 hectares of land to the immediate south of the site that would be used to graze the horses. The site is currently grazed by two horses that use a small corrugated iron stable, sited near the eastern boundary of the site. Although the majority of the application site is surrounded by open countryside, there is a large scrap yard abutting the eastern boundary of the application site.

PLANNING HISTORY

None.

PUBLICITY

The application has been advertised via erection of site notices and neighbour notification letters. Two letters of objection have been raised against the planning application from the owners/occupier of Trecastell Farm and Llanharry Community Council.

The objections are summarised as follows:

- Unsuitable access.

- Any increases in traffic along the narrow access to the site, particularly horse trucks/trailers will affect safe car and pedestrian access in the area. Insufficient passing bays in the area could lead to large vehicles damaging hedges and wild flowers.
- Overdevelopment of green space area.

CONSULTATION

Transportation Section - raise no objection.

Public Health and Protection – raise no objection.

Land Reclamation and Engineering - raise no objection, subject to the imposition of conditions regarding the detailed drainage of the development.

Countryside Landscape, Ecology – no adverse comments raised.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site is outside the defined settlement boundary, within a Special Landscape Area and Green Wedge.

Policy CS2 - sets out criteria for achieving sustainable growth

Policy AW2 - promotes development in sustainable locations

Policy AW5 - sets out criteria for new development.

Policy AW6 - supports development that involves high quality design and makes a positive contribution to place making.

Policy SSA22 - Green Wedges are identified in order to prevent coalescence between and within settlements.

Policy SSA23 - highlights development in a Special Landscape Area shall conform to the highest standards of design.

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 Chapter 3 (Making and Enforcing Decisions) and Chapter 4 (Planning for Sustainability), set out the Welsh Government's policy on planning issues relevant to the determination of the application.

Other relevant policy guidance consulted:

PPW Technical Advice Note 6: Planning for Sustainable Rural Communities.

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.

The principle of the proposed development

The application site is situated outside the settlement boundary, although the use of the site for the keeping of horses is considered an appropriate countryside use that reflects the rural nature of the application site. Such a use is a compatible land use for this locality with the site already being used for the grazing of horses. As such, it is considered that in principle, the proposal is acceptable, subject to an assessment of the following criteria:

- Impact on the character and appearance of the surrounding countryside setting.
- Access and highway safety.

Impact on the character and appearance of the surrounding countryside setting

The retrospective application seeks consent to site a stable block with associated access track for the keeping of a small number of horses (4 in total). Following the submission of amended plans, the design and overall appearance of the proposed structure is relatively simplistic and typical of buildings associated with the keeping of horses. The scale and overall dimensions of the proposed structure have also been reduced and are considered sympathetic to the wider rural context. The siting of the building is also toward the lower, least prominent north-eastern corner of the site with mature hedgerows and embankments offering a significant degree of screening to the site. As such, it is considered the proposal would not result in an incongruous or alien addition to the countryside setting. The comments raised following the public consultation exercise in

relation to the scheme representing overdevelopment of a green space area are acknowledged. However, given the scale of the building has been significantly reduced over the duration of the planning application, with the site also comprising a total of approximately 1.53 hectares, it is considered the development can be satisfactorily accommodated without leading to a harmful form of overdevelopment. It is further acknowledged the site is situated within a Special Landscape Area and Green Wedge. Nevertheless, a proposal of the nature and scale being proposed, coupled with the level of activity associated with the keeping of horses is unlikely to prejudice the open nature of the surrounding landscape or adversely impact the Special Landscape Area.

Access and highway safety

Turning to the highways implications of such a scheme and acknowledging the comments raised against the scheme from a nearby residential property (Trecastell Farm situated approximately 0.5 km from the site), the Transportation Section have raised no objections against the application. The Transportation Section comment, that the scheme would not have a significant impact in terms of traffic generation and further intensification of use to and from the site. Vehicle movements to the site are likely to be outside of peak travel times that would avoid conflict with other highway users. There are some concerns about the sub-standard, narrow country lane that gives access to the site although given the nature of the proposal and subject to conditions ensuring improvements are made to the hardcore access track and a satisfactory parking/turning area is provided within the site, on balance, no highway objections are raised against the scheme. The application is therefore considered acceptable in this regard.

Other Issues

The application site is set within a remote countryside location and significantly offset from any residential properties and as such the proposal does not give rise to any neighbouring amenity issues. Following consultation with the Council's Public Health and Protection Division, the Council's Ecologist and the Land Reclamation and Drainage Section, no adverse comments have been raised against the scheme.

CONCLUSION

The application is considered to comply with the relevant policies of the Local Development Plan and would not result in a harmful intrusion into the countryside. The scheme is unlikely to prejudice highway safety or residential amenity in the locality. As such, approval of the planning application is recommended subject to the conditions detailed below.

RECOMMENDATION: Grant

1. The use of the development hereby permitted shall be limited to private

equestrian purposes only and for no other purpose, including any commercial use.

Reason: In order to protect the character and visual amenity of the surrounding countryside in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

2. The development, hereby approved, shall be carried out in accordance with the amended/revised plans received by the Local Planning Authority on 29 August 2013.

Reason: To ensure compliance with the approved plans and clearly define the scope of the permission.

3. Within 3 months of the date of this permission, full details of the type and colour of render, roof materials and doors proposed to be used for the development shall be submitted to and approved in writing by the Local Planning Authority and all materials used shall conform to the sample(s) so approved.

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.

4. Within 2 months of the date of this permission a scheme for the drainage arrangements of the development shall be submitted for the written approval of the Local Planning Authority and the approved scheme shall be implemented within 4 months of the date of this permission unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure adequate disposal of surface water drainage in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

5. Within 3 months of the date of this permission, the existing access shall be widened to 4.8 metres for the first 10 metres off the public highway, constructed in permanent materials and drained in accordance with details that shall be submitted to and agreed in writing by 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. Within 3 months of the date of this permission, a passing bay shall be provided on the access track in accordance with details that shall be submitted to and approved in writing by the local planning authority. The

passing bay shall thereafter be retained in the approved form.

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

7. Within 3 months of the date of this permission, a parking and turning area shall be provided within the site in accordance with details to be submitted to and approved in writing by the local planning authority. The parking and turning area shall not thereafter be used for any purpose other than the parking and turning of vehicles.

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

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APPLICATION NO: 13/0646/10 (PB)
APPLICANT: Cynon Taf Community Housing Group
DEVELOPMENT: Change of use from General Needs Residential to Supported Housing Scheme for homeless persons with external and internal alterations and improvements.
LOCATION: 1 MARTINS CLOSE, ABERCYNON, MOUNTAIN ASH, CF45 4RF
DATE REGISTERED: 24/07/2013
ELECTORAL DIVISION: Abercynon

RECOMMENDATION: Approve with conditions

REASONS:

The proposed development is compliant with planning policy requirements at a local and national level which seek to ensure that satisfactory provision is made for all types of housing. It is not considered that there are any other overriding material considerations that could justify a refusal of this planning application.

APPLICATION DETAILS

The application seeks consent for a supported housing scheme for homeless persons at 1 Martin's Close, Abercynon for the Cynon Taf Community Housing Group. The proposal will involve the refurbishment of the existing property into 13no. self contained flats for short term occupation by homeless people with the ground floor being converted into communal and administrative facilities

comprising offices, management accommodation, communal leisure areas, training areas and laundry facilities. A single disability standard flat will also be provided at ground floor level. The building will be subject to general refurbishment works including the provision of a lift to all floors and a reduction in the number of flats from 18 to 13. Other than this the alterations in the appearance of the building will be limited to the enlargement of existing windows and the introduction of one new window.

Road access to the site remains unchanged via Martins Lane and the existing highway network. The amount of parking space available has been reduced to reflect the needs of the proposed use but it also remains compliant with parking requirements. Parking security will be improved by the incorporation of a wall and railings along the site boundary to the lane and access to it will be via a newly introduced gated system. Footpath access and access to the building will remain unchanged other than for necessary security improvements and ramped access to disability standards.

The application is accompanied by a Design and Access Statement which provides background information relating to the application and planning policy. It is confirmed that the scheme has been based on the identified housing and support needs of local homeless people in Rhondda Cynon Taf. The service will be delivered by Cynon Taf Community Housing Group the building is intended to be staffed 24 hours a day and only residents and staff will have access to the property.

SITE APPRAISAL

The application site is comprised in the curtilage and building that is 1 Martin's Lane Abercynon. The property is a three storey block of 18no. flats built in the early 1990's. The property is constructed in red brick with cream brick banding and detailing and a grey tiled roof. The property fronts on to Martin's Lane with access to the rear parking area from Martin's Close (which forms the rear lane to Margaret Street).

The application property occupies a relatively flat site within the centre of Abercynon. The property is well located to make best use of the many local shops on Margaret Street and Ynysmeurig Road and is also well located for access to the railway station and local bus routes.

PLANNING HISTORY

10/0957	Change of use from general needs residential to a supported scheme for young persons with external alterations and improvements	Withdrawn 28/10/10
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51/95/0238	Rebuild boundary retaining wall and new boundary fencing.	Approved with conditions 07/08/95
51/90/0719	18no. flats	Approved with conditions 06/02/91
51/90/0525	18no. flats	Approved with conditions 26/10/90
51/90/0365	Change of use to a dwelling	Withdrawn 26/0/90
51/85/0433	Proposed change of use to storage/light manufacturing with ancillary residential accommodation	Approved with conditions 21/05/86

PUBLICITY

The application has been advertised by means of press notice, site notices and neighbour notification letters. This has resulted in the submission of 36 no letters of objection and 2 separate petitions opposing this application, one with 704 signatures and the other with 33 signatures. The issues raised in objection to the proposed development can be summarised as follows: –

- Abercynon is an unsuitable location for this development as it is a village/small town with a concentration of services and amenities compacted into one small area and housing homeless individuals, with the inherent problems associated with this group is irresponsible and inappropriate for such a location.
- Abercynon has no functioning police station, should the proposal generate problems there is no immediate police response available.
- The scheme will be within 200m of the new community school and opposite a chapel which hosts community groups child safety is a primary concern as well as any negative effect on local community organisations. The property is also close to the surgery which also hosts activities for elderly people with dementia. The applicant claims that this facility will serve vulnerable individuals but young children and the elderly and infirm are more vulnerable.
- Martin's Lane is a busy thoroughfare through linking the retail, commercial and social facilities of central Abercynon.
- The Rhondda Cynon Taf Development Control Committee rejected a similar scheme due to its proximity to a centre for the blind and a school at Tyfica Road in Pontypridd. The Committee should be consistent in its decision making and reject this supported housing project in Abercynon.
- The proposal will be managed by a specialist support provider but it is unclear for residents who will have direct control of the project and

residents are unclear as to who will be running and funding the scheme making accountability difficult.

- Abercynon needs more one and two bedroomed properties to deal with the consequences of the “bedroom tax” and the property at 1 Martin’s Lane would be better used to alleviate the current shortage by providing low cost accommodation to those who need it. Alternatively the property could be used as sheltered accommodation for the elderly.
- If this project is allowed to proceed and a child or elderly individual is harmed as a result, it seems logical that Rhondda Cynon Taf CBC and the housing association should be held corporately responsible for their actions.
- When the flats were functioning many neighbours experienced years of anti social behaviour and abuse and this should not be allowed to recommence.
- The proposal if allowed would potentially turn a village/town that is regenerating into a no go area with anti social problems.
- It is questioned that if a homeless person turns up at the premises and there is no space available what do they then do.
- The application has been made without prior public consultation with those directly affected (the residents) with public meetings taking place only after the period for public consultation had passed.
- Earlier applications for a similar development at this complex were rejected following public opposition to the proposals.
- Residents will be able to come and go from the complex at all hours, allowing them to take advantage of shops and pubs in the locality and such street drugs as may be available in the locality.
- The proposal has the potential to generate unacceptable levels of noise.
- There is a lack of privacy given the relationship of the building with existing residential property.
- The proposal could prove detrimental to the wellbeing of elderly local residents.

CONSULTATION

Transportation Section – the proposed is located in the centre of Abercynon in close proximity to a variety of local businesses, public car parks, and good public transport links with both bus and rail readily available

The proposal is to provide Supported Housing to homeless people with 11 No. 1 bedroom apartments 1 No. 2 bedroom apartment and 1 No.1 bedroom wardens apartment giving a total of 13 No. residential apartments.

The ground floor is split up into a meeting room, communal area, Disabled Apartment, Wardens Apartment, Life Skills Training, and offices.

The existing use has 17 No. 1 bedroom apartments and 1 No. 2 bedroom apartments on 3 floors.

Given that the proposal is for social housing of homeless people it is not anticipated that the car parking demand will be as high as a typical residential apartment block. There is potential should the need arise to provide additional off-street car parking within the rear amenity area. Martins Lane to the front of the proposed is a one-way street measuring 5.1m with no parking restrictions therefore there is potential for some overspill parking to take place along the site frontage without affecting the free flow of traffic.

The proposed is in the centre of Abercynon in a sustainable location with both bus and rail in close proximity it is on this basis that the 8 off-street car parking spaces proposed are deemed satisfactory.

There is some concern with the sub-standard visibility at the entrance and exit points of Martin's Close due to the high boundary walls however, given that the parking area is already served off the Martin's Close with no reported problems no objection is raised.

Taking the above into account on balance, no objection is raised to the proposed development.

Public Health & Protection – no objections subject to conditions.

South Wales Fire & Rescue Service – no observations received within the statutory consultation period.

Countryside Section – make no comment on the proposal other than to suggest that a bat advisory note be attached to any consent that might be issued.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site is within residential settlement boundary of Abercynon and is located between the two designated retail areas of Abercynon which lie on Margaret Street and Ynysmeurig Road

Policy CS1 – Places an emphasis on promoting strong sustainable communities in the northern strategy area.

Policy AW1 - residential development proposals will be expected to contribute to meeting local housing.

Policy AW2 - development proposals will only be supported in sustainable locations, including sites within the defined settlement boundary, which would not unacceptably conflict with surrounding uses, have good accessibility by a range of sustainable transport options, have good access to key services and facilities and support the roles and functions of the Principal Towns.

Policy AW5 - sets out criteria for new development centred on issues of amenity and accessibility.

Policy AW6 - outlines a series of design related criteria that new development would be expected to respect where applicable.

Policy AW8 - only permits development where it would not cause harm to features of the natural environment.

Policy AW10 - confirms that development will not be permitted where it would cause or result in an unacceptable risk of harm to health and/or local amenity.

Policy NSA12 – sets a series of criteria for consideration in relation to proposals for residential development within settlement limits.

Planning Policy Wales

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.

Chapter 2 (development plans)

Chapter 3 (making and enforcing planning decisions)

Chapter 4 (planning for sustainability)

Chapter 9 (housing)

Planning Policy Wales Technical Advice Note 12 Design

The above chapters and Technical Advice note set out the Welsh Government's policy on planning issues relevant to the determination of this planning application.

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.

There are a number of key issues that are paramount in the consideration and determination of this planning application these are the principle of the development itself, the effect of the proposal on the character and appearance of the area, the impact of the proposal on residential amenity, the impact of the development on local residents and other local establishments. ecology and highway safety.

However, before dealing with the above issues it is important to define the true nature of the development proposed under this planning application. The application is expressed as being for a change of use from general needs housing to that of a supported housing scheme for homeless persons with internal and external alterations and improvements. The nature of the proposal does raise the question as to whether the proposed changes and alterations serve to make the whole of the building a hostel. This is not helped by the fact that there is no legal definition in town and country planning terms of what constitutes a hostel. The proposal though does include some of the characteristics of a hostel in that it will be managed and staffed on a 24/7 basis and that there are communal living and learning facilities. On the other hand, and unlike conventional hostels, the upper floors will remain discrete self contained flats with their own kitchen bathroom bedrooms and living room and would remain capable of independent occupation in every physical sense. In light of this and the fact that there is an educational/training element in the proposal it is only possible to conclude that the proposed facility would become something of a hybrid facility the use of which lies somewhere between a hostel and conventional, unsupported flatted accommodation. As such it is fair to conclude that the proposal affects the building as a whole and for planning purposes, as the proposal does not fall into any one use class it would become a sui generis facility (that is, in a class of its own) as it has no one dominant type of use.

The principle of the proposed development

The current application relates to a supported housing facility for homeless people with the provision of various support facilities however, the majority of the accommodation to be provided comprises the 13 residential flats that would remain. These are self-contained units each consisting of one or two bedrooms, kitchen and wet room. In terms of the principle of the proposed use, the site is unallocated but is located within the defined settlement boundary where residential uses are generally considered acceptable. Therefore, although it is accepted that local residents have a number of concerns, it is considered that the proposed use is essentially residential in character and complies with Policy CS1 of the Rhondda Cynon Taf Local Development Plan.

It would normally be expected for this kind of facility to be located close to a town or community centre where local services and transport facilities can be easily accessed and the sustainability of its location is a further important consideration in assessing whether the development is acceptable. Both local and national planning policy support a presumption in favour of sustainable development and see the planning system as the key to providing for society's future needs. In identifying sites in sustainable locations, Policy AW2 sets out a number of criteria to be taken in account including locations that are within the settlement boundary, with good accessibility and access to local facilities and which support the function of the Principal Towns. In this case, the application site is located within an established mixed use, town/village centre area and the local facilities this provides and therefore fulfils a number of the policy criteria required for a sustainable location.

Character and Appearance of the Area

The building to be used to provide this facility is located in central Abercynon which is characterised by its loose mix of institutional, retail, residential and religious buildings with good transportation links sitting close by. These buildings in the centre of Abercynon are mostly of conventional two storey terraced construction but the centre is also punctuated with buildings of greater height and mass such as the new school, various religious buildings, the flats at Station Road and the application property itself. There is a policy requirement for development within such areas to avoid harming the character and appearance of the area and where possible, positively enhance it by appropriate standards of design.

In terms of the scale, form and design of the conversion element of the proposal, all of the residential units are contained within the existing building and existing window openings have been improved in a manner that respects the original appearance of the buildings as do additional windows. It is intended that the external fabric of the building will be refurbished and it is considered that these works will enhance the appearance of the building, which now has a somewhat neglected appearance resulting from the years it has remained vacant and unmaintained. It is therefore concluded that the renovation proposals are in accordance with local and national planning policy. The proposal will enhance the character and appearance of the building in accordance with policies AW5 & AW6 of the Rhondda Cynon Taf Local Development Plan.

A number of concerns have been raised by local residents regarding the impact of the proposed use on the character of the area however, given the details submitted in support of the current application and the historic use to which the building has been put; it is not considered that such concerns could be supported. In particular, consideration has been given to the previous use for residential purposes as 18 No. general need flats. The current proposal is likely to be no more harmful to the character of the area in terms of the amount of

activity generated from the site than the previous use. However the nature of the use will change given that there will now be life skills training taking place at the site and the constant management presence within the facility.

Impact on Residential Amenities

It is proposed that as the use will be restricted to 13 No. flats comprising 11 one bedroom residential units 1no. two bedroom unit (with 1 No. disability standard 1 bedroom unit). The site will be continually staffed on a 24/7 basis, this is unlikely to generate a level of activity that would be detrimental to the amenities of local residents, given the previous use of the site its level of usage and the problems that some of the objectors claimed that it experienced. The provision of an improved modern entrance, redefined parking arrangements and support facilities will restrict pedestrian activity and this is likely to minimise the impact of noise and disturbance to existing residents. The parking provision takes account of the fact that residents are unlikely to be using or for that matter own a vehicle and vehicular activity would therefore be restricted to staff members and visitors travelling to and from the site.

The application property is overlooked on all sides by residential and other property, however this is at acceptable distances and therefore it is not considered that the occupiers of those properties would suffer any loss of privacy over and above that which existed when the site functioned as 18no. flats. There are a total of three new windows to be introduced into the building (one to each floor) and these will be built into established elevations and will respect established distances between established properties and the application property. The applicant proposes to introduce a small garden as an amenity area for residents and it is considered that the proposed new boundary treatments and landscaping will improve the visual amenities for existing residents whose properties overlook the site.

Highway Safety

The existing access off Martin's Lane along Martin's Close will be utilised and it is not considered that this would lead to any highway safety issues, given the activity associated with the previous use of the building. The parking layout now proposes the provision of 8 on-site spaces, which is in accordance with the Council's SPG relating to Access, Circulation and Parking and policy AW5 of the Local Development Plan. Given that the previous approved scheme would have required up to 36 spaces as a maximum with only 12 provided, it is considered that the current proposal will result in a significant reduction in vehicular activity to and from the site and the Transportation Section has raised no objection. Furthermore, the rebuilding of the boundary treatments and the introduction of access controls to the parking area will only serve to improve highway safety.

Should there be any concern over parking Members should also note that the proposal is for social housing of homeless people it is not anticipated that the car parking demand will be as high as a typical residential apartment block. Furthermore, Martin's Lane is a 5.1m. wide road with no restrictions so it has some capacity to accommodate overspill parking on street.

Impact on Local Residents and Other Local Establishments

As outlined above, there have been a significant number of concerns raised regarding the proposed use as a result of the public consultation exercise. However, as Members will be aware, a high level of response does not necessarily result in a proposal being considered unacceptable in planning terms and each case needs to be determined on its merits. Careful consideration has been given to the issues raised by local residents, in order to identify what material considerations should be taken into account in determining the current application. These are to some extent covered in the above comments addressing such matters as highway safety and residential amenity and what follows completes the consideration of the issues raised by residents in opposition to the proposal.

- *Suitability of site and whether other areas have been considered & need.*

The main purpose of the assisted living facility is to provide emergency residential accommodation and it is not therefore considered to be out of keeping in a residential area. Although residents have raised issues regarding the need for the facility in this location and the consideration of other suitable sites, there is no policy requirement for this to be demonstrated. The only material consideration that is required in determining the current application is the appropriateness of the proposal on this site. On the issue of the need for the facility in 2012/13 590 households presented as homeless to the council and 230 of those were accepted as homeless. This includes people made vulnerable as a result of their age, disability or other vulnerability. 30% of households accepted as homeless had dependant children (figures supplied by Shelter Cymru).

- *Impact on Abercynon School*

Concerns expressed by residents relate to the safety of children attending the New Abercynon Primary School which is located close to the proposed development who may be approached by residents. There is no evidence offered to suggest that this would occur at all or more frequently than it might happen as an occurrence amongst the general population. However, experience elsewhere in the County Borough suggests that there is little or no interaction and what there is usually positive, e.g. the relationship of the Old Bakery Young Persons Hostel in Trecynon with Aberdare Park Primary School. Given the above it is difficult to demonstrate that the proposed development would have an adverse impact on the new school.

- *Potential impact of residents of the local area*

Local residents have expressed concern regarding the problems that residents of the hostel may have and the applicant has acknowledged the difficult backgrounds they may have come from. The applicant has also confirmed however that potential residents must be willing to engage with support and agree to a code of conduct through their licensing system to regulate their behaviour both inside and outside the proposed facility. These requirements would cover such issues as inappropriate behaviour and drug and alcohol misuse.

- *Impact on vulnerable people in the local area*

Local residents have also highlighted concerns regarding the impact of the proposed facility on vulnerable people in the area including young children, the elderly and members of vulnerable community based groups that are local to the area. The applicant has advised that the case of each person referred to the facility is assessed based on their need and consideration given as to whether the individual is suitable for accommodation. Residents will be expected to abide by a code of conduct and encouraged to be responsible members of the community. In light of this it is considered that there is insufficient evidence to suggest that the proposed use would be likely to have a significant impact on this group of people.

- *Fear of crime and anti social behaviour*

A number of residents have advised that the use of the buildings as an assisted living facility will bring about crime and a fear of crime in the area and will also impact on the quality of life enjoyed by residents due to an increase in anti social behaviour. Both national and local planning policy recognises that public health, safety and crime can be material considerations in determining applications, as well as public concerns regarding this. This is clearly acknowledged in Policy AW5 of the Local Development Plan, which places a requirement on development to design out the opportunity for crime and anti social behaviour. The extent to which these issues should influence the outcome of the application will however depend on identifying the reason for these concerns and whether the applicant has taken the necessary steps to address any opportunity for crime and anti social behaviour.

The primary function of the proposed development is to provide supported temporary accommodation for people experiencing housing difficulties and finding themselves homeless. The project will be part of the Local Authority's single point of access process for the allocation of supported housing in Rhondda Cynon Taf. To qualify to be part of the project potential residents must be homeless, have identifiable support needs and be willing to accept support. Each

person before entering the scheme will have a risk and needs assessment and will work with a support worker in developing an individual support plan, with any agreed plan subsequently implemented. Part of the tenancy agreement will be to engage in some form of vocational activity working through the support plan alongside the on site training. The project will be staffed on a 24/7 – 365 basis and residents are expected to adhere to the conditions of the tenancy agreement. These conditions and additional house rules will relate to the expected standard of behaviour of the residents both within the project and in the wider community.

It is acknowledged that residents' fear of crime and anti social behaviour is an important material consideration in determining this application. Given the additional supporting information provided by the applicants in support of this proposal and the design of the proposal, it is considered that on balance, the applicant has provided sufficient information to demonstrate that the proposal could be operated from the site, without causing an adverse impact on local residents, other groups or the wider area. It is therefore considered that the proposal complies with this element of Policy AW5 of the Rhondda Cynon Taf Local Development Plan and the refusal of the application for reasons relating to residents' fears or the increase in crime and disorder could not be supported.

Ecology

Having been built in the early 1990's the application property is a relatively modern construction and has limited potential in terms of ecological worth. However, keeping in mind that the building has been vacant for a number of years the recommendation of the Council's ecologist to include a note in respect of bats on any consent that might be issued is considered appropriate.

Conclusion

In conclusion, it is considered that the conversion of the existing buildings to provide a 13 No. unit assisted living facility for the homeless constitutes an acceptable alternative use of a building within the settlement boundary of Abercynon and complies with relevant national and local planning policies. It is acknowledged that residents and other parties have expressed a number of concerns regarding the proposed use however, it is considered that the applicant has submitted sufficient information in order to address these concerns and the use of appropriate conditions will prevent the facility having a significantly detrimental impact on the amenities of residents or the character of the area.

OTHER ISSUES

The issues covered in the above section adequately address all considerations that are material to the consideration and determination of this case as a planning application.

Accordingly, it is considered that planning permission should be granted, subject to the conditions set out below:

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 premises shall be used as a supported housing scheme for homeless persons to provide accommodation and support facilities for no more than 13 homeless people and shall not be used for any other purpose.

Reason: To define the extent of the consent hereby granted and to ensure that the development remains compatible with other uses in the locality and to protect the amenities of occupiers of adjoining properties in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

3. Prior to the beneficial occupation of the development hereby approved a management plan for the operation of the facility shall be submitted to the Local Planning Authority. The Plan shall include: -

- a) contact details for the facility duty manager;
- b) details of the general house rules relating to the conduct of residents;
- c) details of any proposed CCTV monitoring.
- d) any arrangements for the establishment of a community forum;
- e) a procedure for local residents to contact the facility manager; and
- f) a protocol for the facility manager to respond to any representations made.

The use of the premises shall be operated in accordance with the submitted management plan, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the development hereby approved would remain compatible with other uses in the locality and to protect the amenities of the occupiers of adjoining properties in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

4. All planting, seeding or turfing in the approved details of landscaping shall

be carried out in the first planting and seeding season following the occupation of the building(s) or completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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.

5. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the use hereby permitted is commenced. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the new development will in keeping with the surrounding area and to protect residential amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

6. Construction works on the development shall not take place other than during the following times:
- i) Monday to Friday 0800 to 1800 hours;
 - ii) Saturday 0800 to 1300 hours;
 - iii) Not at any time on Sundays, Bank or Public holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the noise emitted from this development is not a source of nuisance to occupants of nearby residential properties in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

7. Samples of any materials to be applied to the building in the course of any external alterations shall be submitted to and approved in writing by the Local Planning Authority prior to their use.

Reason: To ensure the retention of the character and external appearance of the existing building in the interests of visual amenity in accordance with policies AW5 & AW6 of the Rhondda Cynon Taf Local Development Plan.

8. Before the development is brought into use the means of access, together

with the parking and turning facilities, shall be laid out in accordance with submitted plan 1539(04)21 and approved in writing by the Local Planning Authority prior to beneficial occupation of the first apartment.

Reason: In the interests of highway safety.

9. Surface water run-off from the proposed development shall not discharge onto the public highway or 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.

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APPLICATION NO:	13/0720/10 (SF)
APPLICANT:	Rhondda Housing Association
DEVELOPMENT:	Part demolition of existing school building, the conversion of the retained building to 10 no. residential apartments together with the construction of 15 no. apartments, 3 no. bungalows and associated works. Amended Plans Received 24.9.13 and 3.10.13 (minor alteration to fenestration in main school building and Block B and C)
LOCATION:	GRAIG Y WION PRIMARY SCHOOL, ALBERT ROAD, GRAIG, PONTYPRIDD, CF37 1LA
DATE REGISTERED:	01/08/2013
ELECTORAL DIVISION:	Graig

RECOMMENDATION: Approve

REASONS:

The proposed development involving the conversion of an existing school building and the provision of additional affordable residential units will ensure the upgrade and retention of an important local building that is prominent in the locality. The proposed scheme will preserve the character of the Conservation Area and not have an adverse impact on residential amenity, highway safety or protected species inhabiting the site.

APPLICATION DETAILS

This is a full application for the redevelopment of the site to provide 28 residential units which will be managed as affordable housing through Rhondda Housing Association. Members may recall that a previous scheme for the conversion of the former school building into 21 apartments and a new residential block containing 8 apartments, was previously approved in 2010 (09/0027).

The current scheme consists of the following elements:

- Conversion of the main school building into 9 one-bedroom apartments and 1 two-bedroom apartment including 1 disabled ground floor unit;
- Demolition and removal of all of the single storey additions at the rear of the school, one 2 storey section of the main building and a single storey brick structure within the existing car park at the rear.
- Block B - a new 3-storey block to the west (rear) of the main school building containing 7 one-bedroom apartments and 2 two-bedroom apartments including 3 disabled ground floor units (dimensions approximately 17m in width by 19m in length by 12m in height);
- Block C - a new 3-storey block to the south-west (rear) of the main school building, immediately adjacent to Albert Road containing 6 one-bedroom apartments (dimensions approximately 18m in width by 12m in length by 8m in height);
- 3no. single-storey, two-bedroom bungalows, to the north-west of the school on the lower playground which are designed for disabled people. (dimensions approximately 10m in width by 8m in length by 5m in height);
- Parking for 29 vehicles including 4 disabled spaces;
- Provision of bin and bicycle stores;
- Hard and soft landscaping including, new boundary treatments.

The front of the main school building fronting onto Court House Street (north-east elevation) would remain largely unaltered. It is proposed that the external fabric of the building will be refurbished and where parts of the building are to be removed, this would be replaced with stone from the demolished extensions. The existing slate roof is proposed to be replaced with an imitation slate and the existing uPVC windows, replaced with a similar material.

Significant changes are proposed for the rear elevation with the removal of all of the single storey extensions and one section of the main school building and their replacement with 2 new residential blocks and 3 single storey units, as detailed above. The 2 new residential blocks to the rear of the main school building are of a modern contemporary appearance and are of a similar height, with pitched roof design, as the existing school building. The 3 single storey units on the land adjacent to number 7 Grongauer Terrace, which would be suitable for disabled people are also of a modern pitched roof design. It is proposed that the new build elements of the proposal will be finished in grey and blue engineering brick with stone plinths imitation slate and uPVC windows, to match the existing school.

The application proposes to widen the existing vehicular access off Albert Road and to provide 29 parking spaces including, 4 spaces for disabled persons with an access ramp down to the 3 bungalows and bicycle and refuse stores. The remaining parts of the site, which are currently under tarmac are proposed to be landscaped to provide amenity areas for the residents.

Since the application was originally received, further discussions have taken place, primarily regarding the internal arrangement of accommodation and associated fenestration for Blocks B and C, in order to ensure that overlooking of surrounding neighbouring properties is kept to a minimum.

The application is accompanied by the following:

- Design and Access Statement;
- Heritage Statement;
- Ecology Assessment & Survey for Bats.

SITE APPRAISAL

The site comprises an irregular area of approximately 0.4 hectares and is located within the settlement boundary and within the Pontypridd Town Centre Conservation Area. The surrounding area contains a mixture of uses with residential properties along Court House Street to the north-east, Grongaer Terrace to the north and Grover Street to the south-west. There are a number of commercial properties along Court House Street including the former Registry Office opposite the main building, the Dewi Sant Hospital and car park to the south and the County Court, further to the north.

The main building is a typical example of a large Victorian building that was formerly used to accommodate the Graig Y Wion Primary School. The building is constructed from pennant stone with red, buff and grey facing brick detailing and has a natural slate roof. The main two storey parts of the building front onto Court House Street and Albert Road, the boundaries of which are defined by a stone wall. Later single storey additions have been added at the rear including, some flat roof 1970's extensions.

The outside of the property is dominated by a large tarmac area, previously used as a playground and for car park facilities associated with the former school. This area extends from the existing access off Albert Road around the western side of the building, where the land steps down to provide a lower playground, which lies outside of the Conservation Area. From the main building, the land slopes slightly towards Court House Street to the north-east. Along the south-west boundary adjacent to the access track serving dwellings in Grover Street and also the north-west boundary, there are severe changes in level where the land falls to the west. As a result, these boundaries are defined by high retaining walls which rise to approximately 3 metres at the most western corner of the site.

These boundaries are currently defined by 1 metre high metal railings with further metal mesh fencing set inside, which exceeds 2 metres in height.

Vehicular access is obtained directly from Albert Road and there is also a separate pedestrian access from Albert Road into the playground at the front of the building. There are parking restrictions on both Court House Street and Albert Road.

During the 4 years since consent was previously granted for its refurbishment (2010), the condition of the main school building has further deteriorated. Most of the ground floor windows have been boarded up to prevent vandalism and the building has also been targeted by people seeking overnight refuge. Parts of the inside of the building have also been affected by damp penetration and fire damage and concerns have been expressed by the applicant regarding its further deterioration, if the site is not redeveloped in the near future.

PLANNING HISTORY

The building is understood to have been constructed in the late 19th century and was used as the former Graig Y Wion Primary School.

09/0027	Conversion of former school building into 21no. apartments / maisonettes, plus construction of new residential block in former playground containing 8 apartments, creating a total of 29no. apartments, with associated parking, and amenity space (amended plans received 16/6/2009).	Granted	07/01/10
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PUBLICITY

This has included site and press notices and the notification of residential and other properties surrounding the site.

At the time of writing, no comments had been received and any comments submitted in respect of the amended plans, will be reported orally at the meeting.

CONSULTATION

Transportation Section - has raised no objections subject to conditions relating to means of access and turning, the widened vehicular crossover, the provision of 29 car parking spaces and traffic and site management.

It is advised that the proposed development would require a maximum of 62 spaces including 6 spaces for visitors however, in view of the fact that the

development is for social housing and the site is within walking distance of local amenities and public transport, the shortfall in parking is considered acceptable.

Public Health and Protection – has requested that issues relating to demolition, hours of operation, noise, dust and waste disposal are taken into consideration.

Dwr Cymru Welsh Water - has raised no objections and has requested standard conditions in respect of foul and surface water drainage.

Wales and West Utilities - has raised no objection, but has identified the presence of their infrastructure in the vicinity of the application site and recommended safe working procedures.

South Wales Fire and Rescue Service - has raised no objection and has requested that the developer gives early consideration to the need to provide adequate water supplies on the site for fire fighting purposes and access for emergency fire fighting appliances.

Glamorgan Gwent Archaeological Trust - has raised no objection to the application. It is advised that the school is first shown in the second edition OS map of 1900 and dates from the latter part of the 19th century. Although prominent in the local street scene, it does not benefit from any statutory protection (i.e. listing) and it is unlikely that any significant archaeological remains would be adversely affected by the work.

Countryside, Landscape and Ecology - has advised that given the presence of bats roosts that were previously identified and the need for a European Protected Species licence, the comments of NRW are required and any recommended conditions applied.

Natural Resources Wales - has raised no objection to the proposal, provided appropriately worded conditions requiring the implementation of bat mitigation measures are attached to any permission. It is also advised that the applicant seeks a European Protected Species licence from NRW, before any works on site commence that may have an impact on bats.

Land Reclamation and Engineering - has raised no objection and has recommended conditions be imposed on any approval relating to drainage details and the control of surface water discharge.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The site is within the settlement boundary and is located within the Pontypridd Town Centre Conservation Area.

Policy CS2 - sets out criteria for achieving sustainable growth including, promoting residential development with a sense of place, which respects the character of the Principal Towns.

Policy CS4 - provision will be made for the supply of new housing in accordance with Policy AW1.

Policy CS5 - a contribution to community housing, by providing 1770 affordable units, will be required over the plan period.

Policy AW1 - the provision of new dwellings during the plan period will include the provision of affordable housing and the conversion of suitable structures to provide housing.

Policy AW2 - advises that development proposals on non-allocated sites will only be supported in sustainable locations.

Policy AW4 - planning obligations may be sought to make the proposal acceptable in land use planning terms.

Policy AW5 - sets out criteria for new development in relation to amenity and accessibility.

Policy AW6 - requires development to involve a high quality design and to make a positive contribution to place making, including development which reflects and enhances the cultural heritage of the County Borough.

Policy AW7 - proposals which impact on sites of architectural and / or historic merit must demonstrate that the proposal would preserve or enhance the character and appearance of the site.

Policy AW8 - development proposals that may affect protected and priority species will be required to demonstrate what measures are proposed for the protection and management of the species and the mitigation and compensation of potential impacts.

Policy AW10 - development proposals must overcome any harm to public health, the environment or local amenity as a result of contamination or land stability.

Policy SSA1 – proposals for residential development should respect the culture and heritage of Pontypridd, be of a high standard of design and integrate positively with the existing built form.

SPG - The Historic Built Environment

SPG - Planning Obligations

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 Chapter 2 (Development Plans), Chapter 3 (Making and Enforcing Planning Decisions), Chapter 6 (Conserving the Historic Environment)

and Chapter 9 (Housing), set out the Welsh Government's policy on planning issues relevant to the determination of the application.

Other relevant policy guidance consulted:

PPW Technical Advice Note 5: Nature Conservation and Planning;
PPW Technical Advice Note 12: Design;

Welsh Office Circular 61/96 - Planning and the Historic Environment: Historic Buildings and Conservation Areas

This sets out advice on legislation and procedures relating to historic buildings and conservation areas and advises:

Paragraph 19. - conservation area designation provides the basis for policies designed to preserve or enhance all aspects of character or appearance that define an area's special interest.

Paragraph 33. - the general presumption should be in favour of retaining buildings which make a positive contribution to the character or appearance of a conservation area. Proposals to demolish such buildings should be assessed against the same broad criteria as proposals to demolish listed buildings.

Paragraph 92. - in relation to the total or substantial demolition of listed buildings, authorities should take a number of considerations into account including, the condition of the building and the cost of repairs, the adequacy of efforts made to retain the building in use and the merits of alternative proposals for the site including, whether it is feasible to incorporate the building within the new development.

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.

Principle of the proposed development

The site is unallocated but is located within the defined settlement boundary, where the provision of new housing, either in the form of new residential development or through the conversion of existing buildings, is acceptable in principle.

One important change which needs to be taken into account since the determination of the previous application, is the fact that the site now lies within the Pontypridd Town Centre Conservation Area, the boundary of which was extended in 2011. Provision for the demolition of buildings in conservation areas is acceptable in principle under national policy, subject to a number of criteria being fulfilled.

Under the previous scheme, it was proposed only to demolish the later flat roofed additions to the rear of the main school building and these additions were of a temporary construction, were not visible from Court House Street and did little to enhance the appearance of the building. In this case, the proposed demolition includes all of the remaining single storey additions to the rear, as well as one part of the original school building on the least visible north-west corner of the building

The Heritage Statement submitted in support of the application acknowledges that whilst the school is not a listed building, it clearly makes some contribution to the character of the Conservation Area. The statement notes that the building has undergone several extensions since its initial construction, particularly to the rear however, it is the front of the building facing Court House Street which is of most significance to the character of the Conservation Area and this will remain unchanged as this part of the building is largely unaltered.

Justification is put forward for the removal of the rear additions to the building in order to allow for a more efficient use of the land to compensate for the poor viability of the retained school building. Further justification has also been submitted in relation to the demolition of the two storey annexe at the north-west corner of the school building, which already represents a difficult conversion due to its layout and ceiling heights. The retention of this section is not considered appropriate by the applicant, as it could not be put to any suitable use and it would also sterilise this area of the site.

Whilst various alternatives to the proposed demolition have been discussed with the applicant, officers acknowledge that the position of the school building, together with the location of existing residential properties surrounding the site, place restrictions on what can be achieved in terms of new development. It is considered that a level of demolition is required however, the demolition proposal is restricted to parts of the main school building which are less important to the character of the Conservation Area. It is accepted that the redevelopment of the area to the rear of the school is required to make the refurbishment of the school viable and as this will preserve and enhance the Conservation Area, it is considered, on balance, that the principle of the proposed partial demolition is acceptable.

Impact on the character of the Conservation Area

In relation to the current proposal, the new blocks to the rear of the school have been positioned to create a courtyard with the retained school building and materials from the demolished parts of the building will be used for repairing the main school building.

The existing former school building is located adjacent to an established residential area and although the area is characterised by mainly semi-detached and terraced properties, it is not considered that this development, which will provide 28 additional affordable units, will have a detrimental impact on the character of the Conservation Area. In reaching this conclusion, consideration has been given to the previous use of the site and buildings as a school, which falls within use class D1 (non residential institutions).

The proposed conversion and new development to provide 28 units is also considered to be no more harmful to the character of the area in terms of the amount of activity generated from the site, than if the site were to continue to be used for another non residential institutional use such as the provision of a medical or health service, a crèche or day nursery, museum, public hall or place of worship or other educational use. It considered very unlikely however, that this building would revert back to such a use and therefore, its conversion to a residential use is the most acceptable alternative use.

The current scheme proposes a total of 28 one and two-bedroom apartments which are designed for single people or smaller family units, with 7 overall being suitable for disabled residents. In respect of the proposed conversion of the school building, all of the 10 units are contained entirely within the existing building and minimal alterations have been proposed to ensure that the existing appearance of the building is preserved. The units will be served by existing entrances on the north-east (front) and north-west (side) elevations and a new entrance will be created on the south-west (rear) elevation. Information submitted as part of the application suggests the proposed replacement of the existing slate roof and uPVC windows and the applicant has been requested to consider the reinstatement of timber windows in the main school building in order to enhance its current appearance within the Conservation Area. This detail can however be controlled through condition.

The two new build elements of the scheme to the rear of the main school building have been designed in order to provide a central area within the site which can be accessed by residents, whilst protecting the amenities of existing residential properties surrounding the site. The scale and modern appearance of these buildings is considered acceptable and the use of appropriate materials including stone plinths and artificial slate will integrate these buildings with the main school. The 3 bungalows located on the lower playground area are of a simple pitched roof design and will be the least visible part of the development when viewed from outside the site. It is therefore considered that the appearance of the site will

be preserved in compliance with Policies AW5, AW6 and AW7 of the Local Development Plan.

Residential amenities

The main school building is set back some distance from Court House Street and the nearest residential properties are those in Grongaer Terrace and Court House Street. These dwellings front onto the main building but are separated by an existing stone boundary wall that is proposed to be retained. No additional windows are proposed on either the front (north-east) or side (north-west) elevations of the existing school building and it is not therefore considered that these properties will suffer any loss of privacy. In relation to the new accommodation provided to the rear of the school building, a number of different arrangements have been discussed with the applicant in consultation with the Council's Urban Design Officer, both prior to and following the submission of the application in order to reduce the visual impact of the development and in particular, to minimise the level of fenestration on the north-west and south-west elevations.

In relation to the impact of Block B and Block C at the rear of the school, these are shown located at least 14 metres from the rear boundary and it is not considered that properties in Grover Street will be adversely affected in term of overbearing impact or overlooking. Recent amendments to the scheme involving the rearrangement of certain units of accommodation and alterations to fenestration on outward facing elevations have now overcome previous concerns regarding potential overlooking of properties in Grover Street. The single storey units located on the lower playground area are shown at 5 metres in height and are considered unlikely to have an adverse visual impact or result in any overlooking issues for residents in Grover Street or the property located along the north-west boundary – Ty Cae Adar. The retention of the existing stone boundary walls around the site and the introduction of appropriate boundary treatments and landscaping around the existing school building will also reduce the potential for any overlooking and enhance the appearance of the new development from outside of the site.

In relation to the potential effect that the demolition and construction works could have on local residents, it is considered that any concerns regarding the generation of dust and air pollution are already dealt with under Public Health legislation.

Whilst the previous application (09/0027) generated a number of objections, primarily in relation to the two storey apartment block that was proposed to be located in the lower playground area, no objections have been received from local residents in relation to the current scheme. It therefore considered that the amended scheme is acceptable in respect of the residential amenities of local residents and in compliance with Policy AW5 of the Local Development Plan.

Highway Issues

With regard to the impact of the development on highway issues, the existing access off Albert Road will be utilised and widened and it is not considered that this would lead to any additional safety issues, given the activity associated with the previous educational use of the building. The current application proposes to extend the existing parking facilities which are to the rear of the building, around the front of the main building in order to provide parking that is easily accessible to each of the units. A total of 29 spaces are proposed including, 4 spaces for disabled persons, plus bicycle parking facilities. Although the Transportation Section has identified a shortfall of spaces, it is considered that, given the previous use of the site, the variety of car generating uses to which the building could be put and the proximity of the site to the town centre and public transport facilities, this shortfall in parking is acceptable. This view is supported by the Transportation Section, which has raised no objection to the application.

OTHER ISSUES

Ecology

At the time the previous application was considered in 2009, the main school buildings were being used as a daytime roost for common pipistrelle bats and further ecological assessment has therefore been undertaken in order to determine the impact of the current development, particularly in respect of bats and breeding birds. This has confirmed that the pattern of bat roosting within the main school building has not changed significantly, although this is now being undertaken by both common pipistrelle and soprano pipistrelle bats. It is therefore suggested that the mitigation measures accepted in relation to the previous consent (09/0027) are also implemented in relation to the current scheme. It has also been identified that the buildings continue to be used as nesting habitats by various bird species, however this could be appropriately mitigated through the provision of a number of nest boxes suitable for swift, house martin, swallow and house sparrow, within the scheme.

In relation to the updated bat information submitted, Natural Resources Wales has confirmed that it supports an appropriately worded condition requiring the implementation of bat mitigation measures as proposed, is attached to any permission and this is supported by the Council's Ecologist. It is also advised that the applicant seeks a European Protected Species licence from NRW, before any works on site commence.

In relation to the potential loss of other wildlife habitats, the Council's Ecologist previously recommended other appropriately worded conditions in order to ensure that other priority species were protected and these are also recommended below.

Ground conditions

At the time the previous application was determined, residents in Grongaer Terrace raised stability issues regarding the boundary wall and following examination by the Council's Structural Engineer, it was suggested that a ground investigation report be required. It is therefore considered appropriate to apply such a condition to any further consent granted.

Section 106 Contributions/Planning Obligations

Section 106 of the Town and Country Planning Act (as amended) enables local planning authorities and developers to agree to planning obligations to require operations or activities to be carried out on land (in-kind obligations) or require payments to be made (financial contributions), to mitigate any unacceptable impacts of development proposals.

The Community Infrastructure Levy (CIL) Regulations 2010, with effect from 6 April 2010, state that a planning obligation (under S.106) may only legally constitute a reason for granting planning permission if it is:

1. necessary to make the development acceptable in planning terms;
2. directly related to the development; and,
3. fairly and reasonably related in scale and kind to the development.

Planning Policy Wales (Chapter 3) advises that contributions from developers may be used to offset negative consequences of development, to help meet local needs, or to secure benefits which will make development more sustainable. Further guidance regarding what types of obligations developers may be expected to contribute towards is also contained within Policy AW4 of the Local Development Plan and the Council's SPG on Planning Obligations, however it is made clear that this is intended to form the basis of negotiations between all parties.

At the time the previous application was considered (09/0027), various contributions were put forward by consultees however, the applicant was unable to meet these requests due to the viability of the scheme. The application was recommended for approval however, as it was concluded that the lack of contributions would not provide sufficient justification to refuse the application and it would be more beneficial to see the existing building refurbished, rather than its demolition and replacement.

In relation to the current application, Development Plan policy confirms that planning obligations will not be sought in cases where affordable housing is being applied for however, it is considered appropriate to ensure that the site is

developed for affordable housing and this can be sought through an appropriate legal agreement.

Other contributions

When the previous application was considered, a request was made by the local Member for a contribution towards the provision of play equipment in the vicinity of the site and this was dealt with as an ex gratia payment secured through a unilateral agreement. A similar request has been made in relation to this application and the applicant has agreed to pay a sum of £2k for the same purpose.

Conclusion

Having regard to the above, it is considered that the proposal complies with the relevant policies of the Local Development Plan and national planning policies in respect of new residential development, sites of architectural or historic merit, residential amenity, highway safety and protected species. It is therefore recommended for approval, subject to the applicant entering into a legal agreement which secures the following:

- The applicant's agreement to ensure that the development is utilised for affordable housing only.

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 amended/revised plans 1414_1-4 Rev A, 1414_1-5 Rev A, 1414_1-8, 1414_1-9, 1414_1-12, 1414_1-13, 1414_1-16 Rev A and 1414_1-17 Rev B received on 17th September 2013; and 1414_1-1 Rev J, 1414_1-14 Rev A and 1414_1-15 Rev A received on 24th September 2013.

Reason: To ensure compliance with the approved plans and clearly define the scope of the permission.

3. Prior to the commencement of development, a detailed site investigations report which shall include a structural appraisal of the existing stone wall running along the northern boundary of the site between the existing

playground and Grongaer Terrace shall be submitted to and approved in writing by the Local Planning Authority. The report should be sufficiently detailed to establish if any ground precautions are necessary in relation to the proposed development and the precautions that should be adopted in the design and construction of the proposed development in order to minimise any damage which might arise as a result of ground condition. The development, hereby permitted, shall be carried out in accordance with the approved site investigations report.

Reason: The site may be unstable and as such a stability report is required in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) no gates, fences, walls, other means of enclosure, satellite antennae or structures of any kind (other than any hereby permitted) shall be erected or constructed on this site without the prior express permission of the Local Planning Authority.

Reason: To preserve and enhance the visual amenities of the locality in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) no windows or roof lights (other than any hereby permitted) shall be installed without the prior express permission of the Local Planning Authority.

Reason: To safeguard the privacy of residents in the locality in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order) no external lighting equipment shall be erected or installed without the prior express permission of the Local Planning Authority.

Reason: To prevent light pollution and to protect the amenities of neighbouring residential properties in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

7. No development shall take place until there has been submitted to and approved by the Local Planning Authority a comprehensive scheme of landscaping, which shall include indications of all existing trees (including

spread and species) and hedgerows on the land and details of any to be retained together with measures for their protection during the course of development.

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.

8. All planting, seeding or turfing in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building(s) or completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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.

9. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the buildings are occupied. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the new development will in keeping with the surrounding area and to protect residential amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

10. Building operations shall not be commenced until samples of the materials proposed to be used have been submitted to and approved in writing by the Local Planning Authority and all materials used shall conform to the sample(s) so approved.

Reason: To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings in the interests of visual amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

11. Notwithstanding the details shown on the submitted plans and prior to the commencement of development, details of the proposed design and materials for the entrance doors and windows shall be submitted to and

approved by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the proposed works will be in keeping with the character of the existing building and area in accordance with Policy AW7 of the Rhondda Cynon Taf Local Development Plan.

12. Construction works on the development shall not take place other than during the following times:

- i) Monday to Friday 0800 to 1800 hours;
- ii) Saturday 0800 to 1300 hours;
- iii) Not at any time on Sundays, Bank or Public holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the noise emitted from this development is not a source of nuisance to occupants of nearby residential properties in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

13. No development shall take place until a Bat Protection Plan, which is in compliance with details contained in the reports titled 'Graig-y-Wion Primary School, Pontypridd: Ecological Assessment and Survey for Bats' (July 2013. David Clements Ecology Ltd) has been submitted and approved in writing by the Local Planning Authority. The plan shall include:

- a) An appropriate scale plan showing Zones where construction activities are restricted or special working procedures are required, and where protective measures will be installed or implemented;
- b) Details of protective measures (both physical measures and sensitive working practices including a bat sensitive site clearance and demolition methodology) to avoid impacts during construction;
- c) A timetable to show phasing of construction activities to avoid particularly sensitive periods of the year when bats could be harmed.
- d) Details of bat mitigation provisions, including alternative roosting sites.
- e) Persons responsible for:
 - i) Compliance with legal consents relating to nature conservation;
 - ii) Compliance with planning conditions relating to nature conservation;
 - iii) Installation of physical protection measures during construction;
 - iv) Implementation of sensitive working practices during construction;
 - v) Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction;
 - vi) Provision of training and information about the importance of the Bat Protection Plan to all construction personnel on site.

All construction activities shall be implemented with the approved details and timing of the plan unless otherwise approved in writing by the local planning authority.

Reason: To afford protection to animal species in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

14. No development shall take place until a Wildlife Protection Plan for Construction has been submitted to and approved in writing by the local planning authority. The plan shall include:

- a. An appropriate scale plan showing 'Wildlife Protection Zones' where construction activities are restricted and where protective measures will be installed or implemented;
- b. Details of protective measures (both physical measures and sensitive working practices) to avoid impacts during construction;
- c. A timetable to show phasing of construction activities to avoid periods of the year when sensitive wildlife could be harmed (such as nesting bird season).
- d. Persons responsible for:
 - i) Compliance with legal consents relating to nature conservation;
 - ii) Compliance with planning conditions relating to nature conservation;
 - iii) Installation of physical protection measures during construction;
 - iv) Implementation of sensitive working practices during construction;
 - v) Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction;
 - vi) Provision of training and information about the importance of the 'Wildlife Protection Zones' to all construction personnel on site.

All construction activities shall be implemented with the approved details and timing of the plan unless otherwise approved in writing by the local planning authority'.

Reason: To afford protection to animal and plant species in accordance with Policies AW5 and AW8 of the Rhondda Cynon Taf Local Development Plan.

15. No development shall take place until details of swift and house martin nest provision and mitigation has been submitted to and approved in writing by the Local Planning Authority. The plan shall include:

- a) Confirmation of the retention of existing eaves used by house martins within the retained school buildings currently, and details of the provision of appropriate roof space access for swifts within the retained school building;
- b) Details of eaves within the new buildings to accommodate house

martin nests;

c) Details of the provision of 10 number swift bricks within the new buildings.

The approved scheme shall be implemented prior to the occupation of the development and retained thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To afford protection to animal species in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

16. No development shall take place until drainage arrangements have been submitted to and approved in writing by the Local Planning Authority and no residential unit shall be occupied until the drainage works have been completed in accordance with the approved details.

Reason: To ensure adequate disposal of foul and surface water drainage in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

17. Development shall not begin until details providing for the creating of a widened vehicular footway crossover have been submitted to and approved in writing by the Local Planning Authority. The crossover shall be widened in accordance with the approved details prior to beneficial occupation of any dwelling.

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

18. Before any residential unit hereby approved is beneficially occupied, the means of access including the turning area, shall be laid out in accordance with the submitted plan drawing no. 1414_1-1 Rev. J and surfaced and drained in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to any development commencing on site. Thereafter the access and turning shall not be used for any purposes other than providing access and turning of vehicles.

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

19. Before any residential unit hereby approved is beneficially occupied, 29 no. car parking spaces, shall be laid out in accordance with the submitted plan drawing no. 1414_1-1 Rev. J and surfaced and drained in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to any development commencing on site. Thereafter these spaces shall not be used for any purpose other than the parking of vehicles ancillary and incidental to the dwellings hereby approved.

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.

20. Prior to the commencement of development, details of traffic management and wheel washing facilities shall be provided on site in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and maintained throughout the construction period unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that mud and debris are not deposited from the construction site onto the public highway, in the interests of highway safety and in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

21. Before leaving the site, all lorries shall be suitably sheeted.

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

22. Notwithstanding the details submitted with the application, the proposed bicycle storage facility and bin storage facility shall be constructed prior to the beneficial occupation of the development, in accordance with details which shall first be submitted to and approved by the Local Planning Authority. Thereafter these facilities shall not be used for any purpose other than the storing of cycles and rubbish, ancillary and incidental to the residential units hereby approved.

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

23. Each dwelling hereby permitted shall be constructed to achieve a minimum Code for Sustainable Homes Level 3 and achieve a minimum of 1 credit under category 'Ene1- Dwelling Emission Rate' in accordance with the requirements of Version 3 of the Code for Sustainable Homes. The development shall be carried out entirely in accordance with the approved assessment and certification.

Reason: To ensure the development constructed is in accordance with policy guidance in relation to providing sustainable buildings, outlined in paragraph 4.12.4 of Planning Policy Wales (5th Edition) November 2012.

24. Unless otherwise agreed in writing by the Local Planning Authority, construction of any dwelling hereby permitted shall not begin until an 'Interim Certificate' has been submitted to and approved in writing by the Local Planning Authority, certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credit under 'Ene1 - Dwelling Emission Rate', has been achieved for that individual dwelling or house type in accordance with the requirements of Version 3 of the Code for Sustainable Homes.

Reason: To ensure the development constructed is in accordance with policy guidance in relation to providing sustainable buildings, outlined in paragraph 4.12.4 of Planning Policy Wales (5th Edition) November 2012.

25. Prior to the occupation of each individual dwelling hereby permitted, a Code for Sustainable Homes 'Final Certificate' shall be submitted to and approved in writing by the Local Planning Authority, certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credit under 'Ene1 - Dwelling Emission Rate', has been achieved for that dwelling in accordance with the requirements of the Version 3 of the Code for Sustainable Homes.

Reason: To ensure the development constructed is in accordance with policy guidance in relation to providing sustainable buildings, outlined in paragraph 4.12.4 of Planning Policy Wales (5th Edition) November 2012.

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APPLICATION NO: 13/0758/10 (MJ)
APPLICANT: Mrs J Mayo
DEVELOPMENT: Residential development, construction of 3 no. 3 bedroom linked housing units (Amended Plans Received)
LOCATION: LAND ADJACENT TO 15 GROVER STREET, GRAIG, PONTYPRIDD, CF37 1LD
DATE REGISTERED: 25/07/2013
ELECTORAL DIVISION: Graig

RECOMMENDATION: Approve.

REASONS:

The proposal is in keeping with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan and National Policy in that it is

acceptable in terms of scale, layout, design and its impact on residential amenity and highway safety.

APPLICATION DETAILS

Full planning permission is sought for the erection of a link of three, two storey houses on land adjacent to 15 Grover Street. The garages on site are to be demolished.

The land slopes gradually upwards from Grover Street up to the rear of the properties of Kirkhouse Street and the proposal involves a reduction in the levels on the site which will result in a terraced rear garden for the properties.

The properties will measure 15.3m in width across their frontage by 9.4m in depth, at a height of 8m to the ridge. Each property will have a 1.5m two storey projection to the rear. Materials proposed include painted smooth render to the rear and side elevations, natural stone to the front elevation and a composite slate roof tile.

Six parking spaces are proposed within the development site which will be to the side and front of the proposed dwellings on street. The access to the front of the dwellings will be upgraded and tarmaced. The boundary treatment proposed to surround the rear gardens of the properties will be 1.8m high close board fencing.

SITE APPRAISAL

The application site is approximately 686sq.m. in area and lies at the northwestern end of Grover Street, adjacent to number 15. The site is currently occupied by a block of garages, which are in a poor state of repair. Adjoining the northwest of the site the land slopes away down to meet Sardis Road public car park, and there is a footpath, which connects Kirkhouse Street with the Sardis Road car park. An access path serving the rear of terraced properties in Grover Street and Kirkhouse Street runs adjacent to the eastern boundary of the site between the application site and 15 Grover Street. Adjacent to the southwest boundary of the site is a 2m high rear boundary wall of a residential property known as Ger-Y Nant.

The adjacent residential properties mainly consist of traditional terraced properties of a mixed external finish of render and stone, with a scattering of new larger properties in brick and render along Kirkhouse Street.

PLANNING HISTORY

Previous relevant planning applications that have been made on this site are as follows:

08/1292	Land North/West Limit, Grover Street, Graig, Pontypridd.	Renewal of consent 05/1561/15 - Erection of a two storey block of residential flats.	Conditions 13/10/08
05/1567	Land North/West Limit Grover Street, Graig, Pontypridd.	Renewal of consent 02/1027/15. - Erection of a two storey block of residential flats.	Conditions 28/10/05
02/1027	Land North/West Limit Grover Street, Graig, Pontypridd.	Renewal of consent 99/2420/15 - erection of a two storey block of residential flats	Conditions 09/09/02
99/2420	Land North/West Limit Grover Street, Graig, Pontypridd	Renewal of consent 95/0786 - Erection of a two storey block of residential flats.	Conditions 27/07/99
95/0786	Land North/West Limit Grover St, Graig Pontypridd	Erection of a 2 storey block of residential flats (renewal of outline permission ref: 56/92/0925).	Conditions 31/05/96
92/0925	Land North/West Limit Grover St, Graig, Pontypridd	Erection of a 2 storey block of residential flats (renewal of outline permission ref: 89/1062)	Conditions 02/02/93
89/1062	Land to North West limit of Grover Street, Graig, Pontypridd	Residential flats (2 storey)	Conditions 10/01/90
89/0788	Site of existing garages at N. western limit of Grover Street, Graig, Pontypridd	Erection of block of flats (3 storey)	Refused 23/10/89

PUBLICITY

The application has been advertised by direct neighbour notification letters and site notices. Eight letters in relation to the proposal have been received which are summarised as follows:

- Concerns regarding the proposal to utilise the area of land in front of the garages as part of the application site which is not within the applicant's ownership. The land is used by existing residents in the street for parking and the proposal will exacerbate parking problems in the street by taking away some on-street parking.
- Concerns that the turning area as shown on the plan will not always be available to the residents as historically it has been blocked by cars, wheelie bins and rubbish.
- Concerns regarding the impact of the development on the right of way leading from Grover Street to Sardis Road car park.
- Concerns that the proposal will block access to the village green.
- Concerns have been raised that the proposed development will have a detrimental impact on the privacy of surrounding properties.
- Objections have been raised relating to the proposed design of the dwellings as they would be out of character with the other properties in the street and do not compliment them.
- Concerns have been raised that the proposed parking spaces will obstruct a fire hydrant.
- Objections have been raised to the fact that the applicant has included land outside their ownership within the site boundary – (The applicant has served the correct notice in the local news paper, and has satisfied the requirements as far as land ownership is concerned.)
- Questions raised about who will be responsible for maintaining the area of road outside the application site as it is not currently maintained by the Council.
- Comments that it is illegal to drive a motor vehicle over a Public Right of Way. – (the link between Grover Street and Sardis Road car park is not a formal adopted Public Right of Way.)

CONSULTATION

Transportation Section – no objections subject to conditions.

Public Health and Protection Section - no objections subject to conditions including hours of working during construction and site investigations being carried out.

Land Reclamation and Engineering Section – no objections subject to conditions.

Countryside, Landscape and Ecology – no objections. No SewBrec records of statutory protected species have been found in the immediate vicinity. The applicant has also provided internal and external photographs of the garages which confirm that the garages have a low potential for significant use by bats. The advisory note should be attached to any consent.

Wales and West Utilities – no objections subject to their standard advice.

Dwr Cymru/Welsh Water – no objections subject to conditions.

POLICY CONTEXT

The principal policies in the consideration of this application are as follows:

Rhondda Cynon Taf Local Development Plan

The application site is identified as within the settlement boundary of Pontypridd and is unallocated.

Policy CS2 – Development in the South.

Policy CS4 – Housing Requirements.

Policy AW1 – states that provision will be made for the development of new dwellings including, the development of unallocated land within the defined residential settlement boundaries.

Policy AW2 – requires new development to be in a sustainable location.

Policy AW5 – specifies criteria for new development. It requires new development to have an acceptable impact on the character and appearance of the site and surrounding area and no significant impact on the amenities of neighbouring occupiers. It also requires development to be of sustainable design with good accessibility.

Policy AW6 – outlines types of development criteria that will be supported, including the following:

- A high standard of design;
- Design appropriate to the local context;
- An integrated mixture of uses appropriate to the scale of the development; and
- An efficient use of land.

National Guidance

Planning Policy Wales

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.

Paragraph 4.8.2 states that any previously developed sites in built-up areas may be considered suitable for development because their re-use will promote sustainability objectives. This includes sites:

- (i) In and around existing settlements where there is vacant or under-used land, commercial property or housing;
- (ii) In suburban areas close to public transport nodes, which might support more intensive use for housing or mixed use.

REASONS FOR REACHING THE RECOMMENDATION

The principle of the proposed development

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.

The site is unallocated and within the settlement boundary of the Graig area of Pontypridd where the principle of residential development is considered acceptable subject to certain criteria. As detailed above, the scheme seeks to provide three, two storey dwellings which will be of a similar scale to the existing terrace along Grover Street. The site is within walking distance of the amenities of the Graig as well as Pontypridd town centre, and in close proximity to transport links to Cardiff and the wider Rhondda Cynon Taf Borough. As a result of its location, the properties will be within easy access of a variety of differing uses, and the area which immediately adjoins the site, is predominantly residential properties.

The key considerations in this case are whether the proposed development will have an acceptable impact on the character and appearance of the surrounding area, the impact of the development on the residential amenities of neighbouring properties and the impact of the proposal on highway safety and also ecology.

Character and Appearance of the Area

In terms of the effect of the proposal on the character and appearance of the area and objections raised relating to this, it is considered that the size of the plot is appropriate to accommodate three dwellings of the size and scale proposed.

It is considered that the proposed development is of a scale and design (including materials) that will ensure that the houses will be in keeping with the character and appearance of the area. It is acknowledged that the use of materials will be different to adjoining properties in that the front elevation will have some modern rendered features around the natural stone frontage, and the use of glazing will give the design a modern feel, however it is not considered that this will be to the detriment of the character of the area. The scale and proportions of the proposed development as well as the siting is considered to respect and reinforce the character and building line set by the existing terrace along Grover Street.

Residential Amenity

With reference to the impact of the proposal on the residential amenity of surrounding properties and objections raised, it is considered that due to the scale of the plot and the position of the proposed dwelling within the plot, at a distance from existing residential properties, the impact will be kept to a minimum.

The proposed building would be located at least 26m from the properties to the north east of the site which ensures that no overlooking or loss of privacy will be experienced from these properties. There will be a distance of 15.7m between the rear of the proposed dwellings and the property to the south west of the site. The property to the rear is set at a higher level than the application site and it is not considered that overlooking between properties will occur. This has also been demonstrated by the cross section submitted in support of the application. No habitable room windows are proposed in the side elevation of the proposed dwelling nearest to number 15 Grover Street and a condition to restrict the window in the side elevation to be obscure glazing is suggested below. It is considered that the proposal is in keeping with the relevant policies of the Rhondda Cynon Taf Local Development Plan in this respect.

With regard to the construction phase of the development and any disturbance this may cause, the Public Health and Protection Section have recommended that construction work be carried out between certain hours only, which will minimise the effects on the amenity of neighbouring residential properties. The appropriate condition is attached below.

The proposal is therefore considered acceptable in terms of its impact on the amenities of neighbouring residential properties adjacent to the site. The

proposal is therefore considered to comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Highway Safety

With regard to the impact of the proposal on highways safety and objections raised relating to highway safety and parking matters, the Council's Transportation Section has raised no objections to the application subject to conditions.

The site is within walking distance of local amenities and public transport facilities (bus and rail) and the proposed parking provision is considered to be to an acceptable level. There is also sufficient space for turning of parked vehicles within the private shared access to enable vehicles to enter and leave the site in forward gear which is considered acceptable.

Having regard to the fact the site has previously been used for 8 garages which would have generated traffic movement, and that a previous application 08/1292 was granted for a two storey block of residential flats on this site, on balance, the proposal is considered acceptable.

With regard to concerns raised by local residents over the use of the land outside the applicant's ownership, it is clear from the layout plans that it is not the applicant's intention to restrict access over the land. The Right Of Way along the north western boundary of the site is maintained and unaffected by the position of the car parking spaces and the link from Sardis Road car park will have a footway running along the access linking with Grover Street which ensures that a safe pedestrian access is maintained at all times.

The proposal is therefore considered to be in keeping with policy AW5 of the Rhondda Cynon Taf Local Development Plan in terms of the impact on highway safety.

Conclusion

The residential proposal is acceptable as a matter of principle as it involves re-development of these disused garages that would contribute to the economic and social growth of Pontypridd. The design, scale and massing of the scheme are acceptable in terms of their consequences for the character and appearance of the locality and access and highway safety, and there are no other material considerations of overriding concern.

OTHER ISSUES

With regard to issues of landownership and the objections raised in respect of this, the applicant has completed Certificate D to state that they are not the sole

landowners and they have also submitted an advertisement in the local newspaper. The information submitted with the proposal is sufficient to determine the application. It is noted that the grant of planning permission is not dependent on land ownership and does not represent confirmation of land ownership.

The Countryside Section has raised no objections to the proposal due to the low potential of the existing garages on the site to be suitable for bat use, subject to an informative note on any approval to ensure that the developer is aware of the procedure should bats be encountered during construction.

With drainage considerations, the relevant drainage bodies including Dwr Cymru/Welsh Water and the Council's Drainage Section have been consulted as part of the application. No objections have been raised by any of these bodies subject to conditions.

The recommendation is therefore that the application be approved subject to the conditions set out below.

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 92 of the Town and Country Planning Act 1990.

2. Construction works on the development shall not take place other than during the following times:
 - i) Monday to Friday 08:00 to 18:00 hours;
 - ii) Saturday 0800 to 13:00 hours;
 - iii) Not at any time on Sundays, Bank or Public holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the noise emitted from this development is not a source of nuisance to occupants of nearby residential properties in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

3. Notwithstanding the submitted details, a 2m wide segregated footway that links the footpath from Sardis Road Car Park to the footway adjacent to No. 16 Grover Street shall be provided in accordance with full engineering design and details to be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site. The approved details shall be carried out to the satisfaction of the Local Planning Authority prior to beneficial occupation of the dwellings.

Reason: In the interests of pedestrian safety.

4. Prior to the beneficial occupation of the dwellings hereby approved, the parking areas shall be constructed in permanent materials and retained thereafter for the purposes of parking only unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that vehicles are parked off the highway, in the interests of road safety.

5. Surface water run-off from the proposed parking areas shall not discharge onto the public highway unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

6. Prior to the commencement of development, details of traffic management and wheel washing facilities shall be provided on site in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and maintained throughout the construction period unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that mud and debris are not deposited from the construction site onto the public highway, in the interests of highway safety.

7. No development shall take place until drainage arrangements have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure adequate disposal of foul and surface water drainage in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

8. No dwelling shall be occupied until the drainage works have been completed in accordance with the approved plans.

Reason: To ensure adequate disposal of foul and surface water drainage in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

9. Each dwelling hereby permitted shall be constructed to achieve a minimum Code for Sustainable Homes Level 3 and achieve a minimum of 1 credit under category 'Ene1- Dwelling Emission Rate' in accordance with the requirements of Version 3 of the Code for Sustainable Homes. The development shall be carried out entirely in accordance with the approved

assessment and certification.

Reason: To ensure the development constructed is in accordance with policy guidance in relation to providing sustainable buildings, outlined in paragraph 4.12.4 of Planning Policy Wales (5th Edition) November 2012.

- 10. Unless otherwise agreed in writing by the Local Planning Authority, construction of any dwelling hereby permitted shall not begin until an 'Interim Certificate' has been submitted to and approved in writing by the Local Planning Authority, certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credit under 'Ene1 - Dwelling Emission Rate', has been achieved for that individual dwelling or house type in accordance with the requirements of Version 3 of the Code for Sustainable Homes.

Reason: To ensure the development constructed is in accordance with policy guidance in relation to providing sustainable buildings, outlined in paragraph 4.12.4 of Planning Policy Wales (5th Edition) November 2012.

- 11. Prior to the occupation of each individual dwelling hereby permitted, a Code for Sustainable Homes 'Final Certificate' shall be submitted to and approved in writing by the Local Planning Authority, certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credit under 'Ene1 - Dwelling Emission Rate', has been achieved for that dwelling in accordance with the requirements of the Version 3 of the Code for Sustainable Homes.

Reason: To ensure the development constructed is in accordance with policy guidance in relation to providing sustainable buildings, outlined in paragraph 4.12.4 of Planning Policy Wales (5th Edition) November 2012.

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APPLICATION NO: 13/0764/10 (MJ)
APPLICANT: Mr B Earing
DEVELOPMENT: Conversion of former public house and residential accommodation to six apartments including rear first floor extension.
LOCATION: THE ANCHOR, 17 CARDIFF ROAD, TAFFS WELL, CARDIFF, CF15 7RB
DATE REGISTERED: 06/08/2013
ELECTORAL DIVISION: Ffynon Taf

RECOMMENDATION: Approve.

REASONS:

The proposal is considered acceptable in principle.

The application is in keeping with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan and National Policy in that it is acceptable in terms of scale, layout, design and its impact on residential amenity and highway safety.

APPLICATION DETAILS

Full planning permission is sought for the conversion and extension of this former public house to six apartments, resulting in a net increase of five residential units.

The proposed extensions will be to the first floor rear elevation of the existing building. The extension along the elevation with Anchor Street will measure 10.9m in length along the full length of the existing restaurant, by 5m in width at a height of 6.4m to the ridge. The extension adjacent to number 21a Cardiff Road will measure 4.2m in length above the existing toilet, by 4.4m in width to match the existing first floor projection at this point, at a height of 6.2m to the ridge. The materials proposed are render and grey roof slates to match the existing.

The development will consist of the provision of two one bedroom flats on the ground floor with pedestrian access from Cardiff Road and four two bedroom flats across the ground, first floor and the roof space.

Ten off-street parking spaces are proposed to the rear of the building within the existing car parking area for the public house.

SITE APPRAISAL

The existing building is located on the junction of Cardiff Road and Anchor Street. The site is located within a mixed use area where there are several commercial properties situated opposite the site and residential properties located to the north, east and south of the site. Vehicular access to the site will be from Anchor Street.

Public transport is available in close proximity of the site with bus and rail services within walking distance.

PLANNING HISTORY

Previous relevant planning applications that have been made on this site are as follows:

97/2462	Replace ventilation stack from the kitchen.	Conditions 12/12/97
85/0902	Alterations and extensions to existing public house	Conditions 19/09/85
84/1415	Car port	Approved 15/01/85

PUBLICITY

The application has been advertised by direct neighbour notification letters and site notices. Four letters of objection in relation to the proposal have been received which are summarised as follows:

- Objections raised in relation to the first floor extension to the rear of the property and the impact this would have on the amenity of adjoining residential properties with particular regard to loss of light and privacy.
- Concerns raised that the proposed development will have insufficient off-street parking facilities to serve the number of apartments.
- Objections to the width of the access into the parking area as it will remove some on-street parking spaces.
- Concerns are raised regarding the potential traffic problems associated with the conversion of the public house.
- Concerns that the proposed development will result in difficulties for emergency service and refuse vehicles to access Anchor Street where there is already a significant problem with parked vehicles.
- Objections that the proposed development will exacerbate existing problems in the street and the wider area with parking and traffic congestion.
- Concern that the rubbish waste from the proposed development will block the street.

CONSULTATION

Transportation Section – no objections subject to conditions.

Public Health and Protection Section - no objections subject to conditions including hours of working during construction.

Countryside, Landscape and Ecology – no objections and no SewBrec records of statutory protected species have been found in the immediate vicinity.

Taff's Well and Nantgarw Community Council – do not object to the principle of development however raise objections on grounds that there are insufficient parking facilities.

POLICY CONTEXT

The principal policies in the consideration of this application are as follows:

Rhondda Cynon Taf Local Development Plan

The application site is identified as within the residential settlement boundary of Taffs Well and is unallocated.

Policy CS2 – Development in the South.

Policy CS4 – Housing Requirements.

Policy AW1 – states that provision will be made for the development of new dwellings including, the development of unallocated land within the defined residential settlement boundaries.

Policy AW2 – requires new development to be in a sustainable location.

Policy AW5 – sets out criteria for new development in relation to amenity and accessibility.

Policy AW6 – outlines types of development criteria that will be supported, including the following:

- A high standard of design;
- Design appropriate to the local context;
- An integrated mixture of uses appropriate to the scale of the development; and
- An efficient use of land.

Planning Policy Wales

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.

Chapter 4 (Planning for Sustainability)
Chapter 8 (Transport)

Chapter 9 (Housing)

REASONS FOR REACHING THE RECOMMENDATION

The principle of the proposed development

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.

The site is unallocated and within the settlement boundary of Taff's Well and the principle of conversion is considered acceptable.

The key considerations in this case are whether the proposed conversion and extension will have an acceptable impact on the character and appearance of the surrounding area, the impact of the development on the residential amenities of neighbouring properties and the impact of the proposal on highway safety.

Character and Appearance of the Area

With regard to the impact of the proposal on the character and appearance of the area, it is considered that the proposed development will be in keeping with the character and appearance of the area.

The principle of converting the vacant public house into residential units is considered to be acceptable and in keeping with the surrounding area where there is a mixture of residential and commercial properties.

The proposed extensions to the rear of the properties will be in keeping with the character of the existing building both in terms of scale and materials proposed. The height of the extensions will be subservient to the main building and the materials proposed will match the existing building.

The proposal is therefore considered to be in keeping with the character and appearance of the surrounding area in accordance with the provisions of policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

Residential Amenity

With regard to the impact of the development on the amenities of neighbouring residential properties and objections raised, it is considered that the impact of the proposal on the amenities of neighbouring properties is acceptable.

It is acknowledged that the proposed first floor extension adjacent to the residential unit 21a Cardiff Road will result in some loss of light to the ground floor high level window in the side elevation of 21a, however it is not considered that this would be to such a degree that would warrant the refusal of the application.

No side windows are proposed in the elevation facing 21a Cardiff Road which will ensure that no overlooking to habitable room windows will be experienced. Whilst there are additional windows proposed in the side elevation of the extension facing Anchor Street, these windows will not directly overlook any habitable room windows of any existing properties in the street.

With regard to the construction phase of the development and any disturbance this may cause, the Public Health and Protection Section have recommended that construction work be carried out between certain hours only, which will minimise the effects on the amenity of neighbouring residential properties. The appropriate condition is attached below.

The proposal is therefore considered acceptable in terms of its impact on the amenities of neighbouring residential properties adjacent to the site. The proposal is therefore considered to comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Highway Safety

With regard to the impact of the proposal on highways safety and objections raised relating to highway safety and parking matters, the Council's Transportation Section has raised no objections to the application subject to conditions.

The proposal site is located on the main road through the village of Taffs Well (Cardiff Road A4054) which is a bus route, and where there are good transport links with both bus and rail services in close proximity. The site is located within walking distance of the amenities of Taff's Well and in close proximity to transport links to Cardiff and the wider Rhondda Cynon Taf Borough. As a result of its location, the building is within easy access of a variety of differing uses, and the area which immediately adjoins the site, is a mixture of commercial and residential properties.

The submitted layout plan shows 10 on-site parking spaces which is considered to be acceptable and in accordance with the advice contained within the Council's Supplementary Guidance, particularly having regard to the fact that

public transport (bus and rail) is within walking distance of the site together with local amenities and that cycle spaces are to be provided as part of the overall scheme. It is acknowledged that Anchor Street can become congested with vehicles, however it is not considered that the conversion of the public house will exacerbate the situation as there will be sufficient off-street parking provided within the application site to cater for the development.

The Council's Transportation Section has requested a contribution towards improving public transport infrastructure along the bus corridor between Taffs Well and Pontypridd which will be secured through the submission of a Green Travel Plan as required through the conditions recommended below.

OTHER ISSUES

With regard to concerns raised regarding the rubbish waste from the proposed development, the application includes the provision of a bin store which will be fully contained within the application site. This will ensure that the waste from the proposed flats will be well managed and will not obstruct the pavement.

PLANNING OBLIGATIONS

From 6 April 2010 planning obligations should meet all of the following tests in order to comply with the Community Infrastructure Levy legislation:

- (a) necessary to make the development acceptable in planning terms
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

The Council's Housing Section has recommended that the developer makes a contribution of a sum equivalent to 30% of the market value of a 2 bedroom apartment on the site to be secured by a Section 106 agreement. It is considered that this requirement meets all of the above tests and is compliant with the relevant legislation.

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. Construction works on the development shall not take place other than during the following times:

- i) Monday to Friday 0800 to 1800 hours;
- ii) Saturday 0800 to 1300 hours;
- iii) Not at any time on Sundays, Bank or Public holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the noise emitted from this development is not a source of nuisance to occupants of nearby residential properties in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

3. The proposed parking area for 10 spaces shall be laid out as shown on the submitted layout plan, Drawing No. T2127 - PA – 03, and completed in permanent materials to the satisfaction of the Local Planning Authority prior to beneficial occupation and retained for the purposes of parking only unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that vehicles are parked off the highway, in the interests of road safety.

4. Notwithstanding the submitted details, prior to the commencement of the development, a Green Travel Plan shall be submitted to and approved in writing by the Local planning Authority.

All works will be carried out in accordance with the approved details, unless otherwise approved in writing by the Local Planning Authority.

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

5. The external materials of the proposed extension shall match as near as possible the materials of the existing building.

Reason: To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings in the interests of visual amenity in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

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APPLICATION NO: 13/0784/10 (MJ)
APPLICANT: Rhondda Housing Association
DEVELOPMENT: Construction of 7 no. 1 bed and 2 no. 2 bed affordable apartments
LOCATION: LAND AT SEYMOUR STREET, SEYMOUR STREET/WHITCOMBE STREET, ABERDARE, CF44 7BL

DATE REGISTERED: 05/08/2013
ELECTORAL DIVISION: Aberdare East

RECOMMENDATION: Approve.

REASONS:

The proposal is in keeping with policies NSA12, AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan and National Policy in that it is acceptable in terms of scale, layout, design and its impact on residential amenity and highway safety.

The proposal is also considered to contribute positively to the role of Aberdare as a principal town and is of a standard of design that will enhance the character of the area in accordance with the requirements of policy NSA1 of the Rhondda Cynon Taf Local Development Plan.

APPLICATION DETAILS

Full planning permission is sought for the erection of 9 affordable apartments on land at Seymour Street and Whitcombe Street, Aberdare. The site has been vacant for a number of years and was formerly occupied by a memorial hall.

The building will be L-shaped, wrapping around the corner of Seymour Street and Whitcombe Street, and will measure 19.5m across its frontage with Whitcombe Street and 15.55m across its frontage with Seymour Street. The building will be three storeys at a height of 11.65m to the ridge. The proposed apartments will consist of three 1-bedroom units on the ground floor, two 1-bedroom units and one 2-bedroom units on the first floor, and two 1-bedroom units and one 2-bedroom units on the second floor.

Pedestrian access to the apartments will be via a central staircase which will be accessed from the car park to the rear of the development or through an entrance off Whitcombe Street. Vehicular access to the properties will be from Seymour Street to a parking area with 8 off-street car parking spaces. The bike store will accommodate 8 spaces.

The application is accompanied by a Flood Consequences Assessment.

SITE APPRAISAL

The application site is within the settlement limits of Aberdare, and is within the retail centre as well as within the Aberdare Conservation Area.

The application site is the vacant plot of the former Memorial Hall on the corner of Seymour Street and Whitcombe Street, Aberdare. The site is rectangular in shape and is entirely flat. The properties along Seymour Street are mainly residential with a mixture of retail and office uses along Whitcombe Street. The site is bounded to the north and east by Seymour and Whitcombe Street which are characterised by rows of terraced properties.

PLANNING HISTORY

Previous relevant planning applications that have been made on this site are as follows:

04/0730	Construction of 3 no. dwellings.	Approved subject to conditions 17/09/04
04/0678	For use as car and commercial vehicle sales area together with construction of perimeter fence and small office building.	Refused 04/06/04
90/0532	Temporary siting of portacabin for use as doctors surgery	Approved subject to conditions 29/11/90
89/0459	Temporary office accommodation	Approved subject to conditions 31/08/89

PUBLICITY

The application has been advertised by a press notice, direct neighbour notification and site notices. No response has been received.

CONSULTATIONS

Transportation Section – no objections subject to conditions.

Public Health and Protection – no objections subject to conditions.

Natural Resources Wales/Cyfoeth Naturiol Cymru – no objections subject to a condition to ensure that the development is carried out in accordance with the recommendations of the flood consequence assessment.

Countryside, Landscape and Ecology – no objections subject to advisory note regarding development and the potential impact on bats. In addition, no SewBrec records of statutory protected species have been found in the immediate vicinity.

Land Reclamation and Engineering – no objections subject to conditions.

Welsh Water/ Dwr Cymru – no objections subject to conditions.

Glamorgan Gwent Archaeological Trust – no objections as it is unlikely that any significant archaeological remains would be adversely affected by the work proposed.

POLICY CONTEXT

The principal policies in the consideration of this application are as follows:

Rhondda Cynon Taf Local Development Plan

Policy AW1 states how the supply of new housing will be met, including the development of unallocated land in the defined settlement boundary of smaller settlements.

Policy AW2 supports development of non-allocated sites in sustainable locations.

Policy AW5 – New Development - states that development proposals will be supported where in terms of amenity:

- The scale, form and design of the development would have no unacceptable effect on the character and appearance of the site and the surrounding area;
- There would be no significant impact upon the amenities of neighbouring occupiers;

Policy AW6 – outlines types of development criteria that will be supported, including the following:

- A high standard of design;
- Design appropriate to the local context;

Policy NSA1 refers to development in the Principal Town of Aberdare.

Proposals for residential and commercial development within the defined town centre of Aberdare will be permitted where the development:-

- Reinforces the role of Aberdare as a Principal Town;

- Respects the culture and heritage of Aberdare;
- Is of a high standard of design and makes a positive contribution to the townscape in the defined town centre;
- Integrates positively with existing development;
- Promotes accessibility to services by a range of sustainable modes of transport.

Policy NSA12 refers to development within and adjacent to Settlement Boundaries and states that development in the Northern Strategy Area will be permitted within the defined settlement boundaries where it can be demonstrated that:

- The proposed development does not adversely effect the provision of open space;
- The proposed development does not adversely affect the highway network and is accessible to local services by a range of modes of transport, on foot or by cycle;
- The proposed development does not adversely affect the provision of car parking in the surrounding area; and
- Where sites are contaminated or subject to land instability, adequate remediation can be achieved.

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

Chapter 3 (Making and Enforcing Planning Decisions)

Chapter 4 (Sustainability)

Chapter 9 (Housing)

REASONS FOR REACHING THE RECOMMENDATION

The principle of the proposed development

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.

The site is within the settlement boundary of Aberdare town centre and is where the principle of residential development is considered acceptable subject to certain criteria. As detailed above, the scheme seeks to provide nine affordable apartments, three storeys in height. The site is within Aberdare town centre, in close proximity to transport links to Cardiff, Merthyr Tydfil and the wider Rhondda Cynon Taf Borough. As a result of its location, the properties will be within easy access of a variety of differing uses, and the area which immediately adjoins the site, is a mixture of residential and commercial properties.

The key considerations in this case are whether the proposed development will have an acceptable impact on the character and appearance of the surrounding area, with particular regard to the location of the site within the Aberdare Conservation Area, the impact of the development on the residential amenities of neighbouring properties and the impact of the proposal on highway safety.

Character and Appearance of the Area

In terms of the effect of the proposal on the character and appearance of the area, it is considered that the scale of the plot is appropriate to accommodate a building of the scale proposed. It is acknowledged that the surrounding properties predominantly consist of two storey terraced properties, however the corner unit at the junction between Seymour Street and Whitcombe Street is usually three storey and the adjoining properties along Whitcombe Street are larger three storey buildings. The proposal to erect a three storey building is therefore considered acceptable given its context within the street scene.

It is considered that the proposed development is of a scale and design that will ensure that the building will be in keeping with the character and appearance of the area. The use of render to the elevations, cast stone cills and grey roof tiles is considered to be reflective of the character of the conservation area and will help enforce the traditional characteristics of the area.

The proposal is considered to be in keeping with policy AW5 of the Rhondda Cynon Taf Local Development Plan in this respect.

Residential Amenity

With regards to the impact on neighbouring residential amenity, it is considered that the proposed development will have an acceptable impact. Although the proposed building will be three storeys, in close proximity to existing two storey terraced properties, it is considered that the distance between the existing and

proposed buildings is sufficient to ensure that the development will not have a significant overbearing impact on existing dwellings.

Although the windows in the front elevation of the proposed building on both Whitcombe Street and Seymour Street will overlook some of the front windows of existing dwellings along these streets, it is considered that the distances between windows will be reflective of the surrounding terraced streets and it is not considered that overlooking will be to such a detrimental level as to warrant the refusal of the application for this reason.

It is considered that the proposal is in keeping with the relevant policies of the Rhondda Cynon Taf Local Development Plan in this respect.

With regard to the construction phase of the development and any disturbance this may cause, the Public Health and Protection Section have recommended that construction work be carried out between certain hours only, which will minimise the effects on the amenity of neighbouring residential properties. The appropriate condition is attached below.

In terms of the potential effects of the demolition and construction works on dust and air pollution that could have an effect on neighbouring properties, this issue is dealt with under Public Health legislation. An advisory note regarding dust will be attached to any consent granted.

The proposal is therefore considered acceptable in terms of its impact on the amenities of neighbouring residential properties adjoining and adjacent to the site. The proposal is therefore considered to comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Highway Safety

With reference to parking and access issues, the Council's Transportation Section has considered the information submitted with the application and have raised no objections subject to conditions which are recommended below.

The proposal is in Aberdare Town Centre Zone 1 as stated in the Supplementary Planning Guidance: Access, Circulation & Parking, which has a variety of businesses, public car parks and both bus and rail stations a short walking distance from the site. In accordance with the Council's guidance, the proposal requires 1 space per unit giving a maximum off-street car parking requirement of 9 spaces. There is considerable demand for on-street car parking space within Seymour Street which has limited waiting parking restrictions on the development side of the carriageway and residential permit parking only on the opposite carriageway lane.

It is acknowledged that the proposed access off Seymour Street will remove 1 short term off-street car parking space, however, having regard to the fact that there are a number of public car parks and public transport links within easy walking distance, it is not considered that this loss would be so detrimental to warrant the refusal of the application. The developer will be required to amend the white line detail for the parking bays in order to maintain the new access and a condition has been suggested accordingly.

Eight off-street parking spaces are proposed for the development (1 space per flat) which represents a shortfall of 1 space from the maximum requirement in accordance with the supplementary planning guidance. It is also noted that the submitted layout plan shows a cycle store for 8 No. bicycles to be provided as part of the development.

Having regard to the fact that the proposal is for affordable housing and that secure cycle storage is to be provided for 8 bicycles, and scope for the surrounding street to cater for occasional on-street parking, and local community facilities and public transport services are within walking distance of the site, the parking provision for this scheme is considered to be to an acceptable level.

The proposal is therefore considered to be in keeping with policy AW5 of the Rhondda Cynon Taf Local Development Plan in terms of the impact on highway safety.

Conclusion

The residential proposal is acceptable as a matter of principle as it involves re-development of this vacant site in Aberdare town centre that would contribute to the economic and social growth of Aberdare. The design, scale and massing of the scheme are acceptable in terms of their consequences for the character and appearance of the locality and access and highway safety, and there are no other material considerations of overriding concern. The recommendation is therefore that the application be approved subject to the conditions set out below.

PLANNING OBLIGATIONS

The developer will be required to enter into a Section 106 agreement to ensure that the development would be secured for affordable housing.

Having regard to the above it is recommended that planning permission be approved, subject to a legal agreement which secures the following:

- The applicant entering into an agreement to ensure that the development is utilised for affordable housing only.

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. Construction works on the development shall not take place other than during the following times:

- i) Monday to Friday 0800 to 1800 hours;
- ii) Saturday 0800 to 1300 hours;
- iii) Not at any time on Sundays, Bank or Public holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the noise emitted from this development is not a source of nuisance to occupants of nearby residential properties in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

3. No development shall take place until there has been submitted to and approved by the Local Planning Authority a comprehensive scheme of landscaping, which shall include indications of all existing trees (including spread and species) and hedgerows on the land and details of any to be retained together with measures for their protection during the course of development.

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.

4. Development shall not begin until a scheme for the foul and surface water drainage of the site has been submitted to and approved in writing by the local planning authority. The development shall be carried out as agreed prior to the dwellings being brought into beneficial use.

Reason: To ensure adequate disposal of foul and surface water drainage and prevent pollution of the water environment in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

5. Notwithstanding the approved plans, building operations shall not be commenced until samples of the materials proposed to be used have been submitted to and approved in writing by the Local Planning Authority and all materials used shall conform to the sample(s) so approved.

Reason: To ensure that the external appearance of the proposed

development will be in keeping with the character of the area and adjoining buildings in the interests of visual amenity in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

6. Each dwelling hereby permitted shall be constructed to achieve a minimum Code for Sustainable Homes Level 3 and achieve a minimum of 1 credit under category 'Ene1- Dwelling Emission Rate' in accordance with the requirements of Version 3 of the Code for Sustainable Homes. The development shall be carried out entirely in accordance with the approved assessment and certification.

Reason: To ensure the development constructed is in accordance with policy guidance in relation to providing sustainable buildings, outlined in paragraph 4.11.4 of Planning Policy Wales.

7. Unless otherwise agreed in writing by the Local Planning Authority, construction of any dwelling hereby permitted shall not begin until an 'Interim Certificate' has been submitted to and approved in writing by the Local Planning Authority, certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credit under 'Ene1 - Dwelling Emission Rate', has been achieved for that individual dwelling or house type in accordance with the requirements of Version 3 of the Code for Sustainable Homes.

Reason: To ensure the development constructed is in accordance with policy guidance in relation to providing sustainable buildings, outlined in paragraph 4.11.4 of Planning Policy Wales.

8. Prior to the occupation of each individual dwelling hereby permitted, a Code for Sustainable Homes 'Final Certificate' shall be submitted to and approved in writing by the Local Planning Authority, certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credit under 'Ene1 - Dwelling Emission Rate', has been achieved for that dwelling in accordance with the requirements of the Version 3 of the Code for Sustainable Homes.

Reason: To ensure the development constructed is in accordance with policy guidance in relation to providing sustainable buildings, outlined in paragraph 4.11.4 of Planning Policy Wales.

9. The development hereby permitted by this planning permission shall only be carried out in accordance with the approved Flood Consequence Assessment submitted by Waterman dated June 2013. The finished floor levels shall be set at 126.68m above Ordnance Datum (AOD).

Reason: To ensure that the floor levels of any proposed buildings are above

the flood level in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

10. No dwelling shall be occupied until space has been laid out within the site for 8 vehicles to be parked in accordance with details the submitted plan 551.P.02K and approved by Local Planning Authority and that area shall not thereafter be used for any other purpose other than the parking and turning of vehicles.

Reason: To ensure that vehicles are parked off the highway, in the interests of road safety.

11. Prior to the development being brought into use, a vehicular footway crossing shall be provided in accordance with details to be submitted to and approved in writing by the Local planning Authority prior to any development on site commencing.

Reason: In the interests of highway and pedestrian safety.

12. Prior to the development being brought into use, the parking bay markings affected by the proposal on Seymour Street shall be removed in accordance with details to be submitted to and approved in writing by the Local planning Authority. The approved details shall be implemented prior to beneficial occupation of the first dwelling.

Reason: In the interests of highway and pedestrian safety.

13. Surface water run-off from the proposed development shall not discharge onto the public highway or 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.

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APPLICATION NO: 13/0794/10 (EL)
APPLICANT: K/S Pontypridd acting by Jonathan Pope and Allen Graham
DEVELOPMENT: Demolition of single storey annexe, external works and alterations to existing building, together with reconfiguration and extension of existing car park and other external areas including hard and soft landscaping.
LOCATION: FOCUS, UPPER BOAT TRADING ESTATE, PONTYPRIDD, CF37 5BP
DATE REGISTERED: 09/08/2013

ELECTORAL DIVISION: Hawthorn

RECOMMENDATION: Approve subject to conditions.

REASONS:

The proposal is in keeping with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan and National Policy in that, the proposed alterations are acceptable in terms of scale, design; impact on residential amenity and highway safety.

APPLICATION DETAILS

Full planning permission is sought for a series of alterations to the former Focus D.I.Y. store at Upper Boat Trading Estate, Pontypridd.

The scheme proposes:

- The demolition of an existing single storey annexe, which formerly served the garden centre.
- The enlargement and re-configuration of the car park for the store.
- Alterations to the roof design, including the renewal of the roof covering and the provision of metal profile cladding to form a parapet (concealing the ridge roof construction).
- Re-positioning of the pedestrian access to the building (from the south west to south east elevation) and the provision of an entrance canopy.
- Re-configuration of the fenestration and doors, which serve the building.
- Re-surfacing of the internal estate access road.

The improvements are proposed to meet the operational requirements of the future occupier 'Dunelm' (Soft Furnishings).

SITE APPRAISAL

The application site is a parcel of land that is irregular in form, measuring approximately 7330m². The building is situated at the northern extent of the site, with a surface car park to the south. To the east of the main building is a single storey building and enclosed area, which previously formed the garden centre. The building has a brickwork construction at its lower level, with the upper sections and roof being clad in steel profile panelling. Vehicular access is gained off Cardiff Road, which bounds the south of the site. To the north the site is bounded the slip road for the A470, with the roundabout intersection to the east of the site. The application site is separated from the adjacent highways by a

landscaped verge. To the north west of the site are a number of neighbouring industrial units. A number of residential properties are also located in the vicinity of the application site.

PLANNING HISTORY

13/0741	Variation of condition 5 of planning permission 56/79/2927 to allow the building to be used to sell a wider range of goods.	Granted 25/09/13
04/1017	Certificate of Lawfulness for the insertion of a mezzanine floor within the existing building.	Lawful 13/09/04
99/2797	Variation of condition 5 attached to planning permission 79/1927 to allow sale of pets, pet food and pet products.	Refused 10/03/00
94/0802	2 Building Signs and 1 Freestanding Signs (amended plans rec'd 15/12/94.	Conditions 24/01/95
91/0656	Illuminated shop signs	Conditions 01/10/91
81/0027	20 ridge signs (back to back)	Refused 01/04/81
80/1657	Modification to greenhouse part of home improvement and garden centre	Approved 07/01/81
80/1498	2 no. Fascia signs (illuminated)	Conditions 25/11/80
80/1250	Diversion of supervisory and telephone lines	Approved 16/09/80
79/1927	Erection of homecare centre	Conditions 05/02/80
79/0725	Sales and storage depot for caravans and bottled Calor gas sales	Conditions 31/07/79
79/0951	Erection of homecare centre for the retail sale of home improvements – DIY and associated products	31/07/79

PUBLICITY

The application was advertised by direct neighbour notification and site notices. One letter of representation has been received, which is summarised as follows:

- It is commented that they are “delighted that Dunelm are to be the new tenants of the building”. However, they wish to make the following points;
- It is noted that a considerable amount of greenery has recently been lost from the surrounding area, including a number of trees located across the river. It is asked that the trees and hedgerows on the existing site be retained, particularly those that front Cardiff Road, as they provide privacy and baffle the noise from the A470.
- Concern is also expressed that they should not be permitted increase entrance/ exit points from Cardiff Road to the site.

CONSULTATION

Transportation Section – no objections raised, subject to conditions.

Welsh Government Transport - no objections raised.

Land Reclamation and Drainage – condition recommended.

Public Health & Protection – no objections raised, it is noted that a search of the records held by the Council’s Public Health & Protection Section has revealed former industrial use of the land; as such there is potential for contamination and adverse ground conditions to exist on site.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

Indicates that the site is within the defined settlement limits

AW2 promotes development in sustainable locations.

AW5 sets out criteria for new development in relation to amenity and accessibility.

AW6 sets out the criteria for new development in terms of design and place-making.

SSA13 sets out the criteria for development within settlement boundaries.

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 Chapter 3 (Making and Enforcing Planning Decisions), Chapter 7 (Economic Development) and Chapter 8 (Transport) set out the Welsh Government's policy on planning issues relevant to the determination of the application.

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.

The principle of the proposed development

The application site lies within settlement limits and within a small-established trading estate. The proposal seeks to bring the building back into beneficial use through its refurbishment and adaptation, taking account of the future occupier's operational requirements. As such, it is considered that in principle, the proposal is acceptable, subject to an assessment of the following criteria;

Character and Appearance

The application proposes a series of modifications to the existing building, which are required to meet the needs of the future occupier 'Dunelm', who are a home furnishings retailer.

The major changes to the building relate to the demolition of an existing single storey annexe and modifications to the appearance of the main building. It is acknowledged that the proposed adaptations to the roof design, which include the removal of the existing asbestos cement roof sheets and the provision of metal profile cladding to form a parapet, would inevitably alter the appearance of the unit. However, it is not considered that these alterations would be harmful to the character of the site. As set out above, the unit lies within an established trading estate, with neighbouring buildings being similar in terms of their construction style. The scheme also proposes adaptations to the pattern of fenestration, however these are relatively minor alterations. It is noted that a large canopy feature would be located to the south east elevation of the building. Whilst this addition would form a prominent feature within the site, it would serve a function in identifying and defining the new pedestrian access to the building and would add some interest to this elevation. Overall it is considered that the external alterations to the building would improve and enhance the appearance of

the building and site, which, having been vacant for a period of time, is currently suffering signs of disrepair.

Highway Safety

In order to aid in the assessment of the proposal upon highway safety, consultation has been undertaken with the Council's Transportation Section. Their response identifies that a series of works are proposed within the site layout, which seek to improve circulation and parking provision. In particular, it is proposed that an existing single storey annexe be removed. This would enable the enlargement of the available car parking area and the re-configuration of a number of the existing bays. Within the curtilage of the site, it is also proposed that an internal access road, which fronts the unit, would be widened, allowing improved two way traffic movements and circulation within the site. In terms of car parking provision, the Transportation Section comment that the proposed use would generate a requirement of 77 car parking spaces. Since the revised parking layout increases parking provision on site to 125 spaces, the scheme is considered acceptable in this regard. Overall, it is not considered that the proposed works would adversely impact upon highway safety in the vicinity of the site, as such, no objections have been raised by the Council's Transportation Section.

Residential amenity

As set out above, the property is located within an established trading estate, having previously been in use as a 'do it yourself goods store'. However, it is noted that a number of residential properties are located to the south and south west of the application site. Having assessed the degree of change involved in the submission, it is not considered that the proposed physical adaptations to the site and building would adversely impact upon either the levels of privacy or amenity currently enjoyed by neighbouring residents. In the case of those residents located to the south on Williams Place, Cardiff Road and the landscape buffer that defines the site boundary, would continue to separate the two. Whilst the vehicular access points to the site would remain unaltered, it may be argued that the decision to re-position the pedestrian access to the south eastern elevation of the building, may slightly lessen any potential impacts upon those residents located opposite the site. As such, the proposal is considered acceptable in this regard.

OTHER ISSUES

Ecology

It is noted that the scheme involves the demolition of an existing single storey annexe on the site, as such consideration should be given to the potential for this structure to act as a roost for bats. Having considered this issue, it is noted that

the building in question had a conservatory style construction, being one open space, with no concealed roof space. Nevertheless, at the time of the site inspection, it is noted that this structure had already been removed. It is also worthwhile noting that a search of the South East Wales Biodiversity Records, revealed no known relevant records of protected species in the vicinity of the site.

Contamination

Following consultation with the Council's Public Health & Protection Section, it has been identified that given the former industrial use of the land, there may be potential for contamination to exist on site. As such, a site investigations condition has been suggested. Whilst the comments of the Council's Public Health & Protection Section are noted, in this instance it is not considered necessary to require a detailed site investigation report for the proposal. This is based on the fact that no additional buildings are proposed, in fact, the development would result in a reduction in the amount of floor space from which the retailer would operate. Similarly, all other works relate to the re-configuration of external surface areas. As such, an informative note to cover this issue is recommended.

Land Drainage

A similar approach is considered appropriate with respect to the comments of the Council's Land Drainage Section. Since the scheme does not propose any increase in the amount of area that would be hard-surface, with the car park extension being formed upon land that was previously in use as the garden centre, it is considered unreasonable to require the submission of a full scheme of drainage arrangements for the development. It is also worthwhile noting that a number of conditions were attached to the original permission for the development of the unit (79/1927) which prevented the discharge of any surface run-off from connecting with the trunk road drainage system. The requirements of these earlier conditions would still be applicable.

Finally, it is acknowledged that a letter of representation has been received from a resident of Williams Place. Whilst this is summarised in full above, their key concerns relate to a fear that the existing vehicular access to the site would be extended and that landscaping would be removed. With respect to these points, it is first noted that the existing point of access/ egress to the site, which also serves the neighbouring commercial units, would be retained in its current position. Similarly, the existing landscape verges, which bound the site and separate it from the adjacent highways would also be retained; with additional car parking being provided within the site, upon the former garden centre area.

Conclusion

Having taken account of all of the issues outlined above, the application proposal is considered acceptable in terms of its impact upon the character and appearance of the area, upon residential amenity and its potential impact upon highway safety. Therefore the proposal is recommended for approval, subject to the conditions specified below.

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 proposed access, circulation and parking shall be laid out as shown on the submitted layout plan, Drawing no.11198/31/15 Rev.A and completed to the satisfaction of the Local Planning Authority prior to beneficial occupation of the building.

Reason: To ensure the adequacy of the proposed development, in the interests off highway safety.

3. The parking areas shall be constructed in permanent materials and retained for the purposes of parking only, unless agreed otherwise in writing by the Local Planning Authority.

Reason: To ensure that vehicles are parked off the highway in the interests of road safety.

4. Building operations shall not be commenced until details/samples of the proposed roof cladding to be used have been submitted to and approved in writing by the Local Planning Authority and all materials used shall conform to the sample(s) so approved.

Reason: To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings in the interests of visual amenity in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

5. Construction works on the development shall not take place other than during the following times:

- i) Monday to Friday 0800 to 1800 hours;
- ii) Saturday 0800 to 1300 hours;
- iii) Not at any time on Sundays, Bank or Public holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the noise emitted from this development is not a source of nuisance to occupants of nearby residential properties in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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APPLICATION NO: 13/0822/10 (MF)
APPLICANT: Mr C David
DEVELOPMENT: Detached garage and store room facility sited at rear of car park .
LOCATION: HAWTHORN INN, CARDIFF ROAD, HAWTHORN, PONTYPRIDD, CF37 5AG
DATE REGISTERED: 03/09/2013
ELECTORAL DIVISION: Hawthorn

RECOMMENDATION: Approve

REASONS:

The application is considered to comply with the relevant policies of the Local Development Plan in respect of its visual impact and the impact it has upon the amenity and privacy of the neighbouring residential properties.

APPLICATION DETAILS

Retrospective planning permission is sought for the construction of a detached garage/ store room to the rear of the Hawthorn Inn, Cardiff Road, Hawthorn.

The structure measures 10m in width by 5m in depth and incorporates a pitched roof design 5m at its highest point sloping to 3.2m at its eaves. The building would be finished in yellow cement render and concrete roof tiles to match the original public house building. An up and over garage door and a single pedestrian door would be sited in the front elevation of the structure for access to the separate garage and storage areas respectively.

Within the supporting information, the applicant indicates the garage and store is to be used to accommodate the landlord's car as well as additional space for the storing of items associated with the running of the business.

SITE APPRAISAL

The application site comprises a public house, a beer garden to the rear, and customer car park to the south eastern side. The public house itself is a large two-storey building attached to the local Post Office on the western side and

fronting Cardiff Road (A4054) to the north. The site is located in a primarily residential area with a number of local shops sited opposite. A single storey garage/ storage building has been erected to the rear of the car park at the southern boundary of the site. At the time of the site visit the proposed external finishes of the structure had not been applied.

PLANNING HISTORY

Planning applications submitted within the last 10 years include:

06/2153	Hawthorn Inn, Cardiff Road, Hawthorn	Refurbishment of public house and addition of external smoking area	Granted 19/02/07
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PUBLICITY

The application has been advertised by means of direct neighbour notification and a site notice. No representations have been received.

CONSULTATION

Transportation Section – no objection.

Public Health and Protection – no objection.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies within the settlement boundary for Hawthorn, but is not allocated for any specific purpose.

Policy AW5 – sets out criteria for new development in relation to amenity and accessibility.

Policy AW6 – requires development to involve a high quality design and to make a positive contribution to place making, including landscaping.

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 Chapter 4 (Planning for Sustainability), sets out the Welsh Government's policy on planning issues relevant to the determination of the application.

PPW Technical Advice Note 12: Design.

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.

The principle of the proposed development

The application relates to the provision of a garage/store within the curtilage of an established commercial use. As such, it is considered that in principle, the proposal is acceptable, subject to an assessment of the following criteria:

Visual Impact

The single storey garage is considered to be acceptable in terms of its scale, design and overall visual appearance being of a design and scale that is considered typical in terms of its general appearance for a structure of this nature. It is acknowledged the building forms a visible feature within site, however, given its scale and isolated and relatively screened siting to the rear of the main building, it is not overly prominent from the highway to the front and is considered appropriate in its context. Furthermore, it is proposed the building will be finished in external materials to match the main pub building, which would further reduce its impact upon the locality.

It is also noted that given the relatively large scale of the rear curtilage of the site, the proposal would not lead to overdevelopment of the plot.

As such, it is not considered the structure represents an overly obtrusive or incongruous feature that significantly harms the character and appearance of the surrounding area and the application is considered acceptable in this regard.

Residential Amenity

The garage structure is to be used for the parking of the landlord's car and storage in conjunction with the existing public house. Sited over 35m from the nearest residential property, it is unlikely to raise any adverse issues in this regard with no overbearing, overshadowing or direct overlooking occurring.

Following the advertisement of the planning application, no objections to the scheme have been raised. It is therefore considered the structure has no harmful impact on the levels of residential amenity and privacy currently enjoyed by local residents.

Highway Safety

Following consultation, no objections have been raised by the Transportation Section and it is therefore considered the development does not have any adverse impact with regard to pedestrian or highway safety.

Conclusion

It is not considered the development has a significant impact on the character and appearance of the locality or upon the residential amenity of the surrounding neighbouring properties. As such, the application is considered to comply with the relevant policies of the Local Development Plan (Policies AW5 and AW6).

RECOMMENDATION: Grant

1. The external materials of the garage/store shall match as near as possible the materials of the original public house.

Reason: To ensure that the structure is in keeping with the existing building in the interests of visual amenity in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

2. The garage/store, hereby approved, shall be used only for the parking of the landlords motor vehicle and for storage in connection with the main public house business and at no time shall it be used for any other purposes.

Reason: To protect the residential amenity of the neighbouring properties and in the interests of highway safety in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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APPLICATION NO: 13/0825/23 (DB)
APPLICANT: Hanson UK
DEVELOPMENT: Erection of asphalt plant within Class B, Part 19 of

Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995.
LOCATION: **CRAIG YR HESG QUARRY, BERW ROAD, PONTYPRIDD, CF37 3BG**
DATE REGISTERED: **13/08/2013**
ELECTORAL DIVISION: **Glyncoch**

RECOMMENDATION: Prior Approval is granted for the submitted details of the proposed asphalt plant as contained within the letter from SLR Consulting Ltd dated 9th August 2013 and Drawing Ref's CYH/01, CYH/02 and CYH/03.

REASONS:

It is considered that the proposal meets the requirements of Paragraphs B1 and B2 (a) and (b) of Part 19 of Schedule 2 of the GPDO. As such, it is recommended that prior approval of the submitted details should be granted.

The Local Member, (Councillor Williams) has requested that this application is presented to Committee, in order for Members to consider the impact on the local community.

APPLICATION DETAILS

This application, made by Hanson UK, seeks prior approval for the erection of an asphalt plant at Craig Yr Hesg Quarry.

The application is supported by a letter from SLR Consulting limited dated 9th August 2013, a Site Plan - Drawing Ref CYH/01, Elevations - Drawing Ref's CYH/02 and 03, a Photomontage – Figure Ref PM-01 and historic views of the Former Asphalt Plant – Figure Ref PM-02.

The plant would be a replacement for the former asphalt plant which was removed in 2009 and would be erected on the same footprint as that of the former plant. It would be linked by conveyor directly from the existing dry stone plant. The design of the asphalt plant is dictated by its product output requirements and its operation would require an Environmental Permit. The Permit would regulate emissions to air and impose detailed controls and monitoring requirements on the plant.

The plant would take up an area of approximately 40m x 35m and be sited on the existing ground at 101.50m AOD. The highest part of the plant would be up to

19.0m high. The external appearance of the plant would, unlike the previous plant, be clad and finished externally to match the existing aggregate processing plant and painted in the same colour, 'Merlin Grey' (BS Colour Code 18B25).

SITE APPRAISAL

The application site is located immediately adjacent to the existing aggregate processing plant at Craig Yr Hesg Quarry. It lies within the eastern part of the quarry which contains the majority of the existing plant, machinery, storage areas and site offices.

The quarry lies on the western side of the Taff Valley about 1km north of the built up area of Pontypridd. The village of Glyncoch lies beyond the northern boundary of the quarry. The quarry is bounded by Glyncoch football ground and clubhouse to the north, open agricultural land to the northwest and west, to the southwest by the prominent ridge line of Coed Craig Yr Hesg, and to the east by a narrow corridor of woodland between the site and the B4273 Ynysybwl Road.

The access to the quarry is from the B4273 via separate entrance and exit roads. The nearest residential properties mainly lie within the Glyncoch and Cefn Farm Housing Estates and properties which face directly onto the B4273 adjacent to the quarry access roads.

The quarry produces aggregate from a deposit of pennant sandstone, which is one of the highest quality sources of skid resistant surfacing aggregate in the UK, which makes it particularly suitable for major road surfacing projects such as motorways, interchanges, airport runways etc. The material has been used in the 2012 Olympics as well as more locally in the Porth Bypass and the Newport Southern Distributor Road.

The main quarry workings lie to the west, with the quarry processing plant in the eastern part of the quarry. At present the quarry faces and benches are being developed in a north-westerly direction. Planned reserves are located between the processing plant and the quarry void.

The total area of land covered by the mineral permissions at the quarry is 30.88ha, and an area of 17.21 ha is the total land to be excavated.

PLANNING HISTORY

12/0985	Craig Yr Hesg Quarry, Berw Road, Pontypridd	Trees and shrubs to be coppiced and pruned to allow site investigation works	Approved with conditions 22/11/12
12/0372	Craig Yr Hesg Quarry, Berw Road,	Trees and shrubs (labelled on plan C10-0086) to be felled to ground	Approved with conditions

	Pontypridd	level, in roughly 5m. Wide strip up through steep wooded bank.	13/07/12
08/1380	Craig Yr Hesg Quarry, Berw Road, Pontypridd	Application for determination of conditions for mineral site. The Environmental Act 1995 (Section 96 and paragraph 9 of schedule 13).	Approved 24/04/13
99/2567	Craig Yr Hesg Quarry, Berw Road, Pontypridd	GPDO - Proposal to replace part of existing dry stone processing plant.	Approved 06/09/99
90/0782	Craig Yr Hesg Quarry, Berw Road, Pontypridd	Woodland Grant Scheme – observations	Raise no objection
86/0827	Craig Yr Hesg Quarry, Berw Road, Pontypridd	Extension to existing quarry operations	Approved
84/1101	Craig Yr Hesg Quarry, Berw Road, Pontypridd	GPDO Proposed New laboratory	Approved
84/0291	Craig Yr Hesg Quarry, Berw Road, Pontypridd	GPDO Proposed New workshop	Approved

PUBLICITY

The application has been advertised by means of site notices in the vicinity of the site in Pontypridd and neighbourhood notification.

One letter has been received, signed by 5 residents, which raises no objection but makes comments, which include the following matters:

- i) All construction should comply with current building and environmental rules and regulations,
- ii) Monitoring should be undertaken by RCT or independent third party, not rely on Hanson's self regulation,
- iii) Plant is second hand, as previous plant, question whether fit for purpose,
- iv) Increase in traffic using already overloaded minor B 4273,
- v) Railway bridge on Berw Road not designed to cater for fully loaded 44 tonne wagons and recent improvements has made footpath use worse,
- vi) Unacceptable impact of noise, dust and road safety impact from lorries entering site from 6am to 8pm,

The letter also raises other issues not related to this application.

CONSULTATION

Countryside Section - raises no objections.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

Craig Yr Hesg Quarry is identified in the Local Development Plan, as being within the countryside and outside defined settlement boundaries.

Policy AW8.77 identifies land to the south of the quarry as Craig Yr Hesg /Lan Wood Site of Importance for Nature Conservation.

Policy AW8.213 identifies land immediately adjacent to the southern boundary known as the Glyn Coch Quarry Regionally Important Geological Site.

Policy AW8.229 identifies the wooded slopes to the south of the Quarry as Craig Yr Hesg Quarry Local Nature Reserve.

Policy NSA 25.4 identifies land to the south and within the most easterly parts of the quarry as Cwm Clydach Special Landscape Area.

Policy AW5 - supports development subject to certain amenity and accessibility criteria.

Policy AW6 - sets out the criteria for new development in terms of design and place making.

Policy AW8 – gives guidance on the preservation and enhancement of the natural environment, particularly Sites of Importance for Nature Conservation (SINC) or Regionally Important Geological Sites (RIGS).

Policy AW10 – does not permit proposals where they would pose an unacceptable risk to public health, safety or amenity.

Town and Country Planning (General Permitted Development) Order 1995

The development is submitted within Class B of Part 19 (Development Ancillary to Mining Operations) of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (GPDO).

Under Class B of Part 19 of the GPDO, the carrying out, on land used as a mine or on ancillary mining land, with the prior approval of the mineral planning authority, of operations for the erection, installation, extension, rearrangement,

replacement, repair or other alteration of any plant or machinery, buildings or structures or erections is permitted development provided the principal purpose of the development is that of the treatment, preparation for sale, consumption or utilisation of minerals won or brought to the surface at that mine.

Paragraph D2 of Part 19 of the GPDO states that the prior approval of the mineral planning authority means prior written approval of that authority of detailed proposals for the siting, design and external appearance of the building, plant or machinery proposed to be erected, installed, extended or altered.

Paragraph B.2 of Part 19 of the GPDO states that this type of prior approval cannot be refused or conditions imposed unless:-

- B2 (a) the proposed development would injure the amenity of the neighbourhood and is reasonably capable of modification to avoid such injury.
- B2 (b) the development ought to be and could reasonably be sited elsewhere on the land.

REASONS FOR REACHING THE RECOMMENDATION

This application, made by Hanson UK, seeks prior written approval of detailed proposals for the erection of an asphalt plant at Craig Yr Hesg Quarry, within Class B of Part 19 of the GPDO. As set out within the GPDO and provided above, the prior written approval only extends to the siting, design and external appearance of the plant and approval must be granted unconditionally unless the authority are satisfied that there would otherwise be avoidable injury to amenity, or the development ought to be and could reasonably be sited elsewhere.

With respect to Class B2(b) above, The Council need to determine whether the siting of the plant is acceptable.

It is noted that the proposed asphalt plant is to be located well within the operational area of the quarry. The asphalt plant would be sited at the same location as the previous asphalt plant which would be immediately adjacent to the existing dry stone processing plant. This would ensure that the processed stone from the dry stone processing plant could be fed by conveyor into the asphalt plant for coating. The site would also avoid the existing stockpiles of processed stone and the area taken up by internal vehicle movements. Therefore, there does not appear to be any feasible realistic alternative for the siting of the asphalt plant within the confines of the processing plant area. As such, it is considered that the proposal meets criteria B2 (b) of the Order.

In terms of Class B2 (a) the Council need to determine whether the plant would unduly injure the amenity of the local area.

In this respect, the design of the asphalt plant is dictated by its product output requirements and all such plants have similar inherent characteristics. In summary these involve feeding the aggregate via a conveyor from the adjacent dry stone processing plant into a rotary drier, with fuel for the drier being stored in fuel tanks. The aggregate is then transported via an elevator to the asphalt plant tower where bitumen from vertical storage tanks would be injected into a mixer drum to coat the aggregate. Filler would be introduced from filler silos. After mixing, the material is fed into the material storage unit from where the material would be loaded out by direct discharge into heavy goods vehicles.

Externally, unlike the previous plant, the proposed plant would be clad in similar materials and colour to match the external appearance of the existing aggregate processing plant. The external appearance of the proposed plant is shown on the submitted drawings. In addition a photomontage, Figure Ref PM-01 has been provided. The supporting letter states that this view is based on a view from Penheol Ely Road, on the north eastern outskirts of Pontypridd which is an elevated position with a vantage point into the plant site. This view has been chosen as it provides a clear view of all the existing and proposed plant and also benefits from being a view where there is a photograph prior to 2000 of the former asphalt plant, shown in Figure PM-02. The applicant's letter goes on to state that these figures show that the proposed asphalt plant would be viewed in the context of the existing dry stone aggregate processing plant, would be of a smaller scale and at a lower height compared to the existing aggregate processing plant, would be sited in the same location as the previous asphalt plant and would not represent a prominent feature in views of the quarry plant.

In relation to the B2 (a) criteria, it should be recognised that the site is located immediately adjacent to the Cwm Clydach Special Landscape Area where the wooded slopes of the Taff Vale are important from views from the A470 and which form a backdrop above Pontypridd as well as partially screening the quarry. In this respect, it is considered that the proposed plant would be well contained within the existing quarry area, views of which are well below the skyline and contained to limited elevated vantage points apart from other lower viewpoints which have only partial views of the overall plant and are obscured by vegetation. In addition, the proposed plant would be sited adjacent to the existing plant and at a lower overall height. The external appearance of the new plant would be influenced by it being clad in similar materials and colour to the existing aggregate plant, which would help to assimilate the plant with the adjacent plant at the quarry. Overall therefore, it is considered that the siting, design and external appearance of the proposed plant would be appropriate to the character of the area and would not form a prominent feature within existing views of the plant at the quarry, as evidenced by the photomontage taken above the A470. As such it is considered that the proposed plant would not injure the amenity of the neighbourhood and meets the criteria B2 (a) of the GPDO.

Overall, it is considered that the proposal meets the requirements of paragraphs B1 and B2 (a) and (b) of Part 19 of Schedule 2 of the GPDO. As such, it is recommended that prior approval of the detailed proposals should be granted.

OTHER ISSUES

The matters raised as a result of the publicity exercise are noted but are not relevant to the consideration of this application, due to the limited considerations set out within the GPDO.

RECOMMENDATION

Prior approval be granted.

Prior Approval is granted for the submitted details of the proposed asphalt plant as contained within the letter from SLR Consulting Ltd dated 9th August 2013, Drawing Ref's CYH/01, CYH/02 and CYH/03.

RECOMMENDATION: Grant

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APPLICATION NO: 13/0841/10 (MF)
APPLICANT: Mrs A Ball
DEVELOPMENT: Erection of a single storey extension to the rear.
LOCATION: 16 JEFFREY STREET, CAEGARW, MOUNTAIN ASH, CF45 4BS
DATE REGISTERED: 30/08/2013
ELECTORAL DIVISION: Mountain Ash East

RECOMMENDATION: Approve

REASONS:

The application is considered to comply with the relevant policies of the Local Development Plan in respect of its visual impact and the impact it has upon the amenity and privacy of the neighbouring residential properties.

APPLICATION DETAILS

Full planning permission is sought for the construction of a single storey extension to the rear of 16 Jeffrey Street, Mountain Ash.

The 'L' shape extension would have a maximum depth of 6.3m and a maximum width 6.5m which would both reduce to 3.5m and 2m respectively in order to wrap around the existing two storey annex to the rear of the dwelling. The extension would incorporate a pitched roof design to 3.3m and would accommodate a kitchen/diner and a W.C. It is proposed the addition be finished in external materials to match the original dwelling.

SITE APPRAISAL

The application property is a traditional end of terraced dwelling located within a residential area of Mountain Ash. External materials are stone to the front, render to the side and rear, concrete roof tiles, and white uPVC windows and doors. The dwelling fronts the footway with a pedestrian access sited to the southern side that leads to an enclosed garden at the rear. A two storey annex is sited here. Neighbouring properties are of a comparable design and scale with a large number having extensions of varying design and scale.

PLANNING HISTORY

No previous planning applications have been submitted at the application site within the last 10 years.

PUBLICITY

The application has been advertised by means of direct neighbour notification. Two letters of objection have been received from the occupiers of the adjoining and adjacent properties, no.s 15 and 17 Jeffrey Street making the following comments (summarised):

- The extension would overshadow no.s 15 and 17 Jeffrey Street.
- The extension would obstruct views from the rear of no. 17 Jeffrey Street.
- The extension would result in the devaluation of the neighbouring properties.

CONSULTATION

None undertaken.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies within the settlement boundary for Mountain Ash, but is not allocated for any specific purpose.

Policy AW5 – sets out criteria for new development in relation to amenity and accessibility.

Policy AW6 – requires development to involve a high quality design and to make a positive contribution to place making, including landscaping.

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 Chapter 4 (Planning for Sustainability), sets out the Welsh Government's policy on planning issues relevant to the determination of the application.

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.

The principle of the proposed development

The application relates to the extension of an existing residential property. As such, it is considered that in principle, the proposal is acceptable, subject to the following criteria:

Visual Impact

The proposed extension is in accordance with local plan policy, its overall scale, design and appearance is sympathetic to the main dwelling and the use of appropriate materials will ensure it is not overly prominent within the locality. It is therefore considered the addition would have no adverse impact on the character and appearance of the existing property or upon the surrounding locality.

Residential Amenity

With regard to residential amenity, a set of bi-folding doors would be sited in the rear elevation of the extension that would overlook the rear amenity space of the application site only. Therefore, it is not considered the extension would lead to any further harmful loss of privacy in comparison to the existing arrangement at the site. Furthermore, being of a single storey nature, it is not considered the proposal would have any undue overshadowing or overbearing impact upon the neighbouring properties. The application is therefore considered acceptable in this regard.

Other Issues

The objectors have raised concerns regarding a loss of views from their properties and have noted that the proposed extension may have a detrimental impact upon the value of their properties. These are not material planning considerations and should not therefore be taken into account during the determination of this application.

Conclusion

It is not considered the proposal would have a significant impact on the character and appearance of the locality or upon the residential amenity of the surrounding neighbouring properties. As such, the application is considered to comply with the relevant policies of the Local Development Plan (Policies AW5 and AW6).

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 external materials of the proposed extension shall match as near as possible the materials of the original dwelling house.

Reason: To ensure that the extension is in keeping with the existing building in the interests of visual amenity in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

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LOCAL GOVERNMENT ACT 1972

as amended by

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

LIST OF BACKGROUND PAPERS

DEVELOPMENT CONTROL COMMITTEE

17 OCTOBER 2013

REPORT OF: SERVICE DIRECTOR PLANNING

REPORT

OFFICER TO CONTACT

**APPLICATIONS RECOMMENDED
FOR APPROVAL**

**MR J BAILEY
(Tel: 01443 425004)**

See Relevant Application File

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