

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2014-2015

**DEVELOPMENT CONTROL
COMMITTEE
15 JANUARY 2015**

**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:14/0710 - Re-siting and over cladding of existing container units to be used as a workshop and to install modular office unit Harlech Hygienics Ltd, Unit 1, Colliers Way, Tonypanydy.
2. Application No:14/1119 - Change of use from chapel building to one residential unit and funeral home (amended layout plan received 09/10/2014 and bat report received 15/10/2014), Trinity Chapel, Trinity Road, Tonypanydy.
3. Application No:14/1207 - Change of use from A1 to A3 restaurant, takeaway and garage for staff on ground floor and store on first floor (Amended plans and description received 3/11/14, transport statement received 4/11/14), 168 Gelli Road, Gelli, Pentre.
4. Application No:14/1272 - Erection of a three storey, four bedroom, detached house, Land Adjacent To 42 Pantygraigwen Road, Pantygraigwen, Pontypridd
5. Application No:14/1385 - Demolition of existing building and construction of a 32 unit housing scheme for older people, community use facilities and associated works, Trem-Y-Cwm, Beddau, Pontypridd.
6. Application No:14/1387 - Flat roofed infill extension to rear annexe to provide office accommodation, The Oasis Centre, Ty Ashgrove, Upper Church Street, Pontypridd.
7. Application No:14/1474 - Proposed Railway Training Centre of Excellence at Coleg Y Cymoedd Nantgarw Campus. Proposal to include workshop, classrooms, ancillary areas and associated external works, Coleg Morgannwg Mttc, Unit 1, Parc Nantgarw, Nantgarw, Cardiff.

APPLICATIONS RECOMMENDED FOR APPROVAL

APPLICATION NO: 14/0710/10 (PB)
APPLICANT: Harlech Hygienics Ltd
DEVELOPMENT: Re-siting and over cladding of existing container units to be used as a workshop and to install modular office unit
LOCATION: HARLECH HYGIENICS LTD, UNIT 1, COLLIERS WAY, TONYPANDY, CF40 2AZ
DATE REGISTERED: 05/06/2014
ELECTORAL DIVISION: Trealaw

RECOMMENDATION: Approve

REASONS:

The proposal is to extend and diversify an established commercial business which occupies a site that lies within settlement limits, therefore is acceptable as a matter of principle. The design of the scheme will not give rise to unacceptable impacts for the character and appearance of the site and surrounds, except the proposed open storage area and cladding of the boundary fencing which would be unduly harmful to visual amenity therefore not agreed and are excluded by conditions. The development will not have unacceptable consequences for highway safety and residential amenity. The proposal is economic development that supports and grows a local business, safeguarding existing jobs and potentially creating new ones.

APPLICATION DETAILS

Full planning permission is sought for the siting and over-cladding of up to seven storage containers at Harlech Hygienics, Colliers Way, Tonypany. It is proposed that six of these containers be sited adjacent and perpendicularly to the existing main warehouse/storage unit on the land and one would be sited immediately along one side of the building. All are intended for use for storage purposes ancillary to the light manufacturing and warehouse business operations of Harlech Hygienics. Four of the containers are already located on the site and initially it intended these will re-sited as part of this proposal, and an additional three units might be brought to site depending on the needs of the business. For the avoidance of doubt the application is presented and considered on the basis of all seven units.

Each of the steel containers measures 5.92 (length), 2.5m (width) and 2.4m (height). It is intended that they be over-clad in a weatherproof finish. The existing access and parking areas are unaffected by this proposal

The application is accompanied by a Design and Access Statement.

The application is reported to Development Control Committee on account the applicant is a serving Member of the Council.

SITE APPRAISAL

The site is a flat rectangular area of land located to the north of and accessed from Colliers Way (A4119) roundabout. It is landscaped to its eastern and western boundaries by the tree-lined buffer of the A4119 and the wooded embankment of the River Rhondda. The site is visible from the footbridge and footpath between Trealaw and Tonypandy.

PLANNING HISTORY

13/0622	Colliers Way, Trealaw	Extension to existing storage facility and use for light manufacturing / assembly, retention of existing storage containers to use as office space, and provision of limited outside storage of bulky goods	Approved 14/11/13
13/0068	Colliers Way, Trealaw	Removal of Condition 2 of planning permission 10/0864 to retain the four metal storage containers in the location as highlighted on the submitted block plan for a period of 2 years	GTD 08/05/13
10/0864	Land Adjacent Welsh Water Works, Colliers Way, Trealaw.	Proposed erection of an industrial unit for class B8 use and the siting of four temporary storage containers for a period of 12 months.	GTD 11/01/11

PUBLICITY

Neighbouring properties have been notified of the application and site notices displayed.

CONSULTATION

Transportation Section - no objection subject to conditions.

Land Reclamation & Engineering - no reply.

Public Health and Protection - no objection.

Natural Resources Wales - satisfied that the applicant has demonstrated that connection to public sewer is no practical.

Dwr Cymru/Welsh Water - notes that the applicant intends to utilise a septic tank facility as opposed to a connection to a public sewerage/treatment facility. Also it is noted that a public sewer crosses the application site and no development will be

permitted within a safety zone measured each side of the centre line of the of the sewer.

Cadw - no adverse comment.

Glamorgan Gwent Archaeological Trust - no archaeological objection.

Countryside, Landscape, Ecology Section - no reply.

POLICY CONTEXT

Rhondda Cynon Taff Local Development Plan

The application site is unallocated and lies within settlement limits.

Policy AW2 provides criteria to determine whether a site is located in a sustainable location.

Policy AW5 provides criteria against which new development proposals will be assessed in terms of amenity and accessibility considerations.

Policy AW6 provides criteria against which design and place making considerations will be assessed.

Policy AW7 protects sites of historic merit from development proposal that impact on them.

Policy AW10 advises that new proposals would not be permitted should they be considered unacceptable in terms of environmental protection and public health.

Planning Policy Wales

Paragraph 4.10.9 states that the visual appearance of proposed development, its scale and relationship to its surroundings and context are material considerations. Local planning authorities should reject poor building and contextual designs.

Para 7.6.1 encourages Local Planning Authorities to adopt a positive and constructive approach to application for economic 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.

Main issues:

Principle of proposed development

The application site lies within the settlement limits of Tonypandy and Llwynypia where development is normally acceptable subject to there being no overriding material considerations to the contrary. The development of the site for the purposes of storage and distribution use within Class B8 has previously been considered and approved under the original planning application (reference number 10/0864) and is therefore established. A subsequent approval has been granted for a significant extension to the building which would more than double the floor space area on the site and extend the use to light industrial and assembly purposes within Class B1. Such uses within this Class are by definition not ones that cause nuisance arising from noise, dust, smells and such like. The present proposal is, in effect, an alternative to the previous approval involving a smaller extension to the original building to provide additional storage capacity. As a matter of principle, therefore, the development does not conflict with the provisions of the Local Development Plan. Moreover, the proposal is economic development that supports and grows a local business, safeguarding existing jobs and potentially creating new ones.

Design, character and appearance

Although the proposed extension will increase the size of the overall building it will be a comparatively modest single storey development, in keeping with the scale and finishes of the existing building and is considered acceptable. The re-siting, incorporation and adaptation of the steel storage containers for use within the development will significantly improve their appearance and relationship to the building as extended. However, in common with the last approved scheme, there are two elements of the proposal that require careful consideration. Firstly, the proposal to create an open storage area covering an area of 116 square metres is likely to detract from the visual appearance of the site and its surroundings and was specifically excluded by a condition attached to the original planning permission for the development of this land. Secondly, the proposal to add cladding to the perimeter fence to visually screen will create a very stark image that will detract to an unacceptable extent from the visual amenity of the site and its surrounds which are overlooked by a public right of way and can be seen from nearby residential dwellings. Consequently, in the event planning permission is granted it is suggested that external open storage and cladding of the boundary fence are not agreed and excluded by means of appropriately worded conditions.

Highway safety considerations

This development is likely to intensify traffic movements to and from the access off the roundabout on the Tonypandy By-pass, which has been the source of some expressions of highway safety concerns by the Transportation Section in relation to previous planning application proposals. However, as part of the previous planning permission for the development of the site, highway improvements were required that have since been implemented. At the time of last site inspection it was noted that the vegetation had been left to overgrow in the vision splay area substantially reducing effective visibility. A condition is suggested requiring the vegetation to be cut back to provide a 2.4m x 28m vision splay. Anti-skid surfacing has been provided on the approach to the roundabout which goes some way to mitigate the impact.

Notwithstanding the above, there is concern that the proposed development will increase vehicular movements along the substandard access to the detriment of highway safety, especially if staff numbers increase in line with the applicant's forecast. That said, there is sufficient space to provide adequate staff car parking and turning facilities to enable access and egress in forward gear. Moreover, since planning permission was first granted for the development of the site there have been two reported traffic accidents on the roundabout, neither of which was attributable to the sub-standard access. Taking these factors into account, on balance, no highway objection is raised.

Residential amenity

The application site does not adjoin any residential properties but is overlooked to an extent from the rear of dwellings to the east of the By-pass and railway line in Trealaw, especially in winter when the trees that flank the site are not in leaf. Given the physical distance that separates the nearest dwellings from the site and the presence of an intervening By-pass and railway, it is considered the development is unlikely to pose a significant risk of nuisance to residents from noise, dust and smells. In any event, a light manufacturing and assembly use in Class B1 is by definition one which will not give rise to such issues therefore capable of co-existing in close proximity to residential properties without causing undue harm to living conditions.

Drainage

Initially, some concern was expressed by drainage consultees over the proposal to utilise a private septic tank instead of the preferable method of connection to a public sewerage / treatment facility. Current planning policy is geared towards steering development in the direction of connection to public sewerage/treatment facilities unless it can be demonstrated that such an option is impracticable and/or prohibitive for reasons such as economic cost and distance. In the case of this application Dwr Cymru/Welsh Water has advised that the closest public sewer to which a foul communication could be made in relation to the development is situated in excess of 170 metres away and located in the highway of the A4119/B4278, which is not considered reasonably practical due to distance. Dwr Cymru/Welsh Water therefore has no objection to utilisation of private facilities in this case. Natural Resources Wales has likewise confirmed it is satisfied the applicant has demonstrated that connection to public sewers is not practical. On this basis there is no objection to the applicant's private drainage disposal scheme.

Community Infrastructure Levy (CIL) Liability

The Community Infrastructure Levy (CIL) was introduced in Rhondda Cynon Taf from 31 December 2014.

The application is for development of a kind that is liable for a charge under the CIL Regulations 2010 as amended however, the CIL rate for this type of development as set out in the Charging Schedule is £nil and therefore no CIL is payable.

Conclusion

The application is considered to comply with the relevant policies of the Local Development Plan in that it will facilitate the extension and diversification of an established commercial business which occupies a site that lies within settlement limits. The design of the scheme will not give rise to unacceptable impacts for the character and appearance of the site and surrounds, except the proposed open storage area and cladding of the boundary fencing which would be unduly harmful to visual amenity therefore not agreed and are excluded by conditions. The development will not have unacceptable consequences for highway safety, residential amenity, drainage and pollution. The proposal is economic development that supports and grows a local business, safeguarding existing jobs and potentially creating new ones.

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. The development hereby approved shall be carried out in accordance with the following approved plans and documents:

Final Layout Drawing dated 1 October 2014 and Proposed Elevations Drawing dated 1 October 2014.

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

3. Prior to the development being brought into beneficial use samples of the external materials to be used to over clad the steel containers 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 external appearance of the development will be in keeping with the character of the area and adjoin building in the interests of visual amenity in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

4. There shall be no outside storage whatsoever on the site.

Reason: To protect the visual amenity of the area in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

5. Notwithstanding the plans hereby approved and prior to the development being brought into beneficial use, details of any alterations, including the

addition of cladding, to the boundary fencing shall be submitted to and approved in writing, and the development shall be finished in accordance with the approved scheme.

Reason: To protect the visual amenity of the area in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

6. The premises shall be used for purposes within Class B1 and B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.

Reason: In order to safeguard the amenity of the occupiers of residential properties in close proximity to the site in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

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APPLICATION NO:	14/1119/10	(BJW)
APPLICANT:	Mr Rhys Williams	
DEVELOPMENT:	Change of use from chapel building to one residential unit and funeral home (amended layout plan received 09/10/2014 and bat report received 15/10/2014).	
LOCATION:	TRINITY CHAPEL, TRINITY ROAD, TONYPANDY, CF40 1DQ.	
DATE REGISTERED:	15/10/2014	
ELECTORAL DIVISION:	Tonypandy	

RECOMMENDATION: Approve.

REASONS:

The proposal would make productive use of disused buildings that would be in keeping with surrounding land uses and would be sympathetic to the character and appearance of the area.

Additionally, the relationship between the building and existing neighbouring properties is such that development is not considered to cause detriment to their amenities.

APPLICATION DETAILS

Full planning permission is sought for the conversion of Trinity Chapel, Trinity Road, Tonypandy to a single residential dwelling and a funeral home.

The property consists of an upper chapel building and a lower, attached hall. The proposal is to convert the upper chapel building into a single residential dwelling whilst the ground and first floor elements of the lower hall are proposed to be converted into a funeral directors. The remaining part of the lower hall would be converted to a walled, private garden area for the proposed dwelling as well as parking for three vehicles, two for the dwelling and one as a space for the funeral director's operational requirements.

The dwelling would be created within the existing building envelope, with the only external alteration being proposed as part of the conversion consisting of a new doorway opening from the upper chapel building into the proposed walled garden area.

Accommodation would consist of an entry porch, open plan living area, 2 bedrooms, kitchen, bathroom and W.C. within the ground floor level of the upper chapel building. Access would be gained from the existing main access from Trinity Road.

The proposed funeral directors would be located on the lower ground floor (of the attached hall building) and the first floor of the hall and would be laid out as follows:

Lower ground floor – funeral home, 2 rooms serving as a chapel of rest
Ground floor – funeral home.

The funeral home would have two points of access, one from the side entrance off Dunraven Street and the other from the walled garden area also off Dunraven Street.

The application is accompanied by a Design and Access Statement (DAS) which states that the proposal would make productive use of the church building which was no longer required to be used as a place of worship into a family dwelling and funeral home. The appearance of the building, which would be largely unchanged, would be in keeping with the surrounding area.

Due to the age, nature and means of construction of the building, a licensed bat worker was engaged to assess the potential impact of the works on statutory protected species. This assessment was included with the application, necessitating its re-validation, and forms part of the details submitted in support of the application. The report concludes that the works would be unlikely to have an adverse impact on bats however, it was not possible to survey all parts of the roof.

SITE APPRAISAL

The site is a roughly rectangular shaped piece of land measuring 672 square metres (0.06 hectares) with a site frontage of 22 metres onto Trinity Road. The site slopes from south west to north east along Trinity Road.

The site contains a former chapel building, Trinity Chapel, and an attached lower hall which was used as a classroom associated with the chapel. Both buildings cover the entirety of the site apart from a side alley entrance off Dunraven Street.

The Church is a large, civic scale building of 3 plus storeys as viewed from Trinity Road with a height of 14.5 to the highest part of the roof. Due to the sloping nature of the site the building, which includes a lower attached hall building, would have a height of 17.4m in height to its highest point as viewed from Dunraven Street.

The chapel and lower hall are attractive stone built buildings with contrasting brick details to door and window openings and a slate roof.

PLANNING HISTORY

None.

PUBLICITY

This has included site notices and the direct notification of properties surrounding the site. Two responses have been received from neighbouring properties raising the following concerns and objections to the proposal:

1. Parking problems in the area would be worsened by the proposed change of use particularly during the construction process.
2. There is already a funeral home in the area and therefore another is not required.
3. Works have already started at the site despite the applicant stating that they have not.
4. Where would the funeral cars for the business, mourners and the dwelling be parked?
5. Construction traffic could travel the wrong way up the one-way system due to unfamiliarity with the area.
6. The business use could cause issues with access to and from existing garages in Adare Terrace.

Another letter of response has been received from an anonymous source raising the following concerns and objections:

1. The applicant has not stated that his mother is an employee of the Council.
2. How will waste from the business be disposed of?
3. Questions whether the business could operate as indicated in the submitted details with undisclosed hours of operation (the respondent feels that 24 hour opening is required, 7 days a week). Also only 2 staff are indicated but surely more would be required.
4. Works have clearly begun within the property as can be seen from the pictures attached to the bat survey works.

CONSULTATION

Transportation Section – initially raised an objection to the application due to highways safety concerns over the lack of parking facilities and the increased intensity of long term parking that the proposal would cause. However, following the amendments to the plans indicating off street parking provision for the dwelling

element of the proposal, now raises no objection, subject to conditions relating to the implementation of the parking area; a vehicular footway crossing; the restriction of times for heavy goods vehicles visiting the site and surface water run-off being restricted from discharging onto the highway.

Land Reclamation and Engineering – no objection.

Public Health and Protection – no objection, subject to a condition to restrict the hours of operation during construction and standard informative notes.

Wales and West Utilities – no objection. Standard advice is offered in relation to safe working practices in the vicinity of Wales and West Utilities' apparatus.

Western Power Distribution – no response received.

Countryside, Landscape and Ecology – no objection. The bat survey report is a thorough and competent assessment by a very experienced bat surveyor. The assessment has included emergence/activity works and (where access was possible) building inspections. The building itself is clearly a difficult one to fully assess, but significant efforts have been made to do so.

Based on the findings of the report, and acknowledging the problems identified, no objection is raised subject to a precautionary condition that requires a further investigation for bats in the chapel roof, to take when the minimum amount of slate has been removed to enable an assessment to be made. The condition would be subject to confirmation from Natural Resources Wales (NRW) that they would be in agreement with this approach and condition.

Natural Resources Wales – no objection. NRW are satisfied with the precautionary approach and condition suggested by the Council's Ecologist.

Glamorgan/Gwent Archaeological Trust - It is clear that currently the proposed works will result in altering the interior of the existing building and therefore it is our opinion that a photographic record of the interior and exterior should be made prior to the commencement of the development. We do not have any objection to the positive determination of the current application, but recommend that a condition ensuring that a photographic record is made, which will ensure the building's preservation by record to mitigate the negative impact of the development, should be attached to any planning consent that is granted.

Royal Commission on the Ancient and Historical Monuments of Wales - given the historic and architectural interest of this chapel, we would be grateful if we were granted a period of access for recording purposes if planning consent is granted.

POLICY CONTEXT

The site is within the settlement boundary and unallocated.

Rhondda Cynon Taf Local Development Plan

Policy CS1 - sets out criteria for achieving sustainable growth.

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.

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

Policy AW10 - development proposals must overcome any harm to public health, the environment or local amenity.

National Guidance

In the determination of planning applications regard should also be given to the requirements of National Planning Policy that 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 7 (economic development), Chapter 9 (housing) and Chapter 10 (planning for retail and town centres).

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.

Main issues:

Principle of the proposed development

The development site is within the defined settlement boundary where development is considered to be acceptable subject to compliance with other policies within the Local Development Plan. The site is adjacent to the retail area of a Key Settlement (Tonypany, Policy NSA18.2 refers). The site is a disused chapel and attached lower hall which are showing external signs of vandalism and disuse.

The principle of the reuse of the building as a dwelling, albeit a substantial dwelling, would be in keeping with surrounding land uses which are predominantly residential in nature. The conversion would also retain the character and appearance of the street scene in this area by keeping this attractive community style building in a largely unaltered external form. In terms of the commercial use as a funeral home it is considered that this would be in keeping with the adjacent retail area of the town centre of Tonypandy.

The issues of the impact of the development on neighbouring properties, the visual amenity of the area, highway safety and other issues are addressed below in the report.

However, it is considered that the principle of using the site for residential and commercial purposes, as proposed, would be acceptable.

Character and Appearance of the area

The area is characterised by traditional terraced housing, the occasional larger house and several commercial and community buildings at the edge of the main town centre. It is considered that the conversion of the property would not have a detrimental impact on the character and appearance of the area as the majority of the works would be carried out within the internal envelope of the property.

In terms of the external alterations it is considered that the majority of these are relatively minor in nature. The main external alteration would be the removal of the roof on the lower hall to create a private walled garden area and parking provision for the dwelling and a coffin entrance for the funeral home. It is considered that this alteration has been handled with care and sensitivity to the built form of the resultant building and would provide visual interest within the street scene that would be appropriate to the immediate context of the area.

Therefore, it is considered that the proposal would be respectful, sympathetic and acceptable in terms of the character and appearance of the area.

Impact on amenities of neighbouring properties

The site represents an existing community building that already has a fairly close relationship with existing neighbouring properties due to the densely built-up urban form of this area.

However, it is considered that the property is located in an area of Tonypandy where the usually dense urban form is more dispersed. The property is separated from dwellings to the rear of the site, in Adare Terrace, by the vehicular carriageway and a distance of 22m. The closest property, Evesden Cottage, is immediately adjacent to the site and could be overlooked by rear facing windows to habitable rooms of the dwelling or from the commercial property. However, it is considered that a suitably worded condition requiring details of the means of fenestration and adequate levels of obscurity to prevent overlooking would address any potential amenity issues.

In terms of the use of part of the property as a funeral directors, it is acknowledged that such a use would be likely to operate at potentially unsociable hours. It is considered prudent to require the hours of operation to be agreed and to limit the access to the business to the entrance through the walled garden area where any disturbance would be far more limited.

Consequently, having regard to the issues above and subject to the conditions suggested, it is considered that the proposal is acceptable.

Highway safety

The Transportation Section has raised no objection to the application. This view acknowledges that the previous use as a chapel with attached hall would have required in the region of 61 off-street spaces and the proposal would require a maximum of 33 spaces (3 for the dwelling and 30 for the funeral home).

Taking into account the close proximity of the public car park and the traffic regulation orders in place preventing on-street car parking the customers for the funeral home would use the public car park opposite which is acceptable.

The proposal provides for two off-street car parking spaces served off Dunraven Street through a new double access gate with access / egress in forward gear which is acceptable.

Therefore, subject to conditions to regulate the proposal, no highway objection has been raised.

Consequently, the proposal is considered to be acceptable in this regard.

Potential impact on statutory protected species

The applicant commissioned a bat survey of the building based on requirements of the proposal to facilitate the use of the property as a dwelling, funeral home and walled garden.

The assessment has included emergence/activity works and (where access was possible) building inspections. The building itself was clearly a difficult one to fully assess, but significant efforts have been made to do so.

In essence the Report concludes that *“with the surveying carried out, although not in ideal situation, we are of the opinion that it is unlikely that bats use the buildings for roosting.”* The report does identify that it was not possible to enter or look into the former church roof space or two small hall roof spaces, and the conclusion suggests that *“it may be possible to use scaffolding rather than mobile access equipment to look into the church roof space at the time the roof is removed in which case if evidence of bats should be found then works would cease whilst an NRW licence is applied for.”*

The report states that RCT's and NRW's agreement would be needed for any planning permission which included such a proviso. The Council's Ecologist has examined the details and considers that should consent be granted a precautionary condition is required that requires a further investigation for bats in the chapel roof, to take place when the minimum amount of slate has been removed and to enable an assessment to be made. That would only be acceptable as a precautionary measure based on the survey conclusion that '*it is unlikely that bats use the buildings for roosting*'.

The Council's Ecologist advises that the views of NRW are sought to ensure that they are agreeable to such an approach. NRW have been consulted and are in full agreement with the suggested approach by the Council's Ecologist.

Consequently, it is considered that a precautionary condition, of the type suggested, would adequately address this issue.

Other issues

There have been several issues raised by neighbouring properties and through an anonymous respondent regarding the proposal. The following comments are offered in relation to the points raised:

In relation to parking and other issues, the chapel building and hall has a parking requirement greater than the existing proposal and it is therefore considered that the existing highway network, traffic regulation orders, proposed parking spaces and public car parks would facilitate the proposal without additional detriment to highway safety or on street parking.

Funeral cars could be parked off site in public car parks or other facilities as required. This is an operational issue for the business and not a material planning consideration. Familiarity with the road layout for construction traffic is an issue that will be dealt with by the developer and/or the contractors appointed. Any obstruction to the existing garages in the area would be a Police matter.

The need for another funeral home is a matter for market forces and not a material planning consideration.

While the applicant has not stated that their parent is an employee of the Council it is not considered that this has in impact on the determination of the proposal. In any event, this application is due to be determined by Committee.

The business operation will be required to comply with all of the necessary regulations including the disposal of waste materials generated by the business.

Clarification of the business hours and means of operation can be required by condition. Both of these requirements will aim to ensure that the business operation does not have an adverse impact on the amenity of neighbouring properties.

Community Infrastructure Levy (CIL) Liability

The Community Infrastructure Levy (CIL) was introduced in Rhondda Cynon Taf from 31 December 2014.

The application is for development of a kind that is liable for a charge under the CIL Regulations 2010 as amended however, the application lies within Zone 1 of Rhondda Cynon Taf's Residential Charging Zones, where a nil charge is applicable.

Conclusion

The application represents an acceptable alternative use of a historically and architecturally important community building. It is considered that the resultant development would be visually acceptable and sympathetic to its surroundings and would not be detrimental to the amenity of existing residents, highway safety or biodiversity issues.

Consequently, the application is considered to comply with the relevant policies of the Local Development Plan in respect of the issues outlined above (and in accordance with Policies AW5, AW6, AW8 and AW10).

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 approved plan(s) - Site location plan, received 04/09/2014, Proposed floor plans and elevations Drawing Number: hdw/ph/tc.001 received 08/08/2014, unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

3. Notwithstanding the approved plans, and before works of any description commence at the site a further investigation for bats within the chapel roof shall take place. The works shall proceed with the minimum amount of slate to be removed to enable an assessment to be made and the findings submitted to the Local Planning Authority for evaluation. No works shall proceed without the formal written approval of the Local Planning Authority.

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

4. No development to which this permission relates shall commence until an

appropriate programme of historic building recording and analysis has been secured and implemented in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: The building is of significance and therefore the specified records are necessary to mitigate the impact of the proposed development in accordance with Policy AW7 of the Rhondda Cynon Taf Local Development Plan.

5. 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. Prior to the beneficial use of the of the development, the window openings in the south east elevation, that is facing – 84 Dunraven Street, shall be glazed with obscure glass to a height of 1.8 metres above internal finished floor levels and fitted with top hung openings only, the detail of which shall have first been submitted to and agreed in writing by the Local Planning Authority. The windows shall thereafter be retained in their approved form unless otherwise agreed in writing by the Local Planning Authority.

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

7. Before any work is commenced on site, the hours of opening of the funeral home, including deliveries and collections to and from the site, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of the amenities of adjoining residential properties in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taff 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 hdw/ph/tc.001 and approved by the Local Planning Authority. The approved details shall be implemented prior to beneficial occupation of the development.

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

9. Prior to the development being brought into use, a vehicular footway crossing to match existing footway slabs and kerbs 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.

10. Heavy Goods Vehicles used as part of the development shall be restricted to 09:30am to 15:30pm weekdays, with no Heavy Goods Vehicles on weekends and Bank Holidays unless otherwise agreed in writing with 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 Taff Local Development Plan.

11. 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 in accordance with policies AW5 and AW10 of the Rhondda Cynon Taff Local Development Plan.

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APPLICATION NO:	14/1207/10	(BJW)
APPLICANT:	Mr R Hughes	
DEVELOPMENT:	Change of use from A1 to A3 restaurant, takeaway and garage for staff on ground floor and store on first floor (Amended plans and description received 3/11/14, transport statement received 4/11/14)	
LOCATION:	168 GELLI ROAD, GELLI, PENTRE, CF41 7NA	
DATE REGISTERED:	26/09/2014	
ELECTORAL DIVISION:	Ystrad	

RECOMMENDATION: Approve

REASONS:

The proposed change of use to a restaurant and takeaway is considered to be acceptable in the existing area which has a mix of residential and commercial properties. Additionally, it is considered that the operation of the use would not have a detrimental impact on the amenity of the closest residential properties and would provide employment in the area and improvements to the existing property.

APPLICATION DETAILS

The application seeks consent for change of use from a retail use (Class A1) to a takeaway and restaurant (Class A3) and a garage for staff on the ground floor and store at first floor at 168 Gelli Road, Gelli, Pentre.

The property is a large, end of terrace, commercial property which extends the whole length of the plot to the rear lane.

The proposal would convert the front part of the property into a takeaway fish and chip shop while the rear two storey element would be rebuilt in stone to match the existing property. The new extension would consist of a fish and chip restaurant at ground floor with a garage for 1 staff vehicle and a storage area on the first floor.

The business would create 3 full time and 5 part time jobs and the proposed hours of operation of the business would be 11.30am to 21.00pm Monday to Saturday, and not at all on Sundays and Bank Holidays.

The application is accompanied by a Design and Access Statement (DAS) in support of the application. The DAS states that the proposed development would provide much needed employment in an area of relatively high unemployment as well as representing an investment in the built fabric of the property and a significant internal refit.

Due to the initial objection to the application on highway safety grounds, the application has been modified to exclude the flat at first floor shown on the originally submitted proposal and the inclusion of a garage for the parking of a single staff vehicle. Additionally, a Transport Statement was also produced by the applicant's consultant in support of the amended scheme. The Transport Statement concluded that the parking required by the amended scheme could be accommodated by the additional garage space and the existing on street parking provision.

SITE APPRAISAL

The application premises is an end of terrace commercial building, formerly used as an ironmongers, with frontages onto Gelli Road and Colwyn Road. The property is located within a mixed commercial and residential area of the village of Gelli and is approximately 50 metres from the Local and Neighbourhood Retail Centre of Gelli (Policy NSA18.3 refers).

The property is located adjoining 169 Gelli Road, a residential property, and fills the whole of the site to the rear lane. The building is a two storey, stone built property with a traditional shop front. The rear two storey extension is roofed with tin sheeting and the roof sits independently of the main slate roof. A single storey flat roof extension completes the building at the site onto the rear lane.

The premises is located at roadside and at the same level as surrounding properties. Limited, on-street parking is available on Colwyn Road while parking is restricted on Gelli Road to between 18.00 to 09.00 daily.

PLANNING HISTORY

There is no relevant planning history, although it is understood that the premises has been in retail use for a number of years.

PUBLICITY

This has included site notices and the direct notification of properties surrounding the site. The following responses have been received:

Objections received

1. The shop is metres away from a pelican crossing and close to the entrance to the local park. Customers are likely to park outside the takeaway for short periods of time causing hazards to users of the crossing, particularly children.
2. The creation of a takeaway food shop could promote poor food choices, particularly by children, and thereby increase obesity in the area.

In addition to a petition signed by 20 signatories has also been received. The petition raises three issues in objection to the application: that the premises would jeopardise the safety of pedestrians using the pelican crossing; that increased parking in the area would further slow the existing slow and troublesome flow of traffic and that residents would be inconvenienced by increased parking in the area.

Support received

7 letters of support have also been received to the application, 2 from local businesses and 5 from local residents. The letters make the following comments:

1. The proposal would improve the appearance of the property which is currently run down.
2. The proposal would bring a much needed business to the local community as well as increased trade to other local businesses.

CONSULTATION

Transportation Section – initially raised objection to the application. However, following the amendment to the layout of the property, now raises no objection subject to conditions in relation to the use of the garage and satisfactory details for the tie-in to the rear lane.

Public Health and Protection Division – no objection subject to conditions to restrict the hours of operation during the construction phase of the development; to require a system to prevent waste cooking oil, fat, grease and solid waste from entering the foul drainage system and limiting the hours of operation to those applied for (until

9pm) to restrict the impact that additional levels of noise may have on neighbouring properties.

Dwr Cymru welsh Water – no objection, subject to conditions and standard advice.

Natural Resources Wales - no objection, standard advice offered.

Western Power Distribution – no response received.

Wales and West Utilities - no response received.

Countryside, Landscape and Ecology – no objection received.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies within the settlement boundary of Gelli and is unallocated.

Policy CS1 - sets out criteria for achieving sustainable growth including, promoting and enhancing transport infrastructure services.

Policy AW2 - supports development in sustainable locations.

Policy AW5 - lists amenity and accessibility criteria that will be supported in new development proposals.

Policy AW6 - lists design and place making criteria that will be supported in new development proposals.

Policy AW10 – states that development will not be permitted where they would cause or result in a risk of unacceptable harm to health and/or local amenity because of issues including air, noise or water pollution and contamination.

National Guidance

In the determination of planning applications regard should also be given to the requirements of National Planning Policy that 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 4 (planning for sustainability), Chapter 7 (economic development).

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.

Main issues:

Principle of the proposed development

In terms of the change of use it is considered that the premises has been in retail (A1) use for very many years and that the area is characterised by a mix of residential and commercial properties. As such there is generally a higher level of activity within the vicinity of the site than in an exclusively residential area and this is also affected by the proximity of the site to the Local Retail Area (Gelli) located approximately 50m from the site.

It is considered that the principle of the re-use of the property for commercial purposes would be broadly supported subject to an assessment of the impact on amenity and highway safety later within the report. The proposal would provide employment within the local area and a modern commercial premises within the immediate street scene.

Impact on neighbouring properties

The proposal would utilise an existing commercial premises that is located at the end of a terrace of residential properties in an area of mixed residential and commercial use.

While there is potential for disturbance to be caused to neighbouring residential properties it is considered that the previous retail use of the premises, as well as the number of other business uses within the area would result in a generally higher level of activity than in a purely residential area. The applicant has submitted a noise assessment that indicates that noise would not be an issue at the site and the extraction system would be located on the side of the premises furthest from the neighbouring property and would be of the most modern specification available.

Additionally, the hours of operation applied for are from 11.30am to 9pm Monday to Saturday and there would therefore be less potential for antisocial behaviour associated with intoxicated patrons at this time.

It is considered that the immediate area is a mixed commercial and residential area where several commercial properties have operated for a considerable period in close proximity to residential dwellings without undue amenity problems.

Consequently, it is considered that the proposal would not, on balance have a detrimental impact on the amenity of neighbouring properties and, subject to appropriate conditions would be acceptable in this regard.

Effect on the visual amenity of the area

The application site is an end of terrace commercial property that is in a poor state of disrepair due to lack of use.

Several respondents have drawn attention to its run down appearance in their comments and the detrimental impact that this has on the existing street scene and other businesses in the area.

It is considered that the proposal would bring some much needed investment and regeneration to this property. The development would provide a high quality, modern business premises and improve the visual appearance of the property and the street scene in this area.

Highway safety

The Transportation Section has raised no objection to the application. This view acknowledges that there is concern with regard to the lack of off-street car parking provision. However, there is an increase in parking provision at the site with a rear garage being provided for staff parking.

Therefore, taking into account the existing Traffic Regulation Orders in place preventing indiscriminate on-street car parking along Gelli Road and the sustainable location of the property, the proposal is considered to be acceptable.

It is acknowledged that there have been several letters of objection to the application based on highway safety concerns. However, it is not considered that the proposal would increase the amount of traffic to a level that would cause additional detriment to highway safety that would be beyond the capacity of the existing highway network.

Therefore, the proposal is considered to be acceptable in this regard.

Other Issues

The issue of obesity and takeaway food outlets has been raised as a potential issue by one of the respondents to the application. While a link has been suggested with takeaway outlets and obesity, it is clear that much work remains to be done and that good food options should be the goal for society as a whole.

It is not considered that the proposal would lead to poor food choices/options in this regard and would be part of a wider range of food available to consumers within the area.

Community Infrastructure Levy (CIL) Liability

The Community Infrastructure Levy (CIL) was introduced in Rhondda Cynon Taf from 31 December 2014.

The application is for development of a kind that is liable for a charge under the CIL Regulations 2010 as amended however, the CIL rate for this type of development as set out in the Charging Schedule is £nil and therefore no CIL is payable.

Conclusion

The application is considered to comply with the relevant policies of the Local Development Plan in respect of the principle of the change of use, highway safety, the visual amenity of the area and the impact on existing neighbouring residential properties.

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 approved plan(s) no(s):

Site Location plan Licence no. 100047474 Dated 08/09/14
Proposed floor plans Drawing: 113-06-B Dated 02/11/14
Proposed Elevations Drawing: 113-7-A Dated 02/11/14

unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

3. 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.

4. The business shall not be brought into beneficial use 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.

5. Details of a system to prevent waste cooking oil, fats and grease and solid waste from entering the foul drainage system shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the use of the premises commences and then shall operate in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of health and safety and environmental amenity and so as to accord with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

6. The use of the garage hereby approved, shall at all times be restricted to purposes of the parking of staff vehicles and no trade or business shall be carried out therein.

Reason: For the avoidance of doubt as to the extent of this consent, in the interests of the safety of all highway users in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

7. Before the garage is brought into use, details of the garage apron tie in with the adopted highway shall be submitted to and approved in writing by the Local Planning Authority, before any development commences on site. The approved details shall be implemented to the satisfaction of the Local Planning Authority prior to beneficial use of the building.

Reason: To prevent damage to the public highway, in the interests of highway safety in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

8. The hours of operation for the business hereby approved shall be as follows:

Monday – Saturdays	11.30 to 21.00 hours
Sundays and Bank Holidays	Not at all

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:	14/1272/10	(CPU)
APPLICANT:	Mrs D Jones	
DEVELOPMENT:	Erection of a three storey, four bedroom, detached house.	
LOCATION:	LAND ADJACENT TO 42 PANTYGRAIGWEN ROAD, PANTYGRAIGWEN, PONTYPRIDD, CF37 2RS	
DATE REGISTERED:	11/11/2014	

ELECTORAL DIVISION: Rhondda

RECOMMENDATION: Approve

REASONS:

The application is considered to represent an appropriate form of residential development within the settlement limits of Pontypridd. Whilst of a significant scale, the design and general appearance of the dwelling is unlikely to have a significant, harmful impact on the existing character and appearance of the area or the residential amenity of those living closest to the site.

APPLICATION DETAILS

Full planning permission is sought for the erection of a detached dwelling on land adjacent to number 42 Pantygraigwen Road. The proposed dwelling would be a maximum of 12.4 metres in width by 13.2 metres in depth. It would have the appearance of a bungalow from Pantygraigwen Road but a staggered three storey dwelling to the rear. From the front, the dwelling would be 5.6 metres to its apex and to the rear a maximum of 11.6 metres in height. The lower ground floor level would contain the main living space and the first floor would provide 3 bedrooms and a bathroom. The second floor (which would be level with Pantygraigwen Road) would provide an additional fourth bedroom, an integral garage and a small living area. The dwelling would have two balconies to the rear, one at first floor level and another on the second level. The first floor balcony would be 4 metres in width and would protrude 1.6 metres beyond the rear building line. The second floor 'roof terrace' would span across the full width of the property. It would measure 3.6 metres in depth but would be flush with the rear building line of the dwelling. The front elevation of the dwelling would mainly be completed with render, with the side and rear elevations having a mixture of natural stone facebrick, render and timber cladding. The roof would be covered with fibre cement slate.

The dwelling would be set back 7 metres from the front of the site with a parking area being situated adjacent to Pantygraigwen Road. This area of parking would provide a small turning area, two off road parking spaces for the applicant's existing dwelling (No.42) and an additional off road parking space for the proposed dwelling. This, in combination with the integral garage which is proposed would provide a total of 4 off-street parking spaces. Along the eastern side elevation of the proposed dwelling, there would be external steps providing access to a pedestrian walkway which would lead onto an existing public footpath to the east of the site.

The design and access statement submitted with the application acknowledges that there are a number of trees along the boundaries. However, the applicant has confirmed in the statement that the trees would not be affected by the proposed development.

SITE APPRAISAL

The application site relates to an irregular shaped area of land measuring approximately 0.13 hectares. It is located to the west of number 42 Pantygraigwen Road and to the north-east of Ty Mawr Park. The site is steeply sloping and drops in a south-easterly direction towards the dwellings in Ty Mawr Parc. There are a number of trees on the site, mainly around the south-eastern boundary.

PLANNING HISTORY

There is no relevant planning history which needs to be taken into consideration in the determination of this planning application.

However there is planning history relating to the applicant's existing house. This application (Reference 97/2279) which sought the erection of a two-storey extension, a porch and a detached garage was granted planning permission on the 26th June 1997.

PUBLICITY

The application has been advertised by means of direct neighbour notification and site notice. Three letters of objection have been received from the residents of Ty Mawr Parc raising the following concerns:

- Loss of privacy and overlooking;
- Stability of the ground;
- Overdevelopment of the site;
- Implications to the properties below as a result of the clearance of the site, removal of trees and the erection of the dwelling;
- Surface water run-off;
- Interruption to services such as gas;
- Liability of the applicant for any costs which may result from damage made to neighbouring properties during the construction;
- Requirement to employ a building company who adhere to 'The Considerate Construction Scheme';
- Is the development financially viable and will it be completed;
- Safety of access onto Pantygraigwen Road;
- The dwelling is proposed in close proximity to the location of a National Coal Board 'adit'.
- Impact of the development on wildlife;

CONSULTATION

Transportation Section - no objection.

Land Reclamation & Engineering - no objection.

Public Health & Protection -no objection.

Natural Resources Wales - no objection.

Welsh Water/Dwr Cymru - no objection.

Western Power Distribution - no adverse comments received.

Wales and West Utilities - no objection.

Countryside, Landscape and Ecology - no objection.

Structural Engineer - no objection.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

Policy CS2 - sets out criteria for achieving sustainable growth including, promoting and enhancing transport infrastructure services.

Policy AW1 - sets provisions for the creation of new housing throughout Rhondda Cynon Taf.

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

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.

Policy AW8 - sets out criteria for the protection and enhancement of the natural environment.

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

Policy SSA11 - sets housing density requirements for the Southern Strategy Area

Policy SSA13 – supports housing development within the settlement boundary.

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 (Planning for Sustainability), Chapter 13 (Minimising and Managing Environmental Risks and Pollution), 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 12: Design; Manual for Streets

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

Principle of the proposed development

Permission is sought for the erection of a detached property within the existing built up area of Pantygraigwen. The application site is situated adjacent to existing residential properties and is within the settlement boundary. The principle of the development is therefore in accordance with the provisions of the local development plan that aims to focus new development within defined settlement boundaries.

Impact on the character and appearance of the area

In terms of the impact of the scheme on the existing character and appearance of the locality, whilst some concerns exist in this regard, on balance, the proposal is considered acceptable. The dwelling can be suitably accommodated within the site without leading to the overdevelopment of the plot. Although the mass and bulk of the rear elevation of the dwelling and the associated retaining walls would be significant, the three-storey design responds to the topography of the site and is reflective of the rear elevations of nearby properties. The rear elevation of the new dwelling is also well articulated and would utilise natural looking materials which would help the building blend into its surroundings. On balance, it is therefore considered that the positioning of a dwelling of the design, scale and appearance proposed would not have such a harmful visual impact on the existing character and appearance of the locality to warrant refusal of the planning application.

Impact on residential amenity and privacy

With regard to the amenity of surrounding residents, the proposed dwelling would be sited alongside and to the rear of the applicant's property (Number 42 Pantygraigwen Road). Unlike the residential properties to the east of the site, the proposed dwelling has been set further down the slope and also closer to the boundary with the neighbouring properties to the rear, in particular numbers 44 and 45 Ty Mawr Parc. This is one of the concerns which has been raised by residents. Nevertheless, an approximate distance of 25m is still maintained between the rear elevation of the proposed dwelling and the rear elevations of numbers 44 and 45.

The concerns raised regarding the proximity and scale of the dwelling are fully appreciated. However, setting the building down the hillside, as is proposed, reduces the visual prominence of the rear elevation compared to a more standard 2/3 storey split level house on the higher part of the site. It is also acknowledged that the proposed dwelling has been designed to cut into the slope of the existing ground level which would further reduce the mass of the proposed dwelling when viewed from the dwellings to the rear. The rear elevation of the new dwelling would also be staggered in height and would not be seen as one continuous elevation. For these reasons, it is not considered that the dwelling would be overbearing when viewed from the rear gardens of Ty Mawr Parc.

Consideration has also been given to the concerns raised over the overlooking impact of the development and the siting of the two balcony areas along the rear elevation. Ty Mawr Parc is situated on a significantly lower ground level and there are mature trees along the boundary. Although the proposed dwelling would be three storeys in height, there is an extreme change in level and it is considered that the view from the second floor and the roof top terrace would be over the roofline of the dwellings to the rear. The lower ground and first floor level would be obscured by the tree line and consequently is not considered to result in a harmful level of overlooking or loss of privacy. Moreover, the proposed dwelling would be sited at an acceptable distance from the rear elevations of numbers 44 and 45 Ty Mawr Parc and the views would also be at an acute angle. On balance, it is therefore considered the scheme would not have an unneighbourly or unduly harmful impact on existing levels of residential amenity enjoyed within the locality.

Access and highway safety

Turning to the impact of such a proposal on highway safety and whilst acknowledging the comments raised from neighbouring residents, the Council's Transportation Section has raised no objections against the proposal. It is stated that the four off street parking spaces being proposed for the existing dwelling (Number 42) and the proposed dwelling are acceptable for the development. However, there is some concern that due to the topography of the highway at this location, drivers would not anticipate cars emerging from the existing/proposed access. Nevertheless, it is considered that vehicles tend to slow down at this location due to the topography of the road and a pinch point in the carriageway adjacent to the eastern boundary of number 42 Pantygraigwen Road. For these reasons, it is considered on balance, that the traffic generation of one dwelling would not be so detrimental to highway safety to warrant the refusal of planning permission. Accordingly, it is considered that the car parking, turning facility and visibility splays are acceptable and the scheme would not impinge on highway or pedestrian safety.

Other Issues:

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

Drainage

The concerns raised by residents in relation to surface water drainage and the hydrological impact of trees being felled are acknowledged. In this respect, it is noted that the Council's Land Reclamation and Engineering Section and Welsh Water have raised no objection against the scheme subject to appropriate conditions. A drainage condition relating to the discharge of foul and surface water would ensure that the most appropriate methods of drainage are utilised to protect the integrity of the public sewerage system.

Ecology

The Council's Ecologist and Tree Preservation Officer have considered the proposal and have raised no principle objections. Whilst the Design and Access Statement indicates that no trees would be removed, a condition is suggested to ensure the protection of the trees and woodland on the lower slopes of the site during the construction of the development. It is also suggested that there should be no clearance of nesting bird habitats during the nesting bird season which is between March 1st and August 1st inclusive.

Other matters

The Council's Public Health Department and local residents have highlighted that an air shaft is located to the rear of number 45 Ty Mawr Parc. This shaft is in close proximity to the location of the proposed dwelling. It has also been noted that records relating to potentially contaminating past land uses has shown that the site is within 250m of a disused level (clay). Therefore, a condition requiring a contamination report to be submitted is recommended. The Council's Structural Engineer has also been consulted following the concerns raised by residents regarding the stability of the land and the presence of an air shaft. In this respect, it has been recommended to condition the submission of a site investigation report prior to the commencement of the development. This report will also identify if any precautions are necessary to ensure the stability of the ground.

Other issues raised by residents are also acknowledged. Comments received from Wales and West Utilities have identified a low pressure pipeline running underneath Pantygraigwen Road. This pipeline does not cross the application site. However, Wales and West Utilities have noted that service pipes, valves, siphons and stub connections should be anticipated and the developer should contact them separately to discuss the proposal prior to the commencement of any works. Should Members be minded to approve the application, the developer will be advised of this matter.

The Local Planning Authority cannot give any assurance that services to neighbouring properties would not be affected during the construction of the development. This is a matter to be considered externally by the relevant bodies such as Wales and West Utilities. It is also noted that the Local Planning Authority are not able to influence or control private matters relating to damage made to neighbouring buildings or land during the construction of the development. This is a private matter which would need to be dealt with by the developer and the respective

landowner/property owner. However, as noted previously, a condition could be attached to establish what precautions are necessary to ensure the stability of the ground.

In response to another question raised, it is not a planning requirement to employ a builder who adheres to 'The Considerate Constructors Scheme'. This is a scheme set up by the construction industry to improve its image and is not a requirement of planning policy. The point made in relation to the financial viability of the development and the safeguards which could be put in place is also acknowledged. Whilst the Local Planning Authority are able to control the commencement of the development, it is not considered appropriate or reasonable to control completion. However, should the development site become untidy to the point where it exceptionally affects amenity, it may be possible for the Council's Planning Enforcement team to serve an Untidy Land Notice under Section 215 of the Town and Country Planning Act 1990.

Community Infrastructure Levy (CIL) Liability

The Community Infrastructure Levy (CIL) was introduced in Rhondda Cynon Taf from 31 December 2014.

This application is for development of a kind that is liable for a charge under the CIL Regulations 2010 as amended. The application falls within CIL Zone 2 which has a CIL chargeable rate of £40 per square metre of chargeable residential floor space. The chargeable residential floor space for this development will be calculated against this rate and indexed against the BCIS All-in Tender Price Index. The precise CIL liability in relation to this application will be confirmed in the CIL Regulation 65 Liability Notice which will be issued as soon as practicable after the day on which a planning permission first permits development.

Conclusion

The application is considered to comply with the relevant policies of the Rhondda Cynon Taf Local Development Plan. Whilst representing a large dwelling, it is considered the development of a single dwelling on the site would pose no unacceptable harm to the existing character and appearance of the area or the residential amenity of those living closest to the site. The development is also considered satisfactory in terms of highway safety implications. Approval of the planning application is therefore recommended.

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 approved plan(s) and documents received by the Local Planning Authority:

- Location plan drawing No. P/1A dated 11/11/2014.
- Proposed site layout drawing No. P/3B dated 31/10/2014.
- Proposed site vehicle access drawing No. P/4/B dated 31/10/2014.
- Proposed section & design levels drawing No. P/8 dated 25/09/2014.
- Proposed ground & first floor plans drawing No. P/5 dated 25/09/2014.
- Proposed Second floor and roof plans drawing No. P/6 dated 25/09/2014.
- Property boundaries layout drawing No. P/10A dated 31/10/2014.
- Existing site layout drawing number P/2 dated 25/03/2014

unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

3. Building operations shall not be commenced until samples/details of all the finishing 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/details(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.

4. Notwithstanding the submitted details, prior to the commencement of development, full details (including external finishes, elevations and exact siting) and design calculations of the proposed retaining wall structures shall be submitted to and approved in writing by the Local Planning Authority. The development, hereby permitted, shall be carried out in accordance with the approved details.

Reason: To ensure the stability of the development in the interests of public health and safety in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

5. 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.

6. No development shall take place, until there has been submitted to and approved by the Local Planning Authority a comprehensive scheme for boundary treatments for the development. The approved scheme shall be implemented prior to the first occupation of the dwelling hereby 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.

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 drainage of the development and ensure the development does not cause or exacerbate flood risk within the area in accordance with Policies CS11 and AW10 of the Rhondda Cynon Taf Local Development Plan.

8. The development hereby permitted shall not begin until a scheme to deal with contamination has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include all of the following measures unless otherwise agreed in writing by the Local Planning Authority:

1. A desk-top study 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 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 agreed in writing with the Local Planning Authority.
3. A written method statement for the remediation of contamination affecting the site

Reason: In the interest of health and safety and environmental amenity and so as to accord with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

9. Prior to the commencement of development, a detailed site investigations report 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.

10. Before the development is brought into use the means of access, together with the parking, vision splays and turning facilities, shall be laid out and constructed in accordance with the submitted plan number P/3/B dated 31/10/2014 and approved in writing by the Local Planning Authority. The approved details shall remain in perpetuity for the use of both dwellings and implemented prior to beneficial occupation of the new dwelling.

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

11. Prior to the development being brought into use, a 1.2m footway/vehicular crossing shall be provided in accordance with details to be submitted and approved in writing by the Local Planning Authority prior to any development commencing on site.

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

12. 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.

13. The dwelling shall not be occupied until the drainage works have been completed in accordance with the approved plans.

Reason: To ensure adequate drainage of the development in accordance with policies CS11 and AW10 of the Rhondda Cynon Taf Local Development Plan.

14. No development shall take place or site clearance, until there has been submitted to and approved in writing by the Local Planning Authority details of a scheme for the protection of trees shown to be retained on drawing number P/4 B and P/3 B. The approved scheme shall be carried out throughout the course of the development and shall include:

- a) A plan showing the position of every tree on the site that could influence or be affected by the development, indicating which trees are to be removed;
- b) And in relation to every tree identified a schedule listing:
 - Information as specified in paragraph 4.4.2.5 of British Standard BS5837:2012 – Trees in Relation to Design, Demolition and Construction – Recommendations;
 - any proposed pruning, felling or other work;
- c) and in relation to every existing tree identified to be retained on the plan referred to in (a) above, details of:
 - any proposed alterations to existing ground levels, and of the position of any proposed excavation, that might affect the root protection area;
 - all appropriate tree protection measures required before and during the course of development (in accordance with BS5837:2012).
- d) areas of existing landscaping to be protected from construction operations and the method of protection.

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

15. No clearance of nesting bird habitats shall take place during the nesting bird season of March 1st to August 1st inclusive unless agreed in writing by the Local Planning Authority.

Reason: In the interest of nature conservation in accordance with policies AW5 and AW8 of the Rhondda Cynon Taf Local Development Plan.

16. 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 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.

17. 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 AW10 of the Rhondda Cynon Taf Local Development Plan.

18. Heavy Goods Vehicles used as part of the development (during the construction phase) shall be restricted to 09:30 am to 15:30pm weekdays, with no deliveries on weekends and Bank Holidays unless otherwise agreed in writing with 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.

19. Development shall not be commenced until the measures approved in the scheme referred to in Condition 8 have been implemented.

Reason: In the interest of health and safety and environmental amenity and so as to accord 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 a different type to those included in the contamination proposals then revised contamination proposals shall be submitted to and approved in writing by the Local Planning Authority prior to works recommencing.

Reason: In the interest of health and safety and environmental amenity and so as to accord with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

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APPLICATION NO: 14/1385/10 (GD)
APPLICANT: RCT Homes
DEVELOPMENT: Demolition of existing building and construction of a 32 unit housing scheme for older people, community use facilities and associated works.
LOCATION: TREM-Y-CWM, BEDDAU, PONTYPRIDD, CF38 2EA
DATE REGISTERED: 20/11/2014
ELECTORAL DIVISION: Ty'n y Nant

RECOMMENDATION: Approve

REASONS:

The principle of the proposed development is clearly acceptable in planning terms as is the detailing of the current proposal which will deliver much needed elderly persons social housing in the Beddau area

APPLICATION DETAILS

The application seeks planning permission for the demolition of the existing sheltered facility at Trem Y Cwm construction of 32 residential units for elderly persons comprising 23no. one bedroom flats and 9no. two bedroom flats. The development will also incorporate communal facilities a staff office and a car parking area to the south of the site. The building will be a two and three storey construction. The property will be finished in combinations of brown brick and light coloured render with key features, such as the main entrance points defined by timber cladding. The roof will be in grey naturally weathered zinc while windows and doors will be in grey powder coated aluminium.

The proposed building has a slightly smaller footprint than the existing building but will also in places be positioned closer to established properties, it more naturally follows the lines established in Forest Road and Hill View. This approach in turn helps to create a larger enclosed landscape area for the residents. The exception to this approach is at the southern end of Hill View where the building steps away further from the existing established properties. The layout of the proposed development is organised from the central access point on the ground floor with two wings to the north and south of it. The majority of the properties are orientated inward overlooking the improved central amenity area though the internal circulation space is also overlooked by internal windows and also benefits from the provision of benches and seating areas. The proposed building overall comprises a total floorspace of 3077 square metres compared to a total floorspace of 4380 square metres for the building that currently occupies the site.

Vehicular access to the site is provided at the southern end of Hill View and utilises an existing access point. This provides access to the dedicated 23 space car park. Access to the building can be derived either via the main access to the building described above or from the north end of the car park via the communal area. A drop off pull in is also provided on the eastern boundary with Hill View outside of the main pedestrian access to the building.

The application is accompanied by the following:

- A bat Survey
- Design and Access Statement

- A Drainage Strategy, and
- A Statement of Community Consultation.

SITE APPRAISAL

The application site in this instance is comprised in a five sided plot with a total area of just under a half hectare. The site is currently occupied by a building that comprises 37 elderly persons residential units built over 2 and three storeys. The existing building is built in a combination of brick and render walls supplemented by the extensive use of a mustard coloured wall panel with a brown tile roof. The building has undercroft parking on its southern side and also has a number of awkwardly built walkways, some projecting from the building, connecting the various floors. The existing building sits centrally on the plot and occupies a slightly higher level than much of the residential property to the east.

The area immediately around the application site is residential in character. To the south and west is Trem Y Cwm which is relatively modern two storey houses and blocks of flats. To the north of the site forest road comprises two storey semi detached houses and bungalows, whilst those to the east along Hill View also largely two storey residential properties. A parade of local shops is located within walking distance to the north west of the site on Gwaunmiskin Road.

PLANNING HISTORY

11/0154	Refurbishment of existing sheltered accommodation consisting of 36 flats and communal building, provision of 8 person lift and photovoltaic system.	Approved 27/04/11.
09/1292	Provision of an 8 person hydraulic lift to service existing multi storey residential block and communal centre.	Approved 29/01/10
96/0206	Erection of one 3ft aerial projecting approximately 3ft above the ridge line plus one 18ft aerial for a CB radio above the ridge.	Approved 21/06/96
56/85/0558	Re-roofing and refurbishment of sheltered accommodation.	Approved 09/07/85

PUBLICITY

The proposed development has been advertised by means of press notice site notices and neighbour notification letters and this has not generated any response from the public.

CONSULTATION

Highways and transportation Section – the proposal provides for satisfactory access, circulation and parking and therefore is acceptable subject to highway conditions.

Land Reclamation & Engineering Manager – no objections subject to the inclusion of drainage conditions in any consent issued.

Public Health & Protection Division – no objections subject to conditions and appropriate advisory notes being included on any consent that might be issued.

Natural Resources Wales – raise no objection providing appropriately worded conditions are attached to any consent that might be issued to address the impact of the proposed development on protected species.

Dwr Cymru Welsh Water – no objections subject to conditions.

Western Power Distribution – no observations received within the statutory consultation period.

Wales & West Utilities – raise no objection to the proposed development and advise in respect of the presence of their apparatus in the vicinity of the site and appropriate safe working practices to be adopted when working in proximity to it.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

Policy CS2 - sets out criteria for achieving sustainable growth including, promoting and enhancing transport infrastructure services.

Policy CS4 – defines the requirement for housing land, to be met in sustainable locations.

Policy AW1 – Defines the housing land supply, to be met, in part, by development on unallocated land within smaller settlements.

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

Policy AW4 – Lists community infrastructure and planning obligations which the Council may seek in respect of new developments.

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.

Policy AW7 – Protects open spaces and rights of way from loss unless they are in surplus, replaced or improved.

Policy AW8 – aims to protect natural heritage assets from inappropriate development.

Policy SSA11 – Seeks a minimum housing density of 35 dwellings per hectare unless site specific criteria dictate otherwise.

Policy SSA12 – Requires the provision of 20% affordable housing on residential developments of 5 dwellings or more.

Policy SSA13 – Sets general criteria for the consideration of housing developments 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 2 (Development Plans),

Paragraph 2.1.2 states that the determination of planning applications must be made in accordance with the development plan unless material considerations indicate otherwise.

Chapter 3 (Making and Enforcing Planning Decisions),

Paragraph 3.1.2. In line with the principles of sustainable development planning decisions should be made in accordance with the policies of the local development plan unless material circumstances dictate otherwise

Paragraph 3.1.5. Local Planning Authorities should have good reason if it approves a development which is a departure from the approved or adopted development plan.

Chapter 4 (Planning for Sustainability),

Paragraph 4.9.1 States that previously developed land should be used in preference to Greenfield sites.

Paragraph 4.11.2. States that good design can protect and enhance environmental quality, consider the impact of climate change on generations to come, help attract business and investment, promote social inclusion and improve the quality of life.

Chapter 5 (Conserving and Improving Natural Heritage and the Coast),

Paragraph 5.1.3. A key role of the planning system is to ensure that society's land requirements are met in ways which do not impose unnecessary constraints on development whilst ensuring that all reasonable steps are taken to safeguard or enhance the environment. However, conservation and development can often be fully integrated.

Paragraph 5.5.1. It is important to balance conservation objectives with the wider economic needs of local businesses and communities.

Chapter 8 (Transport),

Paragraph 8.7.1. When determining a planning application that has transport implications local planning authorities should take into account:

- The impacts of the proposed development on travel demand.
- The level and nature of public transport provision.
- Accessibility by a range of transport modes
- The willingness of developers to promote modes of transport other than the private car.
- The environmental impact of both transport infrastructure and the traffic generated
- The effects on the safety and convenience of other users of the transport network.

Chapter 9 (Housing),

Paragraph 9.1.2 advocates residential development that is easily accessible by public transport, cycling and walking, and making the most efficient use of land.

Paragraph 9.2.3 states that a five-year supply of housing land should be available.

Paragraph 9.2.14 and TAN2 state that a community's need for affordable housing is a material consideration.

Paragraph 9.3.1 states that new housing developments should be well integrated and connected to the existing pattern of settlements.

Paragraphs 9.3.3 & 9.3.4 state that residential developments, including conversions and adaptations, should not be allowed to damage an area's character or amenity.

Chapter 12 (Infrastructure and Services),

Paragraph 12.1.6. States that the capacity of existing infrastructure and the need for additional facilities should be taken into account in the preparation of development plans and the consideration of planning applications. In general Local Planning Authorities should seek to maximise the use of existing infrastructure and should consider how the provision of different types of infrastructure can be coordinated.

Chapter 13 (Minimising and Managing Environmental Risks and Pollution),

Sections 13.5 – 13.7 – Sets out the Welsh Government's position in respect of contaminated and unstable land and the approach to be adopted to these issues when dealing with planning applications that might be affected by them

It is considered that the issues highlighted above set out the Welsh Government's policy on planning issues that are most relevant to the determination of this planning application.

Other relevant policy guidance consulted:

PPW Technical Advice Note 2: Planning and Affordable Housing;

PPW Technical Advice Note 5: Nature Conservation and Planning;
PPW Technical Advice Note 12: Design;
PPW Technical Advice Note 15: Development and Flood Risk;
PPW Technical Advice Note 18: Transport;
PPW Technical Advice Note 23 Economic Development
Manual for Streets

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

In this case it is considered that the main issues in the determination of the application are the principle of the proposed development in terms of planning policy, the impact of the proposed development on the character and appearance of the area and the impact of the proposed development on amenity and privacy.

Principle of the proposed development

The proposed development involves the demolition of the existing 37 sheltered housing units which are no longer considered fit for purpose and their replacement with 32 new build residential units for the elderly along with management office, communal areas, roof terrace, circulation areas stair wells and lifts.

In terms of the impact policy in terms of housing land supply there will clearly be a slight loss in terms of the overall number of units, however, this is considered acceptable given the increasing unsuitability of the existing facility and the fact that it will be replaced with quality accommodation that is fit for purpose.

The proposal is at a high but acceptable density in terms of the amount of dwellings being provided on the amount of land used and the proposal is in its entirety by definition affordable housing.

Though the proposal involves the provision of a small office, communal and sitting out areas, these are entirely ancillary to the principal function of the main use as sheltered accommodation and are entirely acceptable in planning policy terms.

In broad land use planning terms, there is little difference between the existing and proposed arrangements and the provision of modern, socially desirable facilities on a brownfield site in a sustainable location is considered acceptable particularly when

the redevelopment involves the replacement of substandard accommodation for vulnerable people with modern appropriate facilities.

Impact on the character and appearance of the area

As the wider area around the application site is not characterized by any one design style and this is largely a product of the way in which the community of Beddau has developed over a considerable period of time. There is widespread use of brick, render of different types and colours and a variety of roof tiles. There is consequently no requirement for any particular design type or material finish to be applied in this case.

The scale and massing of the proposed building are not dissimilar to the existing building though the general arrangement is an improvement over the existing facility. The building has been sited so as to be sit closer to the properties of Hill View and responds well to that street frontage through the development of a clear and coherent building line, however, it also means that the proposed building which is three storey's on this frontage is also closer to the existing housing than the current building – 18m at the closest point. This though is compensated for by the general arrangement of the proposed building with only circulation areas for the most part facing those houses. The palette of external finishes is not uncommon in the locality and the use of timber cladding lends focus to the principal access of the property.

The proposed building would prove successful in the creation of a landmark building at a relatively prominent location within this part of Beddau that at the same time is not overly dominant in relation to surrounding development and as such its effect on the character and appearance of the area would be positive, particularly as in design terms it would replace a building that is relatively unattractive and to some extent dilapidated with no coherent visual relationship to the wider locality.

Consequently the proposed development is considered acceptable in the context of Local Development Plan policies AW5 and AW6 insofar as they relate to issues of character and appearance of the proposed development.

Impact on residential amenity and privacy

In designing the current proposal the architect has deliberately used an internalized layout in part to ensure that the amenity and privacy of adjacent dwellings is properly respected, and this is achieved despite the fact that the application site occupies a prominent site that is central within the village. Good distances are maintained between the proposed development and established residential development, (at a minimum 18m distance) and the scale and overall design of the proposed development maintains a successful balance between providing a building that has a similar degree of prominence to the existing building whilst at the same time not having an overbearing impact on its neighbours. Whilst the three storey element of the proposed development will be closer to some of the properties on Hill View than the existing building the internal layout and careful orientation of the proposed building ensures that impacts on privacy and amenity will be acceptable.

The existing provision does not properly meet the needs of the community and prolonging the status quo is not an option for the applicants. The demolition and redevelopment of the existing facility will have adverse short term impacts on amenity however, these are transient and outweighed by the long term benefits that redevelopment will bring. Consequently, the proposed development is considered acceptable in terms of Local Development Plan Policies AW5 & 6 insofar as they relate to issues of privacy and amenity.

Access and highway safety

The site lies south of the centre of Beddau and off Gwaunmiskin Road which is one of the principal routes through the village. Access to the site will remain unchanged via Hill View and the proposed redevelopment offers the opportunity to make minor improvements that can be implemented through appropriate planning conditions. The 28 parking spaces currently proposed represents an improvement over the current arrangements which serve a greater number of flats. Having regard to the fact that the site lies within a sustainable location, with other amenities and public transport access close by and the fact that the proposed development is 100% social housing for the elderly which generates much lower car ownership rates the proposals are considered acceptable. As the development is entirely social housing it does not attract a transport tariff requirement. Consequently the proposed development is considered compliant with the key relevant policy elements in Local Development Plan Policy AW5.

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.

The Section 106 requirements in this case

In this instance the Section 106 requirements are –

- That the development should remain socially rented elderly persons accommodation, and
- That the developer meets the Council's reasonable legal costs in preparing the Section 106 legal agreement.

Community Infrastructure Levy (CIL) Liability

The Community Infrastructure Levy (CIL) was introduced in Rhondda Cynon Taf from 31 December 2014.

This application is for development of a kind that is liable for a charge under the CIL Regulations 2010 as amended. The application falls within CIL Zone 3 which has a CIL chargeable rate of £85 per square metre of chargeable residential floor space. The chargeable residential floor space for this development will be calculated against this rate and indexed against the BCIS All-in Tender Price Index. The precise CIL liability in relation to this application will be confirmed in the CIL Regulation 65 Liability Notice which will be issued as soon as practicable after the day on which a planning permission first permits development.

Conclusion

The application is considered to comply with the relevant policies of the Local Development Plan in respect of the key area of housing provision and renewal within the County Borough. The impacts of the proposed development in terms of privacy, amenity, access and highway safety are all positive or considered acceptable and as such support for the current proposal is offered.

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 approved plan(s) no(s)
 1. Ground floor plan drawing no.1872-212 C.
 2. First floor plan drawing no.1872-213C.
 3. Second floor plan drawing no.1872-214C
 4. Site plan drawing no.1872-220C.
 5. Site survey drawing no.1872-201.
 6. Roof plan drawing no.1872-215B.
 7. Elevations drawing no.1872-217.
 8. Elevations drawing no.1872-218C.

9. Elevations drawing no.1872-219C.
10. Site Plan drawing no.1856-221.

unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

3. Prior to the commencement of development (other than for any works of demolition or site clearance), a detailed site investigations report 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 minimize 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. No development shall take place (other than works of demolition decontamination and site clearance) until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping relating to the entire development or any agreed phase of development, 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.

5. 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 or relevant phase of 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.

6. No development or agreed phase of development shall take place (other

than works in relation to demolition site clearance and remediation) 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 building(s) is/are occupied or in accordance with a timetable agreed in writing with the local planning authority. Development shall be carried out in accordance with the approved details.

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.

7. Full details of the surfacing materials proposed to be used on any roadway, footpath, car park, lay-by, play areas or other paved or metalled areas in any given phase of development shall be submitted to and approved, in writing, by the Local Planning Authority and no dwellings shall be occupied until the works have been completed in accordance with the approved details.

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. Building operations shall not be commenced until samples of the external finishes proposed to be used in the whole development or any given phase of the development 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.

9. 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.

10. No development shall take place other than any necessary works of

demolition, site remediation and preparation until drainage arrangements for the development as a whole or any identified phase of development have been submitted to and approved in writing by the Local Planning Authority.

No dwelling shall be occupied until the drainage works have been completed in accordance with the approved plans as a whole for the site or for any agreed phase of development.

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

11. Notwithstanding the approved plans development shall not commence (other than for any necessary works of demolition site clearance and any necessary remediation), until full engineering design and details of the parking lay by and realigned footway on Hill View, including details relating to longitudinal and cross sections and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of highway safety.

12. Other than for any necessary works of demolition, site clearance and any necessary remediation, development shall not begin until details providing for the creation of a vehicular cross over to serve the parking area off Hill View have been submitted to and approved in writing by the Local Planning Authority. The crossover shall be constructed in accordance with the approved details before the development is brought into beneficial use.

Reason: In the interests of highway safety.

13. Notwithstanding the approved plans access improvements to the car parking area off Trem Y Cwm shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works of construction on site. The approved details shall be fully implemented prior to beneficial occupation of the development approved.

Reason: In the interests of highway safety.

14. The parking area shall be constructed in permanent materials and retained for the purposes of parking only.

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

15. Surface water runoff from the proposed development shall not discharge on to the public highway or connect to any highway drainage system other than with the written agreement of the Local Planning Authority.

Reason: In the interests of highway safety and to prevent over capacity of the existing highway drainage system and potential flooding.

16. No development shall take place including any works of site clearance until a construction method statement has been submitted to and approved in writing by the Local Planning Authority providing for –

- i) the means of access into the site for all construction traffic.
- ii) the parking of vehicles of site operatives and visitors.
- iii) the management of vehicular and pedestrian traffic.
- iv) loading and unloading of plant and materials.
- v) storage of plant and materials used in constructing the development.
- vi) wheel cleansing facilities; and
- vii) the sheeting of lorries leaving the site.

The approved method statement shall be adhered to throughout the development process unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of the safety and free flow of traffic.

17. No HGV deliveries shall take place during the construction period between the hours of 08:30 am to 09:30 am and 15:00pm to 16:00 pm on weekdays to and from the site.

Reason: In the interests of safety and the free flow of traffic.

18. Prior to the commencement of the proposed development precise details of the levels for the site in relation to the established residential properties around the site in relation to the established residential properties around the site shall be submitted to and agreed in writing with the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reasons: In the interests of amenity and to ensure compliance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

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APPLICATION NO: 14/1387/08 (MF)
APPLICANT: Rhondda Cynon Taf CBC
DEVELOPMENT: Flat roofed infill extension to rear annexe to provide office accommodation.
LOCATION: THE OASIS CENTRE, TY ASHGROVE, UPPER CHURCH STREET, PONTYPRIDD, CF37 2UF
DATE REGISTERED: 22/10/2014
ELECTORAL DIVISION: Town (Pontypridd)

RECOMMENDATION: Approve

REASONS:

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

APPLICATION DETAILS

Full planning permission is sought for a first floor extension at Ty Ashgrove, Upper Church Street, Pontypridd. The addition would provide two additional offices at the property.

The extension would measure 3 metres in width by 10.2 metres in depth infilling a space to southern side of the property at first floor level. It would incorporate a flat roof design in order to tie-in with the existing structure and be constructed of materials to match that of the existing building. It is also proposed that the existing white uPVC cladding at the building be removed and new slate grey cedar weatherboard cladding be installed to the extended property.

The application is reported to Committee as it has been submitted by the Council and relates to a Council building.

The application is accompanied by the following:

- Design and Access Statement.

SITE APPRAISAL

The application property is a two storey building located within Pontypridd town centre. It incorporates a pitched, hipped roof to the front and a flat roof to the rear and is finished in a mixture of face brick, render and white uPVC cladding. Neighbouring properties vary in design scale being St Catherine's Church to the north and east, a multi-storey car park to south, and a large residential dwelling to the west.

The building currently operates as the Council's domestic abuse centre comprising a number of offices and associated facilities.

PLANNING HISTORY

A number of previous planning applications have been submitted at the site:

10/0442	Ty Ashgrove,	Change of use to a single dwelling,	Granted
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	Upper Church Street, Pontypridd	improvements and restoration work.	12/07/10
08/1886		Material change of use to D1 in order to accommodate drug intervention programme.	WDN 18/03/09
01/2040		Convert existing offices into a direct access hostel and day centre for homeless people.	WDN 16/03/01
93/0872		Office development.	WDN 26/03/02

PUBLICITY

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

CONSULTATION

Transportation Section – no objection.

Public Health and Protection – no objection.

Countryside, Landscape and Ecology – no objection.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies within the settlement boundary for Pontypridd and is within both the Pontypridd Retail Centre and Pontypridd Town Centre Conservation Area.

Policy AW2 – supports development in sustainable locations and includes sites that are accessible by a range of sustainable transport modes and would not unacceptably conflict with surrounding uses. Developments should support the role and function of small settlements.

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.

Policy AW7 – identifies that proposal which impact upon sites of architectural or historic merit will only be permitted where it can be demonstrated that the proposal would preserve or enhance the character of the area.

Policy SSA1 – identifies the criteria for assessment of residential and commercial development within the defined town centre of Pontypridd.

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 4 (Planning for Sustainability), Chapter 6 (Conserving the Historic Environment, Chapter 7 (Economic Development), Chapter 8 (Transport) and Chapter 10 (Planning for Retail and Town Centres) 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 4: Retailing and Town Centres;

PPW Technical Advice Note 12: Design;

PPW Technical Advice Note 18: Transport.

REASONS FOR REACHING THE RECOMMENDATION

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

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

Principle of the Proposed Development

The application proposes the extension and alteration of an existing community use building and associated works. The application site is located within the defined town centre of Pontypridd where such development and activities are relatively commonplace. It is therefore considered that the proposal is comparable to that of other works in the locality and in principle, is acceptable, subject to an assessment of the following criteria.

Visual Impact

The existing building was originally constructed around the early 1960's and has had a number of small extensions and modifications since. This has lead to a disjointed and patchwork appearance comprising differing roof types, window and door openings, and external materials. The proposal seeks to infill an area in roof space with a modern extension as well as the re-cladding of the southern and eastern side elevation in uniform cedar weatherboard cladding.

Whilst these additions would inevitably alter the appearance of the existing building, the scale of the new extension is considered to be in-keeping with the general proportions of the existing elevations given that it would be of the same footprint of that of the single storey element it is to be sited above and would be no higher than the existing building. Furthermore, the re-cladding of the building would provide a uniform exterior, enhancing its current dated and tired appearance. As such, the alterations are not considered to be detrimental to the appearance of the building as a whole and would actually improve its current character and appearance. Additionally the surrounding locality is diverse in terms of character and appearance with the neighbouring units being of a varied design and scale which would further reduce any visual impact the proposed works may have.

It is also noted that no objections have been raised by the Council's Conservation Officer who has commented that this proposal will unify the current disparate design of the building through the use of appropriate external finishes resulting in the enhancement of its current character and appearance.

As such, it is considered that the design and scale of the alterations are appropriate retaining balance to the associated elevations of the building and being in-keeping with its original design, while also being comparable in nature and scale to that of similar schemes in the locality. The application is therefore acceptable in this regard.

Residential Amenity

Infilling a small area of roof space at the southern side of the property and with no additional windows proposed, it is not considered that the proposed extension would have any further overbearing, overshadowing or overlooking impact upon the adjacent church in comparison to that which currently exists. Consequently, it is not considered that the proposed works would be detrimental to the amenities or operation of this building in any way.

It is also noted that following the advertisement of the application, no representations have been received from surrounding residents. Therefore, the application is considered acceptable in this regard.

Highway Safety

Following consultation, the Council's Transportation Section has commented that although the development would increase the car parking requirement by one space and no extra spaces are proposed, given the sustainable town centre location of the property, the proposal is acceptable and no objections are raised or conditions suggested.

Other Issues

It is also noted that the Council's Public Health and Protection Division and Countryside, Landscape and Ecology Section have been consulted with a view to

assessing any potential impacts upon public health and ecology respectively. Their responses raise no objection to the planning application.

Community Infrastructure Levy (CIL)

This application relates to the extension of an existing care facility/office building. As such, this development is not liable to pay a CIL charge.

Community Infrastructure Levy (CIL) Liability

The Community Infrastructure Levy (CIL) was introduced in Rhondda Cynon Taf from 31 December 2014.

The application is for development of a kind that is not CIL liable.

Conclusion

The proposal would result in the character and appearance of the property being significantly improved which would subsequently improve the visual amenity of the wider Conservation Area. Furthermore, the scheme would not have any adverse impact upon the amenity of the surrounding neighbours or highway safety. As such, the application is considered to comply with the relevant policies of the Local Development Plan (Policies AW5, AW6 and AW7).

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 approved plans ref. 4018_A01, 4018_A02, 4018-B01,4018_B02 and 4018_B03 and documents received by the Local Planning Authority on 22/10/14, unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

3. 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: 14/1474/10 (HW)
APPLICANT: Coleg y Cymoedd
DEVELOPMENT: Proposed Railway Training Centre of Excellence at Coleg Y Cymoedd Nantgarw Campus. Proposal to include workshop, classrooms, ancillary areas and associated external works.
LOCATION: COLEG MORGANNWG MTTC, UNIT 1, PARC NANTGARW, NANTGARW, CARDIFF, CF15 7QQ
DATE REGISTERED: 13/11/2014
ELECTORAL DIVISION: Ffynon Taf

RECOMMENDATION: Approve

REASONS:

The proposed building is for an educational training facility on a site already used for an educational purpose, and is therefore acceptable in principle. The main issue in respect of this application is the displacement of parking in order to accommodate the building and ensuring it is provided for properly elsewhere. It is considered the proposal to accommodate the parking in Makro's car park, which is currently under used, is satisfactory.

APPLICATION DETAILS

Planning permission is sought for a building for training railway engineering apprentices at the existing Coleg y Cymoedd site in Nantgarw. It is intended to be a training centre to service the South East Wales region for railway engineering, to help address a shortfall skilled labour in this sector, and to provide additional skilled labour to facilitate Network Rail's expansion and upgrading plans.

The building has a footprint of approximately 50 metres x 16 metres and is approximately 8.5 metres high at its highest point. The building will be located on the "original" college site at Nantgarw, in the existing college car park, alongside the main building on the site.

The building will be largely set up as a workshop with railway tracks, a platform, a level crossing and overhead line equipment within it. There will also be a partial first floor at the front of the building with classrooms set up for teaching. The building has a monopitched roof and is mainly clad in aluminium, with glazing at the front.

The proposal will result in the removal of 27 spaces in the car park. It is proposed to replace these by using additional spaces in Makro's car park. Currently 60 are in use, and it is intended that an additional 36 car parking spaces will be provided. The parking area is proposed to be closed off from Makro's car park and incorporated into the existing college car park on the "new" site via a new access.

The application is accompanied by the following documents:

- Design and Access Statement;
- Preliminary Ecological Appraisal;
- Flood Consequences Assessment;
- Drainage Strategy;
- Geo-technical and Geo-environmental Report;
- Transport Statement.

The proposed building is a D1 use and therefore attracts a Community Infrastructure Levy (CIL) charge of zero.

SITE APPRAISAL

Coleg y Cymoedd, Nantgarw is spread over two sites on opposite sides of Heol Crochendy. The original site currently consists of three significant buildings and a car park, and there is a newer site with a large curve-shaped building across the road from this.

It is proposed to locate the railway training building on the original site, in what is now part of the car park. The proposal will result in some vegetation clearance.

The College currently has an agreement with Makro to use 60 spaces within their car park. They are currently in the process of purchasing these spaces and additional spaces within the car park to facilitate this proposal.

PLANNING HISTORY

The relevant planning history in respect of this site is as follows:

09/1159	Single storey extension at rear of existing two storey construction centre. Extension to accommodate carpentry and brickwork workshops	Granted 15/12/09
09/0961	Construction of a new educational building on vacant land including a separate crèche and energy centre with ancillary car parking and amenity spaces and 15m high wind turbine.	Granted 26/03/10
07/1293	Proposed 3 storey development comprising of art studios, teaching facility.	Granted 04/12/07

05/0761	Proposed Lifelong Learning Centre incorporating - classrooms, workshops, office and sanitary accommodation together with car parking.	Granted 08/07/05
04/1435	Extension of existing college building.	Granted 24/09/04
91/036	2 storey high tech training college with associated service parking area.	No objection

PUBLICITY

The application has been advertised via site notices and a press notice, due to this being a major application, and neighbouring properties have been notified directly by letter. No objections have been received from neighbouring properties.

CONSULTATION

Highways Development Control - no objections raised, but recommend conditions in respect of the design of the new car parking area, a Construction Method Statement, a Travel Plan and the provision of double yellow lines on Heol-yr-Odyn.

Land Reclamation and Engineering - no objections raised, but recommend a condition for submission and approval of drainage details.

Public Health and Protection - no objections raised, but recommend conditions for hours of construction and for site investigations.

Countryside - no objections raised, but recommend conditions for a Wildlife Protection Plan during construction, a biodiversity enhancement plan and for the submission and approval of landscape details.

Education - no comments made.

Natural Resources Wales - no objections raised.

Wales and West Utilities - no objections raised.

Dwr Cymru Welsh Water - no objections raised, subject to conditions in respect of drainage.

Taffs Well and Nantgarw Community Council - major reservations, as the application does not include any additional parking facilities. There are already problems with overflow parking in the nearby residential streets and without consideration of additional parking spaces the Community Council oppose the application.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The site is within the settlement boundary and is part of an existing educational site. It is within the Treforest Industrial Estate/ Parc Nantgarw boundary on the Proposals Map.

The following Local Development Plan policies are considered relevant:

Policy AW5 - New Development

Policy AW10 - Environmental Protection and Public Health

The following Supplementary Planning Guidance is also considered relevant:

Access, Circulation and Parking Requirements

National Guidance

Planning Policy Wales:

Sections 8.4 - Managing Traffic and Parking and 8.7 - Transport and Development Management are relevant to this proposal.

REASONS FOR REACHING THE RECOMMENDATION

Although the site is within the boundary of Treforest Industrial Estate/Parc Nantgarw, the proposal is considered acceptable in principle given the building will be located within an existing Tertiary Education College. In addition, the principle of providing this building for the training of apprentices is considered beneficial, due to its potential to equip people living in the area to take skilled jobs in the railway engineering sector. This is particularly pertinent due to the railway upgrades proposed for the South Wales area, including electrification.

However, it is acknowledged that the proposal does result in the displacement of a significant number of car parking spaces, and that there is already overspill parking taking place on the road in this area. Therefore, it is considered that the parking lost should be replaced.

The proposal is to do so in an area of Makro's car park close to the existing "new" college site. Currently, the College has an agreement with Makro to use 60 spaces within this area. They are however in the process of buying the area of car park that they currently use and an additional area where a further 36 spaces will be provided, to accommodate parking loss from the existing site, as well as additional parking required due to the proposed new building. Four spaces are likely to be lost in the existing college car park due to the creation of a new link from the car parking area to the existing college car park for access. However, it is considered these spaces can be replaced with a minor alteration to the design, which can be submitted under condition 10.

It is acknowledged that the proposal will involve parking being removed from Makro's car park, but it is considered this car park is currently underused. Survey results submitted as part of the application indicate that at its peak, the car park is 36% full, which will rise to 49% full when the additional spaces are removed.

The proposal to provide this parking within Makro's car park is therefore considered acceptable. The Council's Highways Development Control Section are satisfied with the parking proposals, and it is considered this should address the concerns of the Community Council.

OTHER ISSUES

The building is considered acceptable in respect of its design, but it would have been preferred for it to have a curved roof to be in keeping with the existing two buildings facing the road on this site, and for it to have some more features to create interest.

The applicant's agent has responded by stating that by replicating and reversing the existing curve, the height and mass of the building from the roundabout elevation became quite substantial. The roof is designed instead to slope downwards away from the main building so that the lowest point of the slope reduces the scale of the most prominent elevation from the north. They have aimed to break up the north elevation by using a series of coloured feature fins and create some further visual interest by providing the projecting window feature from the first floor classroom. Furthermore, the car park side at the front of the building is heavily screened by a number of trees that are proposed to be retained.

The agent's explanation is acknowledged, and while the features above would have been preferred, in this location, it is not considered that the lack of them is significant enough to warrant a recommendation for refusal.

There are not considered to be any significant impacts on the amenity of neighbours from this proposal.

It is noted that the applicant's agent has advised that they have to start on site in the first week of February, in order to allow them to claim grant money to ensure this project goes ahead.

Community Infrastructure Levy (CIL) Liability

The Community Infrastructure Levy (CIL) was introduced in Rhondda Cynon Taf from 31 December 2014.

The application is for development of a kind that is liable for a charge under the CIL Regulations 2010 as amended however, the CIL rate for this type of development as set out in the Charging Schedule is £nil and therefore no CIL is payable.

CONCLUSION

The proposal to address the displaced car parking is considered acceptable, and therefore it is recommended that planning permission is granted.

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 approved plans nos. 1604/BP_01, 1064/PL00, 1064/PL01, 1064/PL02, 1064/PL03 and 1064/PL04 received by the Local Planning Authority on 7th November 2014, plan no. 6462A/CP1 received by the Local Planning Authority on 18th December 2014, plan no. LP_01 rev A, received by the Local Planning Authority on 5th January 2015, and documents received by the Local Planning Authority, unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

3. The development hereby permitted shall not begin until a scheme to deal with contamination has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include all of the following measures unless otherwise agreed in writing by the Local Planning Authority:

1. A desk-top study 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 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 agreed in writing with the Local Planning Authority.
3. A written method statement for the remediation of contamination affecting the site

Reason: In the interest of health and safety and environmental amenity and so as to accord with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

4. No development shall take place until drainage arrangements have been submitted to and approved in writing by the Local Planning Authority. The building shall not be occupied until the drainage works have been completed in accordance with the approved scheme.

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

5. 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.

6. 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) loading and unloading of plant and materials;
- e) storage of plant and materials used in constructing the development;
- f) wheel cleansing facilities; and
- g) 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.

7. No external finishes shall be applied to the building hereby approved until a scheme of biodiversity enhancement measures has been submitted to and approved in writing by the local planning authority. The plan shall include details of bat roosting sites, bird nesting sites (for swifts, house martins and house sparrows) and bat sensitive lighting provision, and a timescale for carrying out the works. The works shall be carried out in accordance with the approved details and timescale.

Reason: In the interests of biodiversity, in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

8. Notwithstanding the approved details, no external finishes shall be applied to the building hereby approved until a schedule of external materials has been first submitted to and approved in writing by the Local Planning Authority. The finishes shall be applied in accordance with the approved details.

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 and in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

9. The development shall not be brought into beneficial use until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority. 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, and any trees or plants which within a period of five years from the first occupation of the building 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.

10. The building shall not be occupied until the car parking area and access shown on Drawing No. 6462A/CP1 has been completed. Details including full engineering design, shall be submitted to and approved in writing by the Local Planning Authority prior to construction work starting on the car park. The parking spaces shall be available in accordance with the approved scheme in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure satisfactory levels of available parking, in the interests of highway safety and free flow of traffic, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

11. Access, circulation and parking shall be laid out as shown on the submitted layout plan Drawing No. 1064/PL01 and implemented prior to beneficial occupation. The parking and turning areas shall not thereafter be used for any purpose other than the parking and turning of vehicles.

Reason: In the interests of highway safety and to ensure that the parking and turning facilities are retained for this purpose in perpetuity, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

12. The building hereby approved shall only be occupied when the remodelled car parking area currently within Makro's car park is available for use by the college. Prior to beneficial occupation, evidence of the car parking area's availability for use by the college shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure sufficient parking is available, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

13. Prior to beneficial use of the building hereby approved, double yellow lines shall be provided on Heol-yr-Odyn, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved scheme.

Reason: To prevent overspill parking occurring on the public highway, in the interests of highway safety and in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

14. No dwelling, hereby permitted, shall not be occupied until the measures approved in the scheme (referred to in Condition *[insert number]*) 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 interest of health and safety and environmental amenity and so as to accord with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

15. If during development works any contamination is 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 the Local Planning Authority. The development shall not re-commence until the additional proposals have been agreed in writing by the Local Planning Authority.

Reason: In the interest of health and safety and environmental amenity and so as to accord with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

16. 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.

17. Prior to the first occupation of the building, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be implemented within 6 months following the first occupation of the building and maintained thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure reduction of road traffic and promotion of sustainable modes of travel, in accordance with policy AW5 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

15 JANUARY 2015

REPORT OF: SERVICE DIRECTOR PLANNING

REPORT

**APPLICATIONS RECOMMENDED
FOR APPROVAL**

OFFICER TO CONTACT

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

See Relevant Application File