

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2014-2015

**DEVELOPMENT CONTROL
COMMITTEE**

16 APRIL 2015

**REPORT OF THE
DIRECTOR LEGAL AND
DEMOCRATIC SERVICES**

Agenda Item No.5

**SITE MEETING
APPLICATION NO.14/1308 –
DEMOLITION OF EXISTING REDUNDANT
LIBRARY BUILDING AND OUTLINE
CONSENT FOR RESIDENTIAL
DEVELOPMENT OF THE SITE (ALL
MATTERS RESERVED) (AMENDED
DESCRIPTION RECEIVED 26/11/14) –
CWMBACH LIBRARY, MORGAN ROW,
CWMBACH, ABERDARE**

Author: Mrs.Z.Maisey, Principal Officer – Committee Services

1. PURPOSE OF THE REPORT

To consider the outcome of the site inspection in respect of the above-mentioned application which is recommended for approval by the Service Director, Planning as outlined in his report attached as Appendix 1.

2. RECOMMENDATION

To approve the application subject to conditions in accordance with the recommendation of the Service Director, Planning.

3. BACKGROUND

- 3.1 In accordance with Minute No. 170 (Development Control Committee, 19 March 2015) a site inspection was undertaken on 31 March 2015 to consider the access and highways arrangements for the proposed development and the presence of Japanese Knotweed at the site.
- 3.2 The meeting was attended by the Chairman and Vice-Chairman of the Development Control Committee (County Borough Councillors G.Stacey and M.Griffiths respectively) and Committee Members - County Borough Councillors (Mrs) L.De Vet, P.Jarman, (Mrs) S.J.Jones, S.Rees, (Mrs)

J.S.Ward and E.Webster. Non-Committee/Local Member – County Borough Councillor J.Elliott was also in attendance.

- 3.3 Apologies for absence were received from Committee Members - County Borough Councillors L.M.Adams, J.Bonetto, C.J.Middle and P.Wasley.
- 3.4 The Development Control Officer informed Members that the application sought outline planning permission for the demolition of the former library building and residential development on the site. He pointed out that the application was in outline with all matters reserved for future consideration. The indicative plans submitted in support of the application showed the development of 6 detached dwellings on the site. Each was shown to have front and rear gardens and at least two off-street parking spaces. Two of the plots would be accessed from Morgan Row, three would be accessed via Pond Place and the remaining one plot would be accessed from Cwmbach Road.
- 3.5 Members noted that the site is located on a gradient that falls steeply from East to West and would bound on three sides by vehicular highways: Cwmbach Road to the west, an un-named road to the south and Pond Place to the east. Both Cwmbach Road and the un-named road benefitted from pavements but Pond Place only had a pavement on the eastern side of the carriageway, adjoining and adjacent to a row of existing dwellings. Members also noted that a trodden path providing pedestrian access runs through the site and whilst this path was well established, it was not a definitive Right of Way. However, it was understood an application to register the path as a public right of way had recently been submitted.
- 3.6 The Development Control Officer referred to the five letters of objections received during the consultation process in respect of the proposed development. One of the letters had been submitted on behalf of all the residents in Pond Place and one on behalf of eight residents in Phillip Row. The objections received are summarised in Appendix 1.
- 3.7 The Highways Officer confirmed that no highway objection has been raised to the proposal subject to conditions. He stated that the accesses proposed to serve the development were considered satisfactory and provision of a 1.8m wide footway, vehicular crossover and improved turning area abutting the site boundary at Pond Place would mitigate the impact of development and improve highway safety. The Highways Officer also advised that the verge which contains services and street lighting is a highway maintainable at public expense and as such conversion to a footway, vehicular crossover and improved turning area would benefit all highway users.

- 3.8 Non-Committee/Local Member – County Borough Councillor J.Elliott – outlined the existing highway problems experienced at Pond Place owing to its narrowness and intense on-street parking. He was of the view that access to the proposed dwellings should only be gained via Cwmbach Road and the un-named road which were far more acceptable in highway safety terms.
- 3.9 Members were reminded that the application before them was in `outline' with all matters reserved for future consideration. The issue concerning access arrangements was, therefore, a matter to be considered at the reserved matters stage as the plans submitted in support of the application were only indicative and alternative options could be available to the developer.
- 3.10 Reference was then made to the presence of Japanese Knotweed on the site and the fact that the developer had already cleared the site and burned the brush which resulted in spreading the weed over a larger area than originally contaminated. The Council's Landscape Officer gave his views on this matter and stated that, if consent is granted, conditions should be imposed with regard to treatment of the site prior to any construction works taking place.
- 3.11 Questions were raised regarding the methods available and timescales involved in treating the site and in response, the Landscape Officer stated that it would be for the developer to determine how to meet the conditions and it could take between 1 – 4 years to rectify the current situation.

This page intentionally blank

APPENDIX 1

APPLICATION NO: 14/1308/13 (HL)
APPLICANT: Mr C Wills
DEVELOPMENT: Demolition of existing redundant library building and outline consent for residential development of the site (all matters reserved) (Amended description received 26/11/14)

LOCATION: CWMBACH LIBRARY, MORGAN ROW, CWMBACH, ABERDARE, CF44 0DU
DATE REGISTERED: 09/01/2015
ELECTORAL DIVISION: Cwmbach

RECOMMENDATION: Grant

REASONS:

The proposed development is within the settlement boundary and in a sustainable location. The indicative plans detail a development could be provided that would not have a significant detrimental impact on the character of the area, residential amenity of those living closest to the site, highway safety or the ecological value of the site. The application is considered compliant with the relevant policies of the Local Development Plan and national guidance.

APPLICATION DETAILS

The application seeks outline planning permission for the demolition of the former library building and residential development of the former Cwmbach Library site, Cwmbach. The application is made in outline with all matters reserved for future consideration.

In accordance with the requirements of the Town and County Planning (Development Management Procedure) (Wales) Order 2012, information regarding the approximate location of buildings, routes and access, open spaces, height, width and length of each building have also been submitted as part of the Design and Access Statement and an indicative site layout plan.

The indicative details show the development of 6 detached dwellings. The maximum and minimum dimensions for each building are provided below:

	Maximum size in M			Minimum size in M		
	Width	Length	Height	Width	Length	Height
Plot 1	12	12	11	9	9	7
Plot 2	12	12	11	9	9	7
Plot 3	16	14	11	12	12	7
Plot 4	16	14	11	12	12	7
Plot 5	12	12	11	9	9	7
Plot 6	12	12	11	9	9	7

The indicative plans detail that each property would benefit from front and rear gardens and at least two off street parking spaces.

Plots one and two would be accessed from Morgan Row to the south, plots three to five would be accessed via Pond Place to the east with plot 6 accessed from Aberdare Road to the west.

The application is accompanied by the following:

- Design and Access Statement;
- Bat Scoping survey; and
- Extended phase one survey

SITE APPRAISAL

The application site comprises a roughly rectangular shaped area of land with an area of approximately 0.35 hectares, located within the defined settlement development limits of Cwmbach.

The site is located on a gradient that falls steeply from east to west and is bound on three side by vehicular highways: Cwmbach Road to the west, an un-named road leading to Abernant-y-Groes-Uchaf Farm to the south and Pond Place to the east. Cwmbach Road and the highway to the south benefit from pavements on both sides of the carriageway, whilst Pond Place only has a pavement on the eastern side of the carriageway, adjoining and adjacent to the existing dwellings. The former library building and associated car-parking area is located in the southern part of the site, adjacent to Morgan Row.

A trodden path, that provides pedestrian access from Blaennantygroes Road to the north to the un-named road in the south, passes through the site. Whilst the path is well established it is not a definitive Right of Way.

The surrounding area is predominantly residential, with a mix of traditional terrace properties, semi detached dwellings and blocks of flats evident in the immediate area.

PLANNING HISTORY

93/0288	The Library, Phillip Row	Installation of roller shutter door	Granted 22.02.94
---------	--------------------------	-------------------------------------	---------------------

PUBLICITY

The application has been advertised by direct neighbour notification letters and the erection of site notices. Five letters of objection have been received one of which has been submitted on behalf of all the residents in Pond Place, and one on behalf of 8 residents in Phillip Row. The objections received are summarised as follows:

Highway safety and parking

- Failure to provide a singular access road to serve the development will exacerbate the already severe problems experienced with the parking and manoeuvring of vehicles.
- Although 2 parking spaces are provided, the dwellings could be 4 bedroom, additional vehicles will be parking on nearby streets.
- No provision has been made for visitor parking.
- Vehicles already park along the length of the hill opposite the existing library entrance.
- A hairdressing salon opposite the existing entrance has a high turnover of customers who park their cars on the hill, Pond Place or in the former library car park.
- Vehicles exiting Pond Place have to reverse as on street turning is prevented by parked vehicles. Reversing is already difficult as the road is regularly used by heavy vehicles accessing the farm.
- Visibility at the Pond Place junction could be further obscured by a building or high fence.
- Phillip Row has a very narrow junction, cars can barely pass through the remaining space left by parked cars. Further congestion around these junctions could cause severe safety concerns for residents.
- Utilising the verge at the top of Pond Place, by the hammerhead (which is not owned by the applicant) to access the proposed plots would cause major problems for residents.
- Pond Place gets very congested at peak times. Allowing accesses off Pond Place will be dangerous as there are cars parked outside the houses and the road is not wide enough for cars to swing round. This will add to the congestion and jeopardise safety for all.
- The roads in the wider area are narrow. The proposal will increase traffic, including heavy duty vehicles during construction, which will have a significant impact with increased on street congestion if the new residents cannot park on their site.

Residential amenity

- The close proximity of the proposed dwellings could generate increased overlooking and loss of privacy to existing residents in Pond Place and Phillip Row.
- Building houses at the top of the hill will generate increased overlooking and loss of privacy for the residents in the flats (Cwrt Glanwern) at the bottom of the hill.

Other

- The site was cleared by a contractor with the subsequent brush burnt. The actions have encouraged the spread of Japanese Knotweed to the concern of residents. Problems relating to Japanese Knotweed on the site need to be addressed prior to any development being permitted.
- Not all of the land within the application site is owned by the applicant. A 2m wide stretch running from the kerb, along Pond Place was excluded.
- There is an issue with water and sewage drainage in the area.
- A public right of way crosses the site.

CONSULTATION

Transportation Section – no objections subject to conditions.

Land Reclamation and Engineering – no objections subject to conditions.

Public Health and Protection Section – raise no objection subject to conditions relating to hours of operation, noise, dust and waste.

Natural Resources Wales - no adverse comments to make.

Dwr Cymru/Welsh Water – no objections subject to conditions relating to the disposal of foul and surface water from the site.

Western Power Distribution - no response received.

Wales and West Utilities – no objections.

Glamorgan Gwent Archaeological Trust – the application site was the site of two short rows of terraced houses. A condition ensuring that an archaeologist conducts a watching brief during any groundworks is recommended.

Landscape - no objections in principle however Japanese Knotweed is present on site. Clearance of the vegetation in the open space of the site (prior to the application received) has resulted in spreading the weed over a larger area than that originally contaminated. Conditions with regard to treatment of the weed prior to any demolition and groundworks being undertaken are recommended.

Ecology – there are no relevant SewBrec Records of Statutory Protected Species from the immediate area. The demolition proposed triggers the Bat survey protocol. An appropriate bat informative note will be needed on any planning permission,

Housing Strategy - whilst an element of affordable housing would be welcomed in this area, policy NSA11 requires 10% provision on sites of 10 units or more. As the scheme is for 6 units provision is not required to satisfy the policy.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The site is unallocated, located within Cwmbach and within the settlement boundary of Aberdare as defined by the Rhondda Cynon Taf Local Development Plan.

Policy CS1 - sets out criteria for achieving sustainable growth including, promoting and enhancing transport infrastructure services promoting residential development with a sense of place and focusing development within defined settlement boundaries.

Policy AW1 defines the housing land supply, to be met partly by development of unallocated land within the defined settlement boundary.

Policy AW2 promotes development in sustainable locations, which includes site within settlements boundaries, benefiting from existing services and sites that support the roles and functions of Key Settlements. The locations should not unacceptably conflict with surrounding uses.

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

Policy AW6 outlines design and placemaking criteria that will be supported in new development proposals.

Policy AW7 specifies that development proposals which impact upon sites of architectural and/ or historical merit and site of archaeological importance will only be permitted where it can be demonstrated that the proposal will preserve or enhance the character and appearance of the site.

Policy AW8 seeks to ensure that the area's distinctive natural heritage will be preserved and enhanced by protecting it from inappropriate development.

Policy AW10 seeks to ensure that development proposals will not be permitted where they would result in a risk of unacceptable hard to heath or local amenity.

Policy NSA10 seeks a minimum housing density of 30 dwelling per Hectare and gives criteria for accepting lower densities.

Policy NSA12 gives further criteria for suitable housing development within settlement boundaries.

National Guidance

In the determination of planning applications regard should also be given to the requirements of National Planning Policy which are not duplicated in the Local Development Plan, particularly where National Planning Policy provides a more up to date and comprehensive policy on certain topics.

Planning Policy Wales (Edition 7, July 2014) Chapter 2 (Development Plans), Chapter 3 (Making and Enforcing Planning Decisions), Chapter 4 (Planning for Sustainability), and Chapter 9 (Housing) set out the Welsh Government's policy on planning issues relevant to the determination of the application.

Other relevant policy guidance consulted:

- PPW Technical Advice Note 12: Design;
- PPW
- 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.

Therefore, in considering and determining applications of this nature, the primary considerations are the principle of development; impact of the proposal on the character and visual amenity of the area; the residential amenity of those living closest to the site; highway safety and ecological implications.

Main Issues:

Principle of the proposed development.

The application seeks outline planning permission for the demolition of the former Cwmbach library building and residential development of the site. As specified above whilst a layout plan submitted in support of the application indicates the development and positioning of six detached buildings with associated accesses all matters are reserved for future consideration.

The application site is unallocated, is within the settlement of Cwmbach and is positioned within the settlement development limits of Aberdare as defined by the Rhondda Cynon Taf Local Development Plan. The site is sustainably located in the settlement being accessible to the local shops, public transport facilities and schools etc. The public transport facilities in turn provide access to Aberdare

with its retail, employment and leisure facilities. Being mindful of the position of the site within the defined settlement and established residential area of Cwmbach the principle of residential development of the site is considered acceptable.

Impact on the character and appearance of the area

Although the application is in outline with all matters reserved, in accordance with the requirements of the Town and County Planning (Development Management Procedure) (Wales) Order 2012, an indicative site layout has been submitted showing the development of 6, detached buildings. The maximum and minimum heights provided indicate that the buildings would be at least two storey in height.

The development of 6 dwellings on the 0.35 hectare site would result in a density of approximately 17 dwellings per hectare (dph). This is considerably below the required density of 30 dph as prescribed in policy NSA 10. However, the topography of the site which falls steeply from east to west results in parts of the site being too steep to develop. As such it is accepted that the density of development proposed would result in the proposal making efficient use of the site and consequently is considered acceptable.

With regard to scale, the maximum dimensions proposed do indicate the potential development of large dwellings. However, it is considered that the minimum dimensions indicated would generate dwellings more in keeping with the overall context of the site and could result in an appropriately scaled detailed scheme should an application for reserved matters be submitted.

On the basis of the above it is considered that the site is of a size sufficient to accommodate a development of the scale and layout indicated, and dwellings could be designed for the site that would be capable of being sensitive to the context of the surroundings. The application is therefore considered compliant with the relevant requirements of policies AW1, AW2, AW5, AW6, NSA10 and NSA12 of the Rhondda Cynon Taf Local Development Plan.

Impact on residential amenity and privacy

Following consultation members of the public have expressed concerns that the development would cause increased overlooking and loss of privacy to neighbouring dwellings. Whilst this is a matter more appropriately considered at the reserved matters stage, the site layout plan submitted indicates that a minimum distance of 14m could be maintained between the eastern elevation of the proposed dwellings and the western (front) elevations of the properties in Pond Place, with a minimum distance of 11.4m maintained between the southern elevations of the proposed dwellings and the northern (side) elevations of the properties in Phillip and Morgan Row. Based on the plans submitted a minimum distance of 19m would be maintained between the building on plot 6 and the flats in Cwrt Glanwern. Furthermore the indicative sectional plan indicates that the internal floor levels would be stepped in line with the topography of the site.

Although the development of the properties within the eastern part of the site could result in the buildings having substantial rear elevations (as a result of the fall of the land), it is considered that the site is capable of accommodating a residential development without unduly encroaching and compromising the privacy and amenity of neighbours and the properties could be designed to prevent the proposal from having a significantly detrimental impact on those living closest to the site.

A condition restricting the hours of construction is recommended to reduce the impact upon the amenity of neighbouring residential properties, during construction.

On the basis of the above the application is considered compliant with the requirements of policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

Access and highway safety

The indicative plans submitted in support of the application show that each plot would benefit from its own access and onsite parking. Plots 1 and 2 would be accessed from the un-named highway adjacent to the southern boundary of the site, plots 3-5 would be accessed via Pond Place to the east and plot 6 would be access from Cwmbach Road to the west.

Issues in relation to access and parking are the principal concern for residents in the area who have highlighted that Pond Place and the unnamed road to the south are of limited width and the subject of intensive on street parking. This, in association with the number of traditional properties in the area that do not benefit from any off street parking provision, generates high levels of congestion and difficulty in manoeuvring vehicles.

Following consultation, the Transportation Section have provided the following response:

"Cwmbach Road which has a carriageway width of 7.3m with 1.8m wide footways and double yellow line on the opposite side of the carriageway lane. The indicative access is satisfactory off this section of carriageway. The un-named road leading to Abernant-Y-Goes Uchaf Farm has a carriageway with of 5.9m with footways varying in width between 1.6-1.8m which is satisfactory to serve the proposed. Pond Place has a carriageway with of 5.4, with 1.8m footway on the opposite side to the proposed development and a substandard turning area which has double yellow lines preventing on-street car parking taking place, There is concern with regards the proposed access off Pond Place due to the high on-street car parking demand narrowing the available width for traffic and substandard turning area resulting in reversing movements along Pond Place to the detriment of safety to all highway users.

The developer would be required to mitigate the impact of the proposal on the residents of Pond Place by increasing the length of the turning head to a minimum of 12m, provide junction markings on Pond Place and a 1.8m wide footway on the development side.

The proposed 4 bedroom dwellings require a maximum of three off-street parking spaces per dwelling in accordance with the SPG Access, Circulation and Parking 2011. There is the potential to provide the required off-street car."

The indicative plans submitted indicate the development of two garages on the eastern side of plots 3 and 4. The Design and Access Statement specifies that these are indicated "to provide street enclosure to empathise with the terraced building form". However, in order to use the garages a minimum of a least 6m clear space would need to be maintained to the east of the structures to allow vehicles to enter and leave. Being mindful of the width of the Pond Place and the existing levels of on street parking associated, it is highly unlikely that such space would be available. Any such garages could therefore become under used and could result in new residents parking on Pond Place to the further detriment of highway safety and free flow of traffic. Whilst this is a matter more appropriately considered at the reserved matters stage, being mindful of the existing situation, it is considered necessary to remove permitted development rights for such structures. Issues relating the provision of onsite parking and turning facilities can be adequately dealt with at the reserved matters stage.

It is considered that the provision of a 1.8m wide pavement along the eastern edge of the application site should provide enhanced space for vehicles to leave the plots and for residents to manoeuvre along Pond Place. On the basis of the above and subject to the imposition of conditions it is considered that the development is in keeping with the provisions of Policies AW2, AW4 and AW5 of the Rhondda Cynon Taf Local Development Plan in terms of its impact on highway 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.

Land Ownership

As part of the public consultation process, the objectors have highlighted that not all of the land within the application site boundary is owned by the applicant, contrary to the information supplied within application form, with land ownership Certificate A having been completed.

The site, with the exception of a strip of land, with a depth of approximately 1.8m and approximate length of 61m adjacent to the western edge of Pond Place, was

originally owned by the Authority and recently sold to the applicants. As part of the application, the applicants have included the strip of land adjacent to Pond Place within the application. Whilst the Authority do not own the strip of land, it does accommodate services such as street lighting, telegraph poles and grit bins etc and as such could be considered highway verge.

In light of the land ownership situation the applicants have placed an advert in the Cynon Valley leader to try and establish who owns the land (previous land registry searches by the Authority did not establish ownership). Subsequently a revised land ownership certificate (Certificate D) has been provided. Whilst some lease and freehold documents have been provided by the residents of Pond Place, no definitive confirmation regarding the ownership of the land has been forthcoming. As such, as a result of the new land ownership certificate having been submitted, the planning application is considered valid. Should planning permission be granted and the landowner subsequently come forward, issues in relation to gaining access over a third party's land would be private, civil matter for the applicant and the land owner to resolve.

Ecology

The development of the site for residential purposes necessitates the demolition of the library building. Although the design and materials of the building do not lend themselves to being a bat roost, the building's demolition does trigger the Authority's Bat protocol. The extended phase one survey of the site and bat scoping report of the building conclude that there were no suitable bat access points on the building; no evidence of bats using the former library building was identified and that the potential for use is low. As such it is considered that the demolition of the building would have a negligible impact on the bat population in the area. The application is therefore considered compliant with the requirements of policy AW8 of the Rhondda Cynon Taf Local Development Plan.

Drainage

In addition to those issues covered in the assessment above, members of the public have expressed concerns that the development would give rise to surface water drainage problems and overload the public sewers. In response it is noted that the drainage consultees have offered no adverse comments subject to the imposition of appropriately worded conditions relating to the disposal of foul and surface water from the site on any grant of consent. It is therefore considered the application remains compliant with the relevant criteria of policy AW2 of the Rhondda Cynon Taf Local Development Plan.

Japanese Knotweed

It is known that Japanese Knotweed grows on the site. Unfortunately during the summer months of 2014, ground clearance works were undertaken which may have resulted in the weed being spread across the site. As a result of the situation the Authority's Landscape Officer has recommended conditions with regard to treatment prior to any construction works taking place.

Archaeology

Following consultation, Glamorgan Gwent Archaeological Trust have provided the following information:

"The application site was the site of two short rows of terraced housing, one marked on the First Edition OS map of 1880 as Morgan Row, and the other forming a facing terrace to Pond Row (Place) and marked as Phillip Row, joining the current Phillip Row to the south. Both have subsequently been demolished... We recommend that a condition, ensuring that an archaeologist conducts a watching brief during any ground works required for the development, such as clearance, levelling and drainage, should be attached to any consent granted."

In light of the above, a condition relating to an archaeological watching brief is recommended and the application is considered compliant with policy AW7 of the Rhondda Cynon Taf Local Development Plan.

Public Right of Way

A member of the public has raised concerns that the development proposed would block a right of way that across the site. Whilst it is acknowledged that there is a well established, desire line crossing the site from north to south, the route does not benefit from Right of Way status or protection.

Community Infrastructure Levy (CIL) Liability

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

As planning permission first permits development on the date of the final approval of the last of the reserved matters, CIL is not payable at outline stage but will be calculated for any reserved matters or full applications.

Conclusion

The application is considered to comply with the relevant national and local development plan policies in respect of the principle of development, impact on the character and appearance of the area, the residential amenity and privacy, access and highway safety and all other matters that have been raised. In light of the above, the application is recommended for approval subject to the following conditions.

RECOMMENDATION: Grant

1. (a) Approval of the details of the layout, scale and appearance of the building(s), the means of access thereto and the landscaping of the site (hereinafter referred to as "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

(b) Plans and particulars of the reserved matters referred to in (a) above relating to the layout, scale and appearance of any building to be erected, the means of access to the site and the landscaping of the site shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

(c) Applications for the approval of reserved matters shall be made before the expiration of three years from the date of this permission.

(d) The development hereby permitted shall be begun before whichever is the latter of either (i) the expiration of 5 years from the date of this permission or (ii) the expiration of 2 years of the final approval of the reserved matters or in the case of approval on different dates the final approval of the last such matter to be approved.

Reason: To comply with Sections 92 and 93 of the Town and Country Planning Act 1990.

2. The details of landscaping required to be submitted to and approved by the Local Planning Authority in accordance with Condition 1 above shall include indications of all existing trees 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 & AW6 of the Rhondda Cynon Taf Local Development Plan.

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

Reason: To ensure that the new development will be visually attractive in the interests of amenity in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

4. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the buildings are

occupied. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the new development will be visually attractive in the interests of amenity in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

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

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

6. Full details of a scheme for the eradication and/or control of Japanese Knotweed (*Fallonia Japonica*, *Rouse Decraene*, *Polygonum Cuspidatum*) shall be submitted to and approved by the Local Planning Authority prior to the commencement of any work on site. The approved scheme shall be implemented in full prior to development commencing on any dwelling/building.

Reason: In order to ensure the eradication/control of Japanese Knotweed within the curtilage of the application site in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

7. During the construction phase of the development works shall be restricted to the following:

Monday to Friday	08:00 to 18:00 hours
Saturday	08:00 to 13:00 hours
Sunday 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.

8. 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.

9. No dwelling shall be occupied until the drainage works have been

completed in accordance with the approved plans.

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

10. Development shall not begin until details providing for the creation of a 1.8 metre wide footway/vehicular crossover along the site frontage along Pond Place have been submitted to and approved in writing by the Local Planning Authority. The footway/crossover shall be constructed in accordance with the approved details before the development is brought into use.

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

11. Development shall not commence until design and details of the turning head on Pond Place being lengthened to a minimum of 12m and junction markings on Pond Place have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the satisfaction of the Local Planning Authority prior to the beneficial occupation of the first dwelling served off Pond Place.

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

12. Prior to the development being brought into use, 2 No. vehicular footway crossing shall be provided: 1 No. on Cwmbach Road and 1 No. on the unnamed road to the south of the site, in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

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

13. 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 in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) no development falling within Schedule 2, Part 1 Class E shall be erected or constructed on this site without the prior express permission of the Local Planning Authority.

Reason: To preserve and enhance the visual amenity of the locality and in the interests of highway safety, in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

15. The developer shall ensure that a suitably qualified archaeologist is present during the undertaking of any ground disturbing works in the development area, so that an archaeological watching brief can be conducted. The archaeological watching brief shall be undertaken to the standards of the Institute for Archaeologists. The Local Planning authority shall be informed in writing at least two weeks prior to the commencement of the development of the name of the appointed archaeologist and no work shall begin until the Local Planning Authority has confirmed in writing, that the proposed Archaeologist is suitable. A copy of the watching brief shall be submitted to the Local Planning Authority within two months of the fieldwork being completed by the archaeologist.

Reason: To identify and record any feature of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource, in accordance with policy AW7 of the Rhondda Cynon Taf Local Development Plan.

=====

LOCAL GOVERNMENT ACT 1974

As amended by

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

LIST OF BACKGROUND PAPERS

DEVELOPMENT CONTROL COMMITTEE

16 APRIL 2015

REPORT OF THE DIRECTOR, LEGAL AND DEMOCRATIC SERVICES

SITE MEETING

**APPLICATION NO.14/1308 – DEMOLITION OF EXISTING REDUNDANT
LIBRARY BUILDING AND OUTLINE CONSENT FOR RESIDENTIAL
DEVELOPMENT OF THE SITE (ALL MATTERS RESERVED) (AMENDED
DESCRIPTION RECEIVED 26/11/14) – CWMBACH LIBRARY, MORGAN
ROW, CWMBACH, ABERDARE**

Minute No. 170 (Development Control Committee, 19 March 2015)