

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2015-2016

Agenda Item No. 10

**DEVELOPMENT CONTROL
COMMITTEE
15 OCTOBER 2015**

**REPORT OF: SERVICE DIRECTOR
PLANNING**

APPLICATION NO. 15/0667 – REMOVE EXISTING 2 NO. GROUND FLOOR LEVEL PORTACABIN UNITS AT THE REAR OF THE SURGERY BUILDING AND REPLACE THEM WITH 12 NO. PORTACABINS (6 NO. AT GROUND FLOOR AND 6 NO. ABOVE). THE 12 NO. PORTACABIN UNITS TO BE USED AS ADDITIONAL WORKING FLOORSPACE FOR THE CYNON VALE MEDICAL PRACTICE IN CONJUNCTION WITH THE EXISTING SURGERY AND RETAINED FOR A TEMPORARY PERIOD OF NO MORE THAN 3 YEARS (AMENDED PLANS RECEIVED 22 JUNE AND 15 JULY 2015) (REVISED DESCRIPTION OF DEVELOPMENT 28 JULY 2015) – CYNON VALE MEDICAL PRACTICE, 8 CARDIFF ROAD, MOUNTAIN ASH

1. PURPOSE OF THE REPORT

Members are asked to determine the above planning application.

2. RECOMMENDATION

That Members consider the proposals and my report thereon and **APPROVE** (for a temporary period of three years) the application having regard to the advice given.

3. BACKGROUND

The application was originally reported to a meeting of the Council's Development Control Committee on 20 August 2015 and a copy of the report is attached as **APPENDIX 'A'**. At that meeting Members resolved to defer determination of the application in order that a Committee site visit could be held. The site visit was held on 28 August 2015 and the application subsequently reported back to the 17 September 2015 meeting of this Committee. At that meeting Members resolved that they were minded to refuse planning permission for the reasons that the proposed addition was unsuitable by reason of its design and that due to a lack of parking there was the potential for congestion and highway problems (a copy of the 17 September 2015 Committee report is attached as **APPENDIX 'B'**).

Accordingly, the application was deferred in order that Members could receive a further report upon the strengths and weaknesses of taking a decision contrary to the recommendation.

Committee's concerns regarding the application centred on two issues. Firstly, the design and resulting visual impact of the proposed development; and secondly, the lack of parking, which it was considered could lead to highway problems in the vicinity of the site.

The proposed addition to the surgery building is in effect 12no. Portacabin style modular units fitted together to form a large single flat roofed block. The original report acknowledges that the addition will have little merit in design or aesthetic terms, with the required external steel fire escape staircase up against the rear of the block adding to the functional form of the addition.

Further to the Committee meeting on 17 September 2015 a letter and email with two photographic images (referred to within point 4. of the letter) have been received from Mr Rob Baron, Practice Manager, Cynon Valley Medical Practice (CVMP) and a copy of both the letter and the photographs are attached as **APPENDIX 'C'**.

The photographic images attached (which will also be shown in colour as part of the visual presentation at the Committee meeting) have been submitted by CVMP to try and indicate that the units would not be as visually functional and poor in design terms as Committee may fear. It should be pointed out however, that the context of the host building can not be seen in these photographs and nor do they include the external steel fire escape staircase coming down from the first floor level.

The argument advanced in CVMP's attached letter that the new units would "improve the aesthetics of the area" is not accepted. However, on the basis that the accommodation is sought and recommended for approval on a 3 year temporary basis only no objection, justifying a refusal of permission has been raised on this point.

The second area of concern expressed by Members at the 17 September 2015 meeting was in respect of parking and highway issues.

The original report confirms that the parking requirement for the surgery (with the three additional GPs proposed) would be 24 spaces. The application proposes the creation of 3 spaces down the south eastern (Council car park side) of the surgery building. At present there are no on-site parking spaces.

The 3 proposed spaces would be narrow and be arranged end on end, so in reality they would seem unsuitable for visiting patients and would be more likely to be used by surgery staff.

The Council's Transportation Section have expressed some concern over the shortfall in parking and recognise that parking in front of the surgery (there are no parking restrictions in force) would impact on the free flow of traffic to the

detriment of safety to all highway users. However, it also recognised that the surgery lies in a town centre location where there is often very limited opportunity to provide car parking. In addition the surgery building stands next to the Council's Cardiff Road Car Park and being close to the centre of Mountain Ash the surgery is within close proximity to both rail and bus services. On this basis no highway objection has been raised.

Members will note that in point 5. of the CVMP letter attached at **APPENDIX 'C'** the point is made that by appointing additional GPs the Practice hopes to be able to provide surgeries throughout the day and not just in the morning and late afternoon. Accordingly, it is anticipated that the number of patients attending the surgery would be evenly spread out throughout the day, thereby avoiding the pressure periods at 9am and 4pm, which is currently the case.

There was some discussion at the 17 September 2015 meeting regarding the presence of Japanese Knotweed at the site, albeit that was not advanced as a potential reason to refuse the application. CVMP's appended letter makes comment on the issue of Japanese Knotweed at the site.

Japanese Knotweed is classed as a 'private nuisance' and there are no statutory requirements (on this Council, NRW or any other public body) to secure its eradication. In this case a condition is recommended that a scheme to treat and control the Japanese Knotweed is imposed. Committee were informed at the 17 September 2015 meeting that the CVMP had already had an approved contractor to undertake the first of three annual treatments to the plants on site.

CVMP have confirmed their intention to undertake the next two required treatments to ensure the eradication of the Japanese Knotweed from the site. If however, the application is refused then the treatment of the Japanese Knotweed would fall to the Council, as the land owner in this case.

The position of the existing two Portacabin type units at the site was also discussed at the last meeting. These were granted on a temporary basis and should have been removed from the site by 30 April 2010. If this current application were to be approved then they would be removed to make way for the new 12no. replacement units. If however, Members refuse this current application the position of the two existing cabins needs to be resolved, either by their removal or by CVMP securing a planning permission for their continued retention.

The CVMP in their appended letter indicate that if this application were to be refused then the surgery at Cardiff Road would close. They indicate within their letter that the Practice would move "to a yet undecided venue but possibly Mountain Ash Hospital". The letter points out that such a consequence "isn't intended as a threat: it is a statement of fact".

The original report recognises that the application is not without its deficiencies in respect of its size, form and functional appearance and limited provision for off-street parking. However, it is considered that the provision of

the proposed accommodation will result in an enhanced health facility for the residents of Mountain Ash and that the health and well-being of the residents of the County Borough is an over-arching aim of the Council, across all service areas. In giving weight to these considerations it is considered that a 3 year temporary permission should be supported.

If, however, Members remain of the opinion expressed at the last meeting that the proposal is unacceptable then it is considered that the following reasons for refusal are reflective of the concerns raised.

1. The proposed block addition to be created from the 12no. portable modular units, by virtue of its functional form and design, will have an adverse impact on the character and appearance of the site and surrounding area, contrary to policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.
2. The proposal does not include a satisfactory level of on-site parking provision. Accordingly, it is considered that the proposal will lead to greater levels of on-street parking, to the detriment of the free flow of traffic along Cardiff Road and to the safety of all highway users.

APPENDIX A

APPLICATION NO: 15/0667/10 (DJB)
APPLICANT: Mr R Baron
DEVELOPMENT: Remove existing 2 no. ground floor level portacabin units at the rear of the surgery building and replace them with 12 no. portacabins (6 no. at ground floor and 6 no. above). The 12 no. portacabin units to be used as additional working floorspace for the Cynon Vale Medical Practice, in conjunction with the existing surgery and retained for a temporary period of no more than 3 years. (Amended plans received 22 June and 15 July 2015). (Revised description of development 28 July 2015).
LOCATION: CYNON VALE MEDICAL PRACTICE, 8 CARDIFF ROAD, MOUNTAIN ASH, CF45 4EY
DATE REGISTERED: 22/06/2015
ELECTORAL DIVISION: Mountain Ash East

RECOMMENDATION: Approve (Temporary for max. of 3 yrs)

The site lies within a mixed use area of Mountain Ash, with both residential and commercial uses in proximity of the application site. The proposed development is a significant addition to the existing building and in design terms is not considered to represent an ideal form of development. In addition the provision of off-street parking is limited. However, it is acknowledged that there is an urgent need for additional floorspace at the surgery and on the basis that the permission is proposed on a temporary basis (maximum of 3 years) the balance of planning judgement supports a positive recommendation.

APPLICATION DETAILS

Full planning permission is sought for the provision of 12no. portacabin type modular units to the rear of the Cynon Vale Medical Practice surgery. Two modular units which are currently on the site will be removed. The existing link from the surgery building into the currently sited units will be retained to provide staff and patient access to the new accommodation proposed.

The units are to be arranged with 6no. at ground floor level and 6no. above at first floor level. The depth of the 'block' created would be 12.1m and the width 9.03m (each of the 12no. units is 6.05m x 3.05m in size). The height of the flat roof units is 2.72m, so the height of the two levels would be 5.44m. The eaves level of the building are at a height of approx 6m.

The proposed accommodation would provide the space for:
Ground Floor - patient WC facilities, three store rooms, two doctor's consulting rooms, GP room and a treatment room

First Floor – staff WC facilities, practice manager's office, two medical records storage rooms, store room and two administrative rooms. (The first floor will be staff only, with no patient access).

Glazing (which will be covered with security shutters) is proposed on all three outward facing elevations at ground and first floor. In addition a ground floor fire exit door is proposed in the north western side (side facing former Nazareth Church) and first floor fire exit door with stairs down is to be site against the rear elevation (facing towards to River Cynon).

The submitted plans indicate the provision of 3no. on-site parking spaces to the southern eastern (car park) side of the surgery.

In support of the application the submission includes:

- A letter signed the two Doctor Partners of the Practice in which they confirm that last year the Cardiff Road Surgery merged with the Misken Surgery (which is now closed) giving a combined patient list of some 4,500 patients. However, the Cardiff Road Surgery is constraining the Practice in a significant way because of the lack of room and the ability to deliver health services in a efficient way. It is indicated that the problems associated with the lack of space and facilities have resulted in staff leaving. In addition without the new space proposed it would be difficult to appoint new GPs and nurse/health care assistant.
- A letter from the Head of Primary Care at Cwm Taf University Health Board (UHB) confirming that 3 year funding has been secured for the proposed additional accommodation. It is indicated that current working conditions at the Practice are very difficult due to the lack of space and that the proposed expansion will provide a much improved environment for patients, staff and the local community. Further, it is indicated that the long term plans that the UHB has for GP services in Mountain Ash will be to provide a purpose built Surgery to house all the GPs that currently work in the area.
- A copy of a petition (containing 526no. signatures) was enclosed with the letter referred to above. This petition is headed 'Patient Support for the Planning Application to temporarily extend Cardiff Road Surgery.....I would like to support the Surgery's application to temporarily extend the Cardiff Road Surgery by replacing the existing portacabin with a larger one that provides more room for the practice....'
- photographs of the Council's Old Cardiff Road Car Park to the south east of the surgery and Cardiff Road frontage itself.

It is understood, since receipt of the application, that the Practice have recruited three additional GPs to work (starting in September and October 2015) at Cynon Vale, but they needed the proposed accommodation in order to provide the space for them to work from.

SITE APPRAISAL

Cynon Vale Medical Practice is accommodated within 8 Cardiff Road, a former residential detached property, of a relatively modest size, which stands on the south

western side of Cardiff Road, approximately 50m down from the junction with Ffrwd Crescent. The surgery building fronts directly onto the back of the pavement running across the front. An overgrown (former garden) area lies to the rear of the surgery building and two existing modular units. Between the rear boundary and the River Cynon (a distance of some 15m) is a strip of somewhat overgrown grassed ground, the riverside footpath and the river bank.

The south eastern side boundary between the surgery site and the Council's (Old Cardiff Road) car park and part of the rear boundary is defined by a block work wall approximately 1.35m in height. There is also some unmaintained self seeded vegetation growing across the rear boundary with a single tree close to the side boundary wall.

A gap wide enough to provide room for a vehicle to drive between lies between the surgery building and the former Nazareth Church to the north west. Planning permission (05/0499) was granted in 2005 for the change of use of the attic space of Nazareth Church into residential living accommodation (an earlier application (03/1022) had secured planning permission to change the use from a church to a weights and fitness gym).

On the opposite side of Cardiff Road lies 7 Cardiff Road, which stands between the two motor vehicle commercial uses of Mountain Ash Motors (to the south east and accessed from the New Road side frontage) and Cardiff Road Garage, who provide car servicing/repairs/exhaust fitting/MOT testing etc..(to the north west).

There are double yellow line parking restrictions on Cardiff Road, however these only extend approximately 10m back from the junction with Ffrwd Crescent. Accordingly, there are no parking restrictions outside any of the properties (the surgery/former Nazareth Church/7 Cardiff Road/ Cardiff Road Garage/Mountain Ash Motors) in Cardiff Road.

The land to the rear (from the rear elevation backwards towards the river) and to the south eastern (car park side) of the surgery building is within the ownership of the Council. The applicant has served the appropriate notice on the Council and submitted the correct Certificate 'B' ownership certificate.

PLANNING HISTORY

05/0152: Temporary siting of modular buildings at rear of existing building giving two consulting rooms, one treatment room and disabled WC.
Cond. Perm. 14 April 2005

PUBLICITY

The application has been advertised by means of site notices erected in the vicinity of the site and individual neighbour letters. Two emailed letters were received in respect of the first round of notification. The objections and concerns raised therein are summarised as follows:-

- Old Cardiff Road is already congested and we regularly experience difficulties having goods delivered. The additional patient numbers at the surgery will only increase traffic congestion for the businesses already on Old Cardiff Road;
- The plans submitted are unclear and misleading;
- The proposed portacabins will overlook the main access door into our property and our land to the rear;
- The Miskin, Penrhiwceiber surgery closed in May 2014 and since then, with patients moved to 8 Cardiff Road, the road has become very busy;
- The Old Cardiff Road car park is already very busy as it is free and people park in this car park or on Old Cardiff Road itself to avoid paying for parking in the town;
- Large delivery vehicles, emergency vehicles and the Council's own refuse lorry already has problems getting access down Old Cardiff Road;
- The original 2005 permission was for a temporary permission only but those two portacabins are still there;
- Will impact on our own ability to park next to our property;
- The existing property, 8 Cardiff Road is clearly not fit for purpose and the proposed portacabins will more than double the size of the surgery;
- A new one for all medical centre at the bottom end of Mountain Ash, near the bus and train stations would be better for the community.

Following the receipt of additional and revised plans a further round of neighbour notification has been undertaken. Any further responses will be reported orally at the meeting.

CONSULTATION

Transportation Section – no objections are raised, subject to conditions.

RCT Flood Risk Management Section (Drainage) – with reference to Natural Resources' Wales Development Flood Advice Maps, the site is located within Flood Zones B and C or is identified as being within an area susceptible to surface water flooding. In this instance, I would recommend that the Planning Authority should consult with the Natural Resources Wales.

In the event that the Planning Authority is minded to grant Planning Consent for this application it is recommended that a condition be imposed requiring that drainage details be agreed to ensure that the proposed development does not cause or exacerbate any adverse condition on the development site, adjoining properties, environment or existing infrastructure.

Natural Resources Wales – no response received as time of preparing this report.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan (LDP)

The LDP Proposals Map identifies the site as lying inside defined settlement limits.

Policy AW2 – development will generally be supported in sustainable locations within settlement boundaries (or in the Northern Strategy Area in accordance with policy AW12)

Policy AW5 – identifies the design criteria (under the headings of Amenity and Accessibility) for new development.

Policy AW6 – supports development that promotes high quality design and place-making.

National Guidance

Planning Policy Wales (Edition 7, July 2014)

Section 4.2 sets out Welsh Government's aim to ensure that planning decisions have regard to the need to take account of sustainable principles.

Section 4.10 seeks to promote sustainability through good design.

Section 8.1 requires that development is accessible by means of a range of modes and not just the private car.

TAN12: Design (July 2014)

TAN18: Transport (March 2007)

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.

PLANNING CONSIDERATIONS

Main Issues

It is considered that the main issues in the assessment of this application are:

- the principle of the development and the planning policy context;
- the impacts of the development in terms of neighbouring residential amenity and the wider visual amenity; and,
- the implications for traffic and parking conditions in the vicinity of the site.

The principle of the development

The site lies within the defined settlement boundary of Mountain Ash, within a mixed use area where both residential and commercial uses are present. The application is

considered to be compliant with policy AW2 of the Local Development Plan and in principle there is no objection to the extension of the existing doctor's surgery building.

Impacts on amenity

Wider visual amenity

The proposed of 12no. modular units would be put together to in effect form a single flat roofed block.

As noted previously the surgery building itself is relatively modest in size. The footprint of the building measures approximately 8.3m x 8.5m (in reality the building is not built square as the front elevation is 8m wide, whilst the rear elevation is 8.9m) giving a floor area over the ground and first floors of approximately 140sq.m. It is understood that patients only use the ground floor of the building (patient waiting room/reception/treatment room/consulting room), with the first floor used by the GPs and staff for meeting and administrative purposes only. The new floorspace that would be created by the proposed units would amount to an additional 218sq.m. (over two floors). This represents an increase of 155%.

As is noted earlier in this report there are currently two portacabin type modular units (providing a further 57sq.m. of ground floor floorspace) forming a single block on the site to the rear of the surgery building. The submitted plans confirm that this space, which is all at ground floor, provides for two further consulting rooms, WC (inc. disabled) facilities and a further treatment room. Planning permission (05/0152) was granted for these units on 14 April 2014. However, a condition (no.2) was imposed on that permission that the units be removed from the site no later than 30 April 2010. No subsequent application was received to extend the period allowing them to be sited at the site, but they remain in situ and in use as part of the surgery.

The proposed block of units will project just in excess of 12m back from the rear elevation of the surgery building. The elevations will contain security shuttered windows on all the three outer sides. It is considered that the proposed 'block' of units has little merit in design or aesthetic terms. The necessary addition of a steel fire escape staircase up against the rear of the block will add to the purely functional form of the addition.

The site is relatively open to the rear. Therefore whilst the additions are to the back and not in the 'streetscene' as such, it is considered that the proposed units would be clearly seen from views within the Council's Old Cardiff Road car park to the south east, from the riverside walk/footpath to the rear of the site and by pedestrians (to a lesser extent drivers as most would be lower down) using the old town bridge, which crosses in relatively close proximity, as they may walk over the River Cynon to/from the main commercial centre of the town.

Policies AW5 and AW6 of the Local Development Plan both require new development to be of a scale, form and design that respects the context of the setting and would not adversely impact on the character and appearance of the surrounding area. It is difficult to argue that the proposed development is compliant with the aims

of these policies in these respects. However, permission is sought on a temporary basis (for a maximum of 3 years) and therefore adverse visual impacts will be for a limited period only. Also, it is recognised that the Practice are in desperate need of additional floorspace at this site having merged with and closed the sister surgery in Miskin. As such it is considered that there would be benefits to the wider community if the surgery could provide a full and more efficiently delivered service of health care for its patients. On balance therefore, it is not considered appropriate to raise an objection to the application on the basis of policies AW5 and AW6.

Residential amenity

In terms of its impact on residential amenity it is considered that the only occupiers who would be affected are the family who live in the former Nazareth Church. Whilst the proposed block will project back 12.1m the back of the surgery stands approximately 6m forward of the rear (albeit it is a side wall) of the former church. Accordingly, the projection beyond this wall will be only 6m. No glazing is proposed, either at ground or first floor in the rear most units on the side facing the former church. In addition, it is not considered that any glazing within the former church would be impacted upon. The main door providing access to the former church faces the side of the surgery, but it is not considered that the proposed additions will lead to any significant change to the current circumstances.

The condition of the land to the rear/side of the former church appears little used at present and does give the appearance of being used as a private garden/amenity area. However, that is not to say that the occupiers may not wish to use it as such. The proposed additions at the surgery would be clearly visible from the is area and it is considered would have some impact on the residential enjoyment of using this area.

In considering policy AW5 of the Local Development Plan it is not considered that the proposed units would impact on the residential amenity of the occupiers of the former Church to such a significant extent that would justify a reason to refuse permission.

Highways and parking

The applicant's submission makes reference to the Council's adjoining (Old Cardiff Road) free car park within the Design and Access Statement. In addition, a set of photographs have been provided which show views of the car park and Cardiff Road.

The Council's Old Cardiff Road car park provides free parking and contains 28no. standard car parking spaces and 3no. disabled parking spaces. It is not known at what time the photographs taken and supplied by the applicant were taken. However, they show only two cars parked in the car park. In addition the photographs of Cardiff Road itself show only 3no. vehicles parked on the carriageway. At the time of your officer's site visit (between 9.00am and 10.00am) there were significantly more cars parked on Cardiff Road and the car park was approximately 80% full.

The 'Publicity' section of this report acknowledges that within the letters of objection received to date concerns are raised regarding the current demand on car park

parking, the high levels of on-street parking and existing difficulties with access along Cardiff Road as a result.

With the additional 3 GPs (to start in September and October, as noted earlier in this report) the Transportation Section have indicated that the parking requirement for the surgery would be a maximum of 24 spaces (5 operational spaces and up to a maximum of 19 non-operational spaces). The SPG parking requirements have regard to the fact that sites (within Zone 2) such as this, within built up urban areas often have limited opportunity to be able to provide parking facilities. It is recognised that the application site is within close proximity to the town centre of Mountain Ash and is well served by regular and frequent bus services and in addition is also close to the town's rail station.

The submitted plans indicate the provision of 3no. car parking spaces down the south eastern (car park) side of the surgery building, between the pine end of the building and the proposed units/block and the side boundary wall. This area (which forms part of the land in the Council's ownership) is currently unused and somewhat overgrown. It is narrow at only approximately 2.7m wide at the point between the pine end and the wall. Therefore, whilst there is sufficient room to park the 3 cars proposed it is anticipated that these spaces would be used by staff, who may leave their cars there for the best part of the day and not patients.

The Council's Transportation Section has carefully considered the application and recognise that whilst there are no parking restrictions on Cardiff Road on-street parking to the front of the surgery (on Cardiff Road) would impact on the free flow of traffic to the detriment of safety of all highway users and the free flow of traffic.

The Transportation Section indicate that there is some concern over the shortfall in parking provision and potential reversing movements onto Cardiff Road. However, it is recognised that 3no. on-site spaces are to be created, which together with the very close proximity of the adjoining car park and the fact that the site lies within a sustainable location, close to Mountain Ash town centre means that, on balance, no highway objections are raised.

Other Issues

The Council's Flood Risk Management (FRM) Section have not raised objection to the application, subject to the imposition of conditions relating to the confirmation of drainage details.

NRW have been consulted in respect of the application, but at the time of preparing this report no response has been received. Members will be orally updated at the meeting in this respect of NRW's observations.

The report does refer to the fact that the land on which it is proposed to site the proposed units and provide the 3no. car parking spaces is Council owned. For clarity, this is not an issue for the consideration of the planning application but a matter which is being dealt with by the Council's Estates Section.

Community Infrastructure Levy (CIL) Liability

The Community Infrastructure Levy 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.

Conclusions

It is acknowledged that the proposed development is not without its deficiencies, with regard to its size, form and functional appearance and limited provision for off-street parking. However, the Practice is currently severely hampered by its lack of space on this site. The provision of the proposed floorspace would result in an enhanced health facility for the residents of Mountain Ash and the surrounding area, who are patients at this surgery. It is recognised that the commitment to the health and well-being of the residents of County Borough is an over-arching aim for the Council at all levels and across all areas of service provision. Therefore, on balance, and having regard to the fact that the application seeks a temporary permission the application is recommended for approval (for a maximum of 3 years).

RECOMMENDATION: Grant

1. The permission hereby granted is for a temporary period (maximum of 3 years) only and the 12no. portacabin type modular units (and associated fire escape staircase) hereby approved shall be wholly removed from the site no later than 3 years from the date of this permission. The site shall be restored, within a timescale and to a condition both to be agreed, in writing by the Local Planning Authority prior to the removal of the 12no. portacabin type modular units from the site.

Reason: It is not considered that the proposed development would be acceptable were it to be permanent having regard to policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

2. The development hereby approved shall be carried out in accordance with the following approved plans/drawing nos. :
 - OS Base Red Line Application Site Plan (dated received 22/06/15)
 - Existing building and portacabin plan/elevation
 - Proposed ground and first floor plan (dated received 15/07/15)
 - Proposed elevations (dated received 15/07/15)
 - Car parking for 3 cars

Reason: In order to define the extent of the permission hereby granted and in order to ensure that the development is carried out in accordance with the approved plans.

3. Prior to the additional temporary accommodation hereby approved being brought into beneficial use the 3no. on-site car parking spaces, as shown

on plan (Car parking for 3 cars) shall have been provided and the parking spaces be available for use. The parking spaces shall be retained for the parking of vehicles thereafter unless agreed in writing by the Local Planning Authority.

Reason: To ensure that vehicles can park off the highway, in the interests of road safety and in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

4. Surface water run-off from the proposed development shall not discharge onto the public highway or be connected to any highway drainage system unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent overloading the existing highway drainage system and potential flooding and in the interests of highway safety.

5. Prior to the commencement of development details of traffic management to be provided at the site during the delivery and assembly of the portacabin modular units and the creation of the parking spaces shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of highway and pedestrian safety having regard to policy AW5 of the Rhondda Cynon Taf Local Development Plan.

6. Prior to the temporary accommodation hereby approved being brought onto the site full details confirming drainage details confirming the provision for surface water run-off will be submitted to approved by the Local Planning Authority. The drainage arrangements shall be installed and maintained in accordance with the approved details.

Reason: To ensure that drainage from the proposed development does not have any adverse impacts on the development site or adjoining property having regard to policy AW10 of the Rhondda Cynon Taf Local Development Plan.

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RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2015-2016

**DEVELOPMENT CONTROL
COMMITTEE**

17 SEPTEMBER 2015

**JOINT REPORT OF THE
DIRECTOR LEGAL AND
DEMOCRATIC SERVICES
AND THE SERVICE DIRECTOR,
PLANNING**

Agenda Item No.5(2)

**SITE MEETING
APPLICATION NO. 15/0667 – REMOVE
EXISTING 2 NO. GROUND FLOOR
LEVEL PORTACABIN UNITS AT THE
REAR OF THE SURGERY BUILDING AND
REPLACE THEM WITH 12 NO.
PORTACABINS (6 NO. AT GROUND
FLOOR AND 6 NO. ABOVE). THE 12 NO.
PORTACABIN UNITS TO BE USED AS
ADDITIONAL WORKING FLOORSPEACE
FOR THE CYNON VALE MEDICAL
PRACTICE IN CONJUNCTION WITH THE
EXISTING SURGERY AND RETAINED
FOR A TEMPORARY PERIOD OF NO
MORE THAN 3 YEARS (AMENDED
PLANS RECEIVED 22 JUNE AND 15
JULY 2015) (REVISED DESCRIPTION OF
DEVELOPMENT 28 JULY 2015) – CYNON
VALE MEDICAL PRACTICE, 8 CARDIFF
ROAD, MOUNTAIN ASH**

**Authors: Mrs.Z.Maisey, Principal Officer, Committee Services
Mr.D.J.Bailey, Development Control Manager**

1. PURPOSE OF THE REPORT

To consider the outcome of the site inspection in respect of the above-mentioned proposal and to determine the application, as outlined in the report of the Service Director, Planning, attached at Appendix 1.

2. RECOMMENDATION

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

3. BACKGROUND

- 3.1 In accordance with Minute No.50(1) (Development Control Committee, 20 August 2015), a site inspection was undertaken on Friday, 28 August 2015 to consider the planning, highways and ecology issues.
- 3.2 The meeting was attended by the Chair and Vice-Chair of the Development Control Committee (County Borough Councillors G.Stacey and M.Griffiths respectively) and Committee Members - County Borough Councillors P.Jarman, R.Lewis, S.L.Rees, G.P.Thomas and E.Webster.
- 3.3 Apologies for absence were received from Committee Members - County Borough Councillors L.M.Adams, J.Bonetto, L. De Vet, (Mrs) S.J.Jones, C.J.Middle, S.Powderhill, (Mrs) A.Roberts, G.Smith, (Mrs) J.S.Ward, P.Wasley and M.J.Watts.
- 3.4 Members viewed the application site and were informed by the Development Control Manager that full planning permission was being sought for the provision of twelve portacabin type modular units to the rear of the Cynon Vale Medical Practice surgery. The two modular units which were currently on site would be removed and the existing link from the surgery building into the currently sited units would be retained to provide staff and patient access to the new accommodation proposed. Six of the proposed modular units would be at ground floor level and the remaining six above, at first floor level.
- 3.5 The Development Control Manager acknowledged that the proposed development was a significant addition to the existing building and in design terms was not considered to represent an ideal form of development. There was also limited provision for off-street parking. However, the Practice was currently severely hampered by its lack of space and the provision of the additional floorspace would result in an enhanced health facility for its patients. On balance, and having regard to the fact that the application sought a temporary permission, the application was recommended for approval for a maximum of three years.
- 3.5 The Development Control Manager also informed Members that Natural Resources Wales had now notified no objection to the proposal but had drawn attention to the proximity of the river to the development site.
- 3.6 Members noted that the applicant was proposing to provide three on-site parking spaces to the side of the surgery building on a narrow strip of land, currently unused and overgrown, adjoining the Council owned free car park. Whilst there was sufficient room to park three cars on this site, it was anticipated that these spaces would be used by staff, who would park their cars there for the best part of the day and not patients.

- 3.7 Members also noted that the Council's Transportation Section had carefully considered the application and recognised that whilst there were no parking restrictions on Cardiff Road, on-street parking to the front of the surgery would impact on the free flow of traffic to the detriment of safety of all highway users and the free flow of traffic. The Transportation Section also indicated that they had some concern over the shortfall in parking provision and potential reversing movements onto Cardiff Road. However, it was recognised that three on-site spaces were to be created which together with the very close proximity of the adjoining car park and the fact that the site was within a sustainable location, close of the town centre, there was no highway objection to the proposal.
- 3.8 Reference was made to the recent identification of Japanese Knotweed at the application site and the Council's Landscape Architect confirmed this to be the case. He stated that Japanese Knotweed would normally be eradicated before development took place, however, owing to the applicant's tight timetable, total eradication would be difficult to achieve. However, there was a potential solution but it would depend on the level of soil movement necessary to erect the proposed portacabins on site. Members noted that the Japanese Knotweed was growing under the existing units on site and Officers were requested to present further information on this situation at the Development Control Committee prior the application being determined.

4. **Report Update**

- 4.1 In respect of the response received from NRW (referred to in para. 3.5 above) they identify the site as lying within Zone C1. They raise no objection but recommend that the applicant be made aware of the risks and that consideration be given to the incorporation of flood resistance/resilience measures in the design of the development. Should Committee be minded to grant temporary permission it is suggested that a suitably worded informative note be added to the decision advising that the applicant/developer have regard to the advice provided by NRW in their response to the planning application consultation.
- 4.2 Further to the 'Publicity Section' third party responses referred to in the original report a second letter of objection has been received from the occupier of the neighbouring property (former Nazareth Church). Further comment is made regarding the quality of the submitted plans, the problems with traffic and parking in the vicinity of the site, drainage problems and the potential for overlooking and resultant loss of privacy.

- 4.3 With regards to the issue of Japanese Knotweed on the site (para. 3.8 above) the applicant's agent has contacted the Planning Officer to confirm that the plants on site have been treated by means of being sprayed and injected. It has been indicated that a copy of the scheme proposed for the ongoing control the Knotweed on the site will be provided before the meeting. At this stage however, having not been provided with the scheme it has not been assessed by the Council's Landscape Officer and therefore it is recommended that should Members be minded to grant temporary permission that the additional condition (as condition 7) below be added to those set out in the original report.

Condition 7

Full details of a scheme for the eradication and/or control of Japanese Knotweed (*Fallonica japonica*, *Rouse Decraene*, *Polygonum Cuspidatum*) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any work on site. The approved scheme shall be implemented in full prior to the commencement of any works on site.

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.

Cynon Vale Medical Practice



Partners:-

Dr Eleanor Brown
MB ChB MRCGP

Dr Gafyn Rees
MB BCh MRCGP

Salaried GP:-
Professor Chris Butler
BA, MB, ChB, DCH, FRCGP, CCH, DM

8 CARDIFF ROAD
NEWTOWN
MOUNTAIN ASH
CF45 4EY
TEL. 01443 476505

215 PENRHIWCEIBER ROAD
MISKIN
MOUNTAIN ASH
CF45 3UN
TEL. 01443 473218

Mr Jim Bailey
Planning Officer
RCT Council
Sardis House
Sardis Road
Pontypridd
CF37 1DU

1st Oct 2015

Dear Jim,

I wish to apologise to the Development Control Committee if I did not clearly explain in my Planning Application what the implications would be if the Committee did not approve our application. We are not able to operate our practice as we would wish in our current accommodation, hence the application to temporarily extend the portacabins for a 3 year period. A refusal would result in us moving from our current premises to a yet undecided venue but possibly Mountain Ash Hospital. Clearly the travelling distance involved is not in the best interests of our patients, particularly the elderly, so it is hard to believe that the Councillors who represent our patients would vote to see the closure of our Surgery at 8 Cardiff Road and the possible resignation of our GP Partners.

This isn't intended as a threat: it is a statement of fact. The GPs cannot continue operating from the Surgery without additional space and I fail to understand how the decision of the committee could be in the best interests of the residents of Mountain Ash. The uncertainty of our current situation has already resulted in our new GP Partner having second thoughts about joining us. He is due to start work on 5th October yet we do not have anywhere for him to work. As you will be aware there is a GP recruitment crisis in Wales and Mountain Ash cannot afford to lose GPs. Do the Councillors seriously want to close the surgery because of the 3 points you raised during our conversation?

- 1 – Knotweed that has been treated in line with RCT Council officials instructions – see point 1 below
- 2 – Lack of parking.....see point 3 below

3 - Aesthetics of the building (despite not seeing any photographs, attached to this email) – see point 4 below

I have attempted to provide below, an explanation to the concerns raised by the Committee at the last meeting:

- 1) We were instructed by a Council official to treat the Japanese knotweed at the rear of our property in early September. The official also recommended a contractor that we should use and this work was carried out immediately at a cost to us of almost £1000. The knotweed was treated and the contractor provided a guarantee that the knotweed would be eradicated once treatment was completed. This approach is in line with Natural Resource Wales guidance. Despite this, the Committee felt that their knowledge of Japanese knotweed was superior to that of their own expert and a company that has been carrying out eradication of Japanese knotweed for the last 25 years.
- 2) It was alleged that we were responsible for hiding the knotweed plants underneath branches from a nearby tree. This is not true. We contacted the council in early September to explain that the tree in the car park alongside our Surgery had branches that were interfering with our electricity cables. Council officials then attended the site and trimmed the branches off the tree to ensure that they were no longer interfering with our electricity cables. Clearly some of these branches fell into our rear garden and were then not removed by the Council officials.
- 3) Concern was raised regarding parking problems that would result if the application was approved. RCT Council Highways department did not feel that this was a problem yet the Committee felt that it was. The additional portacabin would enable us to appoint 2 additional GPs to help manage our patient list of 4400 patients. We would then be able to offer surgeries throughout the day rather than just in the morning and evening. This would mean that we would avoid having lots of patients arrive at 9am and 4pm as currently happens. This would result in a decrease in the pressure periods of attendance NOT an increase at 8 Cardiff Road. Concern about the availability of parking spaces is therefore not an issue.
- 4) The Committee members felt that the design of the new portacabins would not be aesthetically pleasing to the area. Our property currently has a run down chapel to one side with building materials and debris in its garden. To the other side of the Surgery beyond the public car parking are factory units. The purpose built brand new modular buildings would improve the aesthetics of the area as can be shown by the attached photos.
- 5) A motion was raised at the meeting that a 1 year approval should be granted. Unfortunately a 1 year approval would not help our accommodation crisis. Whilst discussions between RCT Council and Cwm Taf Health Board are currently taking place, it is unlikely that the new medical centre for Mountain Ash would be available within 1 year. This would result in further disruption to a GP Surgery that is already in crisis. Furthermore, the proposed solution has been costed on a 3 year basis and would not be financially viable for 1 year.
- 6) Removal of existing portacabins was also discussed at the meeting due to the original approval having expired. It is not our choice to operate our services from our current accommodation and we are extremely frustrated at the constraints it imposes on us to answer the question. It would therefore be unfair and prejudicial to the practice and our 4400 patients because these discussions have not yet resulted in a new medical centre in Mountain Ash by forcing the removal of the current portacabins.

7) Committee members also voiced frustration at the fact that Cwm Taf Health Board had promised Mountain Ash a new Surgery 10 years ago. WE are equally if not more frustrated at the situation we find ourselves in. We are in the worst recession for the last 50 years so it is understandable that progress has been slow. The decision to answer the question raised by one of the Committee – “why would any GP want to treat patients in a portacabin?” – We do not, we have no choice, yet we are making the best of our desperate situation by providing high standards of GP care to a community that really needs good GPs. The decision to offer Mountain Ash a new surgery is one that involves Welsh Government, RCT Council and Cwm Taf Health Board. The delays arise from circumstances beyond our control.

I hope that the details above illustrate that Cynon Vale Medical Practice is currently in crisis and a decision not to support our application would be a disaster for Mountain Ash and would result in the immediate closure of the practice.

I'm available on 01443 476505 if you would like to discuss any of the above.

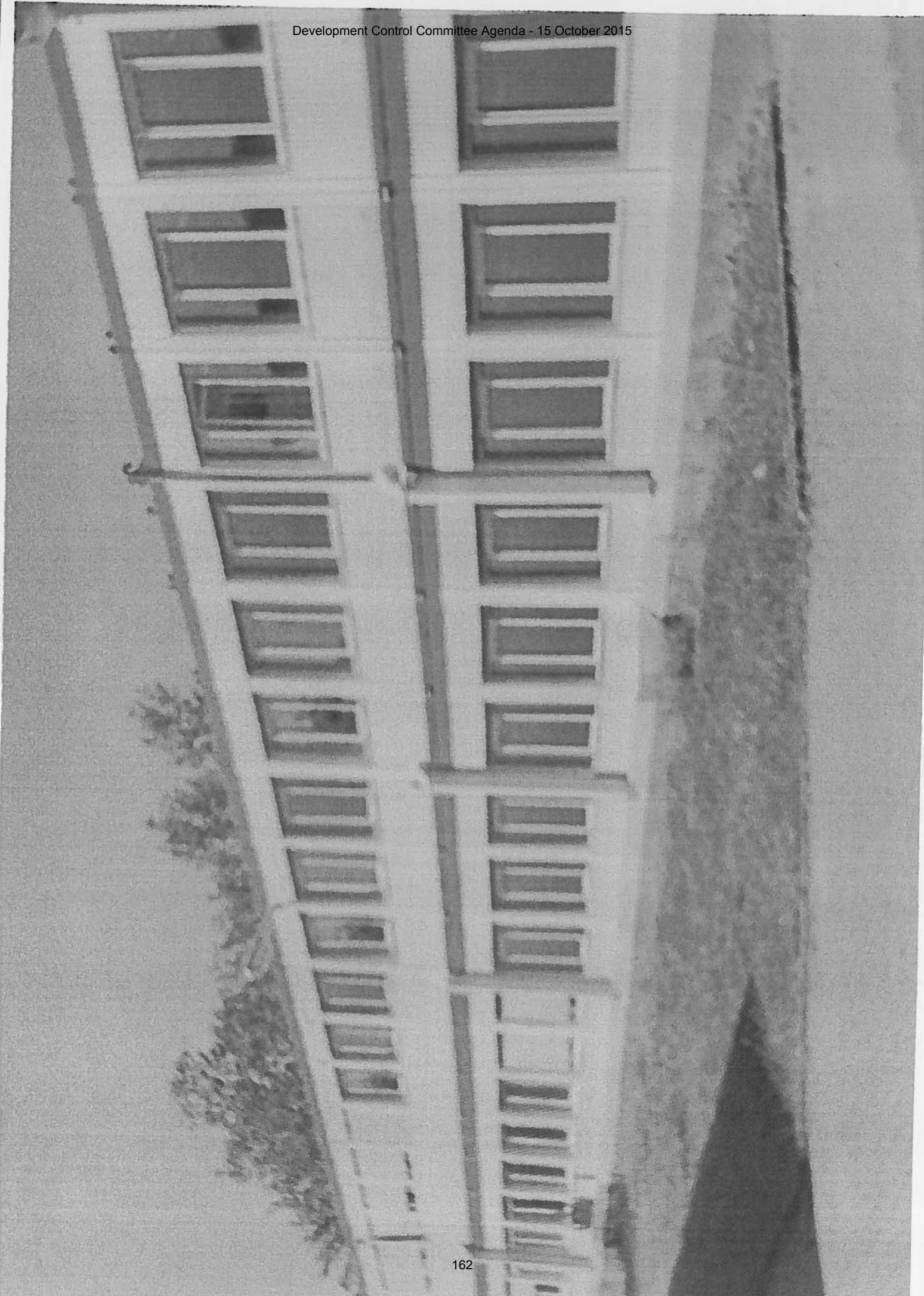
Thanks for your time.

Regards,

Rob Baron
Practice Manager

Dr Eleanor Brown
GP Partner

Dr Gafyn Rees
GP Partner





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 OCTOBER 2015

REPORT OF: SERVICE DIRECTOR PLANNING

REPORT

**APPLICATION NO. 15/0667 –
REMOVE EXISTING 2 NO. GROUND
FLOOR LEVEL PORTACABIN UNITS
AT THE REAR OF THE SURGERY
BUILDING AND REPLACE THEM
WITH 12 NO. PORTACABINS (6 NO.
AT GROUND FLOOR AND 6 NO.
ABOVE). THE 12 NO. PORTACABIN
UNITS TO BE USED AS
ADDITIONAL WORKING
FLOORSPACE FOR THE CYNON
VALE MEDICAL PRACTICE IN
CONJUNCTION WITH THE
EXISTING SURGERY AND
RETAINED FOR A TEMPORARY
PERIOD OF NO MORE THAN 3
YEARS (AMENDED PLANS
RECEIVED 22 JUNE AND 15 JULY
2015) (REVISED DESCRIPTION OF
DEVELOPMENT 28 JULY 2015) –
CYNON VALE MEDICAL PRACTICE,
8 CARDIFF ROAD, MOUNTAIN ASH**

OFFICER TO CONTACT

**MR J BAILEY
(Tel. No. 01443 494758)**

See Relevant Application File