

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2015-2016

**DEVELOPMENT CONTROL
COMMITTEE
5 NOVEMBER 2015**

**REPORT OF: SERVICE
DIRECTOR PLANNING**

	Agenda Item No. 6
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. 14/1584 - Outline consent for the demolition of the existing residential and commercial units and the construction of three dwellings (Amended Ownership Certificate - 21/05/15), Y Noddfa, Cowbridge Road, Talygarn, Pontyclun.
2. Application No. 15/0355 - Convert existing residential property into 2 no. maisonette/apartments. Each property to have own entry and be independent, Old Parish Offices, George Street, Llantrisant, Pontyclun.
3. Application No. 15/0377 - Variation of Condition 2 of Planning Approval 12/0987/10 to allow the premises to operate as a take-away in addition to the existing provision, Unit 1 Pantry, The Precinct, Main Road, Church Village, Pontypridd.
4. Application No. 15/0705 - Demolition of existing bungalow and detached garage and construction of new student accommodation comprising 51 bedrooms with en-suite bathrooms and kitchen/dining facilities and associated work (amended plans submitted 22 September 2015 showing re-siting of building, amended parking and access arrangements, and inclusion of concierge service), Park Pride, Brook Street, Treforest, Pontypridd.
5. Application No. 15/0711 - Proposed demolition of former gymnasium block and erection of 18 Class C3 units, change of use of former

- woodworking block to provide 3 Class C3 units, car parking, landscape and associated works (Amended plans/documents received 23/09/15), Former Coed Y Lan School, Tyfica/Lanpark Road, Pontypridd.
6. Application No. 15/0740 - Proposed change of use from Local Authority Offices to student accommodation, Office, Llwyn Castan, Library Road, Pontypridd.
 7. Application No. 15/0751 - Proposed demolition of former gymnasium block and erection of 18 Class C3 units, change of use of former woodworking block to provide 3 Class C3 units, car parking, landscape and associated works (Listed Building Application) (Amended plans/documents received 23/09/15), Former Coed Y Lan School, Tyfica/Lanpark Road, Pontypridd.
 8. Application No. 15/0976 - Reserved Matters Application in respect of details of appearance, landscaping, layout and scale, South Wales Fire and Rescue, Lanelay Lane, Talbot Green, Pontyclun.
 9. Application No. 15/1208 - Construction of 2 No. retail units (Class A3) with modifications to the car parking layout, Riverside Retail Park, Ffordd Tirwaun, Cwmbach, Aberdare.

APPLICATIONS RECOMMENDED FOR APPROVAL

APPLICATION NO: 14/1584/13 (BJW)
APPLICANT: Davies Homes Ltd
DEVELOPMENT: Outline consent for the demolition of the existing residential and commercial units and the construction of three dwellings (Amended Ownership Certificate - 21/05/15)
LOCATION: Y NODDFA, COWBRIDGE ROAD, TALYGARN, PONTYCLUN, CF72 9JU
DATE REGISTERED: 21/05/2015
ELECTORAL DIVISION: Pontyclun

RECOMMENDATION: Approve.

REASONS:

The site is outside any settlement boundary in an area which lacks local services and facilities. Under normal circumstances, three new dwellings would be contrary to development plan policy. However, the application site is within a low-density residential cluster and already accommodates one dwelling together with a commercial use of a nature that does not conform with neighbouring land uses.

The proposals are considered justified, as two of the three proposed dwellings would replace the existing property and the non-conforming commercial use and the third dwelling would complete the redevelopment of the site whilst maintaining the character of the locality.

It is considered that sympathetic and acceptable dwellings could be built that would improve the visual amenity of the area as well as remove a non-conforming commercial use.

APPLICATION DETAILS

Outline planning permission sought for three detached dwellings on land comprising an existing bungalow, Y Noddfa, and its extended curtilage at Cowbridge Road, Talygarn, Pontyclun, CF72 9JU.

The application is for the principle of the development with the following matters of detail: access; layout and scale to be considered at this stage while landscaping and appearance are reserved for future consideration. However, an indicative layout for the proposed dwellings has been submitted. The indicative layout details three substantial detached dwellings with access to Plot 1 off Cowbridge Road with the

access to Plots 2 and 3 being off the an improved existing driveway. The scale of the properties, which is not reserved for future consideration would be:

Plot 1 – 20m(l) x 21m(w) x 9m(h)

Plot 2 – 20m(l) x 21m(w) x 9m(h)

Plot 3 - 26m(l) x 26m(w) x 8.5m(h)

The indicative illustrations accompanying the application of the design of the properties, which is reserved for future consideration, detail fairly traditional two storey dwellings at the front of the site (Plots 1 and 2) while the rear plot (3) would be of a more modern and contemporary design.

The application is accompanied by the following additional information in support of the application:

- Design and Access Statement (DAS).
- Tree Survey by Treescene Arboricultural Consultants and Contractors, dated 2nd December 2014.
- Phase 1 Ecological survey by Alder Ecology UK Limited, dated 1st December 2014.
- Phase 2 Ecological survey by Alder Ecology UK Limited, dated 15th May 2015.

The DAS provides a framework for the proposal stating that the replacement dwellings would not result in the loss of countryside but would replace an existing dwelling, a non-conforming commercial use and would provide executive style housing within the area.

The ecology reports focus on the demolition of the existing dwelling and the extension garden area. The Phase 1 study recommended further exploratory works which were undertaken as part of the Phase 2 study. The Phase 2 study concluded that: there are no bat roosts in the building; no reptiles are present; some common toad tadpoles were present in the old swimming pool, although these were being predated by a heron and a single house sparrow nest was found in the roof. The report also includes mitigation measures in relation to the above findings.

SITE APPRAISAL

The site is an irregularly shaped piece of land located onto Cowbridge Road on the outskirts of Talygarn. The site has a road frontage of approximately 34m, a depth of 170m and an area of approximately 7636 square metres.

This site consists of an existing bungalow called “Y Noddfa” which is located in the centre of the site. The property is accessed off an existing private drive directly from Cowbridge Road which serves Y Noddfa and 2 other properties, which are on the opposite side of the drive.

In front of Y Noddfa is a large garden area while to the rear is a fenced area which includes a timber garage and outbuildings which is used as a business for classic car hire (granted by virtue of planning application 13/0674/10).

The site is bounded on either side by residential properties of various scale and designs, while the rear of the site leads onto open countryside.

PLANNING HISTORY

13/0674/10	Y Noddfa, Cowbridge Road, Talgarn	Retention of single storey timber garage, out buildings and change of use of land to vintage vehicle hire at rear of Noddfa, Cowbridge Rd, Talgarn.	Granted 28/01/14
11/1342/10	Y Noddfa, Cowbridge Road, Talgarn	Demolition of existing chalet bungalow and construction of new chalet bungalow.	Withdrawn 14/12/11
11/5271/32	Y Noddfa, Cowbridge Road, Talgarn	Demolish existing bungalow and construct 4 new replacement bungalows	Raise Objection 13/04/11
85/1473	Y Noddfa, Cowbridge Road, Talgarn	Extension for a swimming pool	Approved 29/01/86
77/1382	The Bungalow, High Beeches, Talgarn	Use of High Beeches as private residence	Refused 28/02/78

PUBLICITY

This has included site notices and the direct notification of properties surrounding the site. 4 letters of objection have been received, the main points of which are detailed below. Any additional representations will be reported orally to Members at Committee.

- This proposal will have a detrimental effect on the privacy of a number of properties adjacent to this development. Privacy will be directly impacted on when the bungalow, Y Noddfa, is demolished and a two story property erected in its place effectively overlooking my bedrooms, bathroom and living quarters.
- A further concern is that this proposal is the thin end of the wedge and that the site may be expanded into the field beyond the proposed Plot 3 on the plan.

- Increased flow of traffic onto an already busy road where speeding violations are an ongoing issue.
- Plot 2 of the indicative site plan should be situated on the footprint of the existing dwelling, with the building line following the front of the existing dwelling.
- The building of a two storey dwelling on plot 2 and in particular on the north west elevation will lead to a loss of privacy and a loss of sunlight.
- The proposed vast size of the three dwellings as will not to be in keeping with the size of the surrounding properties, which in themselves are already substantial executive dwellings.
- To address the issues of loss of privacy and amenity to the property Ty Llan, access to any houses built on Y Noddfa should in my view be erected elsewhere and not immediately adjacent or past Ty Llan. The pre-existing driveway was never intended for heavy usage, which now regularly includes classic buses. The access to Ty Llan also passes under the driveway at a shallow depth, less than would be required on any highway. Heavy HGV vehicles and their axle weights were never envisaged.
- Access and visibility issues onto the main road have not gone away. These concerns have been consistently expressed in previous planning applications over 25 years by the Council's planners as well as by the Highway Authority.
- Concerns have also been expressed regarding the existing commercial use at Y Noddfa and the detrimental impact that this has on residential amenity and the character of the area.

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CONSULTATION

Transportation Section – no objection subject to conditions.

Land Reclamation and Engineering (Drainage) – no objection, subject to conditions requiring details of the drainage of the site to be submitted, approved in writing and implemented in accordance with the approved scheme.

Public Health and Protection – no objection, subject to a condition to restrict the hours of work during the construction phase of the development.

Natural Resources Wales – notes the content of the Phase 2 Ecology survey and raises no objection, subject to a condition requiring a waste Management Plan for the control, management and storage and disposal of demolition waste/excavated material to be approved by the Local Planning Authority.

Dwr Cymru/Welsh Water – no objection subject to conditions and informative notes.

Wales and West Utilities – no objection. Standard advice 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 subject to a condition in line with the recommendations of the Ecology report in relation to the Sparrow nest at the site and the incorporation of Sparrow nesting bricks.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The site is outside the settlement boundary and is unallocated.

Policy AW1 - identifies the housing land requirement for the County Borough over the plan period, which does not include land outside settlement boundaries.

Policy AW2 - seeks to ensure development proposals on non-allocated sites are in the most sustainable locations which includes sites within the defined settlement boundary. The policy also seeks to ensure that development proposals are accessible by a range of transport modes and have access to key services and facilities.

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 - seeks to protect and where appropriate enhance the natural environment of the County Borough.

Policy SSA11- Housing Density sets a minimum density level of 35 dwelling per hectare in the southern strategy area. The policy gives criteria for accepting development at a lower density.

Policy SSA13 - permits housing development within the defined settlement boundaries where it can be demonstrated that the proposal meets set amenity, highway, design and contamination standards.

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 9 (housing)

Planning Policy Wales Technical Advice Note 12 Design

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

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main issues:

Principle of the proposed development

The development site is outside any settlement boundary and is located in the southern strategy area. As such the proposal is contrary to Local Development Plan policy AW2 which seeks to locate development within sustainable locations which have local services and facilities and that are accessible to a range of transport modes. However, the site contains a large existing dwelling, in a poor state of disrepair, as well as commercial buildings and vehicles parked (stored) to the rear of the site which are used in association with a non-conforming business use. The site is currently considered to be detrimental to the character and appearance of the locality, albeit that the dwelling could arguably be brought back into productive use by being renovated. The business use at the rear of the property does have the potential to generate a substantial amount of vehicular movements on the unimproved vehicular access which could, in turn, have a detrimental impact on neighbouring properties.

The re-development of the site as proposed would be in keeping with surrounding land uses, which are exclusively residential, and would be of a scale that would be in keeping with many of the newer, executive style dwellings within the immediate locality. It is considered that the proposal is justified as it would amount to one replacement dwelling at the site; one dwelling as a substitute for the non-conforming commercial use and one further dwelling within the same site to complete the redevelopment without detriment to the character of the locality. Furthermore, the currently unsightly dwelling at the centre of the site would be replaced with one located in a similar position; of a design negotiated by the Council and with the opportunity for landscaping to further reduce its visual impact and with improved highway access. There would also be the opportunity to remove a non-conforming commercial use within the area to the benefit of surrounding properties and highway safety.

Consequently, it is considered that despite the location of the site outside the settlement boundary, there are material considerations that would, on balance, outweigh development plan policies in this particular instance.

In terms of the other issues regarding the scheme, such as the design, scale, access, impact on neighbouring properties, these will be examined below, however,

having regard to the points raised above, the principle of the development is, on balance, considered to be acceptable.

Impact on amenities of neighbouring properties

The site is a gently sloping piece of land located in a road side, urbanised location, outside the settlement boundary. The land is situated above the level of the main road on the edge of the village of Talygarn. The site is surrounded on both sides by residential properties while the front is bounded by the highway and the rear by open countryside. Dwellings within the immediate locality are generally more spread out than in more central locations with large properties in spacious plots being the prevailing character.

The proposed development would continue the pattern and character of surrounding properties and the established pattern within the area. The dwellings, while large could be accommodated at the plots without leading to overdevelopment. Additionally, there would be sufficient distance between the proposed and existing properties to maintain the privacy and amenity of both dwellings. It is acknowledged that the proposed dwellings are large and this does have the potential to affect existing dwellings, particularly the older, modest properties and this will need to be carefully considered in the consideration and discharge of the remaining reserved matters for the proposal.

In terms of the responses from neighbouring properties the following comments are offered:

The application is for 3 dwellings which could reduce the amount of traffic using the site. The proposal would also improve the existing access at the site for the benefit of all road users in the area. Site notices were displayed in the vicinity of the site on several occasions, due to alterations to the proposal as well as letters to individual letters to neighbouring properties. Any further development would be the subject of an additional planning application which would be dealt with on their individual planning merits and the current application would actually make it more difficult to development land to the rear of the site. The proposed properties are large however, it is considered that there would be sufficient distance between properties to maintain privacy and amenity. The area has a mix of dwelling types including older, modest traditional properties and new, large, executive style houses. It is not considered that the proposed dwellings would be out of character with the mix of dwellings within the area.

Consequently, it is considered that the remaining indicative details for the proposal demonstrate that the development would not have a detrimental impact on the amenity of neighbouring properties and would be acceptable.

Character and appearance of the area

The area is characterised by a mix of housing types within large garden plots in a countryside setting. The site itself has an existing, large detached dwelling and a commercial use to the rear in addition to an extensive garden area at the front of the site.

The proposal would provide 3 equally spaced dwellings, with a scale and layout similar to existing modern dwellings within the immediate locality and with the opportunity to add further landscaping features to improve the appearance of the site. Although lacking full details of the design, the proposal is considered to be sympathetic to the character and appearance of the area and would also be subject to further details at a later stage.

It is also acknowledged that at 4 dwellings per hectare, the site would fall well below the Local Development Plan minimum density of 35 dwellings per hectare for the Southern Strategy Area. However it is considered that the proposal complies with policy SSA11 since the very low density is "necessary to protect the character of the site and surrounding area" and minimises the scale of new development outside settlement boundaries.

It is considered that the proposed replacement dwellings would represent a positive opportunity to replace the existing run-down dwelling on the site and discontinue a non-conforming and an unsympathetic commercial use at this location. Consequently, subject to an acceptable design at the reserved matters stage, it is considered that the scale of the proposal would be sympathetic and in keeping with the existing dwellings in the area as well and there is no objection to this aspect of the proposal.

Highway safety

The Transportation Section has raised no objection to the application on highway safety grounds, subject to conditions to secure satisfactory access, parking and turning facilities within the site. This view acknowledges the surrounding road network, the generous size of the site and the potential to secure acceptable highway arrangements thereon.

The proposal has been amended, due to negotiations with the Highways Officer, and requires the introduction of a 40mph speed restriction which on the basis of the speed survey information provided is acceptable in principle.

The proposal to realign the kerbline to widen the footway to achieve the required visibility splay of 2.4m by 120m, whilst maintaining a minimum width of the A4222 Cowbridge Road of 6.75m, is sufficient to allow large vehicles to pass at a speed of 40mph.

The private shared access is in accordance with the requirements of the RCT Design Guide in respect of width, provision of passing places and turning facilities to cater

for calling service, delivery and emergency vehicles and, in accordance with the guidance, is acceptable to serve a maximum of five dwellings. Consequently, subject to the amended details and the conditions that have been suggested, it is considered that the proposal is acceptable in this regard.

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 day 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

It is acknowledged that the development of the site is contrary to the provisions of the Local Development Plan. However, it is considered that there are significant and compelling material considerations that would justify the grant of planning permission in this particular case. Consequently, and on balance, the proposal is considered to be acceptable.

RECOMMENDATION: Grant

1.
 - Approval of the details of the appearance of the building(s) 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.
 - 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.
 - Applications for the approval of reserved matters shall be made before the expiration of three years from the date of this permission.
 - 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 Section 92 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, Drawing no. O.P.550.01, dated 02/12/14
Concept design, Drawing no. O.P.550.02, dated 02/12/14
Indicative site plan, Drawing no. O.P.550.03, dated 02/12/14
Preliminary access layout, Drawing No. 41140101-01 Revision D

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. Before the submission of the application for the approval of reserved matters, 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.

4. The recommendations of the Alder Ecology report, dated 15th May 2015, in relation to the method of demolition of the property and provisions for the clearance of the site outside of the bird nesting season; the provision of nesting bricks for Sparrows; the maintenance and enhancement of hedgerows at the site and landscape planting that would be beneficial to local wildlife and that until its demolition the security and integrity of the existing bungalow is maintained to prevent future access by bird and bat species shall be strictly adhered to during the clearance and demolition of the site.

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

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-

enacting that Order), no private car garages, extensions, garden sheds, gates, fences, walls, other means of enclosure, or structures of any kind (other than any hereby permitted) shall be erected or constructed on this site without the prior express permission of the Local Planning Authority.

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

6. 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.

7. 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.

8. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before [the use hereby permitted is commenced] or [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 in keeping with the surrounding area and to protect residential amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

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

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

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

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

11. Construction works on the development shall not take place other than during the following times:
- Monday to Friday 0800 to 1800 hours;
 - Saturday 0800 to 1300 hours;
 - 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.

12. No development shall take place until drainage arrangements have been submitted to and approved in writing by the Local Planning Authority. These details shall also indicate how the development is to comply with the requirements of Section 8.3 of Technical Advice Note 15 in relation to Flood Risk Management.

Reason: To ensure that drainage from the proposed development does not

cause or exacerbate any adverse condition on the development site, adjoining properties, environment and existing infrastructure and to ensure adequate disposal of foul and surface water drainage in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

13. 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.

14. No development, including works of site clearance shall be commenced until a Waste Management Plan for the control, management storage and disposal of demolition waste/excavated material to be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details.

Reason: To ensure that sustainability principles are adopted during the development proposal in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

15. No development shall commence on site until the speed limit reduction from 60mph to 40mph has been implemented.

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

16. Notwithstanding the submitted layout plan, the design and construction details of the proposed access together with the works to be undertaken to the A4222 shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site. The approved details shall be implemented to the satisfaction of the Local Planning Authority prior to beneficial occupation.

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

17. Off-street parking shall be in compliance with RCT's Supplementary Planning Guidance on Delivering Design and Placemaking: Access, Circulation & Parking Requirements (March 2011).

Reason: To ensure that adequate parking facilities are provided within the curtilage of the site, in the interests of highway safety in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

18. 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:

- the means of access into the site for all construction traffic,
- the parking of vehicles of site operatives and visitors,
- the management of vehicular and pedestrian traffic,
- loading and unloading of plant and materials,
- storage of plant and materials used in constructing the development,
- wheel cleansing facilities,
- 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.

19. Surface water run-off from the proposed private shared access shall not discharge onto the public highway unless otherwise agreed in writing by the Local Planning Authority.

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

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APPLICATION NO:	15/0355/10	(BJW)
APPLICANT:	Mr Colin Williams	
DEVELOPMENT:	Convert existing residential property into 2 no. maisonette/apartments. Each property to have own entry and be independent.	
LOCATION:	OLD PARISH OFFICES, GEORGE STREET, LLANTRISANT, PONTYCLUN, CF72 8EE	
DATE REGISTERED:	25/03/2015	
ELECTORAL DIVISION:	Town (Llantrisant)	

RECOMMENDATION: Approve.

REASONS:

The proposal would create a single, additional unit of accommodation at the property and the internal alterations to the property would not have a

detrimental impact on neighbouring properties amenity or on the character and appearance of the property itself.

Due to the sustainable location of the site close to alternative modes of transport, local amenities, nearby free public car parks and the previous use of the property, the proposal would not have a detrimental impact on highway safety considerations.

APPLICATION DETAILS

Full planning permission is sought for the conversion of the former parish offices from a single residential property to 2 no. maisonettes/apartments at the Old Parish Offices, George Street, Llantrisant.

The property is a two storey gothic style building with a basement level onto Swan Street/Yr Allt and its main access onto George Street. The current proposal is for the conversion of the property, by internal alterations, into 2 maisonettes/apartments.

The applicant has also indicated that the only external alterations that he may carry out to the building would be the removal of the existing UPVC doors and windows and their replacement with sympathetic, timber equivalents. These works would not require planning permission, but may require Listed Building Consent depending on their design and materials and further discussions with the Conservation Officer are continuing.

The accommodation proposed would consist of the following:

Basement level – kitchen, utility and shower room for apartment 1

Ground floor – main entrance to both properties, bedroom and living room to apartment 1

First floor – bathroom, bedsit area, kitchen/diner and access to attic.

The application is accompanied by a Design and Access Statement (DAS) in support of the application. The DAS states the building was in commercial use until 2009 since when it has been a single residential dwelling. The building has been modified with a modern UPVC door and windows, which the applicant would be looking to replace with sympathetic wooden equivalents, subject to further discussions with officers. The conversion would make a better and more productive use of the property, would improve its external appearance by removing unsympathetic features and would secure its future maintenance.

SITE APPRAISAL

The application property is an attached building on the corner of Swan Street/Yr Allt and George Street in the hill town of Llantrisant and located within the Llantrisant Town Conservation Area.

The property has a two storey frontage onto George Street with a basement level to the side/rear onto Swan Street/Yr Allt. The property is a Grade II Listed Building with a gothic style facade of coursed sandstone.

The property takes up almost the entire site with a small pavement outside the main entrance at George Street but with no additional amenity or garden space and no off-road parking provision. There is however a free to use public car park between 19 and 25 Swan Street, a short distance from the property.

PLANNING HISTORY

08/1797	Change of use from commercial to residential.	GTD 13/02/09
01/2594	Demolition of internal partitions and structural stabilising to external walling (Listed Building Application).	GTD 14/08/01
00/2676	Change of use from office premises to dwelling.	GTD 10/11/00
74/0061	Basement alterations and general improvements	GTD 04/06/74

PUBLICITY

This has included site notices and the direct notification of properties surrounding the site. Four letters of objection have been received, the main points of which are detailed below:

- Noise - in a built up area any further development of this once commercial property would impact on the environmental noise/nuisance.
- The increase in traffic volume would have an unbearable impact.
- There are no parking spaces for this property and no way of creating any. In addition to this, the frontage opens out directly onto Yr Allt which is an access only street.
- The current and previous tenants of the property frequently park outside our house and neighbours in Yr Allt which causes traffic problems & nuisance.
- Any further development to this property would substantially alter the character of the building and would not be in keeping with the surrounding properties or in keeping with RCT conservation plans for the area.

- The property already has an unsightly problem with nowhere to park recycling and waste bins etc. other than at the front door of this grand old building. To add another household doing the same would be a retrograde step in promoting the heritage of Llantrisant, as well as being a public nuisance.
- The addition of another entrance door would spoil the symmetry of this attractive building.

CONSULTATION

Transportation Section – concerns are raised in respect of the lack of car parking facilities and the substandard nature of existing local roads. However, due to the sustainable nature of the site, the close proximity of a free public car park, the previous commercial use of the building and the marginal increase in intensity, on balance, no objection is raised.

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

The Georgian Group – no comments to offer.

Ancient Monuments Society – suggests the replacement of the existing UPVC windows and door.

POLICY CONTEXT

The site is within the settlement boundary, within the Llantrisant Town Conservation Area and is a Grade II Listed Building.

Rhondda Cynon Taf Local Development Plan

Policy CS2 - 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 AW7 – requires development that would impact on sites of architectural and/or historic merit to preserve or enhance the character and appearance of the site.

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 6 (conserving the historic environment), Chapter 9 (housing)

Planning Policy Wales Technical Advice Note 12 Design

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

REASONS FOR REACHING THE RECOMMENDATION

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

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

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 a distinctive corner building with surrounding buildings being predominately in residential use, although there are several commercial properties in the immediate locality due to the property being close to the town centre.

The proposal would form an additional unit of accommodation at the property increasing its use from a single one bedroom dwelling into two one bedroom maisonettes/apartments. It is considered that the use of the property in this manner would be consistent with surrounding land uses, which are mainly residential, and would not have an additional impact in terms of privacy or overlooking as it is not proposed to install any additional openings as part of the application.

The issue of the visual amenity of the area, particularly given its status as a conservation area, the property's status as a Listed Building and highway safety consideration will be addressed later within the report.

However, it is considered that the principle of the proposal would be acceptable.

Impact on amenities of neighbouring properties

The proposed sub-division of the property would be carried out almost entirely by internal works and it is not proposed to create any additional openings within the building.

Therefore, there would be no additional overlooking to adjacent properties than is currently the case. In terms of the intensity of the use it is considered that there would only be a marginal increase with one additional unit which would not be unduly detrimental. Additionally, the previous use of the property, as an office, would have generated a greater intensity of use than either a single or two limited residential units.

Consequently, it is considered that the proposal would not have a detrimental impact on the amenity of neighbouring properties through loss of privacy, any additional overlooking or increased intensity of the use of the property.

Therefore, having regard to the issues above it is considered that the proposal is acceptable in this regard.

Visual amenity of the area and the Llantrisant Conservation Area

The proposal would be facilitated through internal alteration to the property with only a few external alterations being proposed. What external alteration are proposed would be the removal of the existing, unsympathetic UPVC windows and door and their replacement with timber units with details to be subsequently agreed.

It is considered that this would greatly enhance the appearance of the property and would be subject to subsequent approval of the Local Planning Authority. This would be in keeping with the requirements of national and local plan policies whose aim is to preserve or enhance architectural or historic features of such buildings.

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

Highway safety

The Transportation Section has raised no objection to the application. This view acknowledges that the proposed alterations to the existing building would increase vehicle and pedestrian movements and parking requirements along the sub-standard roads leading to site. However given its previous use as a parish office which would have generated more pedestrian and vehicle movements, the proposal is considered acceptable.

Additionally, in view of the proximity of free public car parks and the sustainable nature of the site – close to services and amenities and alternative modes of transport, it is considered that the proposal would not have a detrimental impact on highway safety.

Conclusion

The application represents a modest, additional unit of residential accommodation within an existing residential property. The use would be in keeping with prevailing land uses in the area and the site is considered to be in a sustainable location.

The conversion would be carried out primarily by internal alterations that would have no discernible effect on the character and appearance of the property or the visual amenity of the area, particularly the Llantrisant Town Conservation Area. The external alterations that are proposed in conjunction with the change of use would remain in the control of the Local Authority due to the Listed status of the building but would remove the existing unsympathetic UPVC windows and door at the property. It is considered that these alterations would when undertaken, enhance the character and appearance of the property in accordance with national and local planning policies.

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, AW7 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) no(s) *Site location plan, dated 25/03/2015 and Proposed floor plans, dated 25/03/2015*, 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:
 - Monday to Friday 0800 to 1800 hours;
 - Saturday 0800 to 1300 hours;
 - Not at any time on Sundays, Bank or Public holidays, unless otherwise agreed in writing by the Local Planning Authority.

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

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APPLICATION NO: 15/0377/15 (BJW)
APPLICANT: Mrs S Drew
DEVELOPMENT: Variation of Condition 2 of Planning Approval 12/0987/10 to allow the premises to operate as a take-away in addition to the existing provision
LOCATION: UNIT 1 PANTRY, THE PRECINCT, MAIN ROAD, CHURCH VILLAGE, PONTYPRIDD, CF38 1SB
DATE REGISTERED: 31/03/2015
ELECTORAL DIVISION: Tonteg

RECOMMENDATION: Approve

REASONS:

The variation of the condition to allow takeaway sales of hot food including fish and chips in association with the existing cafe use would be acceptable in terms of the commercial area and would not have a detrimental impact on the amenities of neighbouring properties or highway safety considerations.

APPLICATION DETAILS

Full planning permission is sought for the variation of planning condition 2 of application 12/0987/10 which restricts the use of the premises to a cafe enable it to operate as a cafe and take away.

The application premises has operating hours of 08.30 - 17.30 Monday to Saturdays by virtue of the previous planning approval 11/0757/10 and the current application does not seek to increase those hours.

The application is accompanied by a Design and Access Statement (DAS) that states that the owner wishes to sell an extended range of hot food and beverages during the shop opening hours, including fish and chips to take away.

SITE APPRAISAL

The property is an end of terrace premises located within a purpose built commercial precinct of shops in Church Village, Pontypridd. The property is located adjacent to

the highway and is set below the level of the highway. The property has a ramped approach to the main entrance.

Properties within The Precinct have residential flats above that are accessed to the rear of the site. The site lies within a local and neighbourhood retail centre as defined by Policy SSA16.3 of the Rhondda Cynon Taf Local Development Plan.

PLANNING HISTORY

12/0987	Addition of Use Class A3 in order that the owner can serve a limited amount of hot food and beverages in addition to existing lines	GTD 20/12/12
11/0757	Amendments to shop front enabling sub-division of Units 1 and 2 The Precinct	GTD 23/08/11
10/0491	Change of use from Use Class A1 to Use Class A3 (traditional fish and chip shop).	REF 13/07/10
04/0339	1 - Double sided free standing advertising display unit.	REF 09/12/04 Appeal: DIS 17/05/05
75/1193	8 shops & supermarket	GTD(c) 17/12/75
74/1218	Shopping Precinct	GTD (c) 25/03/75
74/0339	Shopping Precinct (outline)	GTD (c) 30/07/74
74/0036	Erection of neighbourhood retail shopping centre	REF 04/06/74

PUBLICITY

The application was advertised by letters to neighbouring properties and the display of site notices in the vicinity of the site. 8 letters of objection have been received the main points of which are detailed below:

- There are already enough takeaways within the area.
- Increase in litter, noise, odours and antisocial behaviour.

- Light from the premises affecting opposite residential premises.
- Late closing times.
- Increased public nuisance and crime and disorder.
- Increased parking obstruction.
- The application description was vague and misleading.
- Attraction of vermin.
- Increasing the amount of takeaway outlets will have a detrimental impact on tackling obesity.
- Increased competition could lead to the loss of an excellent existing cafe premises in the locality.

CONSULTATION

Transportation Section – no objection.

Land Reclamation and Engineering – no objection.

Public Health and Protection Division – no objection.

POLICY CONTEXT

The application site is identified as within the settlement boundary and is within a local and neighbourhood retail centre (Policy SSA16.3 refers).

Rhondda Cynon Taf Local Development Plan

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

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

Policy SSA16.3 - defines the site as within a local and neighbourhood retail centre (Llantwit Fardre) and sets out the retail hierarchy in the southern strategy area, stipulating that proposals should maintain or enhance the centre's position in the hierarchy.

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.

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 main consideration in evaluating the acceptability of the proposal to extend the use of the premises to allow the sale of fish and chips on a takeaway basis is the impact that such a use would have on the amenity of the area.

The premises already operates as a cafe within the A3 use class but was limited exclusively to a cafe due to concerns over the effect on the amenity of neighbouring properties.

The current proposal seeks an amendment to the condition restricting the use to allow the selling of fish and chips on an eat in or take away basis. There is no proposal to extend the hours of operation from the current 8.30am to 17.30pm Monday to Saturday that the premises currently operates.

It is considered that the operating hours for the takeaway use would be within the busiest periods of business activity within this commercial area. The proposal would intensify the business activities at the premises, but would not extend into the evening or night where issues of disturbance and potentially antisocial behaviour could be a problem.

The issues of the impact on residential amenity and highway safety are examined in greater detail later in this report however, it is considered that the principle of the development is acceptable.

Impact on residential amenity

The site is within a precinct of commercial properties in the centre of the village of Tonteg. The premises operates as a cafe within the A3 use class but is restricted to that use by condition 2 of the existing permission.

The use of the property as a cafe already allows the sale of hot food for consumption on and off the premises. The applicant wishes to extend the range of food to include fish and chips and associated foods on a takeaway basis. It is considered that the variation is closely associated with the existing operation. However, what does need to be considered is the possibility of the creation of an independent unit that would operate as a hot food takeaway.

A previous application for a takeaway was refused at the premises by virtue of planning application 10/0491/10, due to the detrimental impact on residential amenity that it could cause.

The current application proposes a takeaway use in association with the existing cafe use within the existing operating hours of the property. The use of the property as an independent takeaway unit could be restricted by way of a planning condition requiring that the use operates in association with the existing cafe use. This would remove the possibility of the use of the property becoming established as an independent takeaway use.

It is acknowledged that takeaways, cafés and A3 uses in general do have the potential to be harmful to residential amenity due to cooking noises and odours and these factors need particular attention when assessing proposals. It is noted that there are no proposals for an external extraction system with the application and this could be the source of a further application were such a system required. However, as the premises already operates as a cafe it is likely that the existing cooking facilities would be utilised for the new use. Should additional extraction facilities be required, then they would require a further planning consent.

As identified earlier there is no proposal to extend the hours of operation at the property from 08.30am to 17.30pm Monday to Saturdays and it is considered that these hours would not lead to increased levels of noise and disturbance as these are the core hours of commercial activity within the area. The fact that the early evening and night time activity are excluded from the operating hours would effectively deal with issues of antisocial behaviour, noise and disturbance that have been raised by respondents.

In terms of increased litter and the rodents to the area, it is considered that there are sufficient refuse bins within the surrounding area to adequately cater for the increased use of the property for takeaway food and rodents would already be an issue that the cafe has to address under food hygiene legislation.

In respect of the number of A3 uses in the area, it should be noted that the premises is already in A3 use, albeit operating as a cafe, so there would be no increase in the number of A3 uses within the area. It is acknowledged that there would be additional takeaway provision however, this would be in association to the existing cafe use and not as an independent takeaway.

As Members will be aware, competition is not a planning consideration when dealing with application for planning permission. While it would be unfortunate for one use to lead to the closure of an existing premises, this is beyond the scope of planning application to consider and is a result of market forces.

Consequently, subject to a condition restricting the use of the takeaway to be in association with the existing cafe and the existing restricted hours of operation, it is

considered that it would be difficult to demonstrate how the proposal would have a detrimental impact on neighbouring properties and therefore how a refusal of the application would be justified. On that basis, the application is considered to be acceptable.

Effect on the visual amenity of the area

The application proposes no external alteration to the property and is therefore acceptable in this regard.

Highway safety issues

The application has been subject to consultation with the Transportation Section who have raised no objection.

These comments acknowledge that the proposed additional use as a takeaway would result in increased short term parking demand that could affect highway safety and free flow of traffic. However, it is considered that there is adequate parking within the vicinity of the site, particularly along the B4595 Main Road parking lay-by (15 spaces) and parking to the rear of the shopping precinct.

Consequently, the application is considered to be acceptable in this respect.

Conclusion

Having given consideration to the impact of extending the existing use on residential amenity and highway safety, it has been concluded that the proposal is acceptable.

RECOMMENDATION: Grant

1. The development hereby granted consent shall be begun not later than the expiration of five years beginning with the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Area) Act 1990.

2. The development hereby approved shall be carried out in accordance with the approved plan(s): site location plan, proposed floor plan and documents received by the Local Planning Authority on 16/04/2015, 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 takeaway use hereby approved shall only be operated in association with the existing cafe use at the premises and shall not be operated as an

independent commercial use from the unit.

Reason: In order to protect the amenity of neighbouring residential properties in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

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APPLICATION NO: 15/0705/10 (PB)
APPLICANT: T L Developments Ltd
DEVELOPMENT: Demolition of existing bungalow and detached garage and construction of new student accommodation comprising 51 bedrooms with en-suite bathrooms and kitchen/dining facilities and associated work (amended plans submitted 22 September 2015 showing re-siting of building, amended parking and access arrangements, and inclusion of concierge service)
LOCATION: PARK PRIDE, BROOK STREET, TREFOREST, PONTYPRIDD, CF37 1TW
DATE REGISTERED: 22/06/2015
ELECTORAL DIVISION: Treforest

RECOMMENDATION: Approve subject to a Section 106 Agreement.

REASONS:

The proposal is for a dedicated student accommodation facility in Brook Street immediately next the University campus and surrounding residential properties. It will result in the loss of a dwelling house in an existing residential area, though will be replaced with alternative residential accommodation albeit an intensive housing scheme specifically for accommodating students of the University.

In principle the proposal is in accordance with LDP settlement policy which encourages this kind of development in sustainable locations. However, the development involves a large building that shares little, if any, of the characteristics of neighbouring bungalows along the private lane that runs west of the site. On the other hand, the development has more affinities with the adjacent University development to the south and share features and characteristics of much of the neighbouring terraced housing elsewhere in Brook Street, much of which is now in use as student HMOs. Being a dedicated student accommodation similar to on-campus accommodation facilities, the proposal is not in itself a HMO and might actually reduce the demand on the existing local housing stock for conversion to student HMOs.

The proposal is considered acceptable in terms of its consequences for

access, parking, highway safety, residential amenity and associated issues. For the above reason the proposal, on balance, is considered acceptable overall and recommended for approval subject to the conditions specified below and the applicant first entering into a planning obligation to prevent occupation of the development by any more than six car-owning students of the accommodation.

APPLICATION DETAILS

Full planning permission is sought for the demolition of an existing bungalow and garage and construction of a new student accommodation building comprising 51 bedrooms with en-suite bathrooms, communal kitchen/dining facilities and a concierge service. The dimensions of the proposed building would be 35.5m in width, 12.5m in depth, and 11.5m in height to the ridge of the roof and 6m to eaves level. The building is designed into 3 stepped sections, reflecting the gently sloping profile of the site, with each section having its own communal access to student accommodation laid out over three floors, the upper (second) floor being incorporated into the roof space. Each of the three sections of the building would comprise a cluster of 17 bedrooms and en-suite bathrooms, made up of 6 on each of the ground and first floors and 5 on the second floor. A communal kitchen / dining room would be provided on each floor of each cluster. The external finishes of the building would be a combination of white render with red brick plinth and replica slate tiles. Off-street parking for 6 cars plus one disabled space would be laid out within the site curtilage and covered secure cycle parking and refuse bin storage would be provided, with access taken from the public highway at the site entrance off Brooke Street.

The development is proposed as a privately operated student accommodation block, with a concierge management arrangement.

The application is accompanied by a Design and Access Statement and supporting letter (dated 25 September 2015) from the applicant.

SITE APPRAISAL

The application site has an area of 1125 square metres and presently comprises a bungalow and surrounding garden space with vehicular access directly off Brook Street and immediately adjacent to the University campus. A private road runs alongside the site and provides additional vehicular and pedestrian access to the application land and to other residential properties further along it. The maintenance of the private road, which also serves as part of a public footpath, is understood to be the responsibility of the owners of the properties that are accessed from it.

The application site adjoins and is one of a series of five detached dwellings in spacious plots developed in tandem along the private road which extends off the

west (top) end of Brook Street at its junction with Oxford Street. To the east of the site there is a narrow road that separates the land from a terrace of residential dwellings that runs the length of the southern side of Brook Street. Opposite the application site there is small landscaped space with a public seat and beyond that there is a fire station. Other residential properties, including former police houses, extend northwards in Oxford Street opposite the application site. The southern boundary of the application site comprises a narrow strip of derelict land which has an open ditch running over it. Beyond that land lies the extensive complex of land and buildings that comprise the University of South Wales, Treforest Campus.

PLANNING HISTORY

The application site has no recent planning history relevant to the application proposal.

PUBLICITY

Neighbours notified of the application, site notices displayed and notice published in the Press.

A total of 23 letters/emails of objection received from members of the public, comments summarised below.

- The development is unnecessary as there is ample student accommodation already available in Treforest and on the University campus;
- Insufficient parking provision will lead to indiscriminate parking in an area where on-street parking is already at a premium;
- Access located in a busy and hazardous position;
- Students crammed into small rooms, with insufficient facilities, particularly refuse and waste recycling, and no on-site security/management to control noise;
- Development will further erode the residential character, identity and social fabric of Treforest;
- Loss of privacy, overshadowing and overlooking;
- Drainage issues;
- Design, scale and height of development is inappropriate in its context, unsympathetic to the character and appearance of the area, conflicts with policies AW5 and AW6 of the LDP, and better located within the university campus not a residential street;
- Noise, disturbance and disruption during the construction phase;
- Japanese Knotweed infests land adjacent to the site;
- No access will be permissible to the development via the private road adjacent to the site frontage.

In addition, a petition of objection containing 144 signatures has been received, the grounds of objection being as follows:

'The proposed development, in terms of its scale, proportions and appearance, would constitute an unsympathetic form of development, which would be poorly related to the character and appearance of the area. As such, the proposal conflicts with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan and Planning Policy Wales. We consider the proposal to be contrary to policy AW5 of the Rhondda Cynon Taf Local Development Plan as it would result in an adverse impact upon highway safety in the vicinity of the application site following reasons:

The proposal would result in indiscriminate on-street parking in a designated residential parking road which is the main route from the nearby local fire station and could possibly result in tragic events for the following reasons. Treforest has suffered greatly due to a huge loss of family and affordable housing that has been turned into House of Multiple Occupation. This has caused widespread damage and harm to the village identity, the character, amenity and social fabric. The community is being destroyed with constant environmental waste / recycling, antisocial behaviour, drug and alcohol abuse, parking, crime problems and the huge loss of permanent residential homes this is a clear breach of the Welsh Government's and Local Authority's planning objectives and policies. The site plans show inadequate parking in a residential parking area, inadequate recycling and waste facilities, no on-site management or security, is totally out of character with the single storey homes already built on the private road. This is a village and no similarity should be made to any other development especially a city development. We totally disagree with the design and access statement provided to the planning department by the applicant and those who have vested business interests that have contributed to it and reiterate our concerns.'

CONSULTATION

Transportation Section - no objection, the proposed development is in a sustainable location and provides adequate access, circulation and parking for vehicular and pedestrian movements therefore the proposal is considered on balance to be acceptable.

Flood Risk Management - recommends submission and approval of full drainage details prior to commencement of development.

Public Health & Protection - offers advice and recommendations in respect of mitigation of hazards from demolition of existing buildings, noise, dust, disposal of waste, and lighting.

Dwr Cymru/Welsh Water - no reply received.

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

National Guidance

Planning Policy Wales, Chapter 2 (Development Plans), Chapter 4 (Planning for Sustainability), Chapter 8 (Transport), 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:

Technical Advice Note 12: Design

Technical Advice Note 18: Transport;

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 development

The application site comprises an existing, vacant dwelling and its associated garden area that lies within an established residential area and of Treforest and is immediately adjacent to the Treforest campus of the University of South Wales. The site is within settlement limits as defined in the Rhondda Cynon Taf Local Development Plan. Although the proposal will result in the loss of an existing dwelling, redevelopment of the site to provide an alternative kind of residential accommodation geared towards students of the University is as a matter of principle in accordance with the provisions of the LDP. The proposal is therefore acceptable

unless any of the other material considerations discussed are of sufficient weight to indicate to the contrary.

Design, character and appearance

The relationship of the proposal to the character and appearance of neighbouring properties and of the wider area is matter that requires careful consideration in this case. The proposal will involve the demolition of an existing bungalow set within a moderately spacious curtilage and its replacement with substantial two-storey building having a footprint that would occupy a far greater proportion of the curtilage by comparison. The scale and appearance are designed to provide a transition from the five storey administration and faculty buildings on the adjacent University campus to the south. The two-storey elevations with pitched slate roofs are designed to reflect the surrounding residential character of the area. Moreover, the building is stepped into three linked blocks to reflect the profile of the site which helps break up its otherwise quite imposing mass.

In its current state the application site has a strong relationship with the neighbouring land along the private access lane off the end of Brook Street being the first of a series of plots that accommodate similarly designed single storey residential dwellings with generous garden areas along that lane. Redevelopment of the site in the form proposed clearly will be very different due to its scale, height and appearance coupled with its use as intensive residential accommodation. The proposal will not be in character with these neighbouring dwellings and is a considerable shortcoming of the proposal.

On the other hand, the application proposal has far a greater affinity with the characteristics of neighbouring terraced dwellings to the east and north in Brook Street, which are similarly two-storey and the majority (though by no means all) are in use as houses in multiple occupation by students. To this extent the proposal is reflective of the character of Brook Street. That said, the proposed building would be significantly deeper and greater in height than neighboured terraced dwellings, with a third floor accommodated in its roof space all permitting a greater degree of intensive residential use by comparison. As it shares a boundary with the Treforest Campus, the proposed development also has considerable affinity with the University. The scale, appearance and use of the proposal shares characteristics of the student accommodation found on-campus.

Ultimately the consequences of this proposal for the character and appearance of the area is a matter of judgement. On the one hand the proposal jars with neighbouring residential bungalows that extend along the lane to the west of the site. On the other hand given the site's proximity to the University campus and neighbouring terraced houses in Brook Street, many of which in use as student HMOs, the proposed development would not be out of character in that wider context. It is acknowledged from the public representations made in this case that the demolition of an existing dwelling and redevelopment of the site for intensive

housing use is viewed as being likely to contribute to the further erosion of the traditional residential character and social cohesion of Treforest. However, this form of development will provide sufficient accommodation to create a viable alternative to the conversion of terraced family houses to HMO's in the same way that on-campus halls of residents already does so. Moreover, the proposed development is for a purpose-built self-contained student accommodation adjacent to the University: it is not a HMO. On the basis that the proposal would provide 50 students that might otherwise be seeking alternative accommodation in Treforest, it could reduce pressure on the existing housing stock to be converted to HMO's for students, and some could even be returned to family use if the demand for student accommodation can be satisfied with sufficient provision of this type of accommodation.

Taking all of the above factors into account, on balance it is considered the proposed development is acceptable in terms of its consequences for the character and appearance of the area.

Accessibility, parking and highway safety

In regards of these issues the application site is located in a residential area of Treforest, near to the University of Glamorgan and near an area with a variety of local businesses and good transport links. Brook Street is a bus route and a main access route to Treforest Fire Station. The surrounding area contains a large proportion of student accommodation and is located adjacent to pedestrian routes to and from the University. The submitted Design and Access Statement indicates that it is intended that the accommodation will be occupied only by students. Brook Street is subject to parking restrictions, and where provided, on-street parking is restricted via resident permit parking and short stay parking for up to 2 hours. Parking within the lane between the development site and No. 35 Brook Street is prohibited by double yellow line markings. A main pedestrian access to the university is located off the rear lane between Nos. 14 and 15 Brook Street approximately 130m from the proposed development site. The rear lane has access to Brook Street adjacent to No 1 and between Nos. 14/15 and 26/27 and between the development site and No 35 Brook Street.

The submitted plans indicate access to the accommodation will be provided at the junction of the private road with Brook Street. At the proposed access with Brook Street, which is subject to a 30mph speed limit and in the absence of a speed survey to identify the 85th percentile, wet weather speed visibility splays of 2.4m by 40m would be required in accordance with TAN 18. A vision splay in excess of 2.4m by 40m is achievable to the right however, parking within the designated on street parking bays at Brook Street could limit visibility to the right to 2.4m by 19m. Considering the location of the access on the outside of a sharp bend which would constrain vehicle speeds to the order of 20mph or less the visibility to the right is considered acceptable. Visibility to the left is in excess of 2.4m by 40m which is acceptable. There is insufficient information with regard to longitudinal and cross

sections, retaining wall design and detail and the tie into the existing highway however, such details can be secured by appropriate planning conditions.

The length of lane between the development site and No 35 Brook Street is to be improved to provide a 4.8m wide carriageway which is sufficient for vehicles to pass which is acceptable. The existing parking restrictions consisting of double yellow line markings within the lane will need to be amended to reflect the change in road layout to tie into existing restrictions in Brook Street and the Traffic Regulation Order will need to be amended therefore a suitable condition is suggested.

All pedestrian access to the development will be via private internal paths/vehicle access to the existing footway at Brook Street which is acceptable.

The proposed access will improve the junction geometry of the lane serving the rear of Nos. 1-35 Brook Street junction of the widened lane with the private road and Brook Street and the access to the private road. Additionally an area of footway and uncontrolled pedestrian crossing point with tactile paving is to be provided at the entrance to the lane between the development site and No 35 Brook Street.

The private road which is not maintained at public expense and runs along part of the northern boundary of the development will not be affected by the development.

The proposed access arrangement shown on the amended plan provides for delivery and service vehicles to reverse into the site which gives cause for concern, however, considering the low speed of traffic at this location, short duration of delivery and refuse collection activities and the presence of a concierge to manage and oversee refuse collection and deliveries, the arrangement is considered on balance acceptable.

To meet parking requirements in accordance with the Councils' SPG Access Parking and Circulation March 2011 the development would require a maximum of seven off street spaces (calculated as 1 space per 25 beds for servicing/drop off plus 1 space per 10 beds for student and visitor parking). Seven off street parking spaces, (including two disabled spaces), are proposed which is in accordance with the requirements of the SPG.

The proposal also provides for secure bike storage to encourage use of sustainable modes of travel. There is scope within RCT's SPG that enables the developer to enter into a Section 106 agreement with the Council with the intention of overcoming any obstacles that may arise to prevent the awarding of planning permission such as restricting future occupiers of the student accommodation from using vehicles to and from the proposed development site which would be considered acceptable to prevent increased pressure on the limited parking provision in Brook Street and the surrounding area. This has been discussed with the applicant who has indicated a willingness to enter into a planning obligation to limit the number of car-owning occupants of the development to six. The proposed access width of 6m is sufficient

for vehicles utilising the parking spaces to turn and exit in forward gear which is acceptable.

Full engineering design and detail of the retaining wall which is adjacent to the highway has not been submitted with the amended plans. It is noted that the drawings indicate that the eastern boundary the retaining wall will consist of a 1m high retaining wall with a 0.75m high boundary wall on top. The applicant's attention is drawn to that the minimum height to prevent pedestrians falling over the wall would be 1.1m, alternatively suitable parapet may be affixed to the wall to satisfy the minimum height requirement. The foundations of retaining walls should not extend beneath the adjacent footway and therefore to ensure an adequate and acceptable design a suitable planning condition is suggested.

The proposed development is in a sustainable location and provides adequate access, circulation and parking for vehicular and pedestrian movements therefore the proposal is considered on balance to be acceptable in terms of its consequences for access, parking and highway safety.

Residential amenity and associated issues

Representations have been made by neighbours that the proposed development will cause loss of residential amenity through overshadowing and overlooking. With regards to these concerns the proposed development would infringe the normally acceptable privacy distance standards between habitable rooms of opposing residential buildings. And, although the building would be greater in height than the nearest neighbouring dwellings, especially the neighbouring bungalow, the sloping topography of the site helps mitigate its impacts to an acceptable level in respect of the concerns expressed. In particular, the site is at a lower level than the adjacent bungalow from which it is partially screened by a landscaped bund.

Neighbouring residents also have expressed concerns about the potential for increased crime, anti-social behaviour, inadequate refuse storage facilities, lack of security and management at the development. In response to these concerns the amended plans for the proposal provide for 50 student rooms and a dedicated room for a concierge service on the ground floor at the site entrance. Also, the refuse storage area has been enlarged and relocated adjacent to the access point to the site for refuse vehicles.

Taking all of the above into account it is considered the proposal would not have unacceptable impacts in terms on residential amenity for the reasons discussed.

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 Section 106) may only legally constitute a reason for granting planning permission if it is:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and,
- 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 requirement in this case

As noted under the 'accessibility, parking and highway safety' heading earlier in this report it is considered possible that the proposal could introduce a significant number of cars into the area despite the level of on-site parking provision. Any additional competition for parking spaces in the surrounding residential area would result in congestion and possible hazard to other road users. Although students without cars may be attracted to the proposal because of its accessibility, it would not be possible to prevent a student from owning a car and parking along any of the residential streets in the area, the majority of which already suffer from significant on street parking problems.

TAN 18 states that planning obligations will have a role to play in ensuring residents do not own cars and cites purpose-built student accommodation as an example where such agreements can be effective. This has been discussed with the applicant who has indicated a willingness to limit the number of car-owning student occupants of the development to no more than six. This will require the submission of a planning obligation as this is not something that can be done by condition

It is considered that this requirement meets all of the aforementioned tests and is compliant with the relevant legislation. The applicant has yet to agree the detailed requirements of the obligation and it requested that Members grant delegated powers to the Service Director Planning to discuss the requirements with the applicant in consultation with the local members should Committee resolve to approve the application.

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

In conclusion, the proposal will result in the loss of a dwelling in an existing residential area, though will be replaced with alternative residential accommodation albeit an intensive housing scheme specifically for accommodating students of the immediately adjacent University. As a matter of principle the proposal is in accordance with LDP settlement policy which encourages this kind of development in sustainable locations. However, the development would involve a large building that shares little, if any, of the characteristics of neighbouring bungalows along the private lane that runs west of the site. On the other hand, the development would be more characteristic of the adjacent University development to the south and share features and characteristics of much of the neighbouring terraced housing elsewhere in Brook Street, much of which is now in use as student HMOs. Being a dedicated student accommodation similar in kind to that found on-campus, the proposal is not in itself a HMO and might actually reduce the demand on the existing local housing stock for conversion to student HMOs. The proposal is considered acceptable in terms of its consequences for access, parking, highway safety, residential amenity and associated issues. **For the above reason the proposal, on balance, is considered acceptable overall and recommended for approval subject to the conditions specified below and the applicant first entering into a planning obligation to prevent occupation of the development by no more than six car-owning students of the accommodation.**

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 shall be carried out in accordance with the following approved plans:

Site Layout Plan (Drawing No. 1019 AL (90) Rev A)

Proposed Plans (Drawing No. 1019 AL (99) 01 Rev A)

Proposed Elevation (Drawing No. 1019 AL (99) 02)

Site Location (Drawing No. 1019 AL (90) 03)

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 clearly define the scope of the permission.

3. Building operations shall not be commenced until samples of the external materials proposed to be used as finishes to 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.

4. Works of construction and conversion on the development shall not take place other than during the following times:
 - Monday to Friday 0800 to 1800 hours
 - Saturday 0800 to 1300 hours
 - 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.

5. Notwithstanding the submitted layout plan, full engineering design and details including longitudinal, cross sections and construction details of the improvements to the lane between the development site and No 35 Brook Street, junction and development access and tie in to the existing highway shall be submitted to and approved in writing by the Local Planning Authority prior to any building works commencing on site. The approved details shall be implemented to the satisfaction of the Local Planning Authority prior to beneficial occupation.

Reason To ensure the adequacy of the proposed development, in the interests of highway safety in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

6. No works shall commence on site until full engineering details and design calculations of the retaining walls abutting the highway have been submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the approved details prior to beneficial occupation.

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

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

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

8. 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;

- the means of access into the site for all construction traffic,
- the parking of vehicles of site operatives and visitors,
- the management of vehicular and pedestrian traffic,
- loading and unloading of plant and materials,
- storage of plant and materials used in constructing the development,
- wheel cleansing facilities,
- 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 highway safety and free flow of traffic in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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

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

10. 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 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.

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APPLICATION NO: 15/0711/10 (JAW)
APPLICANT: Kalite Holdings Ltd
DEVELOPMENT: Proposed demolition of former gymnasium block and erection of 18 Class C3 units, change of use of former woodworking block to provide 3 Class C3 units, car parking, landscape and associated works (Amended plans/documents received 23/09/15)
LOCATION: FORMER COED Y LAN SCHOOL, TYFICA/LANPARK ROAD, PONTYPRIDD, CF37 2DA
DATE REGISTERED: 26/05/2015
ELECTORAL DIVISION: Town (Pontypridd)

RECOMMENDATION: Approve

REASONS:

The proposed development is considered acceptable and in keeping with the relevant policies of the Local Development Plan and national guidance with regards to the impact on residential amenity and highway safety. The scheme would also make a positive contribution to the area by replacing a dilapidated vacant curtilage listed building (former gymnasium) and bringing a vacant and damaged curtilage listed building (former wood working building) back into use. As a result, the application is recommended for approval.

APPLICATION DETAILS

Full planning permission is sought for the demolition of the former gymnasium (block C), erection of 18 Class C3 residential units and change the use of the former wood working building (block F) to provide 3 Class C3 residential units on land within the curtilage of the former Coed Y Lan Lower Comprehensive School at Tyfica/Lanpark Road, Pontypridd. The proposal includes widening the existing access into the site from Lanpark Road and the provision of 18 car parking spaces.

The plans indicate the demolition of the former gymnasium building and replacement with two buildings referred to as C1 and C2, which collectively will have a smaller footprint than the existing gymnasium. The new building will be set approximately 3.5m, behind the footprint of the existing building to enable the widening of the access road and the provision of on-site car parking spaces. Building C1 will be located towards the site entrance, with building C2 located adjacent to Brecon House (block B).

Both buildings will measure 28.4m in length and 10.4m deep with a hipped roof with a height similar to that of the existing building. Due to the sloping nature of the site the front elevation of building C1 will be four storeys whilst building C2 will be three storeys. Both buildings will be two storeys high at their rear and have roof lights. Building C2 will have a two storey side section adjacent to Brecon House, block B and building C1 will have a three storey high side section located adjacent to the site entrance. There will be a 6.4m gap between buildings C1 and C2. Externally both buildings will be finished with slate roofs and a palate of render, timber, glazing, including balustrades/Juliet balconies and stone work.

Building C2 contains 8 one-bedroom flats (3 flats on the ground and first floors and 2 flats on the second floor). The ground floor flats would each benefit from a terrace area. Building C1 contains 10 one-bedroom flats (2 on the lower ground floor, 3 flats on both the ground and first floor and 2 flats on the second floor). A bin storage area would be provided in the lower ground floor of building C1.

The former wood working building (block F) will be converted to three flats, two one-bedroom on the ground floor and one two-bedroom on the first floor. The conversion will retain the existing openings, with the exception of the removal of an existing fire escape door and external metal staircase and its replacement with a window and stone work to match the existing detailing. Two conservation style roof lights are proposed on the western elevation of the building (facing into the site). Access to the first floor flat will be from the access road into the site and access to the two ground floor flats will be from Lanpark Road via the two existing pedestrian accesses.

A communal garden will be provided to the south east of the car park accessed via a set of existing steps. A 'communal entrance garden' will be located between buildings C1 and C2, which will extend to a communal outdoor area along the rear of each building (between the buildings and the rear retaining wall). A small area of landscaping will be provided on the southern side with a small private side garden provided on the northern side of the site entrance. A small private garden will be located at the south western elevation of building C2 (adjacent to Brecon House). The front site boundary comprises a stone wall, which will be retained with the exception of the widening of the site access.

The application is accompanied by the following:

- Design and Access Statement.
- A bat survey.
- Justification for Demolition.
- Surface Water Drainage Strategy.
- Response to Planning Comments.
- A letter from Rhondda Housing Association confirming they are the intended end user of the scheme.

SITE APPRAISAL

The site is within the settlement boundary of Pontypridd and is unallocated. The buildings form part of the former Comprehensive School, which were in use until July 2005. The former Gymnasium building has been subject to exterior vandalism including extensive lead and tile-stripping.

The application site slopes steeply upwards from southeast along Tyfica/Lanpark Road to the northwest, along the access road to the neighbouring flats (Brecon and Cambrian House). The level difference between the site entrance on Tyfica/Lanpark Road and the ground floor of the existing gymnasium building is approximately 4m.

The site is bound to the south east by the former main school building (blocks E1 and E2). An application has not been received for building E1. E2 benefits from consent to convert to a dwelling which has not been implemented to date. To the south-west of the former gymnasium is Brecon House (Block B) which has been converted to four flats. No. 43 Lanpark Road (block G) lies adjacent to the former woodworking block which has been converted to a dwelling (and is also within the ownership of the applicant). The former music room building (block H) to the north benefits from consent for conversion to a dwelling, although the works have not yet taken place. Dwellings in Lanpark Road are located to the south/east.

The existing vehicular and pedestrian access point from Lanpark Road measures 3.2m wide. There are two pedestrian access points from Lanpark Road to the former woodworking building (block F).

The original school was built in 1893-4 by Arthur O Evans and opened in 1896. The former wood working building (block F) appears to be one of the original school buildings. Its construction closely matches the later Victorian vernacular style of the original school buildings adjacent to the application site. Externally the building is finished with coursed dressed stonework facing Tyfica Road with cheaper rubble stonework facing into the site. The building has yellow brick dressings and dressed stone cills and heads and timber framed windows used throughout with a natural Welsh slate roof. The former gymnasium building (block C) is finished externally with cement render and appears as a later addition to the school.

PLANNING HISTORY

10/1294	Redevelopment for housing, comprising the alteration and conversion of existing listed buildings and the erection of a new building. (Listed Building Consent).	Withdrawn 29/06/12
10/1253	Redevelopment for housing, comprising the alteration and conversion of existing listed buildings and the erection of a new building (reserved matters application).	Withdrawn 29/06/12
06/2157	Redevelopment for housing, comprising the alteration and conversion of existing listed buildings and the erection of new building.	Approved with Conditions 09/12/10

There are a number of more recent planning applications that have been approved for residential development relating to the development of other buildings within the curtilage of the former school.

PUBLICITY

The application has been advertised by direct neighbour notification, site notices and a press notice. One letter of support has been received and is summarised as follows:

- It is hoped the development will go ahead as the building has been left abandoned for approximately 10 years.
- Car parking/landscaping will improve empty neglected area.

CONSULTATION

Transportation Section – no objection subject to conditions.

Land Reclamation & Engineering Section – no objection subject to a condition requiring the submission of a full drainage scheme.

Public Health & Protection Section - no objection subject to conditions and informative notes.

Natural Resources Wales – acknowledges the finding of the bat report. Also, provides advice on European Protected Species Licence and Waste removal.

Dwr Cymru/ Welsh Water – no objection subject to a condition and informative note.

Housing Strategy Section – in the event that the transfer of to a Registered Social Landlord does not take place, it is recommended that 20% affordable housing be secured to satisfy the requirements of Policy SSA12.

Countryside, Landscape and Ecology - no objection subject to conditions.

South Wales Fire & Rescue Service – consideration should be given to the provision of adequate water supplies for fire fighting purposes and access for emergency appliances.

POLICY CONTEXT

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

Rhondda Cynon Taf Local Development Plan

The application site lies within defined settlement limits and is not allocated for any specific use.

Policy CS2 – Development in the South – emphasises sustainable growth that promotes residential development with a sense of place, respects character and context, protects culture and identity.

Policy AW1 – Supply of New Housing.

Policy AW2 – States that development will only be permitted in sustainable locations.

Policy AW4 – Community infrastructure and planning obligations.

Policy AW5 – New Development – 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 – Protection and enhancement of the built environment – development 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 – Protection and enhancement of the Natural Environment.

Policy SSA1 – Development in the Principal Town of Pontypridd – Proposals that reinforce the role of Pontypridd as a principal town, respects culture and heritage, is of a high design standard, integrates positively and promotes sustainable transport modes will be permitted.

Policy SSA13 – Housing development within settlement boundaries.

Planning Policy Wales

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

The following chapters set out the Welsh Government's policy (Edition 7, July 2014) on planning issues relevant to the determination of the application:

Chapter 4 (Planning for Sustainability)
Chapter 5 (Conserving and Improving Natural Heritage and the Coast)
Chapter 6 (Conserving the Historic Environment)
Chapter 7 (Economic Development)
Chapter 8 (Transport)
Chapter 9 (Housing)
Chapter 12 (Infrastructure and Services)
Chapter 13 (Minimising and Managing Environmental Risks and Pollution)

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 18: Transport;

Manual for Streets
Welsh Office Circular 61/96: Planning and the Historic Environment: Historic Buildings and Conservation Areas

REASONS FOR REACHING RECOMMENDATION

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

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

The key considerations in this case are whether the proposed development will have an acceptable impact on the character and appearance of the surrounding area, the character and setting of the (curtilage) listed buildings on the site, residential amenity, highway safety and whether the development will have an acceptable impact on the ecology of the site.

Character and Appearance of the Area

In terms of the principle of the proposed development, the use of the site for residential purposes has been firmly established as appropriate through the approval of a number of applications for planning permission within the curtilage of the former school site. The site is also located within a predominantly residential area. As a result, residential development on the site is considered to be in keeping with the character of the surrounding area.

It is considered that the design, external finish and features of the former wood working building (block F) add to the historic and architectural landscape of its location. It is considered that the works of conversion and proposed alterations to the external elevations of this building would retain the late Victorian vernacular style of this building which is considered an important feature at this prominent road location.

In terms of the proposal to replace the former gymnasium building with buildings C1 and C2, an important visual feature of the site is its roof line and how the building sits and is viewed within the site against the other listed and curtilage listed buildings. The proposed buildings have retained a similar roof profile to the existing building with regards to ridge line, slate roof finish and hipped roof profile. Following negotiations revised plans have been received that have reduced the massing at the ends of both buildings, which in turn has reduced the impact of the buildings on the neighbouring building and residents. The reduced massing has also reduced the prominence of building C1 when viewed from Lanpark Road.

Due to the proposed buildings being set back 3.8m from the front building line of the existing building it has resulted in a shallow roof and deeper front facade, with the result that building C2 is four storeys at its frontage and building C1 is three storeys at its front elevation. The front facade of both buildings have a modern design with materials including, render, vertical timber cladding, reclaimed stone (lower ground floor) and double aluminium windows and feature curtain wall. There is some concern that the proportion of front facade compared to roof will appear considerably more prominent within both the immediate setting and in cross-valley views. Concerns also remain with regards to the extent of glazing and use of timber particularly on the upper floor of the buildings. It is acknowledged that to a large extent the setting back of the front elevation of the buildings with the result of a deeper front facade and shallower roof is as a result of the confined layout of the site and the requirement for an access road and off-street parking. Although a number of different layouts for the site have been explored, due to site constraints and issues of viability these have been dismissed.

It is considered that the revised scheme which shows a reduction in elevation massing, a reduction in the amount of glazing proposed and several material amendments have softened the proposal. Although some concern remains with regard to the proposed materials (which is discussed in detail later in the report) it is considered, that on balance, these materials would be acceptable. It is therefore considered that the increased prominence and appearance of the buildings from both the immediate setting and from cross-valley views would not be so detrimental to the character and appearance of the area as to warrant the refusal of this application.

Impact on Listed Buildings and their setting

Although the buildings the subject of this application area not individually listed, they are curtilage listed.

Guidance published by the Welsh Assembly Government (WAG) contained within Circular 61/96 titled; Planning and the Historic Environment: Historic Buildings and Conservation Areas states that it would expect authorities to address the following considerations in determining applications where the proposed works would result in the total or substantial demolition of the listed building:

- the condition of the building and the cost of repairing and maintaining it in relation to its importance and the value derived from its continued use;
- the merits of alternative proposals for the site; and
- the adequacy of efforts made to retain the building in use.

Given their curtilage listing these considerations are still relevant.

The building has been unoccupied since July 2005 and been subject to extensive vandalism and theft. The applicants have advised that by the time they came into possession of the property there was little remaining of the roof covering, The underlying steel and timber structure of the roof has been exposed to the elements for some time, resulting in rust and rot. There is also evidence of localised structural collapse, virtually all the windows are no longer intact and the interior ruined and uninhabitable by the prolonged weather ingress causing internal ceilings and wall linings to collapse. The suspended timber floor to the gymnasium had been removed/stolen at some point in the past leaving the damp ground exposed beneath. The damage has shown the building to be in a dilapidated condition.

The applicant has explored a number of different options (with some pre-application discussion with the Council) including to retain and convert the existing building, however, it became clear that the options explored would either not be acceptable to the Council or uneconomic for the developer (as set out in the submitted document Justification for Demolition).

The relative interest of the former gymnasium building by comparison to those listed in their own right, is significantly less by period and character. The gymnasium building did however illustrate the interesting historic development of the site and contributed to its interest. Unfortunately, it is undeniable that this interest has been diminished by its ruined condition. Damage has also put this building beyond what could realistically be expected commercially, for a building of such a limited significance. Moreover, its conversion would be likely to require extensive re-building, were it to be suitable for residential use, questioning what historic value would remain in the remodelled building. In addition, the practicality of the development requiring car parking, amenity space and other such provisions, which would reasonably be expected in modern developments, would be difficult to provide to any satisfactory modern standard, whilst maintaining the building in anything close to its current form. It is therefore considered that the demolition of this building would be the only realistic option for redevelopment that could safeguard the integrity of the remainder of the site.

As discussed earlier in the report, on balance, it is considered that the proportion of front facade and roof, that is, a shallow pitch roof and front facade that will appear considerably more prominent within both the immediate setting and in cross-valley views is acceptable. The materials of the proposed buildings are important and there remains some concern with regard to the proposed extensive use of timber panelling as a cladding material on the front elevation of the building and a request was made to replace this material with stone. The applicant has advised that in addition to stone work not being technically feasible due the requirement that it is self-supporting, there is a difference in costing between the two materials of £52,018. The applicant has advised that 'in addition to the inherent financial risks with the unknowns of a redevelopment project such as this, the additional cost of replacing the timber cladding with stonework would not be commercially viable as the risks would be too great'. It is considered, that although timber cladding is not a material that is used elsewhere on the listed buildings or those that are curtilage listed, on balance, the use of this material would not in itself result in a development that would impact on the setting of the listed buildings to such an extent as to warrant the refusal of this application. The other concern is the use of glazing for the balustrade/Juliet balconies which could create potential for additional reflection. The applicant has advised that the 'glazing will be less visually prominent than the requested metal railings which would add visual clutter to the appearance of the facade. It is considered that subject to a condition, which could include exploring the use of non/low reflective glazing options, the use of glazing for the balustrades/Juliet balconies would, on balance, be acceptable.

It is also considered that conditions are needed to require the replacement of pvc for rainwater goods and soffits with cast metallic to be in keeping with the quality and style of the site. A condition is required to agree boundary treatment, for example, replace 'hooped fence' to match the original boundary treatment on the site and replace the timber fencing as the means of enclosure for the bin store (close to the site entrance) with railings and planting. In addition, conditions are required to agree the type and colour of render, timber cladding and glazing schedule (including balustrades/Juliet balconies).

The proposed conversion of the former wood working building (block F) is considered acceptable as discussed under the heading 'impact on character and appearance'. However, conditions regarding finishing materials are required to ensure that the materials used in the conversion works match those existing.

Having regard to the above, whilst it is accepted that demolition should always be the very last alternative and the loss of any curtilage listed building is always regrettable. On balance, given the information presented, it is considered that demolition and redevelopment offers a better alternative than a further period of decay and dereliction where the building will only come to represent nothing other than an increasing danger to the public. It is therefore considered that the proposed

development is acceptable in accordance with policy AW7 of the Rhondda Cynon Taf Local Development Plan.

Highway Safety

The access to the site is via Lanpark Road which is an extension of Tyfica Road and is subject to a 30mph speed limit. Vehicle speeds are also constrained by traffic calming, road width and on street parking within designated parking bays. The proposed access into the site from Lanpark Road will consist of 3.5m junction radii and a 5.5m carriageway with a footway varying in width from 2.5m to 1.5m along the northern edge only, which will be constructed as Mews Court in accordance with the RCT Design Guide. Uncontrolled crossing facilities consisting of flush kerbs and tactile paving to facilitate pedestrian movement along Lanpark Road across the new access are to be provided which is considered acceptable.

A turning head is to be provided within the site measuring 13.5m in length by 6.5m wide which is in accordance with RCT Design Guide for Mews Court to cater for the turning movements of calling service, delivery and emergency service vehicles.

At the junction of the new access with Lanpark Road visibility splays of 2.4m by 40m are required with visibility splays of 2.4m by 40m to the right and 2.4m by 33.5m to the left (to the apex of the bend at the junction plateau where Old School Lane joins Lanpark Road) being achievable which is considered acceptable.

The proposed retaining wall adjacent to the turning head will retain the highway and will need to be constructed to adoptable standards in accordance with RCT Design Guide. An existing retaining wall to the north of block F will act to retain the proposed highway and therefore a full structural assessment undertaken by a chartered structural engineer will be required to demonstrate sufficient structural capacity to accommodate the increased loading arising from the adjacent highway. Both these requirements are noted on the submitted drawings and an appropriately worded condition is proposed to deal with these issues.

The proposal is to construct 18 1-bedroom flats on the site of the existing gymnasium building and the conversion of the existing woodworking building to 2 no. 1-bedroom and 1 no. 2-bedroom flats. In accordance with Supplementary Planning Guidance, Access, Circulation and Parking a maximum of 21 parking spaces would be required with a total of 18 spaces provided. Provision has also been made for cycle parking within the development site. Having regard to the nature of the proposed development consisting predominantly of 1-bedroom flats, the submitted scheme providing for 18 parking spaces for the proposed 21 units, the location of the site in close proximity to the town centre, access to public transport and local amenities and the provision of cycle parking it is considered that the shortfall of 3 parking spaces would not be reason to refuse this application. It is therefore considered that the proposed level of parking to serve the proposed development is acceptable. The proposed development is therefore considered to be in keeping

with the provision of Policy AW5 of the Rhondda Cynon Taf Local Development Plan in terms of highway safety and parking.

Residential Amenity

It is noted that only one letter has been received following the two periods of consultation in relation to the application, which supports the development proceeding. It is not considered that the scale and siting of the proposed two new buildings, in particular the increase in bulk at its northern side (entrance elevation) of the site when considered against the existing building would have an unacceptable adverse impact on existing residential amenity in Lanpark Road.

The proposed building will be located 4.5m from Brecon House (block B) which has two flats facing the side elevation of the building. The two gables in this elevation of Brecon House each houses a two storey flat with kitchen/living room on the ground floor and bedroom on the first floor. The proposed building C2 will be set back which will expose the first gable and therefore increase the light entering the windows of this flat. Following concerns raised with the applicant regarding the bulk of building C2 on the side windows of the second flat in Brecon House, amended plans have been received which has lowered the gable roof in the side addition at this end of the building. The revised development more closely replicates that of the original building and it is therefore considered that the revised scheme would not have an unacceptable impact on the occupiers of the flat in Brecon House in terms of scale and bulk. The revised plans have also removed a first floor window facing this flat and the ground floor side double access doors will be fitted with obscure glazing to prevent any loss of privacy to the occupiers of this flat. It is therefore considered the proposed development would not have an unacceptable impact on the occupiers of the two flats in Brecon House.

The proposed setting back of building C2 would also provide in excess of a 21m gap between this building and block E2 (former part of main school building) which has permission to be converted to a dwelling. It is not considered that the proposal would result in an unacceptable degree of loss of privacy or overlooking to the future occupier of this dwelling.

Planning permission has been granted to convert the former music building (block H) to a dwelling. The works of conversion have not yet taken place, however, it is not considered that the proposed development, which has a similar roof line to the existing building would have a detrimental impact on the future occupiers of this dwelling when works to implement both developments have taken place.

It is noted that the existing windows in the side elevation of the former wood working building (block F) and the windows in the rear elevation of the former caretakers house (which has been converted to a dwelling and is within the ownership of the applicant) overlook each other at very close proximity. To address this overlooking the proposal is to fit obscure glass to all windows that face the former caretaker's

house. This will both maintain the architectural appearance of the building by keeping the existing openings whilst at the same time reducing the impact of overlooking and loss of privacy between the windows in the two dwellings to an acceptable degree.

The proposed development is therefore considered to be in keeping with the provisions of policy AW5 of the Rhondda Cynon Taf Local Development Plan in terms of the effect on residential amenity.

OTHER ISSUES

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

In terms of the ecology of the site the applicant has submitted a bat survey in support of the application. This report concludes that low numbers of pipistrelle bats are using the buildings in the summer and that demolition would require a Natural Resources Wales licence. The conclusion of the bat survey also recommends the installation of bird bricks (nesting bricks) in its design and construction and in particular bird nesting provision for swifts, house martins, starlings and house sparrows. Natural Resources Wales advises the redevelopment of the site offers the opportunity for a comprehensive bat mitigation scheme/method statement to ensure robust measures to protect mammals. Conditions of permission are recommended to address these matters.

There is a mature Copper beech tree, which is protected by a Tree Preservation Order within the adjacent garden of the former caretaker's house. The root zone of this tree extends into the site. The submitted drawings indicate that 1.5m high metal railings are proposed within the canopy of this tree as a means of boundary treatment. The Council's Tree Officer has advised that the proposed fence is likely to be lower than the lower branch of the tree. A condition is recommended to require that the installation of the railings is via hand dig methods without machinery tracking under the tree canopy avoiding any major roots, or level changes under the canopy and a root protection zone for the tree is provided to protect from the ground works needed to create the new car park area.

The site lies within Flood Zone A and is therefore considered to be at little or no risk of flooding. A surface water drainage strategy has been received in support of the application which concludes that it is proposed to mimic the existing surface water drainage regime and convey run-off by the proposed development to the existing network in Tyfica Road. The Council's Drainage Section, Transportation Section and Welsh Water have been consulted in respect of the submitted report. At the time of writing this report their responses were awaited. It is therefore recommended that notwithstanding the submitted report that a condition is attached to the planning

permission to require the approval of the disposal of foul and surface water from the site.

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:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and,
- 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 Strategic Planning Guidance on Planning Obligations, however it is made clear that this is intended to form the basis of negotiations between all parties.

The only request in relation to this application is that in accordance with Policy SSA12 that if the application is for a private development 20% affordable housing provision is provided on site. However, the applicant has confirmed that it is intended to transfer the site to Rhondda Housing Association for use as social housing and Rhondda Housing Association has confirmed that they are the intended end user of the scheme. The Council's Affordable Housing Officer has advised that such an arrangement would thus satisfy Policy SSA12, especially given that the Local Housing Market Assessment 2014/15 identified a particular shortfall of 1 bedroom units for social rent within Pontypridd Town. As such it is recommended that the developer be invited to enter into a Section 106 agreement covering the following heads of terms: –

- A legal agreement to ensure that the development approved remains affordable housing in perpetuity, and;

- The developer meeting the Council's reasonable costs in preparing the legal agreement.

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. The application lies within Zone 2 of Rhondda Cynon Taf's Residential Charging Zones, where there is a liability of £40 / sqm for residential development.

The CIL charge (including indexation) for this development is expected to be £74,422.09. However, as the development is for social housing, social housing relief may be claimed on the whole of the development.

Conclusion

As outlined above the application is considered to comply with the relevant policies of the Local Development Plan representing as it does acceptable residential development within the settlement limits of Pontypridd. It is considered that the proposal, on balance, does not impact on the listed buildings or their setting and the character and appearance of the area to an unacceptable degree. The proposal is also considered acceptable in all other key areas such as its impacts on privacy, amenity and highway network. Members are consequently recommended to approve the proposal subject to conditions and the requirements of the Section 106 agreement set out above.

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 consent hereby granted relates to the following plans:
 - Existing Site Plan received 26/05/15
 - Proposed Site Plan, Site Section and Site Location Plan received 23/09/15
 - Building C- Former Gymnasium Existing Elevations received 26/05/15
 - Buildings C1 and C2 Proposed Elevations amended plan received 23/09/15
 - Building C1 and C2 Lower Ground Floor Plan amended plan received

23/09/15

- Building C1 and C2 Ground Floor Plan amended plan received 23/09/15
- Building C1 and C2 First Floor Plan amended plan received 23/09/15
- Building C1 and C2 Second Floor Plan amended plan received 23/09/15
- Building C Former Gymnasium Existing Sections 26/05/15
- Buildings C1 and C2 Proposed Sections amended plan received 23/09/15
- Building C Former Gymnasium Existing Floor and Roof Plans received 26/05/15
- Roof Plan All Buildings (C1, C2 and F) amended plan received 23/09/15
- Planning Amendment – Glazing Justification received 23/09/15
- Building F Existing Plans, Sections and Elevations received 26/05/15
- Building F Proposed Plans, Sections and Elevations amended plan received 23/09/15
- Demolition Plan received 26/05/15

Reason: In order to define the extent of the consent granted

3. Building operations shall not be commenced until samples of 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(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. Construction works on the development shall not take place other than during the following times
 - Monday to Friday 0800 to 1800 hours;
 - Saturday 0800 to 1300 hours;
 - 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.

5. No development shall take place until drainage arrangements for foul and surface water have been submitted to and approved in writing by the Local Planning Authority. No flat 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.

6. Notwithstanding the details on the submitted plans no development shall take 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 any building is first 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.

7. Before building C2 hereby permitted is brought into use, the patio doors on the ground floor side elevation as detailed on drawing 'building C1 and C2 Ground Floor Plan amended plans received 23/09/15' shall be fitted with obscure glazing, details of which shall first be submitted to and agreed in writing by the local planning authority. The patio doors shall be permanently retained in that condition thereafter.

Reason: To ensure the privacy of the occupiers of the adjoining property in the interests of residential amenity in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

8. Before building F hereby permitted is brought into use, the proposed south facing windows as detailed on drawing 'building F proposed plans, sections and elevations amended plans received 23/09/15' shall be fitted with obscure glazing, details of which shall first be submitted to and agreed in writing by the local planning authority. Any part of the windows that are less than 1.7m above the ground floor of the room in which it is installed shall be non-opening. The windows shall be permanently retained in that condition thereafter.

Reason: To ensure the privacy of the occupiers of the adjoining property in the interests of residential amenity in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

9. Notwithstanding the submitted plans, no works whatsoever shall commence on site until full engineering design and details of the road layout, traffic calming, street lighting, surface water drainage, tie in to Lanpark Road and highway structures including longitudinal and cross sections have been submitted to and approved in writing by the Local Planning Authority. The highway works shall be fully implemented in accordance with the approved engineering design and details.

Reason: To ensure the adequacy of the proposed development, in the interest of highway safety in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

10. 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:

- the means of access into the site for all construction traffic,
- the parking of vehicles of site operatives and visitors,
- the management of vehicular and pedestrian traffic,
- loading and unloading of plant and materials,
- storage of plant and materials used in constructing the development,
- wheel cleansing facilities,
- the sheeting of lorries leaving the site.
- measures to control the emission of dust and dirt during demolition construction; and
- a scheme for recycling/disposing of waste resulting from demolition and construction works.

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.

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

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.

12. A method statement for bats, including measures to ensure bats are conserved during the development, a schedule of works; details of any replacement roosting provisions including numbers, dimensions and locations of access points; action to be taken in the event that bats are encountered, shall be submitted to and approved in writing by the Local Planning Authority prior to the development commencing (including any demolition). The method statement for bats shall be implemented in accordance with the approved details.

Reason: To afford protection to bats in accordance with policy AW8 of the Rhondda Cynon Taf Local Development Plan.

13. No development shall commence until details of bird brick and other nesting provision is submitted to and agreed in writing by the Local Planning Authority. Development shall be undertaken in accordance with the approved details.

Reason: To provide bird mitigation and enhancement measures in accordance with policy AW8 of the Rhondda Cynon Taf Local Development Plan.

14. No development shall commence until a method statement for construction based on BS:5837 trees in relation to construction has been submitted to and approved in writing by the Local Planning Authority that details:

- the installation of the proposed metal fence, via hand dig methods without vehicular machinery tracking under the tree canopy; and
- a root protection zone of the TPO'd Copper Beech from the ground works needed to create the new car parking area

Development shall be undertaken in accordance with the approved method statement.

Reason: To afford protection to the TPO'd Copper Beech in accordance with policy AW8 of the Rhondda Cynon Taf Local Development Plan.

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APPLICATION NO: 15/0740/10 (PB)
APPLICANT: Elite Accommodation and Facilities
DEVELOPMENT: Proposed change of use from Local Authority Offices to student accommodation.
LOCATION: OFFICE, LLWYN CASTAN, LIBRARY ROAD, PONTYPRIDD, CF37 2YA
DATE REGISTERED: 22/06/2015
ELECTORAL DIVISION: Town (Pontypridd)

RECOMMENDATION: Approve

REASONS:

The conversion and extension of these vacant former local authority offices to residential use is acceptable as a matter of principle. The proposal, albeit for an intensive residential use, will neither significantly affect the character and appearance of the building nor the wider area and Conservation Area. There is an absence of car parking at the site. However, the requirement for parking for the

proposed use is significantly less than for the previous office use and given the sustainable location the development is considered to be acceptable in parking and highway safety terms. The proposed extension has been modified to reduce the potential for overlooking and loss of privacy to neighbouring dwellings.

APPLICATION DETAILS

Full planning permission is sought for the conversion of former local authority offices into 'luxury' student accommodation at Llwyn Castan, Library Road, Pontypridd. The proposed conversion would comprise 29 units of accommodation and take place over the building's four floor levels comprising of the following:

Lower Ground Floor: 6 student accommodation units, plus hub kitchen, bike store, gymnasium, laundry room, plant room and bin store.

Upper Ground Floor: 10 student accommodation units, common/dining room and hub kitchen.

First Floor: 10 student accommodation units and lounge/dining room and games room.

Second Floor: 3 student accommodation units.

Each of the student accommodation units would be complete with its own en-suite bathroom and WC facilities.

The proposal is to retain the character and appearance of the existing building and retain all current materials in-situ in general. The lower ground floor fenestration is to be adapted to suit the new proposal and will match the general size and shape of pre-existing adjacent opening. The existing patio at first floor level is to be enclosed with an extension consisting of matching wall construction and windows and a cut roof formed to complement the existing roof profile and finished in matching fibre cement slates. This supersedes an earlier proposal to enclose the patio with a glazed conservatory. The existing roof and roof lights on the remainder of the building would remain unchanged apart from the introduction of a single additional roof light along the line of the existing openings to the western facing roof face.

The application is accompanied by a Design and Access Statement.

SITE APPRAISAL

Llwyn Castan comprises a vacant building located in close proximity to Pontypridd Library and St Catherine's Church, and is surrounded by a mix of residential dwellings, flats and office businesses. The building was last used as local authority

offices though that ceased in March 2015 following its disposal and sale by the Council.

Llwyn Castan comprises a narrow triangular building constructed over three floors with an additional floor in the roof space. The building has two main elevations facing east onto Library Road and west onto Gelliwastad Grove. The building also has a northerly facing elevation that abuts a single storey garage at Library Road level, and a southerly facing elevation that sits at the narrow point of the site and comprises a limited number of window openings and an open patio balcony at first floor level. All elevations are a combination of rendered stonework at lower levels and cladding panels at upper levels, with powder coated aluminium windows throughout. The main access points of the building at lower and upper ground floor levels comprise glazed aluminium coated doors.

The building at Llwyn Castan occupies the entire site therefore has no parking and loading facilities. On-street parking on the highway outside the building in Gelliwastad Grove is limited and subject to restrictions.

Llwyn Castan is situated in the Pontypridd Town Centre Conservation Area. Also, in close proximity there is St Catherine's Church, which is Grade II* Listed, and St David's Church and Hall which is Grade II Listed.

PLANNING HISTORY

No recent relevant planning history for the site.

PUBLICITY

Neighbours notified and site notices displayed. A total of 10 emails/letters of representation received from members of the public summarised as follows:

- Use of building as multiple residential accommodation is out of character in Conservation Area.
- Disturbance and nuisance to neighbours from continuous use and occupation of the building compared with previous office use.
- Loss of privacy from overlooking windows and glazed conservatory in building.
- Parking problems as some students likely to own cars.
- Concern over management of building as accommodation facility would be privately run and have no affiliation to the University of South Wales.
- Concern whether the facility could be occupied by non-students.
- Concerns about anti-social behaviour by occupants of the accommodation.
- Lack of adequate bin storage, which could cause outside refuse storage to occur.

CONSULTATION

Transportation Section - no objection.

Flood Risk Management - no adverse comment.

Public Health and Protection - no objection. Offers comments and recommendations in respect of hours of construction operations, noise, dust and waste.

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 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 AW7 – permits development only where it can be demonstrated that the proposal would preserve or enhance the architectural and/or historical merit of the site.

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

Policy SSA1 – sets out criteria for permissible residential development within the 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 6 (Conserving the Historic Environment), Chapter 7 (Economic Development), Chapter 8 (Transport), 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 Technical Advice Note 18: Transport;
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 development

Llwyn Castan comprises a fairly large building situated on the edge of Pontypridd town centre though the immediate surrounding environment is one primarily characterised by residential development. Although last used as local authority offices and clearly capable of being adapted for a similar business activity, the site is not allocated or designated by any policies in the Local Development Plan that might preclude its use for purposes other than appropriate commercial and business activities. Indeed, given the close proximity of Llwyn Castan to neighbouring residential properties its conversion to some kind of residential use is considered to be the most appropriate alternative use for the premises. Support for this view is found at a general level in Policy SSA2 of the LDP which favours residential development in the town centre subject to specific criteria being met. Therefore, as a matter of principle the conversion of Llwyn Castan to residential use considered acceptable subject to there being no other material considerations to outweigh that presumption in favour. The remainder of this assessment deals in turn with the other material considerations in this case.

Consequences for character and appearance of the general area and the Conservation Area

The proposed conversion will have little consequence for the character and appearance of Llwyn Castan itself as the external appearance of the building will largely remain unaltered, save for the addition of modest extension over the existing patio area at first floor level and some minor changes to the fenestration pattern. Although the extension is located at first level and will add extra bulk to the building, it would not be out of character with the remainder of the building and would have the significant advantage of enclosing the existing balcony patio area within the building. The proposed extension and other minor changes to the building are sympathetic to the Conservation Area and do not adversely affect the setting of the adjacent Listed Buildings at St Catherine's Church and St David's Church and Hall. The Council's Conservation Officer is content with the scheme in this regard.

In terms of the consequence of the development for the character of the wider area it is evident that this aspect of the proposal has provoked a significant reaction from

members of the public. The concern expressed is that the use of the building for an intensive residential purpose would be out of character with the character of the Conservation Area and would introduce a significant element of a night-time and weekend activity that characteristically did not occur when Llwyn Castan was used as local authority offices. It is acknowledged that the use of the building for residential purposes would be as more continuous compared with its previous weekday office use. However, given the character of the area surrounding Llwyn Castan is a mix of residential properties plus commercial businesses and intensively used public buildings, including the adjacent public library and nearby churches, the case for adverse impact on the character and appearance of the Conservation Area is decidedly difficult to sustain. Indeed, as stated earlier it is arguable that residential use of Llwyn Castan, albeit an intensive one for occupation by one social group (students), is the most appropriate alternative to its continued business / commercial use given the close predominance of residential property in the Conservation Area. Accordingly, it is considered that the proposal does not conflict with Policy AW7 which seeks to protect Conservation Areas from potentially harmful development.

Parking and highway safety

The building at Llwyn Castan occupies the entire footprint of the site, there was no off-street parking associated with its previous use and none is associated with the proposed development. Moreover, parking restrictions operate on the highways outside the site in Library Road and Gelliwastad Grove, which severely limit opportunities for on-street parking associated with any use of Llwyn Castan and to a large extent other neighbouring properties. The understandable concern expressed by neighbouring residents is that the introduction of an intensive residential use of Llwyn Castan is only likely to exacerbate existing on-street parking problems and their associated highway safety consequences in an area where parking is at a considerable premium especially during evenings and at weekends.

In accordance with the Council's adopted SPG the parking requirement for the previous use of Llwyn Castan as offices was between 24 and 33 car parking spaces with none provided. The proposed change of use to 29 bedroom student accommodation would require only 1 space in accordance with the same SPG (on the basis of 1 space per 25 beds for servicing, wardens and drop off areas and nil requirement for visitors) with none provided. However, it is recognised that Llwyn Castan is within walking distance of public transport; secondly, a variety of pay and display car parks within close proximity are available; thirdly, traffic regulations in the form of parking time and double yellow lines prevent illegal parking within the vicinity of the site. The proposed development provides 10 cycle spaces within a ground floor storage area, which is below the 1 space per 2 bedrooms stated in the adopted SPG. There is potential to provide additional cycle storage spaces within the site which also will help mitigate for the absence of vehicular parking provision, and in the event of planning permission being granted a condition to this effect is suggested.

Notwithstanding the required parking provision it is possible that the proposal could introduce cars into the area, especially during the evening and at weekends. Parking of these cars, and the additional competition for spaces in the area may result in congestion and possible hazard to other road users. Although students without cars may be attracted to the proposal because of its accessibility, it would not be possible to prevent a student from owning a car and parking along any of the residential streets in the area, the majority of which already suffer from significant on street parking problems.

TAN 18 states that planning obligations will have a role to play in ensuring residents do not own cars and cites purpose-built student accommodation as an example where such agreements can be effective. This has been discussed with the applicant who has indicated a willingness to purchase a season parking ticket for any student occupier of proposal who owns a car. This would entitle the holder to occupier a use a Council-owned and operated designated long-stay parking facility in Pontypridd. This will require the submission of a planning obligation as this is not something that can be done by condition. It is suggested that the operation of a scheme of this kind initially is limited to a period of two years to establish its effectiveness in catering for student parking demand arising from the proposal.

In summary, the proposed development lacks off road parking but given the existing (previous) use has a much higher parking demand and coupled with the provision for cycle storage, the sustainable location and the applicant entering into a planning obligation to provide a seasonal parking ticket for any occupier that owns a car, the proposal is considered acceptable in parking and highway terms. There is no objection from the Highway Authority.

Privacy and residential amenity

Representations have been made by neighbouring residents concerned that the proposed use would cause overlooking and loss of privacy, in particular from a proposed glazed conservatory to be erected over the existing patio at first floor level. In this regard the applicant has responded by amending the proposal to substitute the conservatory with a solid wall extension over the patio which would match the remainder of the building. Not only is the amendment acceptable from a visual amenity perspective but it also will significantly reduce the risk of overlooking from the Llwyn Castan to neighbouring properties compared with an open patio or glazed conservatory.

Other issues

Turning to other issues raised in this case, members of the public have expressed concern that the proposed student accommodation has no formal links with and management by the University of South Wales and may be occupied by non-students, and could give rise to anti-social behaviour by occupants. In response to these concerns it is acknowledged the proposal is for privately run and managed

student accommodation that has no formal links to the University, though similar such facilities exist and operate successfully elsewhere in south Wales. Although there is no guarantee that the facility will be exclusively reserved for occupation by students it is evident from the proposed internal layout and facilities that the facility is designed for occupation in the same manner as are student halls of residence on campus.

In terms of the risk of incidences of anti-social behaviour this is essentially the responsibility of the occupants and the owner/manager of the premises to ensure such incidents do not occur.

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 Section 106) may only legally constitute a reason for granting planning permission if it is:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and,
- 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 requirement in this case

The submission of a planning obligation whereby the applicant for a period of 2 years purchases a season parking ticket (entitling the holder to use a Council owned and operated designated long stay facility in Pontypridd) for occupiers of the accommodation that own a car.

It is considered that this requirement meets all of the aforementioned tests and is compliant with the relevant legislation.

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 conversion and extension of Llwyn Castan to residential use is acceptable as a matter of principle. The proposal, albeit for an intensive residential use, will neither significantly affect the character and appearance of the building nor the wider area and Conservation Area. The absence of car parking is a concern albeit the proposal will have less parking demand than the previous office use. But given the sustainable location and on-street parking restrictions, coupled with a planning obligation that caters for any parking demand arising from the proposal, the development is on balance acceptable in parking and highway safety terms. The proposed extension has been modified to reduce the potential for overlooking and loss of privacy to neighbouring dwellings. The development therefore does not conflict with prevailing LDP policies and is recommended for approval subject to the conditions specified below and the applicant, and any other interested parties, first entering into a planning obligation.

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 shall be carried out in accordance with the following approved plans:
 - Site Location Plans (Drawing No: 001/PL)
 - Proposed Lower Ground Floor Plan (Drawing no: 020/PL)
 - Proposed Upper Ground Floor Plan (Drawing no: 021/PL)
 - Proposed First Floor Plan (Drawing no: 022/PL)
 - Proposed second floor plan (Drawing no: 023/PL)
 - Proposed Sections (Drawing no: 031/PL)
 - Proposed Elevations (Drawing no: 030/PL01)

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 clearly define the scope of the permission.

3. Notwithstanding the submitted plans details for provision of 15 cycle parking spaces shall be submitted to and approved by the Local Planning Authority prior to the commencement of development. Cycle parking shall be provided in accordance with the approved details prior to the commencement of beneficial occupation of the building.

Reason: To ensure that adequate parking facilities are provided within the curtilage of the site in the interests of highway safety in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan

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

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

5. Works of construction and conversion 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:	15/0751/12	(JAW)
APPLICANT:	Kalite Holdings Ltd	
DEVELOPMENT:	Proposed demolition of former gymnasium block and erection of 18 Class C3 units, change of use of former woodworking block to provide 3 Class C3 units, car parking, landscape and associated works (Listed Building Application) (Amended plans/documents)	

received 23/09/15)
LOCATION: **FORMER COED Y LAN SCHOOL, TYFICA/LANPARK ROAD, PONTYPRIDD, CF37 2DA**
DATE REGISTERED: **26/05/2015**
ELECTORAL DIVISION: **Town (Pontypridd)**

RECOMMENDATION: Approve

REASONS:

The proposed development is considered acceptable and in keeping with the relevant policies of the Local Development Plan and national guidance on the protection of listed buildings. The scheme is also considered to be a positive contribution to the area by bringing a curtilage listed building back into use (former wood working building) and replacing a curtilage listed building (former gymnasium building) that is in a ruined condition, where demolition is the only realistic option thereby safeguarding the integrity of the remainder of the site.

APPLICATION DETAILS

Listed Building Consent (although these buildings are not listed in their own right they are curtilage listed) is sought to demolish the former gymnasium (block C) and build 18 Class C3 residential units and change the use of the former wood working building (block F) to provide 3 Class C3 residential units on land within the curtilage of the former Coed Y Lan Lower Comprehensive School at Tyfica/Lanpark Road, Pontypridd. The proposal includes widening the existing access into the site from Lanpark Road and the provision of 18 car parking spaces.

The plans indicate the demolition of the former gymnasium building and replacement with two buildings referred to as C1 and C2, which collectively will have a smaller footprint than the existing gymnasium. The new building will be set approximately 3.5m, behind the footprint of the existing building to enable the widening of the access road and the provision of on-site car parking spaces. Building C1 will be located towards the site entrance, with building C2 located adjacent to Brecon House (block B).

Both buildings will measure 28.4m in length and 10.4m deep with a hipped roof with a height similar to that of the existing building. Due to the sloping nature of the site the front elevation of building C1 will be four storeys whilst building C2 will be three storeys. Both buildings will be two storeys high at their rear and have roof lights. Building C2 will have a two storey side section adjacent to Brecon House, block B and building C1 will have a three storey high side section located adjacent to the site entrance. There will be a 6.4m gap between buildings C1 and C2. Externally both

buildings will be finished with slate roofs and a palate of render, timber, glazing, including balustrades/Juliet balconies and stone work.

Building C2 contains 8 one-bedroom flats (3 flats on the ground and first floors and 2 flats on the second floor). The ground floor flats would each benefit from a terrace area. Building C1 contains 10 one-bedroom flats (2 on the lower ground floor, 3 flats on both the ground and first floor and 2 flats on the second floor). A bin storage area would be provided in the lower ground floor of building C1.

The former wood working building (block F) will be converted to three flats, two one-bedroom on the ground floor and one two-bedroom on the first floor. The conversion will retain the existing openings, with the exception of the removal of an existing fire escape door and external metal staircase and its replacement with a window and stone work to match the existing detailing. Two conservation style roof lights are proposed on the western elevation of the building (facing into the site). Access to the first floor flat will be from the access road into the site and access to the two ground floor flats will be from Lanpark Road via the two existing pedestrian accesses.

A communal garden will be provided to the south east of the car park accessed via a set of existing steps. A 'communal entrance garden' will be located between buildings C1 and C2, which will extend to a communal outdoor area along the rear of each building (between the buildings and the rear retaining wall). A small area of landscaping will be provided on the southern side with a small private side garden provided on the northern side of the site entrance. A small private garden will be located at the south western elevation of building C2 (adjacent to Brecon House). The front site boundary comprises a stone wall, which will be retained with the exception of the widening of the site access.

The application is accompanied by the following:

- Design and Access Statement.
- A bat survey.
- Justification for Demolition.
- Surface Water Drainage Strategy.
- Response to Planning Comments.
- A letter from Rhondda Housing Association confirming they are the intended end user of the scheme.

SITE APPRAISAL

The site is within the settlement boundary of Pontypridd and is unallocated. The buildings form part of the former Comprehensive School, which were in use until July 2005. The former Gymnasium building has been subject to exterior vandalism including extensive lead and tile-stripping.

The application site slopes steeply upwards from southeast along Tyfica/Lanpark Road to the northwest, along the access road to the neighbouring flats (Brecon and Cambrian House). The level difference between the site entrance on Tyfica/Lanpark Road and the ground floor of the existing gymnasium building is approximately 4m.

The site is bound to the south east by the former main school building (blocks E1 and E2). An application has not been received for building E1. E2 benefits from consent to convert to a dwelling which has not been implemented to date. To the south-west of the former gymnasium is Brecon House (Block B) which has been converted to four flats. No. 43 Lanpark Road (block G) lies adjacent to the former woodworking block which has been converted to a dwelling (and is also within the ownership of the applicant). The former music room building (block H) to the north benefits from consent for conversion to a dwelling, although the works have not yet taken place. Dwellings in Lanpark Road are located to the south/east.

The existing vehicular and pedestrian access point from Lanpark Road measures 3.2m wide. There are two pedestrian access points from Lanpark Road to the former woodworking building (block F).

The original school was built in 1893-4 by Arthur O Evans and opened in 1896. The former wood working building (block F) appears to be one of the original school buildings. Its construction closely matches the later Victorian vernacular style of the original school buildings adjacent to the application site. Externally the building is finished with coursed dressed stonework facing Tyfica Road with cheaper rubble stonework facing into the site. The building has yellow brick dressings and dressed stone cills and heads and timber framed windows used throughout with a natural Welsh slate roof. The former gymnasium building (block C) is finished externally with cement render and appears as a later addition to the school.

PLANNING HISTORY

10/1294	Redevelopment for housing, comprising the alteration and conversion of existing listed buildings and the erection of a new building. (Listed Building Consent).	Withdrawn 29/06/12
10/1253	Redevelopment for housing, comprising the alteration and conversion of existing listed buildings and the erection of a new building (reserved matters application).	Withdrawn 29/06/12
06/2157	Redevelopment for housing, comprising the alteration and conversion of existing listed buildings and the erection of new building.	Approved with Conditions 09/12/10

There are a number of more recent planning applications that have been approved for residential development relating to the development of other buildings within the curtilage of the former school.

PUBLICITY

The application has been advertised by direct neighbour notification, site notices and a press notice. One letter has been received which is summarised as follows:

- It is hoped the development will go ahead as the building has been left abandoned for approximately 10 years.
- Car parking/landscaping will improve empty neglected area.

CONSULTATION

The Victorian Society – no representation received.

The Twentieth Century Society - no representation received.

The Society for the Protection of Ancient Buildings – no representation received.

Royal Commission for Ancient and Historical Monuments for Wales – no representation received.

Ancient Monument Society – no representation received.

Council for British Archaeology Wales/Cymru - no representation received.

POLICY CONTEXT

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

Rhondda Cynon Taf Local Development Plan

The application site lies within defined settlement limits and is not allocated for any specific use.

Policy CS2 – Development in the South – emphasises sustainable growth that promotes residential development with a sense of place, respects character and context, protects culture and identity.

Policy AW5 – New Development – 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 – Protection and enhancement of the built environment – development will only be permitted where it can be demonstrated that the proposal will preserve or enhance the character and appearance of the site.

Policy SSA1 – Development in the Principal Town of Pontypridd – Proposals that reinforce the role of Pontypridd as a principal town, respects culture and heritage, is

of a high design standard, integrates positively and promotes sustainable transport modes will be permitted.

Planning Policy Wales

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

The following chapters set out the Welsh Government's policy (Edition 7, July 2014) on planning issues relevant to the determination of the application:

Chapter 6 Conserving the Historic Environment

Other relevant policy guidance consulted:

PPW Technical Advice Note 12: Design;
Welsh Office Circular 61/96: Planning and the Historic Environment: Historic Buildings and Conservation Areas

REASONS FOR REACHING RECOMMENDATION

The application is in accordance with the aforementioned local and national policy and guidance and is therefore considered to be acceptable in terms of Listed Building Consent.

The principle consideration in the determination of this Listed Building Consent (LBC) application is whether or not the impact of the works are acceptable in terms of the special architectural and historic interest of the buildings, which are curtilage listed. It is considered that the proposed development will be a positive contribution to the area by bringing a curtilage listed building back into use (former wood working building). The proposal will also replace a curtilage listed building (former gymnasium building) that is in a ruined condition, where demolition is the only realistic option thereby safeguarding the integrity of the remainder of the site.

Character and Appearance of the Area

In terms of the principle of the proposed development, the use of the site for residential purposes has been firmly established as appropriate through the approval of a number of applications for planning permission within the curtilage of the former school site. The site is also located within a predominantly residential area. As a result, residential development on the site is considered to be in keeping with the character of the surrounding area.

It is considered that the design, external finish and features of the former wood working building (block F) add to the historic and architectural landscape of its location. It is considered that the works of conversion and proposed alterations to the external elevations of this building would retain the late Victorian vernacular style of this building which is considered an important feature at this prominent road location.

In terms of the proposal to replace the former gymnasium building with buildings C1 and C2, an important visual feature of the site is its roof line and how the building sits and is viewed within the site against the other listed and curtilage listed buildings. The proposed buildings have retained a similar roof profile to the existing building with regards to ridge line, slate roof finish and hipped roof profile. Following negotiations revised plans have been received that have reduced the massing at the ends of both buildings, which in turn has reduced the impact of the buildings on the neighbouring building and residents. The reduced massing has also reduced the prominence of building C1 when viewed from Lanpark Road.

Due to the proposed buildings being set back 3.8m from the front building line of the existing building it has resulted in a shallow roof and deeper front facade, with the result that building C2 is four storeys at its frontage and building C1 is three storeys at its front elevation. The front facade of both buildings have a modern design with materials including, render, vertical timber cladding, reclaimed stone (lower ground floor) and double aluminium windows and feature curtain wall. There is some concern that the proportion of front facade compared to roof will appear considerably more prominent within both the immediate setting and in cross-valley views. Concerns also remain with regards to the extent of glazing and use of timber particularly on the upper floor of the buildings. It is acknowledged that to a large extent the setting back of the front elevation of the buildings with the result of a deeper front facade and shallower roof is as a result of the confined layout of the site and the requirement for an access road and off-street parking. Although a number of different layouts for the site have been explored, due to site constraints and issues of viability these have been dismissed.

It is considered that the revised scheme which shows a reduction in elevation massing, a reduction in the amount of glazing proposed and several material amendments have softened the proposal. Although some concern remains with regard to the proposed materials (which is discussed in detail later in the report) it is considered, that on balance, these materials would be acceptable. It is therefore considered that the increased prominence and appearance of the buildings from both the immediate setting and from cross-valley views would not be so detrimental to the character and appearance of the area as to warrant the refusal of this application.

Impact on Listed Buildings and their setting

Although the buildings the subject of this application area not individually listed, they are curtilage listed.

Guidance published by the Welsh Assembly Government (WAG) contained within Circular 61/96 titled; Planning and the Historic Environment: Historic Buildings and Conservation Areas states that it would expect authorities to address the following considerations in determining applications where the proposed works would result in the total or substantial demolition of the listed building:

- the condition of the building and the cost of repairing and maintaining it in relation to its importance and the value derived from its continued use;
- the merits of alternative proposals for the site; and
- the adequacy of efforts made to retain the building in use.

Given their curtilage listing these considerations are still relevant.

The building has been unoccupied since July 2005 and been subject to extensive vandalism and theft. The applicants have advised that by the time they came into possession of the property there was little remaining of the roof covering, The underlying steel and timber structure of the roof has been exposed to the elements for some time, resulting in rust and rot. There is also evidence of localised structural collapse, virtually all the windows are no longer intact and the interior ruined and uninhabitable by the prolonged weather ingress causing internal ceilings and wall linings to collapse. The suspended timber floor to the gymnasium had been removed/stolen at some point in the past leaving the damp ground exposed beneath. The damage has shown the building to be in a dilapidated condition.

The applicant has explored a number of different options (with some pre-application discussion with the Council) including to retain and convert the existing building, however, it became clear that the options explored would either not be acceptable to the Council or uneconomic for the developer (as set out in the submitted document Justification for Demolition).

The relative interest of the former gymnasium building by comparison to those listed in their own right, is significantly less by period and character. The gymnasium building did however illustrate the interesting historic development of the site and contributed to its interest. Unfortunately, it is undeniable that this interest has been diminished by its ruined condition. Damage has also put this building beyond what could realistically be expected commercially, for a building of such a limited significance. Moreover, its conversion would be likely to require extensive re-building, were it to be suitable for residential use, questioning what historic value would remain in the remodelled building. In addition, the practicality of the development requiring car parking, amenity space and other such provisions, which would reasonably be expected in modern developments, would be difficult to provide to any satisfactory modern standard, whilst maintaining the building in anything close to its current form. It is therefore considered that the demolition of this building would be the only realistic option for redevelopment that could safeguard the integrity of the remainder of the site.

As discussed earlier in the report, on balance, it is considered that the proportion of front facade and roof, that is, a shallow pitch roof and front facade that will appear considerably more prominent within both the immediate setting and in cross-valley views is acceptable. The materials of the proposed buildings are important and there remains some concern with regard to the proposed extensive use of timber panelling as a cladding material on the front elevation of the building and a request was made to replace this material with stone. The applicant has advised that in addition to stone work not being technically feasible due the requirement that it is self-supporting, there is a difference in costing between the two materials of £52,018. The applicant has advised that 'in addition to the inherent financial risks with the unknowns of a redevelopment project such as this, the additional cost of replacing the timber cladding with stonework would not be commercially viable as the risks would be too great'. It is considered, that although timber cladding is not a material that is used elsewhere on the listed buildings or those that are curtilage listed, on balance, the use of this material would not in itself result in a development that would impact on the setting of the listed buildings to such an extent as to warrant the refusal of this application. The other concern is the use of glazing for the balustrade/Juliet balconies which could create potential for additional reflection. The applicant has advised that the 'glazing will be less visually prominent than the requested metal railings which would add visual clutter to the appearance of the facade. It is considered that subject to a condition, which could include exploring the use of non/low reflective glazing options, the use of glazing for the balustrades/Juliet balconies would, on balance, be acceptable.

It is also considered that conditions are needed to require the replacement of pvc for rainwater goods and soffits with cast metallic to be in keeping with the quality and style of the site. A condition is required to agree boundary treatment, for example, replace 'hooped fence' to match the original boundary treatment on the site and replace the timber fencing as the means of enclosure for the bin store (close to the site entrance) with railings and planting. In addition, conditions are required to agree the type and colour of render, timber cladding and glazing schedule (including balustrades/Juliet balconies).

The proposed conversion of the former wood working building (block F) is considered acceptable as discussed under the heading 'impact on character and appearance'. However, conditions regarding finishing materials are required to ensure that the materials used in the conversion works match those existing.

Having regard to the above, whilst it is accepted that demolition should always be the very last alternative and the loss of any curtilage listed building is always regrettable. On balance, given the information presented, it is considered that demolition and redevelopment offers a better alternative than a further period of decay and dereliction where the building will only come to represent nothing other than an increasing danger to the public. It is therefore considered that the proposed

development is acceptable in accordance with policy AW7 of the Rhondda Cynon Taf Local Development Plan.

RECOMMENDATION: Grant

1. The development hereby granted consent shall be begun not later than the expiration of five years beginning with the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Area) Act 1990.

2. Notwithstanding the details on the approved plans before work starts, the design and details of the following shall be submitted to and approved in writing by the Local Planning:

- a) rainwater goods;
- b) render finish –colour/grain
- c) soffits and fascias
- d) boundary treatments including replacement fence/railings
- e) timber panelling
- f) replacement sash windows and glazing for building F
- g) glazing schedule (including balustrades/Juliet balconies)
- h) roof lights

Drawings shall be submitted with full size moulding cross section profiles. The works shall be carried out in accordance with the approved details.

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

3. All disturbed fabric in the former woodworking building (block F) shall be made good to match the existing building.

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

4. Certification showing that replacement roofing slates (blocks C1, C2 and F) shall be Welsh or Canadian to A1, S1, T1 standard, shall be submitted to and approved in writing by the Local Planning Authority prior to installation.

Reason: To ensure that the appearance of the proposed works will be in keeping with the special architectural and historic character of the (curtilage) listed buildings in accordance with Policy AW7 of the Rhondda

Cynon Taf Local Development Plan.

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APPLICATION NO: 15/0976/16 (GD)
APPLICANT: Barratt Homes South Wales
DEVELOPMENT: Reserved Matters Application in respect of details of appearance, landscaping, layout and scale
LOCATION: SOUTH WALES FIRE AND RESCUE, LANELAY LANE, TALBOT GREEN, PONTYCLUN, CF72 9XA
DATE REGISTERED: 10/07/2015
ELECTORAL DIVISION: Llanharan

RECOMMENDATION: Approve

REASONS:

The principle of the proposed development has been established through the grant of outline planning permission 07/0938 and the details submitted pursuant to the current application for approval of reserved matters are considered acceptable in planning terms.

APPLICATION DETAILS

This is a reserved matters application seeking approval of appearance landscaping layout and scale for the residential development of 87 dwellings at the Lanelay Hall site. Details of access were previously considered and approved under application 07/0938. The current submission seeks detailed approval for the following house types: –

- 6no. Ashford two bedroom house type
- 6no. Alder one bedroom apartments.
- 7no. Alston three bedroom house type
- 8 no. Finchley three bedroom house type.
- 6no. Helmsley four bedroom house type.
- 5no. Farringdon three bedroom house type.
- 5no. Heathfield four bedroom house type.
- 5no. Lincoln four bedroom house type.
- 13no. Cambridge four bedroom house type.
- 3no. Harrogate four bedroom house type.
- 7no. Oakhampton four bedroom house type.
- 6no. Warwick five bedroom house type.
- 4no Rothbury four bedroom house type, and

- 6no. Stratford five bedroom house type.

All of the houses will be of conventional two storey construction except the Helmsley, Warwick and Stratford house types which have bedroom space built into their attic space. The houses have been designed to a set of specific external finishes as follows: –

- Type A – Redland Saxon Authentic 10 blue substitute slate roof with Terca Nutcolm Multi brick with Terca Brockhurst Yellow multi detailing and reconstituted stone cills.
- Type B – Redland Saxon Authentic 10 blue substitute slate roof Terca Brockhurst Yellow Multi with Terca Nutcolm Multi details and reconstituted Stone cills, and
- Type C – Redland Saxon Authentic 10 blue substitute slate roof with Ivory through colour render walls and Terca Nutcolm Multi detail brick and reconstituted stone cills.

The site will deliver a total of 12 affordable housing units comprising six of the Ashford two bedroom houses and six of the Alder one bedroom apartments.

The principle access to the site will be as agreed at the outline application stage with the creation of a new access from the Lanelay Road/A473 roundabout to the south of the site and the existing access to Mountain Road being stopped up. The new access will provide an improved adoptable road that skirts the southern and eastern boundaries of the site. A new access road into the southern area of the site to serve plot 1 – 17 and plots 30 – 51 will be provided approximately 55m north east of the roundabout, the remainder of the site will be served by a second means of access located immediately north of Lanelay Hall.

The original Lanelay Hall building is not physically affected by the current proposal other than for the link with the adjacent 1960's office block being demolished and it is not part of the current application for the approval of reserved matters. However the application does involve the removal of a small section of the historic wall to the north of the site to facilitate new development in that area of the site.

The southernmost part of the site between Lanelay Road and the new access through the site will remain undeveloped and serve as additional capacity relating to the drainage of the site.

The broad approach towards trees has been to retain trees that are protected by tree preservation orders and remove those that are not. Clearly though there will also be some thinning out and maintenance to the trees that are protected which will be to the benefit of those that remain.

The application is accompanied by the following:

- Planning Statement;
- Tree Survey
- Bat Tree Survey Report and Mitigation Method Statement Relating to Trees.
- Bat Assessment of Lanelay Hall and Associated Buildings
- Bat Mitigation Method Statement Relating to Buildings
- Technical Update Explanation of Scaled Drawing of Bat Mitigation Proposals

SITE APPRAISAL

The site is located to the west of the settlement of Talbot Green and measures approximately 4.9 hectares. It is roughly rectangular in shape with a gradual rise of 6 metres from south to north. It has two distinct areas. The front (southern) half of the site mainly consists of a former rugby pitch, other grassed areas and clusters of trees and landscaped areas. A caretaker's house is also located on the eastern boundary. A tree lined driveway enables access from the main roundabout (adjacent to the southern boundary) to Lanelay Hall. This impressive building, which forms the entrance to the rear (northern) half of the site, was originally built in the 16th Century but rebuilt in 19th Century. It was acquired for use as a Fire Service Headquarters, by the then County of Glamorgan, in 1951/52. The site was previously the headquarters of the South Wales Fire and Rescue Service (SWFRS). The SWFRS has now relocated to Forest View Business Park in Llantrisant.

Lanelay Hall has been unsympathetically adapted and extended. Most notably, a three storey office block, which links to Lanelay Hall via a first floor walkway to its western elevation, has been added. To the north of Lanelay Hall, other detached buildings have been constructed including an Information Technology Suite and Occupational Health building. In the north western corner of the site is a large vehicle workshop building and its associated service yard. The building (although within the planning application boundary) is separated from Lanelay Hall and its grounds by an impressive high stone wall which runs along the entire width of the site. It would appear this once created a walled garden. The other side of this wall, and to the north of application site, is a cul-de-sac of 5 large detached properties. Also accessed from this cul-de-sac is a Grade II Listed former barn, which was subsequently converted to a dwelling some years ago. The western gable of the barn forms part of the walled boundary to the grounds of Lanelay Hall.

The applicants have recently secured approval to demolish much of what currently stands on the site with the exception of Lanelay Hall itself and its adjacent boiler house.

There are currently two alternative accesses which served the site in its previous use. They are both accessed via the Talbot Green to Coedely road (Mountain Road) which is sandwiched between the eastern boundary of the site and the River Ely. The first enables access to a parking courtyard which served the rear of Lanelay Hall and its outbuildings. The second served the vehicle workshops and is located between two properties called Lanelay Farm and Erwlon. Opposite this access, and

on the other side of the road, are two further houses called Swn-yr-Afon and Ivy Cottage.

Immediately adjacent to the western boundary of the site is the very large Filcare factory (previously occupied by L'Oreal). Along this western boundary and beyond are a considerable number of trees which are subject to either group or individual Tree Preservation Orders (TPO). A group of trees are also preserved to the south east (front) of Lanelay Hall.

To the east of the River Ely the dominant land use is residential. To the south of the application site, on the opposite side of the main road serving Talbot Green, is a cluster of large detached properties. This 'island' of properties is at the tip of the residential area before the land use changes in a westerly direction to predominantly industrial.

PLANNING HISTORY

The planning history of the site largely reflects elements of its former function and the following summary of the planning history represent only the most recent and relevant applications.

07/0938	Residential Development (outline application	Approved 19/06/13
04/1997	Three storey extension to an existing three storey office block	Approved 21/01/15
04/1702	Construct new stream bay	Approved 17/12/04
02/1237	Convert walled garden to parking and vehicle testing area, electrical lighting to be provided.	Approved 04/10/02
01/2229	Convert walled garden to parking and vehicle testing area, electrical lighting to be provided.	Approved 13/07/01
97/2851	Single storey building to provide new control room, offices and staff facilities.	Approved 23/01/98

PUBLICITY

The application has been advertised by means of press notice site notices and neighbour notification letters and this has generated the submission of one letter of objection raising the following points.

- There is objection to the use of the farm access road for any part of the residential development currently proposed.
- The proposal as it is ignores the farm access road sale agreement rights.
- The proposals would be impeded by the existing farm access arrangements in any event.
- There are clear and obvious dangers in any new housing sharing an access with a working farm that regularly has to move large farm vehicles and livestock.
- To use at least part of the farm access as an access to the new housing would also require the consent of the farm which is not given,.
- The proposal as it currently stands with new housing making use of the farm access ignores various other legal rights that had been previously conveyed to the farm.
- The scheme as submitted is clearly not in accordance with the requirements of condition 18 of the outline planning permission which aims to secure a private gated access for farm use only.
- The Fire Service acquired the access road to the farm in 2003 using compulsory purchase powers and has not yet returned it to the previous owners as per the Crichel Downs Rules.
- The objectors point out that the new housing would be built only metres away from an existing working farm and any future buyer should be made fully aware of this fact when purchasing so as to avoid any future complaint over any associated noise or smell.

CONSULTATION

Highways & Transportation – no objections subject to conditions.

Drainage – no objections subject to the drainage of the site being suitably conditioned.

Public Health & Protection – recommend that the noise and odour assessments be updated to ensure that the data provided remains relevant and details of the acoustic barrier and waste water holding tanks are yet to be submitted. This further information is required to enable informed comment on the submitted detail.

Natural Resources Wales – have no objection to the reserved matters application.

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

Western Power Distribution – no response received in respect of the current submission however, no objection was raised by this organisation at the outline planning application stage

Wales & West Utilities – no response received.

South Wales Fire & Rescue Service – no observations received.

Cadw – have no comment to make in respect of the current proposals.

Coal Authority – initially objected to the proposed development in the absence of the Coal Mining Risk Assessment Report (or its equivalent) not having been submitted as per the requirements of the conditions of the outline planning permission. Following the submission of an appropriate geotechnical site investigation report they have now withdrawn this objection.

GGAT – no response received.

Countryside Section – there are no SEWBREC records for the site. The bat report confirms existing bat roosts in Lanelay Hall and the boiler house all work should be undertaken in accordance with the recommendations of the bat method statement.

The original outline planning application for this site contained conditions 25 through 28 relating to various aspects and requirements in respect of bats and the information provided with this application in terms of survey work, mitigation method statement, bat box mitigation and bat survey tree assessment is considered a competent body of work

Health and Safety Executive (HSE) – have no objection to the reserved matters application.

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 CS8 – Safeguards land for the improvement of the strategic highway network including the proposed route of the Talbot Green to Ynysmaerdy Relief Road.

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 AW7 – Seeks to protect sites of archaeological or historic interest.

Policy AW8 - only permits development where it would not cause harm to features of the natural environment, special designated sites, or could reasonably be located elsewhere. The policy requires proposed developments to demonstrate what measures are proposed for the protection, management and mitigation of potential impacts on species and habitats of ecological importance.

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

Policy SSA 11 – seeks a density of 35 dwellings per hectare. However, lower density levels will be permitted subject to certain criteria.

Policy SSA 12 – 20% affordable housing will be sought on sites of 5 units or more.

Policy SSA13 – encourages development within defined settlement boundaries provided it does not adversely affect the provision of open space and car parking in the surrounding area, the land is not contaminated or subject to land stability (or is not capable of remediation) and is accessible to a range of services by transport modes other than the car.

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 5 (Conserving and Improving Natural Heritage and the Coast),
Chapter 6 (Conserving the Historic Environment),
Chapter 8 (Transport),
Chapter 9 (Housing),
Chapter 12 (Infrastructure and Services),
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 2: Planning and Affordable Housing;
PPW Technical Advice Note 5: Nature Conservation and Planning;
PPW Technical Advice Note 11: Noise;
PPW Technical Advice Note 12: Design;
PPW Technical Advice Note 15: Development and Flood Risk;
PPW Technical Advice Note 16: Sport Recreation and Open Space;
PPW Technical Advice Note 18: Transport;
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:

As a reserved matters application following the grant of outline planning permission the principle of the site being acceptable for residential development has already been established. Issues relating to planning policy can therefore only be considered in the context of the detailing of the current submission be it for or against the current proposals. Consequently the key issues in the determination of the current proposal are matters affecting planning policy inasmuch as the detailing of the current proposal relates to it, the impact of the proposals on the character and appearance of the area, the impact of the proposals on residential amenity and privacy and the impact of the proposals on access, highway and highway safety issues.

Planning Policy

The principal area of concern in policy terms relates to the density of the development and Local Development Plan Policy SSA11 which requires a density of 35 dwellings per hectare. The application does not achieve this particular requirement as the overall net density of the development delivered by this proposal stands at 31 dwellings per hectare. However, as the applicants point out, the development site faces a number of constraints all of which have the effect of reducing overall numbers on site. The site is affected by stringent highway requirements, mature and protected trees, heritage assets, sustainable drainage requirements, underground infrastructure and there is also a requirement to address local issues of noise, flood risk and health and safety considerations. As such, in this instance it is considered reasonable to accept the application as it stands and not pursue a much higher density development on the site.

Local Development Plan policy AW10 requires developers to have regard to a series of environmental protection and public health issues which have already been adequately addressed through the original outline planning permission and its associated conditions and as such there is no cause to revisit these issues here.

Impact on the character and appearance of the area

Unquestionably, the redevelopment of the site to provide a total of 87no. dwellings will impact on the character and appearance of the wider area. The two key elements identified at the outline application stage are the hall itself and the listed dwelling (converted former barn) to the north of the site. The existing wider setting of

the Lanelay Hall with playing fields to the front of the development will be lost to development. However this is managed in an appropriate manner with a layout that encourages active frontages and which also retains some setting for the hall itself, retaining green space to the front and west. To the rear of the hall the impact on the listed converted former barn and associated wall has been kept to a minimum without any further harm to the setting. The converted former barn retains its essentially private, enclosed setting. The removal of the utilitarian offices and workshops of the fire and rescue service era and their replacement with housing would undoubtedly prove a positive benefit to the area. Overall the proposals are positive creating an open and coherent development that relates well to its surroundings and improves upon established arrangements.

The development of the site will also necessitate the removal of some of the trees that occupy the garden and open areas of the site however the trees have been fully assessed by a qualified arborist and the layout designed so as the better specimen trees are retained and incorporated into the development where possible and those that are to be removed – usually the poorer specimens – will be replaced with suitable alternatives on implementation of the landscaping scheme.

The overall impact on the character and appearance of the area has been an improvement through the removal of unsympathetic additions and outbuildings and the creation of sensitive new development that makes best use of the natural assets of the site such as the trees and Lanelay Hall itself. As such, the proposal is considered to comply with the requirements of Local Development Plan Policies AW5 and AW6 that relate to this subject area.

Impact on residential amenity and privacy

The constraints inherent to the site have clearly impacted on its detailed layout as now proposed and this in turn impacts on the issues of privacy and amenity. The focal point of the proposed development remains married to the retention of Lanelay Hall and its setting however that building does not now form part of the current application. The retention of protected (TPO) trees, other landscaping and open spaces also forms a strong theme throughout the proposed layout. The constraints arising from the close proximity of the Filcare manufacturing site, and the flooding issues have affected the potential developable area in the southern half of the site. All of these factors have impacted to a substantive extent on the layout now proposed however; the submitted layout has strong active road frontages facing both external and proposed internal roads. The permeability and legibility of the site is also a positive aspect of the proposed layout. There would be a strong sense of place with easy cycle and pedestrian access linking internal and external areas. The development principles also centre on safe places to live where there would be surveillance and secure private areas. The net result would be a development that respects the residential amenity of its immediate neighbours and also delivers a high standard of amenity within itself.

The main impact relating to existing residential amenity, in terms of overlooking, loss of privacy and overbearing impact from any of the proposed houses would be from those shown in the northern section of the site. The layout detail submitted with the application shows that this part of the site could be developed without having any undue adverse impact on established neighbouring occupiers. The layout maintains a theme of no direct back to back arrangements with existing houses with building lines set with a small amount of deflection and in any event generous distance of 25m or more are maintained between existing and proposed built development. Additionally Members should also keep in mind that even though the site is currently vacant while the existing buildings remain on site they retain their existing user rights and these include buildings that were an operational centre, vehicle repair garage and MOT bays.

Access and highway safety

The Transportation Section have commented at length on the issues of access, circulation and parking provision in respect of the development proposed and have concluded as follows:–

“The proposals shown on the amended drawing and accompanying information do not fully address concerns in respect of the arrangement of private shared drives, however, these shortcomings may be overcome by suitable design and detailing of the proposals and can therefore be addressed by the appropriate planning conditions.

In accordance with the SPG Access Circulation and Parking (March 2011) a minimum of 235 parking spaces (including 17 visitor spaces) would be required with 228 spaces provided. As there is scope to accommodate an element of visitor parking on road the shortfall of 7 spaces would not be sufficient to warrant an objection. “

The above comments on matters pursuant to the provision of a construction management plan and site drainage and these issues are adequately covered in the initial outline planning consent and as this application seeks approval of reserved matters those conditions would still bite on the current submission. However the conditions specific to the highway detail included in the current submission are included in the recommendation below.

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.

Members will note that the owner of the adjoining farm has set out a series of points of objection that centre on any potential shared use of the farm access, these are exclusively private matters and these points have been addressed by the revised

layout which quite clearly shows that beyond the access into the farm from the link to Mountain Road the route will be closed to all site traffic. Whilst the farm owner has been made aware of the revised arrangement and indicated and commented on them the original comment has not been withdrawn and is reported therefore for the sake of completeness. The one exception is the comment in respect of new development taking place immediately adjacent to a working farm this though is not a planning issue but one that the developer and any prospective buyer would have to consider before making a purchase.

The original outline planning permission and associated Section 106 agreement contained a number of conditions and requirements relating to such matters as highway details, drainage, ecology, trees, archaeology and ground contamination along with a requirement to deal with noise and odour from the adjacent site and provide a green screen between the site and the adjacent factory. These matters will still be dealt with pursuant to the original outline consent and legal agreement (indeed some have already been resolved and others are already in process) and consequently there is no need to repeat these requirements under the reserved matters submission.

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:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and,
- 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

This is an application for reserved matters approval and as such there are no section 106 requirements those having been secured under the earlier grant of outline planning permission.

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

The outline permission in respect of this development (which is the day planning permission was granted) was prior to 31 December 2014, therefore is no CIL liability.

Conclusion

The application is considered to comply with the relevant policies of the Local Development Plan in respect of the residential development proposed. As this is a reserved matters application the key issues for consideration are the impact of the details of the proposal on the character of the area, residential amenity, privacy and highway safety. The proposals are acceptable in these key areas and there are no other material considerations that could lead to a contrary conclusion and as such the proposal is recommended for approval.

RECOMMENDATION: Grant

1. The consent hereby granted relates to the following plans: –
 - The planning layout drawing no. 1484-100-Rev M received 27th October 2015.
 - The street scenes drawing no. 1483-109-Rev C received 14th October 2015.
 - The materials layout drawing no. 1484-102-Rev C received 14th October 2015.
 - Access and Movement layout drawing no. 1484-106-Rev A received 9th October 2015.
 - Storey heights layout drawing no. 1484-103-Rev A received 9th October 2015.
 - Enclosure details drawing no. 1484-105-Rev A received 9th October 2015.
 - Affordable housing layout drawing no. 1484-104-Rev A received 9th October 2015.
 - Rothbury house type plan drawing no. 1484-152-Rev B received 27th October 2015.
 - Rothbury house type elevations drawing no. 1484-153-Rev B received 27th October 2015.
 - Cambridge house type plans & elevations drawing no. 1484-160-Rev B received 27th October 2015.

- Farrington house type plans & elevations drawing no. 1484-164-Rev A received 10th October 2015.
- Stratford house type drawing no's 1484-150 & 1484-151.
- Warwick house type drawing no's 1484-154 & 1484-155.
- Oakhampton house type drawing no's 1484-156 & 1484-157
- Harrogate house type drawing no's 1484-158 & 1484-159.
- Lincoln house type drawing no. 1484-161
- Heathfield house type drawing no. 1484-162,
- Helmsley house type drawing no. 1484-165.
- Finchley house type drawing no. 1484-166.
- Alston house type drawing no. 1484-167.
- Alder house type drawing no. 1484-168
- Ashford house type drawing no 1484-169.
- Garages plans & elevations drawing no. 1484-110-Rev B received 14th October 2015; and
- Garages plans & Elevations Drawing no. 1484-111-Rev B received 14th October 2015.

Reason: For the avoidance of doubt as to the approved plans.

2. Notwithstanding the submitted layout plan full engineering design and details of the new access road off the A473 Lanelay roundabout junction incorporating 3 metres wide shared use footway cycle path, shared use and pedestrian links , demarcation of highway verge, street lighting, highway drainage side road accesses, forward and junction visibility splays and vehicle restraint systems, highway structures, including longitudinal and cross sections shall be submitted to and agreed in writing with the Local Planning Authority prior to works commencing on site. The approved details shall be implemented in accordance with the approved scheme prior to the beneficial occupation of the first dwelling.

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

3. Notwithstanding the submitted plans, no building works shall commence on site until full engineering design and details of the estate road layout, traffic calming, footpath links, street lighting, surface water drainage, highway structures, including longitudinal and cross sections and a programme for implementation have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented in accordance with the approved details

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

4. Prior to commencement of works affecting the 'historic stone wall', detailed plan and elevation drawings shall be submitted to and approved in writing by the Local Planning Authority. The alterations shall be carried out entirely in accordance with the approved details.

Reason: In order to comply with policy AW7 of the Rhondda Cynon Taf Local Development Plan and the agreed objectives of the development set out in the approved DAS and to ensure consideration is given to the desirability of preserving the setting of the attached / neighbouring listed building.

5. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (as amended) (or any order revoking or re-enacting that order), no boundary treatments on plots 54 & 64 shall exceed 1m. in height.

Reason: In order to ensure that the open character of the adjacent public space is maintained and to ensure that those areas are appropriately overlooked in accordance with policies AW5 & AW6 of the Rhondda Cynon Taf Local Development Plan.

6. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (as amended) (or any order revoking or re-enacting that order), no fences, gates, walls or other means of enclosure shall be erected within the curtilage of the dwelling houses on plots 48, 49, 50 & 51 that fronts on to the private access drive that services these properties.

Reason: To preserve the open plan character of the layout in the interests of visual amenity in accordance with policies AW5 & AW6 of the Rhondda Cynon Taf Local Development Plan.

7. Prior to occupation of flats 24-29, secure cycle storage and external communal bin storage areas shall be provided for residents, the details of which shall be submitted agreed in writing with the Local Planning Authority.

Reason: In order to ensure appropriate provision and amenity for residents and in the interests of reducing car dependency in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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APPLICATION NO:	15/1208/10	(EL)
APPLICANT:	MVJ Capital Ltd.	
DEVELOPMENT:	Construction of 2 No. retail units (Class A3) with modifications to the car parking layout.	
LOCATION:	RIVERSIDE RETAIL PARK, Ffordd Tirwaun,	

CWMBACH, ABERDARE, CF44 0AH
DATE REGISTERED: 26/08/2015
ELECTORAL DIVISION: Cwmbach

RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS

REASONS:

The proposal is in keeping with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan and National Policy in that, the proposed use would be compatible with the surrounding land uses and the development would not result in an adverse impact upon either the character of the site, the amenity of neighbouring occupiers or highway safety.

APPLICATION DETAILS

Full planning permission is sought for the construction of 2 no. Class A3 (food and drink) retail units on land at Riverside Retail Park, Cwmbach. The application also seeks to make minor modifications of the car parking layout. The proposed units would be located to the south east of an existing building, which currently trades as Farm Foods (Class A1) supermarket.

The two units combined would measure 14.0 metres in width (shop frontage) and a maximum of 14.5 metres in depth. The units would have a ridge roof construction measuring 5.5 metres at their highest point, sloping to 4.2 metres at eaves level. In total, the two units would provide 191m² of floor space.

The development would utilise the existing vehicular access to the site off Ffordd Tirwaun. In order to accommodate the units, minor modifications to the existing parking layout are proposed as part of the scheme. These involve relocating the existing 3 no. disabled car parking bays and trolley bay, in addition to the provision of a cycle parking area.

Elevations would be finished in red facing brickwork, with a powder coated aluminium shop front, thereby matching the materials of the existing development.

The agent has indicated that 'Costa Coffee' are likely to occupy one of the units proposed.

SITE APPRAISAL

The application site is a parcel of land located within a retail park off Ffordd Tirwaun, Cwmbach. The site lies to the south of the Asda store and consists of a number of smaller retail units. These currently trade as Farm Foods, Halfords, Greggs,

Domino's Pizza and Barnados. The proposed units would be constructed on an area of land to the south east of the Farm Foods Store. This land currently forms part of the car park/ servicing area for the stores, this area is level and extends to approximately 205m². The site is accessed via Ffordd Tirwaun, which also serves the wider retail park and is located to the east of the application site.

PLANNING HISTORY

06/0102	Riverside Retail Park	1 No. 7.5 metre x 2.4 metre Totem Sign for 4 No Tenants signs.	Granted with Conditions 08/05/06
05/2090	Riverside Retail Park, Aberdare	New access road rear of Units and the construction of new door to the rear of Unit 2.	Granted with Conditions 13/02/06
04/0484	Riverside Retail Park, Aberdare	Proposed erection of 3 No. A1 Units & 1 No. A3 Unit.	Granted with Conditions 23/07/04
04/0363	Riverside Retail Park, Aberdare	Proposed erection of 3 no. retail units.	Withdrawn 22/03/04
03/1093	Riverside Retail Park, Aberdare	Erection of Retail Units (A1 and A3).	Granted with Conditions 09/01/04

PUBLICITY

The application was advertised by direct neighbour notifications and site notices. No representations have been received in response to the publicity.

Consultation

Highways and Transportation - no objections raised subject to a condition.

Natural Resources Wales – no objections raised.

Wales & West Utilities – no objections are raised, however it is noted that apparatus are located in the vicinity of the site and therefore may be at risk during construction works. As such, the applicant is required to contact Wales & West Utilities directly to discuss their requirements.

Public Health and Protection - no objections raised, conditions and notes suggested in relation to the installation of equipment to suppress odour and deal with disposal of fat, oil and grease.

Land Reclamation & Drainage – no objections raised, conditions recommended.

Dwr Cymru/Welsh Water – no objections raised, conditions and informative notes suggested.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

Indicates that the site is within settlement limits and within the boundary of Cynon Valley River Park.

AW2 promotes development in sustainable locations.

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

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

AW10 mitigates against proposals that would prove harmful to amenity through amongst other things, air pollution and noise pollution.

NSA12 sets out the criteria for development within and adjacent to settlement boundaries in the Northern Strategy Area.

NSA26 sets out the criteria for development within Cynon Valley River Park.

National Guidance

Planning Policy Wales Chapter 3 (Making and Enforcing Planning Decisions), Chapter 4 (Planning for Sustainability) and Chapter 7 (Economic Development), Chapter 8 (Transport) and 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 4: Retailing and Town Centres.

PPW Technical Advice Note 11: Noise.

PPW Technical Advice Note 15: Development and Flood Risk;

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

The key considerations in determining this application are the compatibility of the proposed development use within the established retail park, the impact of the development on the character and appearance of the immediate area and any potential impact upon highway safety. The impact of the change of use upon flood risk is a further consideration.

Policy – Principle of Development

As detailed above, the proposal involves the development of two new Class A3 units and associated works. The site itself currently forms part of a car parking/ servicing area for an established group of retail units, being located within settlement limits of Aberdare.

In planning policy terms, it is necessary to consider the potential impacts of allowing new retail development, outside of the established town centre. The application site lies in relatively close proximity to Aberdare, being approximately 1.3 miles south east of Aberdare town centre. Whilst it is acknowledged that policy NSA18 places Aberdare town centre at the top of the retail hierarchy for the Northern Strategy Area, having assessed the scheme, it is not considered that the development in question, would undermine its position. The units proposed are relatively small in scale, providing 191m² of Class A3 floor space, therefore, any impacts on the town centre would be minimal and overall, not harmful. Furthermore, the proposed units would be accommodated within an existing retail park and would, in part, seek to appeal to existing customers who are attending the site to visit other existing stores, rather than being a destination in their own right.

Overall, it is considered that the scheme is of an appropriate scale and in an appropriate location for a Class A3 use and is therefore, in accordance with the requirements of policies of the Local Development Plan.

Character and Appearance

The parcel of land, which forms the application site, is currently part of the car park and serving area for the existing units. The buildings would be constructed alongside the largest unit (Farm Foods) and would therefore be read as a continuation of this street scene. The ridge line of the units would be set below that of the existing building (by 2.5metres) appearing as a smaller, less prominent construction. It's general design would be uncomplicated, being a single storey building with a ridge roof construction and a modern shop frontage that would address the car parking area. External elevations would be finished in materials to

match the existing buildings, being red facing brick work and insulated metal roof tile panels (in grey).

Overall, the building would be read as part of the established retail park; and it is not considered that the resulting building would appear overly dominant or adversely impact upon the character of the street scene.

Amenity

Given that the site is located within an established commercial area, very few residential properties are located in the vicinity of the application site. It is acknowledged that the residential development of Tirfounder Fields lies to the far north west of the application site; however the application site is located over 300metres from the closest dwelling and is screened from these properties by the larger Asda Store. As such, the proposed development would not be visible to the residents of these properties and its operation would not adversely impact upon the levels of amenity and privacy, which they currently enjoy.

Highway Safety

In order to aid in the assessment of the development upon highway safety, consultation has been undertaken with the Council's Transportation Section. Their comments note that the scheme involves the use of existing access roads and footways, which provide good visibility and are acceptable for safe and satisfactory access.

Their assessment comments that the proposed development would generate a maximum of 4 off-street parking spaces and 2 additional HGV operational spaces. The proposal (with its amended car parking layout) provides a total of 65 car parking spaces, which is acceptable; however no operational HGV spaces are illustrated on the proposed layout plan. The Transportation Section have expressed some concern that there is no dedicated HGV parking area illustrated on the layout plan, however their observations do note that is space available within the site to accommodate the required parking bay.

Therefore, on the basis that there is space available to provide a HGV bay, that HGVs would be able to turn and exit the site in forward gear, and that it is likely that the majority of deliveries would take place outside of store opening hours; the proposal is considered acceptable in highway safety terms. However, a condition is suggested which requires the submission of an updated car parking layout plan, that illustrates the provision of a HGV parking bay on site.

Overall, having assessed the scheme, it is not considered that the development would adversely impact upon highway safety either within the site itself or the surrounding area.

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.

It is acknowledged that areas of Aberdare are defined as being at risk of flooding, as such consultation has been undertaken with Natural Resources Wales. Their response confirms that the application site lies entirely within Zone C2 as defined by the Development Advice Map (DAM) referred to under Technical Advice Note 15: Development and Flood Risk (TAN15) (July 2004). Their Flood Map information, which is updated on a quarterly basis, confirms the site to be within the 1% (1 in 100 year) and 0.1% (1 in 1000 year) annual probability fluvial flood outlines of the River Cynon, a designated main river.

Their response states that given the scale of the proposed development (and in the absence of a flood consequence assessment) Natural Resources Wales consider the risk could be acceptable, subject to the developer being made aware of the potential flood risks, and being advised to install flood-proofing measures as part of the development. As such, their response concludes by raising no objections to the development; however, should Members be minded to approve planning permission an informative note is recommended, which draws the applicant's attention to advice and information on the incorporation of flood resistance/resilience measures into the design and construction of the development.

Consultation has also been undertaken with the Council's Public Health and Protection Section. Their assessment raises no objections to the planning application, however conditions are recommended. The first of these requires the installation of extraction and ventilation equipment at the premises, with the second requiring details of systems to prevent waste and grease entering the foul drainage system. Should Members be minded to approve planning permission, conditions to this effect are recommended.

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

Having taken account of all of the issues outlined above, the application proposal is considered acceptable in terms of its impact upon the character and appearance of

the area, compatibility with existing uses and its potential impact upon highway safety. Therefore the proposal is recommended for approval, subject to the conditions specified below.

RECOMMENDATION: Grant

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason: To comply with Sections 91 and 93 of the Town and Country Planning Act 1990.

2. The development hereby approved shall be carried out in accordance with the approved plan(s) no(s)

- PL100
- PL101 (A)
- PL102 (A)
- PL103 (A)
- PL104 (A)
- PL105 (A)
- PL106 (A)
- PL107 (A)
-

and documents received by the Local Planning Authority on 26/08/15 and 06/10/15 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 details shown on the submitted plans, development shall not commence until details of the revised car parking layout to include 65 car parking spaces and 1 HGV parking space have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented to the satisfaction of the Local Planning Authority prior to beneficial occupation and be retained for the parking and turning of vehicles thereafter.

Reason: In the interests of highway safety, to ensure vehicles are parked off the highway.

4. Building operations shall not be commenced until samples of the construction 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.

5. Prior to the use, hereby permitted, commencing a scheme of odour/effluvia/fume control shall be submitted to and approved in writing by the Local Planning Authority. The building/premises shall thereafter only be operated in accordance with the approved scheme, 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. Prior to the use hereby permitted commencing, details of a system to prevent waste cooking oil, fats, grease and food debris entering the foul drainage system shall be submitted to and approved in writing by the Local Planning Authority. The building/ premises shall thereafter only be operated in accordance with the approved scheme, 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.

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

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

8. The development shall not be brought into 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

9. No development shall take place unless a scheme has been submitted to and approved by the Local Planning Authority, including proposed mitigation, design details and a development program with respect to:

- Protection of open and culverted sections of the existing watercourse during and after construction;

- Protection of properties downstream of the development from increased flood risk during and after construction owing to the development; and
- Protection of properties within the development from flood risk.

Reason: To ensure that the proposed development does not cause or exacerbate any adverse condition on the development site, adjoining properties and environment with respect to drainage in accordance with policy AW10 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

5 NOVEMBER 2015

REPORT OF: SERVICE DIRECTOR PLANNING

REPORT

**APPLICATIONS RECOMMENDED
FOR APPROVAL**

OFFICER TO CONTACT

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

See Relevant Application File

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