

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**MUNICIPAL YEAR 2015-2016**

**DEVELOPMENT CONTROL COMMITTEE  
17 DECEMBER 2015**

**REPORT OF: SERVICE DIRECTOR  
PLANNING**

Agenda Item No.9
------------------

<b>APPLICATION NO: 15/0795 THE DEMOLITION OF EXISTING BUILDINGS ON SITE, AND THE CONSTRUCTION OF 14 NO. AFFORDABLE RESIDENTIAL DWELLINGS (AMENDED PLANS RECEIVED 16/11/15), TY GWYN PSYCHOLOGICAL CENTRE, LAND TO THE WEST OF SEATON STREET, PONTYPRIDD</b>
---

**1. PURPOSE OF THE REPORT**

Members are asked to consider the determination of the above planning application.

**2. RECOMMENDATION**

That Members consider this report in respect of the planning application and determine the application having regard to the advice given.

**3. BACKGROUND**

This application was originally reported to the Development Control Committee on 17<sup>th</sup> September 2015 (a copy of the original report is reproduced as **APPENDIX A**). Following consideration of the report Members resolved to defer the application in order to carry out a site visit (Minute 61 refers)

A site meeting took place on the 29<sup>th</sup> September 2015 with the application subsequently reported back to Members at the meeting of the Development Control Committee on 15<sup>th</sup> October 2015.

Following consideration, Members resolved to defer determination of the application to a future meeting of the Development Control Committee to enable further consultation to take place between the Applicant/ Developer, Council Officers, local Councillors and local resident representatives. (Minute 77 refers).

A meeting of the above mentioned parties was held on 22<sup>nd</sup> October 2015 to discuss concerns with regards to the size and scale of the apartment blocks, the numbers of units proposed in association with their massing and position.

Following the meeting, amended plans were received on the 16<sup>th</sup> November 2015.

## **Amended Details**

### **The plan submitted on the 16<sup>th</sup> November indicate the following alterations:**

- Removal of one of the flats from block 1 to create a split 2 and 3 storey height development next to Frondeg, Seaton Street;
- Replacement of all projecting balconies on the apartment blocks with a Juliette design i.e. a barrier across the inward opening doors that provides no external space; and
- The provision of a third bungalow on the lower part of the site next to Barry Road.

The application initially sought consent for the development of two, three storey apartment blocks each containing 6 flats on the southern part of the site next to Seaton Street and the provision of two bungalows on the northern part of the site, to the rear of Barry Road.

The Council are also in receipt of a late consultation response from Glamorgan Gwent Archaeological Trust. Whilst the Trust does not object to the application, a condition requiring the carrying out and submission of a photographic survey of the original building is recommended. The condition is detailed below (15).

## **Publicity**

The amended plans have been the subject of public reconsultation exercise with all those who were consulted or commented on the original application.

Whilst no new written objections or representations have been received, the Planning Officer has received verbal comments confirming that residents objections with regards to the mass, size, scale and position of the development as a whole remain as previously advised.

## **Planning Considerations**

Whilst the concerns raised by residents have been taken into consideration, it is considered that the amendments proposed represent an acceptable compromise relative to the objections raised.

It is considered that the partial reduction in height and the lack on windows in the eastern (side) elevation of block one in association with the position of building in line with the principle elevation of Frondeg; the orientation of the building and plot as a whole to the west of Seaton Street; the maintenance of the existing boundary wall height and a 7m distance being maintained between the proposed building and Frondeg, would prevent a level of overshadowing, loss of light, overlooking or infringement of privacy so significant to warrant refusal of the application on such grounds.

It is also considered that the replacement of the proposed balconies with a Juliette design and maintenance of at least 20m distance between the front elevation of apartment block 1 and number 13 St Marks Villas to the north-east would again

prevent a level of overlooking or infringement of privacy significantly detrimental to the residential amenity of the dwellings in Sa Marks Villas.

Whilst the provision of a third bungalow on the lower part of the site, to the rear of Barry Road, could increase the number of vehicle movements to and from this part of the site, it is considered that the amendment proposed would not have a significantly detrimental impact on the residential amenity of those in Barry Road.

## **PLANNING OBLIGATIONS**

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

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

Should Members be minded to approve the application, it is recommended that the developer be required to enter into a Section 106 Legal Agreement to secure the dwellings as social rented units in perpetuity.

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

## **Conclusion**

In light of the above it is considered that the amended development proposed is compliant with national and local planning policy with regards to its impact on the character and appearance of the area, residential amenity and highway safety and will provide social housing in a sustainable location. The application is recommended for approval subject to the following conditions and the applicant entering into the Section 106 Legal Agreement to secure the occupancy of the residential units.

## **Conditions:**

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; 1474\_4-2 Rev K; 1474\_1-4 Rev A; 1474\_1-1 Rev F; 1474\_1-3; 1474\_1-6; 1474\_3-1 Rev B; 1474\_3-2 Rev C; and documents received by the Local Planning Authority on 10/06/2015, 30/06/15 and 24/10/2014, unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

3. Notwithstanding the details of the approved plans, development shall not commence other than site clearance and any necessary site remediation until full engineering design and details of the road layout including sections, street lighting details, surface-water drainage, retaining wall, vehicle containment, footways and improvements to the existing highways have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

4. Notwithstanding the details of the approved plans, development shall not commence other than site clearance and any necessary site remediation until a report indicating a methodology for undertaking a conditions survey of Seaton Street and the junction with the un-named lane and Barry Road affected by the proposed development shall be submitted to and approved in writing by the Local Planning Authority. The report should include: the time-scales for undertaking the surveys and method(s) of reporting the findings to the Local Planning Authority; comprehensive photographs; and potential compensation arrangements. The development shall not be brought into use until the final survey on completion of the development hereby approved and any compensation arrangements have been submitted to and approved in writing by the Local Planning Authority.

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

5. No development shall take place, including any works of site clearance, until a Demolition and 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 demolition and construction traffic;
  - haulage routes to and from the site;
  - the parking of vehicles of site operatives and visitors;
  - the management of vehicular and pedestrian traffic;
  - wheel cleansing facilities; and
  - the sheeting of lorries leaving the site.

The approved Demolition and Construction Method Statement shall be adhered to throughout the process unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of highway safety, free flow of traffic and residential amenity in compliance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

6. 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.

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

7. Notwithstanding the details of the approved plans, development shall not commence other than site clearance and any necessary site remediation until drainage arrangements have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the drainage works have been completed in accordance with the approved plans.

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. Notwithstanding the details of the approved plans, development shall not commence other than site clearance and any necessary site remediation until there has been submitted to and approved by the Local Planning Authority a comprehensive scheme of landscaping, which shall include indications of all existing trees (including spread and species) and hedgerows on the land and details of any to be retained together with measures for their protection during the course of development.

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

9. 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.

10. Notwithstanding the details of the approved plans, development shall not commence other than site clearance and any necessary site remediation until samples of all the external materials proposed to be used, including

windows 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. No development other than works of site clearance and any necessary site remediation works shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan and detailed specification of the positions, design, materials and type of boundary treatment to be altered erected, retained and repaired. The boundary treatment shall be completed before the building(s) are occupied. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the new development will be 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.

12. Notwithstanding the details of the approved plans, development shall not commence other than site clearance and any necessary site remediation until a Wildlife and Tree Protection Plan for Construction has been submitted to and approved in writing by the Local Planning Authority. The plan shall include:

- An appropriate scale plan showing 'Wildlife and Habitat Protection Zones' where construction activities are restricted;
- Details of protective measures (both physical measures and sensitive working practices) to avoid impact during construction to adjacent trees, cycle track/ footpath and other areas of ecological value;
- A timetable to show phasing of construction activities to avoid periods of the year when sensitive wildlife could be harmed (such as nesting birds season, reptiles and bats);
- Details of specific species and habitat mitigation and monitoring measures for key species (including demolition and provision of bird and bat nesting and roosting features within the fabric of new buildings);
- Details of tree protection measures;
- Details of invasive plant treatment and avoidance;
- Site lighting details;
- Persons responsible for:
  - Compliance with legal consents relating to nature conservation;
  - Compliance with planning conditions relating to nature conservation;
  - Installation of physical protection measures during construction;
  - Implementation of sensitive working practices during

- construction;
- Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction;
- Specific species and Habitat mitigation measures;
- Provision of training and information about the importance of 'Wildlife and Habitat Protection Zones' to all construction personnel on site.

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

Reason: In the interest of ecological and bio-diversity value of the site and wider area, in compliance with policy AW8 of the Rhondda Cynon Taf Local Development Plan.

13. Notwithstanding the details of the approved plans, prior to any development works taking place on the proposed bin and bicycle storage buildings, details of the building, to include external design, finish and siting, shall be submitted to and approved in writing by the Local Planning Authority. The development shall only proceed in accordance with the approved details and shall be maintained as such thereafter.

Reason: In the interests of the visual amenity of the application site, in compliance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

14. 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.

All construction HGV deliveries to and from the site shall only take place between the hours of

- 09:00 to 16:30 on weekdays; and
- 09:00 to 13:00 on Saturday only.

Reason: In the interest of highway and pedestrian safety, the free flow of traffic and the residential amenity of those living closest to the site, in compliance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

15. No site works shall be undertaken until details of an appropriate programme of building recording and analysis; including details of the specialist Surveyor appointed to do the works, has been submitted to and

approved in writing with the Local Planning Authority, in consultation with Glamorgan Gwent Archaeological Trust. The building record and photographic survey shall be submitted to Glamorgan Gwent Archaeological Trust within 6 weeks of the date of completion.

Reason: In the interests of recording the architectural and cultural significance of the building prior to demolition, in accordance with policy AW7 of the Rhondda Cynon Taf Local Development Plan.

## APPENDIX A

**APPLICATION NO:** 15/0795/10 (HL)  
**APPLICANT:** Rhondda Housing Association  
**DEVELOPMENT:** The demolition of existing buildings on site, and the construction of 14 no. affordable residential dwellings.  
**LOCATION:** TY GWYN PSYCHOLOGICAL CENTRE, LAND TO THE WEST OF SEATON STREET, PONTYPRIDD, CF37 1JA  
**DATE REGISTERED:** 30/06/2015  
**ELECTORAL DIVISION:** Rhondda

---

**RECOMMENDATION:** Approve, subject to a Section 106 Agreement

### REASONS:

The application proposes the development of affordable housing on a previously developed site within the defined settlement limits. The proposal is in keeping with policies SSA1, AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan and National Policy in that it is acceptable in terms of scale, layout, design, its impact on the residential amenity of surrounding properties and highway safety.

---

### APPLICATION DETAILS

The application seeks full planning permission for the development of 14 residential units on the site of the former Ty Gwyn Psychological Centre, to the west of Seaton Street, Pontypridd. The accommodation would be provided within two No, three storey apartment blocks, each containing six apartments and two detached bungalows.

The proposed apartment blocks would each measure 18m wide, 11.2m deep with a maximum height of 11.3m falling to 8.1m at eaves level. Each apartment would contain a kitchen-living area, one bedroom, a bathroom and internal storage.

The apartments would be positioned on the southern part of the site, to the west of Seaton Street. Apartment block one would be positioned 7m to the west of Frondeg, at the western end of Seaton Street, adjacent to the eastern boundary of the plot. The building would be positioned at least 1.2m behind the building line established by the dwellings on the southern side of Seaton Street. The building would be orientated to face north over the wider application site and the rear elevations of the properties in Barry Road.

Block two would be positioned 2m to the east of the western boundary and 18m to the west of block one. The principle elevation of the building would be east facing. The building would be of the same design as block one. The

ridge height of the apartment blocks would be 2.2m-2.85m higher than the ridge line of the properties along the southern side of Seaton Street and 2.8m higher than the ridge of the main existing building.

Externally both blocks would be finished with re-constituted stone and brick, upvc windows and doors and a concrete tiled roof. Each block would benefit from an area of communal open space around the building and a detached bin store. Parking for 12 vehicles and an on-site turning area would be provided between the two buildings with access gained from Seaton Street.

The proposed bungalows would be positioned in the northern part of the site to the south (rear) of the properties in Barry Road. Each bungalow would measure 11.2m wide, 9.5m deep with a maximum height of 6m falling to 2.4m at eaves level. Internally the accommodation would include a kitchen-diner, living room, two bedrooms and a bathroom. Externally the buildings would be finished with brick elevations, upvc windows and door and a concrete tiled roof. An area of private amenity area would be provided around the buildings. Access to the bungalows would be via Barry Road to the north, leading to a parking forecourt and turning area for four cars.

The embankment between the apartment blocks and the bungalows would be re-graded and landscaped.

The application is accompanied by:

- Design and Access Statement;
- Preliminary Ecological Appraisal;
- Bat Survey;
- Drainage Strategy report and
- Transport Statement.

## **SITE APPRAISAL**

The application site comprises a roughly square shaped parcel of land with an area of approximately 0.28 hectares located within the Rhondda ward and the settlement boundary of the principle town of Pontypridd. The site is currently occupied by the former Ty Gwyn Psychological Centre and a number of out buildings.

The site is on two levels separated by an embankment which falls from south to north. The boundaries are largely defined by stone walls with a minimum height of 2m. A public footpath and cycle path runs adjacent to the southern boundary. The northern perimeter is bound by a lane which provides rear access to Barry Road. Allotments and mature woodland border the west of the site, while to the east there is a lane providing pedestrian access between Seaton Street and Golygfa'r Eglwys.

The surrounding area is predominantly characterised by streets of traditional two storey terraced dwellings with estates of new build dwellings located to the south within Bryn Eglwys and Golygfar Eglwys. Although the dwellings in

the area are predominantly two storey in design, the rear elevations of the properties in St Marks Villas, Seaton Street and some properties along Pantygraigwen Road to the north, are three storey in height and visible from the site.

## **PLANNING HISTORY**

There is no previous planning consent for the site.

## **PUBLICITY**

The application has been advertised by direct neighbour notification letters, erection of site notices and publication of a press notice.

10 letters of objection and a petition containing 45 signatures have been received. The letters and petition are summarised below:

## **Material considerations**

Amenity:

- Increased overshadowing and loss of light;
- Concerns that the three storey height of the apartment blocks will be out of keeping with the area;
- The proximity of the apartments to Frondeg will adversely affect the amenity value of the property;
- The front facing balconies will generate increased overlooking and loss of privacy;
- Three storey buildings adjacent to the entrance to Barry Sidings will discourage use of the path;
- Request that the car parking area be provided nearer to the entrance and the buildings moved further away from existing houses;
- Request that construction be limited to the five day working week to limit noise and impact on weekends;
- Request that haulage lorries be sheeted and hosed down to restrict the amount of noise and dust.

Highways:

- Significant increase in traffic movements along Seaton Street to the detriment of highway safety;
- The proposed access to the bungalows will have a detrimental impact on the access to 15 and 16 Barry Road;
- Concerns that access to the rear of Barry Road will become obstructed;
- The roads in the area are of limited width with double parking already evident. Use of the road by heavy machinery will have a detrimental impact on the highway surface and existing on street parking;
- Insufficient level of on-site parking proposed will result in overflow onto Seaton Street which is already congested with double parking;

- Request relocation of the bungalows to provide another entrance/exit point directly from Barry Road to alleviate pressure and traffic flow along Seaton Street.

**Drainage:**

- The existing drainage in the area is inadequate leading to problems in the lane to the rear of Barry Road.

**Ecology:**

- A mature oak and other mature trees have been removed from the site to the detriment of the areas ecology.

**Non-material issues:**

- De-valuation of properties;
- Heavy machinery working on the site may have a detrimental effect on the stability of homes and existing boundary features;
- Concerns with regards to future tenants;
- Development will generate noise, dust, dirt and pollution;
- Storage of haulage lorries and industrial building equipment on the site;
- Height of the buildings will diminish views and panorama;
- Concerns regarding the consultation process and the lack of neighbour letters issued.

**CONSULTATION**

Transportation Section – no objection subject to conditions.

Public Health and Protection – no objections subject to advice regarding demolition; hours of operation; noise; dust and waste.

Ecology – no objections subject to conditions.

Landscape and Countryside – the development will have an impact on the trees to the south of the site adjacent to the Barry Sidings path. Conditions recommended.

Land Reclamation and Engineering – no objections subject to conditions.

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

Wales and West Utilities – advice provided regarding the position of apparatus.

Natural Resources Wales – raise no objections.

South Wales Police – advice provided with regard to designing out crime.

**POLICY CONTEXT**

## **Rhondda Cynon Taf Local Development Plan**

The site is located within the Rhondda ward and within the settlement boundary of the principle town of Pontypridd.

The relevant policies in the Local Development Plan are as follows:

**Policy CS2** - sets out criteria for achieving sustainable growth including, promoting and enhancing transport infrastructure services promoting residential development with a sense of place and focusing development within defined settlement boundaries.

**Policy AW1** defines the housing land supply, to be met partly by development of unallocated land in Principal Towns, Key Settlements and Smaller Settlements.

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

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

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

**Policy AW8** specifies that the Authority's natural heritage will be preserved and enhanced by protecting it from inappropriate development.

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

**Policy SSA1** outlines criteria that will be supported for development in the Principal Town

**Policy SSA11** seeks a minimum housing density of 35 dwellings per Hectare and gives criteria for accepting lower densities.

**Policy SSA12** seeks the provision of 20% affordable housing on residential development of 10 units or more.

**Policy SSA13** gives further criteria for suitable housing development within and adjacent to settlement boundaries.

The following SPG is also relevant to this proposal:

- Design and Placemaking;
- Affordable Housing;
- Access Circulation & Parking Requirements.

## **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) 8 (Transport) and 9 (Housing) set out the Welsh Government's policy on planning issues relevant to the determination of the application.

Other relevant policy guidance consulted:

- PPW Technical Advice Note 5: Nature Conservation and Planning;
- PPW Technical Advice Note 12: Design;
- PPW Technical Advice Note 18: Transport;
- Manual for Streets.

## **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.

As detailed above, the application proposes the development of 14 residential units on previously developed land, located within the defined settlement boundary of Pontypridd. As such the principle of residential development is considered acceptable. The key considerations with regards to the application have been determined as the impact on the proposal on the character and appearance on the area, the residential amenity of those living closest to the site, highway safety and ecology implications.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise.

### **Character and Appearance of the Area**

As specified above the application proposes the development of 14 residential units provided by way of a pair of three storey, detached apartment blocks each containing six, one-bedroom apartments and two detached two-bedroom bungalows. On the whole it is considered that the density of development in association with the overall design of the properties would not have a significantly detrimental impact on the overall character and appearance on the area.

The three storey height of the apartment blocks has been an area of concern for both Officers and residents throughout the processing of the application. The positioning of the site on the southern side of the valley in association with the removal of mature vegetation from the embankment would make any development on the site extremely prominent when viewed from areas to the north. Furthermore the increased ridge height of the apartment blocks relative

to the two storey height of the properties in Seaton Street would add to their visual prominence. However, being mindful of the buildings position on the valley side, the properties would always benefit from the back drop of the trees along the wider hillside and properties above to the rear (south).

Although, obviously more modern in appearance and taller than the predominant property type in the area, it is considered that the apartment blocks would not break the horizon, their siting with the back drop of valley side and properties to the south, use of stone facing on the most prominent northern and eastern elevations, and design to provide a break in the roofscape would allow the buildings to assimilate more comfortably within the overall context of the wider area.

Further to a number of site visits it has been confirmed that there are a number of three storey elevations evident within the immediate locality.

With regards to the bungalows, as indicated above, these would be developed on the lower plateau of the site. Although the internal floor height would be raised relative to the properties within Barry Road, it is considered that the properties would be largely screened from view by the existing terrace, the retention of the southern boundary wall and the maintenance of 7m distance between the buildings and the boundary. It is considered that the repair and retention of the existing boundary wall could be dealt with by an appropriately worded condition.

It is therefore considered that the development proposed would provide an appropriate and acceptable infill to replace the existing buildings and would not be so detrimental to the overall character and appearance of the area to warrant refusal of the application. The application is therefore considered compliant with the requirements of policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

### **Residential amenity**

The site is located within an established residential area with properties located to the north, east and south of the site.

Based on the plans submitted it has been determined that a minimum distance of 7m would be maintained between the side elevation of apartment block one and the western (side) elevation of the closest residential dwelling: Frondeg. While the small balcony on the northern elevation, serving the first and second floor flats would project up to the building line established by Frondeg, on the whole, the principal elevation would be positioned 1.2m behind the building line. A minimum distance of 20.6m would be maintained between the end of the proposed balconies and number 13 St Marks Villas Seaton Street to the north east. A distance of 16m is currently maintained between the front elevations of properties on either side of Seaton Street.

Although concerns have been raised regarding the use of the balconies by tenants, it is considered that the distances maintained would prevent a level of

increased overlooking or loss of privacy so detrimental to the residential amenity of those living closest to the site to warrant refusal of the application. It is also considered that the lack of windows in the eastern elevation of the block would prevent overlooking of Frondeg.

Whilst the position and orientation of apartment block one could lead to some increased overshadowing of the rear garden of Frondeg during the late afternoon. It is considered that the levels experienced would not be detrimental to the overall amenity of the property.

During the consultation process, requests have been made by the objectors to reverse the position of the apartment block one and the proposed parking. It is considered that such an alteration would create a larger visual mass of development to the detriment of the character and appearance of the area, and inhospitable living conditions for the proposed apartments as a result of insufficient light and distances being maintained between habitable room windows and blank walls etc.

With regards to the impact of the proposed apartment blocks on the use of the Barry Sidings path at the time of inspection it was noted that the level of the path is significantly raised relative to the floor level of the application. As such it is considered that the lower position of the site relative to the path and the maintenance of 3.6m distance between the proposed buildings and the boundary would prevent the proposal from having a significantly overbearing impact on the users of the pathway.

The proposed site layout indicates that a minimum distance of 18m would be maintained between the northern elevations of the proposed bungalows and the rear (southern) elevations of the dwellings in Barry Road. Whilst a secondary door serving the kitchen would be provided in the northern elevation, no windows are proposed. As such it is considered that the distances maintained in association with the lack of openings and retention of the original boundary wall of the site, would prevent the proposal from generating an increased level of overlooking, loss of privacy or increased level of overshadowing so detrimental to the residential amenity of the properties in Barry Road to warrant refusal of the application on such grounds.

The objectors have also raised concerns with regards to the hours and days of construction and the generation of noise, dust, waste and pollution by construction and haulage traffic. While the hours of construction can be controlled by an appropriately worded condition, matters relating to nuisance generated by noise, dust and waste are dealt with under separate legislation monitored and enforced by the Authority's Public Health and Protection Section.

On the basis of the above it is considered that the development is compliant with the requirements of policy AW5 of the Rhondda Cynon Taff Local Development Plan.

### **Highway Safety**

Following consultation, The Authority's Transportation Team has raised no objection to the application subject to conditions and provided the following response:

*“Based on the size of the building, it is anticipated that the extant use of the site would have generated more trips than the proposed 14 affordable units.*

*Access for the 12no. flats would be via Seaton Street. This has a carriageway width of 7.7m with 1.8m footways on either side with no turning area. The terraced nature of the houses along Seaton Street and lack of curtilage parking results in parking on both sides of the carriageway reducing the width to 3.6m which is only sufficient for single file traffic. As a result, residents could park on the footways to facilitate two-way movement and avoid damage to their vehicles. Although this would cause obstruction for pedestrians and damage the fabric of the footway.*

*Any increase in traffic movements along Seaton Street would exacerbate the current situation and potentially lead to reversing movements to the detriment of all highway users.*

*The proposal provides a turning area to cater for all calling, service and delivery vehicles entering and leaving Seaton Street in forward gear and bearing in mind that the extant use would have generated more traffic movements than the proposed 12no. one-bedroom affordable units, the proposal is considered acceptable.*

*The access of Seaton Street would serve 12 dwellings and would therefore need to be designed and constructed to an adoptable standard. There is sufficient space within the curtilage of the site to allow the improvements to be made.*

*Access for the 2no. two bedroom bungalows would be via an adopted lane off Barry Road. The access lane lacks adequate vision splays which is further exacerbated by on-street parking; substandard width for two way traffic flow; the junction radii and a lack of segregated footway between the site and the local footway network. The proposed access lane serving the site is considered to be unacceptable in terms of highway and pedestrian safety, unless improved to provide 2.0m junction radii, junction give way markings, a speed reducing feature such as rumble strip, 4.8m wide carriageway and 2m wide footway. Such improvements can be achieved within the adopted highway and therefore secured via planning conditions accordingly.*

*In accordance with the Council's SPG the development has shortfall of 12 parking spaces. However, the proposal is for affordable housing which has a lower level of car ownership and this coupled with the sustainable location of the site in terms of local amenities, public transport and employment is considered acceptable.*

*Relative to the extant use of the site, it is considered that the proposed development would not increase vehicle movements on Seaton Street and Barry Road to warrant concerns regarding highway capacity. However, there are concerns regarding highway safety and operation, which would require to be mitigated and can be secured via planning condition.”*

On the basis of the above and subject to the imposition of conditions, it is considered that the development would not have a detrimental impact on the highway safety and free flow of traffic in the area and is compliant with the requirements of policy AW5 of the Rhondda Local Plan.

## **Other Considerations**

### **Ecology**

The site was cleared of mature trees and vegetation during 2013. None of the trees were protected by a tree preservation order. The plans submitted do indicate that the development would affect the canopy of two goat willows and a number of silver birch trees alongside the Barry Siding path to the south of the site. Guidance with regard to treatment of the trees is currently being sought from the Authority's Arborist. His response will be reported orally at the Meeting.

The preliminary phase one habitat survey, submitted in support of the application, identifies that while there is potential for a number of the buildings on site to be used by bats. On the whole, the site is of low ecological value with no evidence of any species of conservation concern inhabiting or utilising the site.

The bat survey of the buildings identified a considerable level of bat activity in the vicinity, with the main centre building having the greatest potential to support roosting bats. The two other out-buildings were considered to be of moderate value. On further inspection, it was concluded that the property does not presently support roosting bats and has only limited potential to do so. Nor was the building being used by barn owls. As such, the proposed demolition works are considered unlikely to produce any negative impact upon local bat populations.

Following consultation, the Authority's Ecologist has recommended conditions and informative notes with regards to wildlife, tree protection plan for construction.

In light of the survey documents received, the application is considered compliant with policy AW8 of the Rhondda Cynon Taf Local Development Plan.

### **Drainage**

During the consultation process, an objector has identified that inadequate drainage was provided for the last properties to be built in Seaton Street,

leading to problems in the land behind Barry Road. Following consultation Dwr Cymru/Welsh Water have not advised of any capacity issues within the local network and have raised no objection to the application. The Authority's Land Reclamation and Engineering Team have also raised no objection to the application subject to the imposition of conditions relating to drainage. The application is therefore considered compliant with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

### **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 (including extensions to dwellings over 100 sqm).

The CIL charge (including indexation) for this development is expected to be £28,394.31. However, social housing relief may be claimed on the development.

### **PLANNING OBLIGATIONS**

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

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

It is proposed that all of the dwellings are of social rented tenure. The developer will be required to enter into a Section 106 Agreement to ensure that all of the properties are retained for social rented purposes in perpetuity.

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

### **RECOMMENDATION**

In summary, the proposed development is considered to comply with national and local planning policy and will provide social housing in a sustainable location. The application is recommended for approval subject to conditions.

### **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; 1474\_4-2 Rev E; 1474\_1-1 Rev C; 1474\_1-2 Rev B; 1474\_1-3; 1474\_3-1; 1474\_3-2; 1474\_3-3 and documents received by the Local Planning Authority on 10/06/2015, 30/06/15 and 24/10/2014, unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

3. Notwithstanding the details of the approved plans, development shall not commence other than site clearance and any necessary site remediation until full engineering design and details of the road layout including sections, street lighting details, surface-water drainage, retaining wall, vehicle containment, footways and improvements to the existing highways have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

4. Prior to the commencement of development, a report indicating a methodology for undertaking a conditions survey of Seaton Street and the junction with the un-named lane and Barry Road affected by the proposed development shall be submitted to and approved in writing by the Local Planning Authority. The report should include: the time-scales for undertaking the surveys and method(s) of reporting the findings to the Local Planning Authority; comprehensive photographs; and potential compensation arrangements. The development shall not be brought into use until the final survey on completion of the development hereby approved and any compensation arrangements have been submitted to and approved in writing by the Local Planning Authority.

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

5. No development shall take place, including any works of site clearance, until a Demolition and 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 demolition and construction traffic;

- haulage routes to and from the site;
- the parking of vehicles of site operatives and visitors;
- the management of vehicular and pedestrian traffic;
- wheel cleansing facilities; and
- the sheeting of lorries leaving the site.

The approved Demolition and Construction Method Statement shall be adhered to throughout the process unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of highway safety, free flow of traffic and residential amenity in compliance with policy AW5 of the Rhondda Cynon Taf Local Development Plan

6. 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.

Reasons: In the interests of highway safety, in compliance with policy AW5 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. 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.

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

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

9. 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.

10. Building operations shall not be commenced until samples of all the external material proposed to be used, including windows 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. No development other than works of site clearance and any necessary site remediation works 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 or retained and repaired. The boundary treatment shall be completed before the building(s) are occupied. Development shall be carried out in accordance with the approved details.

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

12. No development shall take place until a Wildlife and Tree Protection Plan for Construction has been submitted to and approved in writing by the Local Planning Authority. The plan shall include:

- An appropriate scale plan showing 'Wildlife and Habitat Protection Zones' where construction activities are restricted;
- Details of protective measures (both physical measures and sensitive working practices) to avoid impact during construction to adjacent trees, cycle track/ footpath and other areas of ecological value;
- A timetable to show phasing of construction activities to avoid periods of the year when sensitive wildlife could be harmed (such as nesting birds season, reptiles and bats);
- Details of specific species and habitat mitigation and monitoring measures for key species (including demolition and provision of bird and bat nesting and roosting features within the fabric of new buildings);
- Details of tree protection measures;
- Details of invasive plant treatment and avoidance;
- Site lighting details;
- Persons responsible for:
  - Compliance with legal consents relating to nature conservation;
  - Compliance with planning conditions relating to nature

- conservation;
- Installation of physical protection measures during construction;
- Implementation of sensitive working practices during construction;
- Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction;
- Specific species and Habitat mitigation measures;
- Provision of training and information about the importance of 'Wildlife and Habitat Protection Zones' to all construction personnel on site.

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

Reason: In the interest of ecological and bio-diversity value of the site and wider area, in compliance with policy AW8 of the Rhondda Cynon Taf Local Development Plan.

13. Notwithstanding the details of the approved plans, prior to any development works taking place on the proposed bin and bicycle storage buildings, details of the building, to include external design, finish and siting, shall be submitted to and approved in writing by the Local Planning Authority. The development shall only proceed in accordance with the approved details and shall be maintained as such thereafter.

Reason: In the interests of the visual amenity of the application site, in compliance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

14. 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.

All construction HGV deliveries to and from the site shall only take place between the hours of

- 09:00 to 16:30 on weekdays; and
- 09:00 to 13:00 on Saturday only.

Reason: In the interest of highway and pedestrian safety, the free flow of traffic and the residential amenity of those living closest to the site, in compliance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

**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**

**DATE**

**REPORT OF: SERVICE DIRECTOR PLANNING**

**REPORT**

**OFFICER TO CONTACT**

**APPLICATION NO: 15/0795  
THE DEMOLITION OF EXISTING  
BUILDINGS ON SITE, AND THE  
CONSTRUCTION OF 14 NO.  
AFFORDABLE RESIDENTIAL  
DWELLINGS (AMENDED PLANS  
RECEIVED 16/11/15), TY GWYN  
PSYCHOLOGICAL CENTRE, LAND  
TO THE WEST OF SEATON  
STREET, PONTYPRIDD**

**MRS H HINTON  
(Tel. No. 01443 494889)**

**See Relevant Application File**