

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2015-2016

**DEVELOPMENT CONTROL
COMMITTEE
19 MAY 2016**

**REPORT OF: SERVICE
DIRECTOR PLANNING**

Agenda Item No.4

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: 15/0112 - Outline consent for the demolition of two storey building known as Rhondda Bowl and the re-development of the site for residential development (Amended plans and additional details received 30th September and 7th October 2015), Rhondda Bowl Skittle Alley, Waunrhydd Road, Tonyrefail, Porth.
2. Application No: 15/1541 - Construction of 4 dwellings, associated access and landscaping.(Amended application - red line boundary, amendments to plot 1 and additional section provided, received 28/01/16), Craig View, Maelgwyn Terrace, Gadlys, Aberdare.
3. Application No: 15/1619 - Retrospective planning permission for the formation of a porous surfaced hardstanding for two cars, 40 Parc Gellifaelog, Tonypany.
4. Application No: 16/0082 - Construction of new science teaching block, refurbishment and re-cladding of existing teaching buildings, demolition of bridge link, removal of temporary classroom and associated external works. (Amended front boundary treatment, building elevations and inclusion of roof panels received 24/3/16), Treorchy Comprehensive School, Station Road, Treorchy.
5. Application No: 16/0084 - Proposed construction of 9 no. residential dwellings, land adjacent to No 10 Garwellt, Penywaun, Aberdare.
6. Application No: 16/0241 - Domestic garage and vehicular cross-over, 81 Dinam Park, Ton Pentre, Pentre.
7. Application No: 16/0318 - Proposed side extension and provision of rooms in roof area. Internal alterations. (revised plans received 20/4/16, with set back of new side elevation by a further 0.5m), 9 Moorland Heights, Pontypridd.

This page intentionally blank

APPLICATIONS RECOMMENDED FOR APPROVAL

APPLICATION NO: 15/0112/13 (JAW)
APPLICANT: Genesis DCL LTD
DEVELOPMENT: Outline consent for the demolition of two storey building known as Rhondda Bowl and the re-development of the site for residential development (Amended plans and additional details received 30th September and 7th October 2015)
LOCATION: RHONDDA BOWL SKITTLE ALLEY, WAUNRHYDD ROAD, TONYREFAIL, PORTH, CF39 8EW
DATE REGISTERED: 07/10/2015
ELECTORAL DIVISION: Tonyrefail West

RECOMMENDATION: Approve

REASONS:

The demolition of the existing leisure facility and redevelopment of the site for residential purposes is compatible with the area. It is considered possible to develop the site for residential dwellings (houses and flats) without adversely impacting upon the character and appearance of the locality, the residential amenity of neighbouring occupiers, or highway safety. As such, the application is considered to comply with the relevant policies of the Local Development Plan and National Guidance.

REASON APPLICATION REPORTED TO COMMITTEE.

More than three objections have been received in respect of the application.

APPLICATION DETAILS

This application seeks outline planning permission for the demolition of the building known as Rhondda Bowl and the re-development of the site for residential development.

As an outline application with all matters reserved for future consideration the applicant has provided as required the following maximum and minimum dimensions for the dwellings and flats proposed for this development.

	Minimum	Maximum
Dwellings		
Width	4	7
Depth	8	10
Height	5.5	12
Flats		
Width	7	10
Depth	7	10
Height	5	12

Though submitted in outline the applicant by way of supporting information has provided an indicative plan which shows access and egress from the site being provided from Waunrhydd Road.

The application has been accompanied by:

- A Design and Access Statement
- Noise Assessment
- Air Quality Assessment
- Coal Mining Risk Assessment
- Survey for Bats and Nesting Birds

SITE APPRAISAL

The application site comprises a building that houses a leisure facility 'Rhondda Bowl' which is located at the southern side of the site with a car park to its frontage.

The access into the site also serves Tonyrefail Leisure Centre which is located to the west of the application site. To the east is a retaining wall and embankment that supports the A4119 by-pass. There are residential properties located opposite the existing car park of 'Rhondda Bowl' adjacent to the existing site entrance. The access road from Waunrhydd Road currently forms a two- way access for the four dwellings that front it. This access also forms part of a one way system for both Rhondda Bowl and Tonyrefail leisure centre, that is, access to these facilities is via this access with the exit being through the leisure centre car park to an exit located on the B4278 Gilfach Road.

There is a pedestrian route to the side of the site and a row of trees to the rear, beyond which there is an open area of ground.

PLANNING HISTORY

05/2330	Certificate of Lawfulness for market to be held weekly on each Tuesday	Approved 03/12/07
05/1342	Application for Certificate of Lawfulness for existing use for outdoor market on a Tuesday	Refused 09/09/05
05/1339	Proposed outdoor market (Saturdays)	Withdrawn 29/11/05

PUBLICITY

The proposed development has been advertised by means of site notices and direct neighbour notification letters. This has resulted in the submission of 6 letters of objection which are summarised as follows:

Letter from Tonyrefail and District Community Council who advise that whilst the Community Council has no objection to the planning application, concern is raised in respect of egress and safety as vehicles would be entering Waunrhydd Road whereby there are bus stops on either side of the road just a few yards from the access.

Five letters opposing the development on the following grounds:

- Loss of an existing leisure facility.
- Although proposal would make business sense it would not make economic sense as service users would be spending out of the Rhondda Cynon Taf area.
- There is a lack of facilities for residents and an increase in population would be detrimental to the local environment.
- Site is perfect for a sports club that could accommodate all sporting activities in Tonyrefail.
- Infrastructure cannot cope as it stands.
- There is a right of way for garage at 41 Waunrhydd Road.
- Layout shows an extraordinarily congested number of buildings.
- Development should not be allowed to encroach on any part of Tynybryn Park or any access pathways.
- The car park is regularly used by residents and visitors as a much needed car park as there is a lack of parking in Tonyrefail. Suggest that part of the site is compulsory purchased.
- Occupier 31 Waunrhydd Road advises that not against the proposal, however, being the closest dwelling requests that access is maintained. The occupier also claims he owns an area of land at the end of his garden that is currently used as access to the leisure centre.

CONSULTATION

Transportation Section – no objection subject to conditions and informative notes.

Land Reclamation and Engineering – no objection subject to conditions.

Public Health and Protection – no objection subject to conditions.

Natural Resources Wales – no objection subject to conditions.

Dwr Cymru/Welsh Water – no objection subject to a condition and an informative note. Also, advises that a public sewer crosses the site.

Western Power Distribution – no response received.

Wales and West Utilities – raise no objection to the proposed development.

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

Countryside Section – no objection.

Housing Strategy – site requires 20% affordable housing.

Police Authority - raise no objection.

Coal Authority – no objection.

POLICY CONTEXT

The Rhondda Cynon Taf Local Development Plan indicates that the site lies within defined settlement boundaries and is unallocated.

Policy CS2 - sets out the strategy for the southern area of the County Borough with an emphasis on sustainable growth.

Policy CS4 - identifies the housing requirement figure for the plan period.

Policy CS5 - identifies the affordable housing figure requirement over the plan period.

Policy AW1 - identifies how land will be made available to meet the housing land requirements figure.

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

Policy AW4 - indicates community infrastructure and planning obligation contributions that might be sought in respect of new development.

Policy AW5 - sets a series of criteria set around amenity and accessibility.

Policy AW6 - requires development to involve a high quality design and to make a positive contribution to place making, including landscaping.

Policy AW8 – sets out policy for the protection and enhancement of the natural environment, including that proposals should not result in harm to sites with recognised nature conservation interest.

Policy SSA4 - indicates that residential development in the key settlement of Tonyrefail will be permitted where it supports and reinforces the role of the centre as a key settlement; is of a high standard of design and integrates positively with existing development; promotes the beneficial re-use of vacant and underused floor space; supports the provision of local services and promotes accessibility by a range of sustainable modes of transport.

Policy SSA11 - identifies a housing density requirement for the southern strategy area at a minimum of 35 dwellings per hectare.

Policy SSA12 - Identifies a requirement for the provision of 20% affordable housing for the southern strategy area.

Policy SSA13 - Supports development within defined settlement boundaries.

Relevant Supplementary Planning Guidance:

- Design and Placemaking
- Affordable Housing
- Planning Obligations

- Access Circulation and Car Parking
- Development of Flats

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 (8th Edition, January 2016)

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 on planning issues relevant to the determination of the application:

Chapter 2 (Development Plans)
Chapter 4 (Planning for Sustainability)
Chapter 5 (Conserving and Improving Natural Heritage and the Coast)
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 15: Development and Flood Risk;
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.

In the case of this particular planning application there are four key areas of consideration that affect its determination and they are the planning policy position, highway safety, the impact of the proposal on residential amenity and privacy, and the impact of the proposal on the character and appearance of the area. These matters are dealt with in turn below.

Main Issues:

Principle of the proposed development

The application site lies within settlement limits and is not allocated within the Local Development Plan for any specific use. In such circumstances residential development would usually be considered acceptable subject to the proposal being able to demonstrate compliance with the planning policies that would affect the proposed development.

Residents have raised concern with regards to the lack of leisure facilities for residents, an increase in population would be detrimental to the local environment and although the proposal makes business sense it would not make economic sense as service users would be spending out of the Rhondda Cynon Taf area.

Policy AW11 of the Local Development Plan requires that the retention of employment and retail uses should be fully explored by way of marketing without success for a minimum of 12 months; however, there is no marketing requirement for leisure uses. The Design and Access Statement advises 'the owner of Rhondda Bowl has found trading difficult and despite prolonged marketing both with local and national agents no purchaser can be found. The machinery for bowling is expensive and could be used elsewhere but to simply remove it and leave the building empty would be a negative approach.'

Although the loss of the leisure facility is undesirable for the area there is no policy reason why the principle of replacing this private leisure facility with a residential use would be unacceptable.

Access and highway safety

Residents have raised concern that the Infrastructure cannot cope with the amount of traffic as existing and that the development should not be allowed to encroach on any part of Tynybryn Park or any access pathways.

The existing private access from Waunrhydd Road serves both Tonyrefail leisure centre and the bowling facility in addition to providing primary access two-way to four existing properties and secondary entry only access to several other properties which front onto Waunrhydd Road. The existing access from Waunrhydd Road is also utilised as a pedestrian route between the town centre and Tonyrefail comprehensive school and is heavily utilised by pupils at the start and end of the school day as well as at lunchtime. At present a one-way system operates directing vehicles leaving the Bowling facility and leisure centre through the leisure centre car park to an exit located on the B4278 Gilfach Road, with the access from Waunrhydd Road.

Although the application is in outline only the submitted plans indicate that the access from Waunrhydd Road would be two-way with 6m junction radii, a 6.1m wide carriageway and 1.8m wide footways on both sides of the carriageway to facilitate connectivity of pedestrian routes to the leisure centre and Tonyrefail Comprehensive School, which are considered acceptable.

The provision of facilities for pedestrians to cross the access and along the pedestrian route to the leisure centre and any changes to the existing one-way access to the leisure centre although not shown can be addressed at reserved matters stage. The proposed carriageway width, junction geometry and pedestrian provision would be suitable to accommodate traffic from the leisure centre, including coaches, service vehicles and ground maintenance vehicles. Details of any changes to the existing one way access to the Leisure Centre have not been provided however, the carriageway width, junction geometry and pedestrian provision would be suitable to accommodate traffic to and from the Leisure Centre.

Tonyrefail and District Community Council have raised concern with regards to the close proximity of bus stops either side of the access onto Waunrhydd Road. A speed survey undertaken at the proposed access to determine the 85th percentile wet weather speed of traffic indicates that traffic approaching from the west was 26.1 mph and 31.1 mph approaching from the east. On this basis Technical Advice Note 18: Transport, Annex B vision splays of 2.4m by 32m (by interpolation) would be required to the left and 2.4m by 43m to the right.

From site measurements and the junction geometry shown on submitted drawing No. 00219.PL.102A which shows the garage and boundary wall of No. 37 Waunrhydd Road set back a vision splay of 2.4m by 33m can be achieved to the left and visibility to the right at the junction based on site measurements indicates that visibility of approximately 2.4m by 120m can be achieved which is considerably in excess of the requirements.

The indicative layout of the residential units encroaches within the 5m wide easement required for the inspection and maintenance of the retaining wall adjacent to the A4119 and the indicative layout shows private shared accesses serving in excess of five units which are considered unsatisfactory. The submitted plan does not show the footways extending around the turning head to facilitate safe pedestrian access to the dwellings. However, as the proposed layout is indicative it is considered that these matters can be addressed in any reserved matters submission.

On the basis of the indicative layout there would be a short fall of four parking spaces based on minimum standards, however, the application site is located in a sustainable location close to local amenities and with good access to public transport and therefore it is considered that such a short fall in parking spaces at this location would be acceptable.

Having regard to the above the proposed development is acceptable in terms of highway safety and parking considerations and accords with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Impact on the character and appearance of the area

The indicative layout plan indicates the provision of 18 No. 2 bed flats, 3 No. 3 bed houses and 6 No. 2 bed houses.

One resident has raised concern with regards to the extraordinarily congested number of buildings on the layout plan.

It must be kept in mind that this is an outline application with all matters of detail reserved. The principle of a high density development is acceptable at this sustainable location, close to the town centre of Tonyrefail. However, there are some concerns regarding the indicative layout of the site being cramped with very little amenity space for occupiers of the dwellings and flats and the layout being dominated by car parking spaces. These are issues that can be addressed at reserved matters stage and a condition informing that the indicative layout does not form part of the consent. Also, an important consideration of any reserved matters submission will be the views from neighbouring land and public spaces. Although there is some concern with regards to the indicative submission, there is no reason why an acceptable layout cannot be provided that would not adversely impact on the character and appearance of the surrounding area.

The required scale parameters for the proposed residential units are set out in the submitted Design and Access Statement (DAS) and set out above. The minimum and maximum dimensions of the proposed flats and houses indicate a three storey flat building and up to three storey designed houses. Although there are no three storey buildings in the immediate area, subject to an appropriate design the principle of three storey buildings (12m maximum height) at this location is acceptable.

Impact on residential amenity

As an outline application there is no detail to consider and these issues are better dealt with at the design detail stage. However the applicants have prepared an illustrative layout plan which clearly illustrates that the site could be developed in a manner where the impacts of its development would be entirely acceptable in terms of the privacy and amenity of existing residential property.

Other matters

Flooding

The application site lies partially (site entrance) within zone C2 as defined by the Development Advice Map (DAM) referred to under Technical Advice Note 15: Development and Flood Risk (TAN 15) (July 2004). Flood map information confirms that the site to be partially within the 1% (1 in 100 year) and 0.1% (1 in 1000 year) annual probability fluvial flood outlines of the River Ely. The indicative layout shows that there will be no residential units within this section of the site boundary and therefore no adverse comments have been received from Natural Resources Wales.

Bats and birds

The application has been accompanied by a survey for bats and nesting birds prepared by David Clements Ecology Limited (dated June 2015). It recommends that any permission include conditions that require: an agreed contingency/precautionary measure for demolition which encounters bats; should demolition proceed outside the November to February window the submission of a bird survey immediately prior to demolition; and the development incorporates purpose made bird and bat boxes. A condition is recommended to require the development to comply with the recommendations of the survey.

Coal Mining

The application site lies within an area identified of risk from coal mining activities and accordingly a Coal Mining Risk Assessment Report has been received. The Coal Authority consider that the content and conclusions of the report are sufficient for purposes of the planning system and meet the requirements of Planning Policy Wales and has therefore raised no objection to the proposed development. An informative note is recommended for the developer to contact the Coal Authority should any unrecorded coal mining features be unexpectedly encountered during development.

Air Quality Assessment

An air quality assessment prepared by S J M Environmental dated 25th September 2015 has been received in respect of the proposed development. The Council's Public Health and Protection Section has advised that the findings of the air quality assessment advise that the operational air quality impacts on the proposed development are judged to be insignificant.

Noise Assessment

A noise assessment prepared by Acoustics and Noise Limited dated 3rd September 2015 indicates the site is at the high end of noise exposure Category 'B'. The Council's Public Health and Protection officer has advised that details of mitigation measures are required to ensure noise levels experienced by the occupiers of the properties can be reduced to a level that would meet the World Health Organisation – Guidelines for Community Noise. A condition of permission is recommended to require the submission of a report with any reserved matter application detailing the mitigation measures and to require a validation report prior to occupation of each dwelling.

Land Contamination

The Council's Contaminated Land Officer and Natural Resources Wales advise that the site borders a number of areas that historically, have been occupied by potentially contaminated land uses and also lies within 50m of the River Ely and overlies a secondary aquifer a condition is recommended to require the submission of a contaminated land report.

Concerns of residents not addressed above

The occupier of 41 Waunrhydd Road has advised they have a right of way to their garage. There is no reason to suggest that access to the garage at the rear of this property would not be maintained.

Another resident advises that the existing car park is regularly used by visitors. Therefore, suggests that part of the site be compulsory purchased as a much needed car park. Any resident/visitor parking currently taking place on this private land would be an informal agreement with its owners.

Another resident suggests that the site is perfect for a sports club. Although this suggested use for the site may be acceptable, the Council has to consider the application before them to redevelop the site for residential purposes.

The concern of the occupier of 31 Waunrhydd Road with regards to access to his property being maintained is noted. The indicative layout shows a paved access area between the proposed access road and the four dwellings that will front this road.

Section 106 Contribution/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.

In this case 20% affordable housing is required in accordance with the number of residential units in any reserved matters submission.

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

Taking all of the above into consideration it is considered that the proposed demolition of the Rhondda Bowl site and redevelopment of the site for residential purposes is acceptable in principle and accords with the relevant policies of the Rhondda Cynon Taf Local Development Plan. It is unlikely to give rise to undue harm in terms of its consequences for the character and appearance of the area, for the residential amenities of nearby properties and for highway safety, subject to

conditions. The applicant is also required to enter into a planning obligation to provide affordable housing.

RECOMMENDATION: Grant

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

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

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

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

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

2. The development hereby approved shall be carried out in accordance with the approved plan nos.

Site and location plans - Drawing No. 00219.PL.101 received 30th September 2015.

Access roads – Drawing No. 00219.PL.102A received 22nd March 2016.

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 consent hereby granted does not relate to the number and siting of dwellings on Drawing No. 00219.PL.101.

Reason: For the avoidance of doubt as to the extent of this permission.

4. Building operations shall not be commenced until samples of external 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. 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 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.

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

Reason: To prevent overloading the existing highway drainage system and potential flooding and the interests of highway safety in accordance with policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

7. The road junction access to the site from Waunrhydd Road shall be laid out as shown on submitted drawing 00219.PL102A and constructed and retained thereafter with a 2.4m by 32m vision splay to the left and 2.4m by 43m vision splay to the right.

Reason: To ensure that adequate visibility is provided, in the interests of highway safety in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

8. Notwithstanding the submitted plans, development shall not commence until full engineering design and details of the road layout to incorporate 2.0m footway, hard margin strip, footway links, 6.1m wide access road to serve the Leisure Centre and 5.5m access road and turning facility including sections; street lighting and surface water drainage and 5m wide easement to facilitate future access for inspection and maintenance of retaining wall structures and embankment abutting the A4119 details 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 accordance with policy AW5 of the Rhondda Cynon Taf Local Development plan.

9. As part of the submission the application of reserved matters a report shall be submitted to the Local Planning Authority detailing mitigation measures to ensure that the noise levels experienced by occupiers of the dwellings meet the World Health Organisation – Guidelines for Community Noise. A validation report shall be submitted prior to the beneficial occupation of each dwelling.

Reason: To ensure the noise levels experienced by future occupiers of the dwellings is acceptable in accordance with policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

10. No development shall commence 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, including the boundary treatment above the proposed retaining wall. The boundary treatment shall be completed before the building is occupied. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the new development will be visually attractive and secure in the interests of amenity and safety in accordance with policies AW5, AW6 and AW10 of the Rhondda Cynon Taf Local Development Plan.

11. 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.

12. The development shall be fully carried out in accordance with the recommendations set out in the Survey for Bats and Nesting Birds prepared by David Clements Ecology Limited (dated June 2015).

Reason: To afford protection to bats and birds in accordance with policies AW5 and AW8 of the Rhondda Cynon Taf Local Development Plan.

13. The development hereby permitted shall not begin (other than works in relation to demolition and site clearance) until a scheme to deal with contamination has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement specifically and in writing.

- a) A desk-top study carried out by a competent person to identify and evaluate all potential sources and impacts of contamination relevant to the site. The desk top study should contain a conceptual site model.
- b) A site investigation shall be carried out by a competent person to fully and effectively characterise the nature and extent of any contamination and its implications. The site investigation shall not be commenced until a desk-top study has been completed satisfying the requirements of paragraph (a) above.
- c) A written method statement for the remediation of contamination affecting the site shall be agreed in writing with the Local Planning

Authority prior to commencement and all requirements shall be implemented and completed to the satisfaction of the Local Planning Authority by a competent person. No deviation shall be made from this scheme without the express written agreement of the Local Planning Authority.

The development hereby permitted shall not be occupied and/or operated until the measures approved in the scheme have been implemented and a suitable validation report of the proposed scheme has been submitted to and approved in writing by the Local Planning Authority.

If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals then work shall cease and revised contamination proposals shall be submitted to and approved in writing by the Local Planning Authority prior to the work recommencing.

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

=====

APPLICATION NO:	15/1541/10	(EL)
APPLICANT:	Mr P McNeil	
DEVELOPMENT:	Construction of 4 dwellings, associated access and landscaping.(Amended application - red line boundary, amendments to plot 1 and additional section provided, received 28/01/16)	
LOCATION:	CRAIG VIEW, MAELGWYN TERRACE, GADLYS, ABERDARE, CF44 8AU	
DATE REGISTERED:	28/01/2016	
ELECTORAL DIVISION:	Aberdare East	

Recommendation: Approve.

Reasons:

The development of the site for residential purposes is compatible with the area and the design of the properties is acceptable in terms of scale and appearance. The impact on residential amenity and highway safety is also considered acceptable.

REASON APPLICATION REPORTED TO COMMITTEE.

This application is reported to Committee at the request of Councillor Bradwick, in order that Members may consider the visual impacts of the development and the impacts upon the residential amenity of neighbouring properties.

APPLICATION DETAILS

Full planning permission is sought for the construction of four detached dwellings on a parcel of land adjacent to Craig View, Maelgwyn Terrace, Gadlys, Aberdare. The parcel of land is irregular in shape and measures approximately 7900m².

The proposed 4 bedroom dwellings would be positioned broadly along the north – south axis of the site. Plot 1, would be a detached dwelling located at the northern extent of the site. The dwelling would have a slightly irregular footprint, with an attached garage located to the front elevation. At ground floor level it would extend to a maximum depth of 15.5 metres (including the garage) and maximum width of 17.7 metres. At first floor level the main dwelling would measure 8.7 metres in depth and 12.4 metres in width. It would have a ridge roof construction, extending to a maximum height of 9.0 metres. The design provides 4 bedrooms (including utilising the roof space above the attached garage).

The dwellings on plots 2, 3 and 4 would be the same design; that being a large 4 bedroom detached property, with detached garage. These dwelling would have a maximum depth of 10.2 metres and maximum width of 9.8 metres. Their design would incorporate a double gable feature to the front elevation and a hipped roof construction, extending to 8.0 metres at its ridge and 5.0 metres at its eaves. Elevations of the dwellings would be finished in a painted render, with slate effect tile roofs. The garages would be positioned to the side elevations and would measure 6.2 metres in depth, 3.8 metres in width and 4.0 metres to their ridge.

An existing access drive that connects with Maelgwyn Terrace to the south, serves Craig View; this would be improved and extended, to serve the proposed dwellings. The access drive would incorporate a turning area between plots 2 and 3. Parking for each of the properties would be provided within the curtilage of each of the plots.

Site Appraisal

The irregular shaped application site is situated at the north-western end of Maelgwyn Terrace and forms part of a raised plateau, shared with the adjacent dwelling known as 'Sunnyview'. The embankment surrounding the plateau contains several trees, which screen the site from existing properties. The raised plateau is believed to have been previously used as a tip. The application site consists of the existing access and parking area of 'Craig View', in addition to a vacant former allotment/small holding. Ground levels on the plateau rise approximately 8m over a 120m distance, with the northern extent of the site being the highest point of the site. As a result of the variation in levels across the plot, the site is partially below and partially above the ground levels of the adjacent dwelling 'Sunnyview' and its extensive garden. The nearest dwelling 'Sunnyview' is situated to the east of the site, the closest of the proposed dwellings to this would be plot 1. It is also noted that a dwelling is currently under construction within the curtilage of this property. The two properties of 'Craig View' and 'Sunnyview' are surrounded by residential uses to the south and a playing field to the north, north east. Running along the base of the embankment to the west of the site is public footpath No. 22 Aberdare. Approximately 150m to the west of the site is the St. John the Baptist Comprehensive School.

Planning History

15/1270	Non Material Amendment of previously approved Planning Application Ref. No. 13/0369/15 - Removal of Conditions 12, 13 & 14 - Conditions relate to Code for Sustainable Homes Compliance which is no longer a requirement.	Granted 14/10/15
13/0369	Erection of 4 no. detached dwellings (outline) - variation of condition 1 (ref: 09/1298) - extension of time by a further 3 years.	Granted with conditions 06/08/13
09/1298	Erection of 4 no. detached dwellings (outline).	Granted with conditions 05/05/10

Publicity

The application has been advertised by direct neighbour notification, site and press notices. A total of 4 letters of representation have been received (from 2 residents) which are summarised as follows:

Sunny view

- Residents at Sunny view state that they purchased the property for its privacy and tranquillity.
- The development, particularly plot 1 would impact upon the peaceful enjoyment of their home.
- They believe plot 1 would cause overlooking and overshadowing and a loss of natural light due to its close proximity.
- It is commented that although there are trees along the boundary between the two sites, many are deciduous trees, so there is little screening for part of the year and there are also gaps in the landscaping.
- Concerns are expressed that the proposed dwelling on plot 1 is larger than the illustrative plan which accompanied the outline application.
- Concern is expressed with regard to proximity of plot 1 to Sunny view and the presence of potential overlooking from velux windows (serving the bedroom above the garage).
- The provision additional screening along the boundary with Sunny view is suggested.

Afon Dar Close

- A letter written on behalf of residents of Afon Dar Close states the following:
- Concerns are expressed that the development would result in a loss of privacy to residents on Afon Dar Close. It is claimed that the development would result in overlooking to both the dwellings and their gardens.
- Concerns are also expressed that the access drive serving the dwellings would result in vehicle headlights shining into the windows of properties on Afon Dar.
- It is commented that the existing trees and landscaping along the site boundary are not evergreen and most of the trees are nearing their lifetimes. As such these offer limited screening.
- It is commented that at the time of the outline application none of the dwellings on Afon Dar were occupied, therefore, current residents could not comment on the scheme.

- The development would result in a loss of property value and affect future resale.
- It is stated the dwellings would be highly visible and intrusive; it is commented that the dwelling on the site of Sunny view is visible from various vantage points.
- It is stated that comparisons should not be drawn between the proposed development and existing properties on Afon Dar Close.
- It is stated that the site has ecological value and lies close to a Public Right of Way and this should be considered as part of the application.
- The development would result in increased traffic along Maelgwyn Terrace and at the junction of Gadlys Road and East Avenue.
- Questions are raised with regard to the 'need' for further housing in the area.
- It is stated that the development would cause construction mess, noise and general inconvenience.

Consultation

Transportation Section – no objections raised subject to conditions, which require the provision of a turning area and car parking within the curtilage of the site.

The Coal Authority – no objections raised subject to a condition requiring investigation works in relation to shallow coal workings at the site. The condition(s) would require the applicant to undertake a scheme of intrusive site investigations for the shallow coal workings, to submit a report of findings and identify and undertake any appropriate mitigation works which may be necessary.

Public Health and Protection – having reviewed the Geo-Environmental Report and accompanying information, prepared by Terra Firma (Wales) Ltd. It is commented that the matters relating to land contamination have been addressed.

Dwr Cymru/Welsh Water - no objections raised, conditions suggested.

Land Reclamation and Engineering – no objections raised, conditions relating to drainage arrangements are recommended.

Countryside, Landscape & Ecology – no objections raised.

Policy Context

Rhondda Cynon Taf Local Development Plan

Indicates that the site is within defined settlement limits.

Policy AW1 sets out the criteria for new housing proposals.

Policy AW2 promotes development in sustainable locations.

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

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

Policy AW8 provides a criteria for the protection and enhancement of the natural environment.

Policy AW10 mitigates against proposals that would prove harmful to amenity through amongst other things, contamination and land instability.

Policy NSA12 provides a criteria for development within and adjacent to settlement boundaries.

National Guidance

Planning Policy Wales Chapter 3 (Making and Enforcing Planning Decisions), Chapter 8 (Transport) and Chapter 9 (Housing), set out the Welsh Government's policy on planning issues relevant to the determination of the 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 Development

In the assessment of any application for residential development, the first consideration must be the location of the site in planning policy terms. In this case the plot is located inside the defined settlement limits and within a largely residential area of Gadlys.

Furthermore, consideration must be given to the planning history of the site. This reveals that outline planning permission was approved 2010, with the consent being subsequently renewed in 2013, for the development of the site for residential purposes. Whilst the application was approved with all matters reserved, the illustrative plan that accompanied the submissions indicated a layout that is comparable to that currently presented.

As such, in light of the above, it is considered that the principle of the development of the site for residential purposes has been established by its location and the approval of the earlier applications. However, it will still be necessary to consider the potential impacts resulting from the scheme that is currently proposed in terms of design, amenity and highway safety. These will be assessed in the following sections.

Layout and Appearance

As set out in detail above, the current scheme proposes the construction of four detached dwellings on the site. The layout illustrates the dwellings in a linear arrangement, broadly along the north-south axis of the site. Plot 1 would occupy the most elevated position. Although the application seeks full planning permission (rather than approval of reserved matters) the site layout is comparable to indicative scheme that accompanied the outline planning permission. To a degree, the topography and shape of the site dictate the design of the layout, with the need to provide an access road to serve each of the dwellings (which is positioned toward the east of the site) and the need to retain the mature trees and landscaping along the western extent of the site. Having assessed the scheme, it is considered that

this arrangement is acceptable, with each of the dwellings addressing the internal access drive and being positioned within plots that are large enough to accommodate the dwelling, whilst also providing adequate parking and amenity space.

In terms of the design of the dwellings, plots 2-4 would be of the same design. It is acknowledged that these would be substantial in terms of their scale, however it is considered that the appearance and proportions of the dwellings would be acceptable. As set out above, the area to the south of the site is predominantly residential in character, with a variety of differing housing styles being visible in the vicinity of the site. These include traditional terraced dwellings on Maelgwyn Terrace, the modern bungalow of Craig View and more modern detached dwellings on Afon Dar Close. Although the properties proposed on the site would be larger than those on Afon Dar Close, their general appearance is comparable, with the use of gable features to the front elevations.

The proposed dwelling on plot 1 would be of a different design, the agent has indicated that the applicant wishes to build and occupy this unit as their 'family home'. This dwelling would also be a large property, however its appearance differs from those on plots 2-4. The main dwelling would be a two storey construction, with single storey 'wings' being added to the front and side elevation to accommodate the garage and a large living space. Minor amendments to the design have resulted in the dwelling having a lower eave line (and the use of half dormers) to the rear elevation, in order to reduce both the height of the dwelling and its overall mass. Similarly, the use of roof space above the garage to provide a bedroom has limited the size of the main two storey element of the building. The resulting building is broadly L-shaped in plan and has been sited and orientated in order that it sits at the head of the internal access road and 'closes off' the site. The application forms indicate that the dwellings would be finished in a combination of painted render, with brickwork quoins (on plots 2-4) and slate effect tiled roofs. It is considered that this palette of materials would be appropriate.

Overall, it is considered that the layout is acceptable, being similar to that previously considered through the course of the outline planning application. Furthermore, it is not considered that the style and appearance of the proposed dwellings would be out of keeping with the varied character of the immediate area. As such, in this regard, the proposal is considered to be in accordance with the requirements local planning policy.

Highway Safety

With regard to the potential impact upon highway safety, following consultation with the Council's Transportation Section, no objections have been raised.

Vehicular access to the site is gained via an existing driveway that serves 'Craig View' bungalow. This access would be retained and extended to provide a private shared access to serve both the existing bungalow and 4 proposed dwellings. Their observations note that the layout and design of the access is in accordance with the Council's design guide and is therefore acceptable.

Whilst it is acknowledged that access to the site is gained via a network of streets that are sub-standard for various reasons, including width due to on-street car parking pressure and visibility, consideration must be given to the planning history of

the site. As set out above, the site already benefits from an outline planning permission for the construction of 4 dwellings. Therefore, no objections are raised in this regard; however in order to mitigate potential impacts upon existing residents use of the highway network during the construction phase, a condition has been suggested which limits the hours during which Heavy Goods Vehicles deliveries may be undertaken.

In terms of parking, the proposed development of 4 no. 4 bedroom dwellings would require up-to a maximum of 3 off-street spaces per dwelling taking the total to 12 spaces for the new dwellings and 2 for the existing dwelling. The proposed layout provides for 3 parking spaces per dwelling, for plots 1-4 and 2 spaces for the existing bungalow. Having assessed the scheme and given that there would be space on the proposed private shared access to accommodate occasional short term parking, the level of parking provided is considered acceptable.

Overall, it is considered that the proposal makes provision for safe and satisfactory access, circulation and parking and is therefore acceptable in highway safety terms.

Residential Amenity

Given that the site is located in an established residential area, consideration must be given to the potential impacts of the development upon neighbouring occupiers.

As access to the site would be off Maelgwyn Terrace, the development would inevitably result in increased traffic movement at the junction of the shared access and the adopted highway. However, it is not considered that the additional movements associated with 4 dwellings would significantly alter the character of this street or adversely affect the levels of amenity which residents on Maelgwyn Terrace currently enjoy.

With regard to Sunny view, this is an existing bungalow, which is located toward the east of the application site, sharing a boundary with plot 1. Following receipt of an objection from the occupiers of Sunny view, the design of plot 1 was amended slightly, with a view to reducing any potential impacts upon these residents. The main amendment relates to a reduction in the overall height (and consequentially scale) of the proposed dwelling on plot 1. By reducing the overall ridge height of the proposed dwelling and lowering the proposed ground level slightly, a reduction of 1.4 metres (in height) has been achieved. Whilst the overall height of the proposed dwelling would still be greater than the neighbouring Sunny view, a cross section that accompanies the application illustrates that amendments have reduced this to a maximum of 1.3 metres (at a proximity of 13.2 metres). Furthermore, it is considered that the orientation of the proposed dwelling further reduces the impacts, with the nearest elevation of Sunny view being the corner point of the side and rear elevation.

With regard to privacy it is noted that the residents of Sunny view have also expressed some concern in this regard. However, it is noted that the dwelling has been designed in order that windows to habitable rooms face away from the neighbouring property and the front elevation faces south. It is acknowledged that windows are located in the east side elevation, however these consist of two at ground floor level that serve a utility room and garage, neither of which are regarded as habitable rooms. Whilst two roof lights are located in the rear (eastern) roof plane of the property, these are at a maximum height of 4.5 metres and provide additional light to a bedroom. Since this room would be served primarily by dormer windows in

the opposing roof plane, it is not considered that the position of these roof lights would result in a loss of privacy to the neighbouring residents. Nevertheless, with a view to limiting any potential impacts, the applicant has updated the landscaping plan to provide additional planting along the boundary between the two properties in order to screen the development.

Following the advertisement of the application, it is noted that representations have also been received from a resident on Afon Dar Close. It is acknowledged that the application site is elevated above the dwellings to the south on Afon Dar Close; however, the siting and orientation of the proposed dwellings aims to limit any impacts upon the occupiers of these dwellings. As Afon Dar Close is located to the south of the application site, the proposed dwelling on plot 4 would sit closest to the existing properties. However, the orientation of the proposed dwellings means that plot 4 would be aligned broadly in a south-west – north-east orientation; as such the rear elevations of the proposed dwelling would be off-set from those of existing properties on Afon Dar. This alignment and orientation would reduce any potential for overlooking. Furthermore, the scheme has been designed with a view to retaining the majority of the landscaping and mature trees that currently define the western boundary of the site. The retention of this landscaped buffer would further limit any potential loss of privacy to neighbours.

Similarly, whilst it is noted that the two storey dwellings would occupy an elevated position, it is not considered that the proposal would result in an overbearing form of development. This is due to the orientation of the proposed units, in combination with the fact that separation distances of a minimum of 35.0 metres would be achieved between the existing and proposed dwellings.

Finally, it is also acknowledged that the application site is elevated above Afon Dar Close and that as a result of this, from certain vantage points (on Afon Dar Close) the existing bungalow of Craig View is partly visible. Furthermore, it is noted that the proposed dwellings, being two storey constructions would be larger than Craig View and as a consequence would also be visible from certain vantage points. However, having assessed the scheme, it is not considered that the visual impacts upon the wider setting of the area would be so great as to warrant the refusal of the application, particularly, since, as mentioned above, the landscaping scheme would lessen these impacts.

Landscaping and Ecology

As mentioned above, there are a number of mature trees on the site in question, as such the application is accompanied by a tree report and landscaping plans that illustrate a strategy for planting and landscaping the development. The scheme essentially aims to retain the majority of the mature trees and landscaping that define the perimeter of the site, in particular along the east and western site boundaries. Whilst some trees will be lost, in order to accommodate the new access drive; overall, it is considered that those that will be retained will enhance the appearance of the scheme, whilst providing a degree of screening for neighbouring properties. The report which accompanies the application also sets out a number of recommendations to limit impacts upon those trees that are to be retained; these include the provision of root protection zones.

In addition to the above, an update to the report also recommends the introduction of additional planting (4 no. silver birch trees) along the eastern boundary between plot

1 and the existing dwelling 'Sunny View'. In addition to adding visual interest to the scheme, this would provide an appropriate degree of screening between the two dwellings.

In terms of ecology, it is considered that those trees that are to be removed as part of the scheme have a low potential as bat roosts; as such a full ecological survey would not be necessary in this case. Nevertheless, the report which accompanies the application recommends that an ecological risk assessment be undertaken before any tree works begin on site. As such, a condition is suggested that requires the development be undertaken in accordance with the requirements and recommendations of the tree survey and accompanying reports. Similarly, as areas of bramble and grass, that have nesting bird potential, are being cleared as part of the scheme, a condition requiring an assessment of nesting bird potential, prior to commencement of development is also recommended.

Overall, having assessed the scheme, no objections have been raised by the Council's Countryside Section and it is considered that the proposed landscaping scheme associated with the development is acceptable.

Community Infrastructure Levy (CIL) Liability

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

The application is for development of a kind that is liable for a charge under the CIL Regulations 2010 as amended however, the application lies within Zone 1 of Rhondda Cynon Taf's Residential Charging Zones, where a nil charge is applicable 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, upon residential amenity and its potential impact upon highway safety. Therefore the proposal is recommended for approval, subject to the conditions specified.

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)
 - Drawing no. 07/2015/PL/001A proposed site & location plan
 - Drawing no. 07/2015/PL/002A propose site section
 - Drawing no. 07/2015/PL/003A proposed plans & elevations plot 1
 - Drawing no. 07/2015/PL/004 proposed plans & elevations plots 2.3 & 4
 - Project ref. No.15.116 drawing no.100 Rev D External works

general arrangement

- Project ref. No.15.116 drawing no.110 Rev B Longitudinal sections
- Project ref. No.15.116 drawing no.150 Rev B Drainage general arrangement
- Project ref. PMN/GV/01 Drawing no.GRAIG 001 Topographical Survey
- Project ref. PMN/GV/01 Drawing no.GRAIG 002 Topographical Survey
- Tree Protection Plan November 2015
- Arboricultural Impact Assessment November 2015

and documents received by the Local Planning Authority on 01/12/15 28/01/16 29/03/16 31/03/16, 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 development is brought into use the means of access, together with the parking facilities, passing bays and turning facilities, shall be laid out and constructed in accordance with the submitted plan 100 'D' and approved by the Local Planning Authority. The approved details shall be implemented prior to beneficial occupation of the first dwelling.

Reason: In the interests of highway safety.

4. Prior to the commencement of development, details of traffic management and wheel washing facilities shall be provided on site in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and maintained throughout the construction period unless otherwise agreed in writing by the Local Planning Authority.

Reason: in the interests of highway and pedestrian safety and to ensure that mud and debris are not deposited onto the public highway.

5. Heavy Goods Vehicles used as part of the development shall be restricted to 09:00am to 16:30pm weekdays, 09:00am to 13:00pm Saturdays with no deliveries on Sundays and Bank Holidays unless otherwise agreed in writing with the Local Planning Authority.

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

6. Surface water run-off from the proposed development shall not discharge onto the public highway or connect to any highway drainage system, unless otherwise agreed in writing with the Local Planning Authority.

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

7. The development shall be undertaken in accordance with the findings and recommendations of the Geo-Technical and Geo-Environmental Report

dated September 2014 Job no: 12776 by Terra Firma (Wales) Limited.

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

8. No dwelling, hereby permitted, shall not be occupied until the measures approved in the report (referred to in Condition 7) have been implemented and a suitable validation report of the proposed scheme has been submitted to and approved in writing by the Local Planning Authority.

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

9. If during development works any contamination is encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals then work shall cease and revised contamination proposals shall be submitted to the Local Planning Authority. The development shall not re-commence until the additional proposals have been agreed in writing by the Local Planning Authority.

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

10. Prior to commencement of development, in accordance with the requirements of Section 7 of the Geo-Technical and Geo-environmental Report dated September 2014 Job no: 12776 by Terra Firma (Wales) Limited, a report of the findings of the rotary probe holes shall be submitted to and approved in writing by the Local Planning Authority. This report should also detail any remedial works, which may be necessary as a result of the findings. Thereafter, the development shall be completed in accordance with the approved report.

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.

11. No development shall take place until a Wildlife Protection Plan for Construction has been submitted to and approved in writing by the Local Planning Authority. The plan shall include:
 - a. An appropriate scale plan showing 'Wildlife Protection Zones' where construction activities are restricted and where protective measures will be installed or implemented;
 - b. Details of protective measures (both physical measures and sensitive working practices) to avoid impacts during construction;
 - c. A timetable to show phasing of construction activities to avoid periods of the year when sensitive wildlife could be harmed (such as nesting bird season).
 - d. Persons responsible for:

- i) Compliance with legal consents relating to nature conservation;
- ii) Compliance with planning conditions relating to nature conservation;
- iii) Installation of physical protection measures during construction;
- iv) Implementation of sensitive working practices during construction;
- v) Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction;
- vi) Provision of training and information about the importance of the 'Wildlife Protection Zones' to all construction personnel on site.

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

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

12. All tree works shall be undertaken in accordance with the Arboricultural Report BS5837: 2012 'Trees in Relation to design, demolition and construction – recommendations' dated November 4th 2015 and accompanying plans: Arboricultural Impact Assessment and Tree Protection Plan dated November 2015.

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

13. Prior to commencement of development a plan illustrating the full extent of the tree protection zones, which identifies how trees to be retained on the site, will be protected during the period of construction shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

Reason: To ensure that the proposal minimises damage to trees on the site which contribute to the visual amenity of the area, in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

14. Landscaping of the development shall be undertaken in accordance with the details set out within the report 'Outline soft landscaping, planting and maintenance schedule' dated November 16th 2015.

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.

15. In accordance with the letter from Cardiff Treescapes – Arboricultural Consultants and accompanying plans dated 24th March 2016, additional planting/landscaping shall be provided along the eastern site boundary between plot 1 and the neighbouring dwelling Sunny View.

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.

16. All planting, seeding or turfing in the approved details of landscaping shall be carried out in the first planting and seeding season following the 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.

17. 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.

18. 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.

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

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

20. Building operations shall not be commenced until samples of the external 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.

=====

APPLICATION NO: 15/1619/10 (KL)
APPLICANT: Mr M W Jenkins
DEVELOPMENT: Retrospective planning permission for the formation of a porous surfaced hardstanding for two cars.
LOCATION: 40 PARC GELLIFAELOG, TONYPANDY, CF40 1DU
DATE REGISTERED: 17/12/2015
ELECTORAL DIVISION: Tonypandy

RECOMMENDATION: Approve

REASONS:

Although three objections have been received, the application is considered to be acceptable in respect of the impact it has on the overall visual appearance of the surrounding area, the impact it has upon the amenity and privacy of neighbouring residential properties and the impact it has on highway safety.

REASON APPLICATION REPORTED TO COMMITTEE

Three letters of objection have been received.

APPLICATION DETAILS

Retrospective planning permission is sought for the construction of a hardstand on land opposite no. 40 Parc Gellifaelog, Tonypandy, that is within the applicant's ownership.

The hardstand is accessed via a private shared driveway which serves no's 39-42 Parc Gellifaelog. It measures 5.6 metres in width by 5.9 metres in length and follows the level of the turning head which lies immediately adjacent. It has been constructed using a porous hardcore, however, further works are required to complete the proposed works, as detailed below.

A low-level wall would also be constructed around the perimeter of the hardstand (north-west, south-west and south-eastern sides). It would measure a maximum of 0.6 metres in height from ground level and would be constructed using facing brickwork to match the properties opposite.

The surrounding banking, which has already been excavated in order to facilitate the proposed works, would be backfilled with hardcore to the height of the proposed wall and then re-graded back towards the remaining banking. This would be finished with topsoil and turf.

The application is accompanied by the following:

- Design and Access Statement.
- A letter from the applicant which clarifies the extent of the works required to complete the development and which confirms the intention to retain the Oak tree at the site.

It should be noted that the application represents the resubmission of a previous application for a domestic double garage (planning reference: 15/1263). The application was withdrawn by the applicant as it was found that a legal covenant on the wider landscaped area would prevent any building from being constructed on the land opposite no's 39-42 Parc Gellifaelog. The proposal has subsequently been amended to take account of the details set out in the covenant.

SITE APPRAISAL

The application site is located within a modern residential estate off the A4119 in Tonypany. It is accessed via a private shared driveway (serving no's 39-42 Parc Gellifaelog) off the main distributor road through the estate. The site forms part of a wider landscaped area opposite no's 39-42 and whilst it appears to form a single plot of land, it is understood that it has been split up and sold off by Barratt Homes to the occupants of the respective properties opposite.

Ground levels at the site slope upwards from the private shared driveway to the side boundary of no. 1 Cwrt Gellifaelog to the south and open mountainside to the west. There are a number of trees on and in close proximity to the application site and it should be noted that the Oak tree within the application site has recently been protected by a Tree Preservation Order.

The section of the land owned by the applicant (the occupant of no. 40 Parc Gellifaelog) has recently undergone works to remove part of the banking in order to facilitate the proposed development. The hardcore base for the hardstand has already been laid, however, it is evident that further works are required to complete to the proposal.

The surrounding area is characterised by modern residential properties with off-road car parking being provided in integral garages and driveways to the principal elevations. The nearest neighbouring properties to the proposed development include no's 39-42 Parc Gellifaelog which are located at least 11 metre to the north and north-east and no. 1 Cwrt Gellifaelog which is located approximately 22 metres to the south.

PLANNING HISTORY

15/1263	40 Parc Gellifaelog, Tonypany	Domestic Double Garage	Withdrawn 17/12/15
04/1595	Gellifaelog Farm, Tonypany	Proposed residential development comprising 104 dwellings and associated access road.	Grant 23/09/05

PUBLICITY

The application has been advertised by means of direct neighbour notification and site notices. Three letters of objection have been received from the occupants of nearby properties and these are summarised as follows:

- There is concern with regard to the impact the development would have on the environment, the aesthetics of the street and the fact that no one in the street wants the development to go ahead.

- The land has already been dug up and there is concern that damage has almost certainly been done to the roots of the trees on the plot and the land.
- There is a covenant on this land stating that it is to be kept as garden land only.
- The site has been a complete eyesore outside our property for five months and I would like the land to be put back as it was originally and as stated in the restricted covenant.
- The development will spoil the landscape and remaining wildlife.
- There should be a Tree Preservation Order on the tree, as advised by Barratt Homes, and again this is also part of the covenant stating that no trees or shrubs shall be removed.
- Part of the original planning permission stated that this land was public open space.
- The development will not only disrupt traffic but will also cause noise and nuisance, having an adverse impact on all neighbouring households.
- The traffic to the site is already a major issue with the bus route and speeding traffic to the school.
- The proposed plan will affect the remaining culvert which was previously an issue with flooding.
- A section of my land has subsided into the hole that has been dug out and the level must be put back to the original boundary line before any other works are carried out.
- If the application is approved, I would like this done swiftly as the site has been an eyesore for five months.

CONSULTATION

Countryside and Ecology – no objection.

Highways and Transportation – no objection.

Structural Engineer – no objection.

TPO Officer – A Tree Preservation Order has been made and will shortly be confirmed for the Oak tree at the application site. There is no objection to the hard standing or low-level wall, although no further excavation should take place in the direction of the tree. Any future work to the tree will be the subject of a TPO application.

Dwr Cymru/Welsh Water – no objection.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies inside the settlement boundary for Tonypany and is not allocated for any specific purpose.

Policy CS1 – sets out the criteria for development in the Northern Strategy Area.

Policy AW2 – states that development on non-allocated sites will only be supported in sustainable locations, which includes sites that are within the defined settlement boundary.

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 NSA12 – identifies the criteria for assessment of development proposals within and adjacent to settlement boundaries.

Supplementary Planning Guidance:

Design and Placemaking

A Design Guide for Householder Development
Access, Circulation and 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) and Chapter 8 (Transport) 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 10: Tree Preservation Orders

PPW Technical Advice Note 12: Design

PPW Technical Advice Note 18: Transport.

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

Principle of the proposed development

The application relates to the construction of a hardstand within the defined settlement boundary for Tonypanydy. The hardstand would be sited within a residential area and would be used for domestic purposes in association with no. 40 Parc Gellifaelog. It would provide two additional off-road car parking spaces for the property and the proposal is therefore considered to be compatible with surrounding land uses.

As such, the principle of the proposed development is considered to be acceptable subject to an assessment of its potential impact upon the character and appearance of the surrounding area, the amenity and privacy of the neighbouring properties and highway safety.

Impact on the character and appearance of the area

The proposed hardstand would be sited within a small cul-de-sac of 4 properties and would not be particularly visible from the wider surrounding area. It would be of a limited scale with a low-level wall of 0.6 metres being constructed around the perimeter. The wall would be constructed using facing brickwork which would match the existing properties opposite the site and the proposed re-grading works to the banking would be covered with turf to blend in with the surrounding landscape.

Whilst it is acknowledged that there are no other examples of hardstands in the immediate vicinity, the scale, design and overall visual appearance of the works would be in-keeping with the surrounding area and it is therefore not considered that the development would have an adverse impact on the character and appearance of the wider area.

Impact on residential amenity and privacy

The proposed hardstand would be sited on land opposite no's 39-42 Parc Gellifaelog with ground levels between the hardstand and the fronts of these properties being comparatively level. The proposed wall would measure 0.6 metres in height from ground level and it is therefore not considered that the development would result in any overbearing or overshadowing impact to the principal elevations of surrounding properties.

The proposed hardstand would provide additional off-road car parking for the occupants of no. 40 and, given the nature of the development, it is unlikely that it would result in significant levels of overlooking on surrounding properties.

Whilst it is acknowledged that concern has been raised with regards to the potential for noise and nuisance, the hardstand would provide parking for two additional vehicles at the site. As such, it is not considered that there would be a significant increase in the number of cars using the cul-de-sac and the proposal would therefore not result in an increased level of noise and nuisance to surrounding residents. Whilst it can be appreciated that there may be some disruption from the completion of the hardstand, this would be a short term impact and would not adversely affect the residential amenity of surrounding properties.

Consequently, the proposed hardstand is not considered to have a significant impact on the residential amenity and privacy of the nearest neighbouring properties.

Impact on highway safety

A number of concerns have been raised by local residents in respect of the potential impact of the development on highway safety, with particular reference to the bus route through the wider development. Whilst these comments are appreciated, the hardstand would be sited within a small cul-de-sac with a distance of approximately 23 metres from the main carriageway of Parc Gellifaelog. The hardstand would therefore have no impact on the wider transportation network of Parc Gellifaelog and

would not impact on the bus route to the nearby Tonypany Community College. It should also be noted that no objection has been raised from the Council's Highways and Transportation Section.

Other:

Tree Preservation Orders

It is noted that there are a number of trees in close proximity to the application site, with one Oak tree being sited immediately adjacent to the proposed works. The objectors raise concern with regard to the damage already inflicted on that tree as a result of the excavation works which have already been carried out, however, there was no clear evidence of any damage to the roots at the time of the officer's site visit. In addition to this, the applicant has confirmed that no further excavation works are required to complete the works and that it was always intended to retain tree.

Notwithstanding this, the tree has become the subject of a Tree Preservation Order and is now protected from any further works to the site. The excavation works were carried out prior to the TPO being placed on the tree and, given that the tree would have been inspected after these works were carried out, it is not considered that any further inspection is required by another tree specialist.

As such, the tree is considered to be of good quality and it is not considered that the excavation works have had a detrimental impact on the overall health of the tree. It should also be noted that the Council's Tree Preservation Officer raises no objection to the proposed works provided that no further excavation takes place in the direction of the tree.

Flooding

Concern has been raised with regard to the effects the development would have on the remaining culvert which was previously an issue in terms of flooding. It should be noted that the culvert is sited some distance away from the application site and, given the small scale of the development, it is not considered that it would have a significant impact in terms of flooding. In addition to this, the hardstand incorporates a porous hardcore base which would limit the possibility of flooding in the area.

Ecology

It is noted that a number of objections raise concern with regard to the impact the proposal would have on the surrounding wildlife, however, no objection has been raised by the Council's Ecologist. Whilst concern was initially raised over the wildlife inhabiting the Oak tree at the site, this tree has been protected by a Tree Preservation Order and it is not considered that the wildlife would be under imminent threat as a result of the proposal.

Legal Covenant

It is acknowledged that a number of residents have raised concern that the land is the subject of a legal covenant in which it is stated that there is to be no development on the site and that no trees or shrubbery should be removed. This issue is strictly a legal matter and not a material planning consideration and it is suggested that local residents seek legal advice in this instance. Whilst the applicant believes that the

proposal has been amended to take account of the details in the covenant, this is not an issue to be considered in the planning process.

S106

One objector believes that part of the original planning permission (04/1595) stated that this land was for public open space. However, this was not included in the S106 Agreement associated with the permission. Agreement No. 64 refers to a Highways contribution, a play area contribution and a play area maintenance contribution only. As such, there is no material planning reason for the refusal of the application in this regard.

Other Issues Arising from Objections

It is noted that one objector raises concern that the development has resulted in some of his land subsiding into the hole that has been dug out. Whilst this issue can be appreciated, it is a private issue that should be resolved between the two parties.

It has also been suggested that the site has been an eyesore for a number of months and that if permission is granted then it is requested that the remainder of the works be carried out swiftly to rectify the situation. If Members are minded to approve the application, it is recommended that a condition be added to the consent to ensure that the remainder of the works are completed within a reasonable time frame.

Community Infrastructure Levy Liability

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

The application is for development of a kind that is not CIL liable under the CIL Regulations 2010 (as amended).

Conclusion

It is not considered the proposal would have a significant impact on the character and appearance of the locality or upon the residential amenity of the surrounding neighbouring properties. As such, the application is considered to comply with the relevant policies of the Local Development Plan.

RECOMMENDATION: Grant

1. The development hereby approved shall be carried out in accordance with the approved plans and documents received by the Local Planning Authority on 17th December 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.

2. The low-level wall and resulting re-grading and finishing of the surrounding banking hereby permitted shall be completed within three months of the

date of this permission.

Reason: In the interests of the overall visual amenity of the surrounding area and to safeguard the privacy of surrounding properties in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

=====

APPLICATION NO: 16/0082/08 (SF)
APPLICANT: Rhondda Cynon Taf County Borough Council
DEVELOPMENT: Construction of new science teaching block, refurbishment and re-cladding of existing teaching buildings, demolition of bridge link, removal of temporary classroom and associated external works. (Amended front boundary treatment, building elevations and inclusion of roof panels received 24/3/16)
LOCATION: TREORCHY COMPREHENSIVE SCHOOL, STATION ROAD, TREORCHY, CF42 6UL
DATE REGISTERED: 28/01/2016
ELECTORAL DIVISION: Treorchy

RECOMMENDATION: Approve subject to conditions.

REASONS: The principle of redeveloping Treorchy Comprehensive School as a sixth form centre of excellence has been previously agreed by Council Members as part of the 21st Century School's Programme. The redevelopment of the site has been designed in order to accommodate existing sixth form provision at Ferndale Community School, Porth County Community School and Tonypany Community College.

The existing school site is located within the settlement boundary, where the development proposals are considered to constitute sustainable development and the design of the proposed new build and refurbishment proposals are considered to be appropriate in the context of the existing school campus. The additional accommodation provided will result in an increase in pupil numbers at the site however, it is not considered that this increase will have an adverse impact on surrounding properties or highway safety.

Whilst local residents have raised some concerns relating to the proposed highway improvements required in connection with the proposed redevelopment of the site, these works can be undertaken by the Highways Authority independently from any planning approval and will shortly be the subject of a separate public consultation process.

REASON APPLICATION REPORTED TO COMMITTEE

The application has been submitted on behalf of the Council and involves land owned by the Council, where its interest is of more than a minor nature.

APPLICATION DETAILS

Background to the Application

In September 2015, a series of proposals were agreed by Council Members in order to facilitate the re-organisation of education provision within the Rhondda Valley, as part of the 21st Century School's Programme. These proposals include:

- The creation of two sixth form centres of excellence, based in Treorchy and Tonyrefail;
- The creation of two new 3-16 schools in Porth and Tonypandy and one 3-19 school in Tonyrefail;
- An increase in the number of Welsh medium primary places in Porth and Tonyrefail and an improvement for primary aged pupils with additional learning needs.

To achieve these objectives, the Council, in partnership with the Welsh Government has agreed an investment of £75M in order to provide new, refurbished and remodelled school buildings and facilities.

The current application to improve the facilities at Treorchy Comprehensive School which includes the provision of a new science block, refurbishment of the main school buildings and external improvements to car parking and have been designed in order to accommodate existing sixth form provision at Ferndale Community School, Porth County Community School and Tonypandy Community College, the catchment areas for which are being changed..

Members will be aware that a planning application for Tonyrefail Comprehensive School involving the provision of new and refurbished school buildings and associated facilities and also seeking outline permission for a new primary school (16/0062) and an associated application for listed building consent (16/0119) has already been considered at the 21st April 2016 meeting of this Committee, where a resolution to approve the applications was made.

Further planning applications for the provision of a new 3-16 middle school and associated works at both Porth County Community School (16/0299) and Tonypandy Community College (16/0304) are currently under consideration and will be reported to this Committee in due course.

Proposed Development at Treorchy Comprehensive School

The existing Treorchy Comprehensive School comprises 9 school buildings built during the 1960's and 6 ancillary buildings built after the initial school opening. There are currently 127 established staff and visitor car parking spaces that are located centrally within the site outside block 3B and to the north-west of block 11.

The school is currently an 11-19 comprehensive school and the expansion of facilities within the existing school campus will enable an additional 200 additional sixth form places to be accommodated, creating a new total capacity of 1882 places (1382 pupil spaces and 500 sixth form places). There are currently 108 teaching staff and 87 ancillary staff with no significant increase planned as a result of the redevelopment. The science teaching facilities were identified as being most in need

of renewal and the provision of a new science block has enabled the existing block (block 3A) and the main school building to be to be refurbished (block 3B).

Full planning permission is therefore sought for a number of changes to the existing school campus which consist of a combination of new and refurbished facilities including:

- New science block (four floors) located centrally within the site adjoining existing block 11. This would include 10 laboratories with preparation rooms, 2 general classrooms, a lecture theatre, staff workrooms, offices and W.C's, with a plant room and sprinkler tank on the lower ground floor level.
- Refurbishment of existing science block located adjacent to the south-western boundary (block 3A) in order to provide 9 general classrooms at second floor level, 2 music classrooms and several music practice rooms and a recording room at first floor level, with the existing plant room and fitness suite retained on the ground floor.
- Demolition of the bridge link which currently links existing buildings blocks 3A and 3B, to improve vehicular access into the site in the long term.
- Refurbishment of the main school building resulting from the demolition of the bridge link which will enable the frontage of the main school building to be improved.
- New sprinkler tank and enclosure which is proposed to be located adjacent to the garage and bin storage area. This is required in association with the new science building.
- Removal of two temporary classrooms used as a general classroom and music classroom (blocks 7 and 15), located towards the northern end of the application site.
- New car park accommodated on approximately half of the existing hard court area accessed via a new vehicular road which connects to the main access road which is widened at the front of the site. Cycle parking spaces (35) introduced beside the entrance grass embankment.
- New hard court area (from remainder of existing hard play area) to provide 3 new courts which will be surrounded by a ball catch fence (approximately 6m in height) to protect the adjacent new car park and sports hall.
- New external lighting including, flood lights to the new hard court area, as well as street lights to the unnamed road and new access road into the school campus to serve the new car park facility.
- Improvements to front boundary of school campus including new weld mesh fencing and other boundary treatments that are Secure by Design compliant.

In addition to a comprehensive set of plans, the application is accompanied by the following:

- Design and Access Statement (DAS) (Boyes Rees Architects – January 2016).
- Transport Statement (Opus - January 2016).
- Travel Plan (Opus - December 2015).
- Road Safety Audit and Designer's Response (Opus - 16/12/15 & 21/12/15).
- Ecology Impact Assessment Report (Opus International - January 2016).
- Drainage Assessment and Strategy (Opus – December 2015).
- Flood Risk Assessment (Opus - December 2016).
- Interpretive Geo-Environmental Investigation Report (Opus – December 2015).

During the course of considering the application, amended plans have been received by the applicants which include various alterations to the scheme including, an amended front boundary treatment to substitute the brick wall for fencing (following Secure by Design advice), minor changes to the elevations of the new science block and block 3A and the inclusion of photovoltaic panels on the roof of the new science block. Further consultation with properties potentially affected by these changes has therefore been undertaken.

Associated Highway Improvement Works

The application is also accompanied by a set of drawings which detail the highway improvement works that are intended to be pursued in connection with the redevelopment of the school which include:

- Unnamed road - widening of existing 1 way road to 2 way and improvements to school access, bowling green vehicular and pedestrian accesses.
- Station Road - highway safety improvements.
- Station Road Lay-by - formalisation of bus parking and parent drop off / pick up.
- Abergorki Industrial Estate - formalisation of bus parking.
- Residential Roads - possible highway improvements (subject to consultation by RCT Transport).

Members are asked to note that these operational works fall within Part 13 of The Town and Country Planning (General Permitted Development) Order 1995 (as amended), which allows the Local Highways Authority to carry out works to maintain or improve the highway without requiring planning permission. It was however considered appropriate to include these details as part of the application to enable consultees and the public to see the entire scheme.

Whilst some of the letters of representation referred to later in the report make reference to the proposed highway improvements, it has been made clear to members of the public who have contacted the department that the Authority can undertake these works without the need for planning permission. These highway works will however form part of a separate consultation process by RCT Highways and it is understood that a formal process to engage with the local community, including consideration of the existing traffic flows around the school access and Conway Road and any appropriate traffic regulation orders, will be undertaken shortly.

SITE APPRAISAL

Treorchy Comprehensive School is sited within the built up area of Treorchy, approximately 0.4 miles to the west of the High Street and provides secondary education to the surrounding community. The school site is separated from the town centre by the railway line and the Rhondda River, which runs along the north-east boundary. The site is situated on the side of the valley on a plateau oriented north-west to south-east and comprises a relatively long and narrow shape, with extreme level changes (approximate 8m difference) between the south-west and north-east boundaries, which are defined by grass embankments and screened by mature trees.

The current application site is restricted to an area of 3.29 hectares, although the school occupies a larger site including an all-weather pitch. The campus contains 15 individual teaching buildings, a number of ancillary stores, a dispersed car park and two large play areas, at either end of the site. Most of the school buildings were constructed during the 1960's, with the exception of two temporary buildings which have been subsequently brought onto the site. The school car park consists of a number of areas which are distributed around the school campus around the existing building blocks. A number of hard courts are laid out to the south of the site on an area of land which is located approximately 4.5m below the main access. There is an all-weather pitch to the north which lies adjacent to the rear site entrance.

The main vehicular access to the school is directly from the unnamed road via Station Road to the east, or Conway Road to the west. From the main site entrance, there is a one-way vehicular road separated from the pedestrian footpath which ends at a roundabout in front of the main school building. A separate pedestrian access is provided to the west along an elevated footpath which runs adjacent to the vehicular access. An alternative pedestrian access is also located along the north-west boundary which provides a pedestrian link to the end of the Abergorki Industrial Estate, which serves as a bus drop off and pick up point.

To the north and south of the site are residential areas consisting of mainly two-storey terraced dwellings and to the south-east, the Pencelli Hotel, a bowling green used by the Pengelli Bowl's Club. The vehicular access to the bowling club also provides access to a Dwr Cymru Welsh Water pumping station. The area between the school site and bowling green is partly screened from the site by trees and vegetation, although a number of mature trees have already been removed from the southern boundary of the bowling green site in order to accommodate the required highway works. Further to the south are Treorchy railway station and the Ystradfechan Recreation Ground.

PLANNING HISTORY

14/0935	Certificate of Lawful Development for a new fitness/weights room.	Granted 24/09/14
14/0478	To provide a demountable classroom building, with two classrooms, two store rooms and a lobby area.	Granted 20/06/14
11/1445	Proposed new extension to the Performing Arts block.	Granted 19/01/12

07/2117	Provision of a stores building	Granted 16/01/08
06/2311	Proposed canopy shelter	Granted 12/01/07
04/345	Construct a full sized synthetic sports pitch including perimeter security fencing and artificial flood lighting.	Granted 08/10/04
02/644	Two storey four classroom block linked to block 5 & 6	Granted 18/06/02
99/6138	Proposed building to accommodate skills, performance and exhibition	Granted 18/05/99
86/944	Roof and swimming pool	Granted 05/02/87
86/369	Classroom unit	Granted 23/09/86

PUBLICITY

The application has been advertised by means of a press notice, the direct notification of neighbours and other properties surrounding the site and the display of site notices.

In response, **two letters** have been received from residents in Conway Road, which raise no objections to the redevelopment of the school **but raise various comments, mainly regarding the highway improvements** which are due to be carried out in association with the proposed development and are summarised as follows:

- Concerns expressed regarding the proposal to place double yellow lines at the corner of the unnamed road, leading down from Clifton Street and into Conway Road. Cars have been parked in this area in a safe manner for a number of years without causing a problem for vehicles or pedestrians.
- The parking in Conway Road is problematic for residents with not enough space to park and if the plans go ahead, they would need to park further up the road, causing further problems for their neighbours.
- Advises that the resident and her husband both work full-time and are not at the property during school hours. Therefore even when the school is closed during evenings, weekends and school holidays, they would be unable to park outside their house. Concerns are also expressed regarding the future saleability of the property.
- Confirms that they would not have considered buying the house had there been double yellow lines outside and it is considered that many others would share their concern.
- Queries the need for the proposed raised plateau at the road junction immediately outside of the school gates as traffic is already required to move slowly at the beginning and end of the school day due to traffic build up. At

other times, drivers approach at an appropriate speed due to the junction being outside a school.

- Queries regarding the Station Road lay-by and whether vehicles will be allowed to park along the lay-by during the day as at present, approximately 30 vehicles park along both sides of the lay-by. If parking restrictions are imposed, will these vehicles park in local streets near to the school.
- With regard to the proposed on-site school parking, questions are raised regarding whether there will be sufficient on-site parking for all staff and students within the school grounds.

As identified earlier, the highway improvement works including any proposed yellow lines and traffic calming measures will be the subject of a separate public consultation exercise.

CONSULTATION

Transportation Section – has raised **no objection** subject to the imposition of a number of conditions.

A review of the Transport Statement accompanying the application has concluded that the traffic generation would be already on the local highway network and any displacement would not be significant enough to warrant a highway objection.

The response from Highways raises further comments regarding the following issues:

- site location
- works to existing highway
- access
- visibility
- circulation
- parking
- road Safety Audit with Designer's Response
- safe routes in communities
- collision analysis
- public transport
- travel plan

In relation to the information submitted detailing the highway works necessary, it is noted that further details will be required however, it is confirmed that the proposed parking provision is in accordance with the Council's SPG. It is concluded overall, that the proposal would have an insignificant impact on highway capacity, operation and safety and provides satisfactory off-site highway improvements as well as access, circulation and parking for pedestrians and vehicular traffic.

As well as the imposition of suitable conditions, it is advised that the proposal would require a Traffic Regulation Order (TRO) as part of off-site highway improvements and traffic management to facilitate the delivery of the scheme.

Public Health and Protection - has raised **no objection** subject to conditions and has raised general comments in relation to demolition, hours of operation, noise, dust and waste. The need for a scheme to deal with land contamination has been identified as a result of the past use of part of the site by Tyle-Coch Colliery.

Land Reclamation & Engineering – has raised **no objection** subject to a condition requiring full drainage details for the scheme.

Countryside, Landscape and Ecology – has raised **no objection** to the application subject to the imposition of planning conditions including a Wildlife and Habitat Protection Plan condition.

The Council's Ecologist notes that the building with the bat roost (block 4) is being left untouched, as are the two trees identified as having some bat potential. The ecology report submitted refers to a possible barn owl use of block 3 and the initial comments received requested further clarification on this issue and possible mitigation options. In response, the applicant's Ecologist has provided further information confirming that there is evidence that a barn owl was using block 3 as a temporary roost last August, rather than nesting in the building and it is confirmed that a pre-construction survey would be carried out to check for barn owls prior to any demolition. Furthermore, it has been recommended that a barn owl nesting box be erected at the site to enhance the value of the site for barn owls (*this has been included as part of condition number 16*).

Other issues identified in the submitted report including the existence of other nesting bird, small mammal and reptile habitat in the landscaping of the school and buildings, a recommendation for the avoidance of night working and lighting mitigation and a recommendation to retain existing landscaping can be addressed through the use of the conditions suggested and will enable a controlled site clearance with regard to protected species.

A further query has been raised regarding the proposed use of wildflower seed mixes which would be strongly discouraged however, the applicant's Ecologist has confirmed that this no longer forms part of the scheme as no significant grass areas are being created.

Natural Resources Wales – has raised **no objection** to the application. It is confirmed that the Ecological Impact Assessment produced by Opus International has been reviewed and it is noted that evidence of a roost site has been identified within the wood store building, however this will not be impacted by the development.

South Wales Police - has raised **no objection** to the application. The Design Out Crime Officer has confirmed that pre-application discussions were held with the developer with regard to security and community safety issues and specific advice provided in relation to the new science block, refurbished block and exterior works for meeting the required British Standards for security and fire detection. As detailed above, following the initial receipt of the application, various amendments have been undertaken to the buildings and the external works in order to accommodate this advice.

Dwr Cymru/Welsh Water - has raised **no objection** subject to conditions requiring the submission of a drainage scheme for the disposal of foul and surface water and

an assessment of potential disposal by sustainable means. Further advisory notes are provided in relation to both public sewers and water mains which cross the site and the developer's responsibilities in relation to these assets.

Glamorgan Gwent Archaeological Trust – has raised **no objection** to the application. No recorded archaeological features are likely to be directly affected and there is no evidence of any unrecorded features. It is therefore unlikely that any archaeological material would be located during the development. The impact of the proposed development on the Rhondda Registered Landscape of Historic Interest will not be a factor in the determination of the application.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

Treorchy is identified as a Key Settlement within the Northern Strategy Areas and the site is identified as being inside the settlement boundary NSA12, but is unallocated.

Policy CS1 – advises that in the North Strategy Area, the emphasis will be given to building strong, sustainable communities including promoting the re-use of under used and previously developed land and buildings and promoting sustainable forms of travel.

Policy AW2 - advises that development proposals on non-allocated sites will only be supported in sustainable locations, which support the roles and functions of Key Settlements, would not unacceptably conflict with surrounding uses and have good access to key services and facilities.

Policy AW5 - sets out criteria for new development in relation to amenity and accessibility and requires the development to have no unacceptable effect on the character and appearance of the site or surrounding area, no significant impact on the amenities of neighbouring occupiers and is accessible to the local and wider community by sustainable modes of transport and not exacerbate existing traffic congestion.

Policy AW6 - requires development to involve a high quality design and to make a positive contribution to placemaking including, that extensions reflect, complement or enhance the details and character of the original building and the design protects and enhances the landscape and biodiversity.

Policy AW7 - sets out criteria in respect of preserving and enhancing the built environment.

Policy AW8 - permits development only where it would not cause harm to locally designated sites or features of importance to landscape and nature conservation and that proposals demonstrate measures for the mitigation and compensation of potential impacts.

Policy AW10 – advises that development will not be permitted where it would cause a risk of unacceptable harm to health or local amenity due to various risks including instability, contamination, noise or flooding.

Supplementary Planning Guidance

- Nature Conservation (March 2011).
- Design and Placemaking (March 2011).
- Delivering Design and Placemaking: Access, Circulation & Parking Requirements (March 2011).

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 4 (Planning for Sustainability), Chapter 5 (Conserving and Improving Natural Heritage and the Coast), Chapter 8 (Transport), Chapter 11 (Tourism, Sport and Recreation), Chapter 12 (Infrastructure and Services) 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:

Planning Policy Wales Technical Advice Notes (TANs)

PPW Technical Advice Note 5: Nature Conservation and Planning;
PPW Technical Advice Note 12: Design;
PPW Technical Advice Note 15: Development and Flood Risk;
PPW Technical Advice Note 16: Sport Recreation and Open Space;
PPW Technical Advice Note 18: Transport;
Manual for Streets

Government Circulars

Welsh Government Circular 016/2014: The Use of Planning Conditions for Development Management

REASONS FOR REACHING THE RECOMMENDATION

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

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

Principle of the proposed development

The application site is located within the settlement boundary, where new development is subject to assessment against a number of policy constraints. Both local and national planning policy support a presumption in favour of sustainable development and see the planning system as the key to providing for society's future needs. In identifying sites in sustainable locations, Policy AW2 sets out a number of criteria to be taken in account including supporting locations that are within the settlement boundary, have good accessibility by a range of sustainable transport options and support the roles and functions of the Key Settlements.

In this case, the application constitutes the extension to and refurbishments of an existing educational facility that is located centrally within the Key Settlement of

Treorchy, which offers good access to key services and facilities and is also accessible by foot and public transport. The proposed development is therefore considered to fulfil a number of the policy criteria required for a sustainable location and is acceptable in principle. It is acknowledged however that the nature and extent of the development that is required in connection with the overall proposed refurbishment raises a number of other planning considerations, which are dealt with in more detail below.

Visual Impact of Proposed Development

As outlined earlier, the current application comprises a number of different elements and one of the main issues to be taken into account is the impact that each of these elements will have on the existing school environment and other areas adjoining the school site.

New Science Block

The new four storey science block is proposed centrally within the existing campus in a location selected to address a number of accessibility issues within the site. As indicated earlier, there is approximately an 8m difference between the highest and lowest level of the site and as a result, there are currently 2 levels that do not have access that is compliant with the requirements of the Disability Discrimination Act. The chosen location of the science block is therefore designed to maintain the concentration of facilities within the centre of the site, as well as allowing wheelchair access between the main circulation level of the school and the lower swimming pool / performance hall level via the lift facility incorporated within the new building.

The new block is flat roofed rectangular shaped building with a footprint of approximately 616 square metres (dimensions of approximately 18 metres in width by 34 metres in length) and is joined to the existing history and food technology block at the north-east corner (block 11). From the north-east elevation, due to the topography of the site, the building is seen as four storey and extends to a height of approximately 14.3 metres however, the main views of the building are from the south-east and south-west, where it has the appearance of a three storey building (11.4 metres).

The accommodation provided over four floors would include 10 laboratories with preparation rooms, 2 general classrooms, a lecture theatre, staff workrooms, offices and W.C's, with a plant room and sprinkler tank on the lower ground floor level. Three access points are provided at ground floor level and a further access point from the lower ground floor, which provides lift access to all other floors. The roof of the building contains a handrail system for maintenance and accommodates an array of photovoltaic panels.

Whilst the overall size of the new building will result in it forming a prominent feature within the site, its height exceeding all of the adjacent buildings, from public viewpoints mainly from the east and south-east, the building will be seen against the backdrop of the existing buildings and is not therefore considered to appear out of keeping.

The proposed external finish of the building includes a mixture of facing brick, cladding panels, powder coated aluminium windows and curtain walling system and metal panels, final details of which are to be confirmed. It is considered that the use

of modern materials, whilst representing a contrast to the materials and blue cladding used on the other 1960's school buildings, is considered acceptable and will help enhance and modernise the appearance of the campus. The design and appearance of the new science block is therefore considered to comply with policies AW5 and AW6 of the Local Development Plan.

Refurbishment of Existing Science Block

As a result of the construction of the new science block, the existing science block (3A) will be refurbished in order to provide music and general classrooms. The existing building which is located adjacent to the south-western boundary is a flat roofed rectangular building of approximately 40 metres in length. Due to the gradient of the land, the building has been built into the sloping bank and the floor areas of the building therefore increase between the ground and second floors.

The refurbishment would provide 9 general classrooms at second floor level, 2 music classrooms and several music practice rooms and a recording room at first floor level, with the existing plant room and fitness suite retained on the ground floor. A further benefit of the scheme is that the external fabric of the building would also be refurbished with similar materials to the new science block including facing brick, cladding panels, powder coated aluminium window frames and curtain walling system and metal cladding. The existing building, whilst being of similar design and materials as the main school building, appears unmaintained and would clearly benefit from the facelift proposed through this application.

Demolition of Bridge Link

In conjunction with the refurbishment of the existing building blocks 3A and 3B, it is proposed to demolish the existing first floor bridge link between these two buildings and provide an alternative fire escape behind the main school building. During a previous analysis of the school site, it was identified that the bridge link restricted the access of delivery, refuge and fire rescue vehicles to the rear of the campus due to the 3.5m head height of the bridge. The removal of the bridge link will therefore improve vehicular access into the site in the long term.

As the link is located centrally within the site, there will be little visual impact resulting from its removal. In relation to the loss of floorspace, the area shown to be removed currently accommodates library, storage and office facilities, which will be accommodated elsewhere within the school buildings.

Refurbishment of Main School Building

The demolition of the bridge link will also facilitate the external refurbishment of the front of the main school building (block 3B) and this will be carried out in the same materials as those previously detailed for block 3A. It is considered that this will not only provide a visual link between the two buildings, but also improve the appearance of the school when viewed from the main vehicular and pedestrian access.

New Sprinkler Tank and Enclosure

The new sprinkler tank with dimensions of 8m x 6m and 3m in height will be located adjacent to the garage and bin storage area and this is required in association with

the new science building. The tank and associated pump house is enclosed by a 2.5m high half brick wall with a 1.1m high metal fence and access to the enclosure is provided by a 2m high palisade fence and gate. Due to its location set within part of the existing grassed bank and the proximity of other substantial buildings, the tank and enclosure will not be visible from outside of the site.

Removal of Two Temporary Classrooms

The existing temporary classroom and music classroom (blocks 7 and 15) which are proposed to be removed are located towards the northern end of the application site. This proposal forms part of the Welsh Government initiative to remove such classrooms and will improve the overall appearance of the site. The refurbishment of the existing science block (3A) will provide a number of general classroom and music facilities to replace those removed.

Therefore in relation to the built elements and demolition works forming part of the application, it is not considered that the modern design or elevation treatment will detract from the existing school campus or character of the area. The main visual impact resulting from the current application will be from the south and east however, the building works proposed will be set back at least 150 metres from the main entrance and will not therefore be prominent from these locations. Views into the site are already partially screened by existing buildings and boundary trees.

External Works and New Car Park

The proposed new car park which will accommodate a total of 162 additional spaces, is designed to accommodate the increased pupil numbers, a shortfall in the existing car parking spaces (currently 127 with 1 disabled bay) and existing spaces displaced by the new science block to meet the parking standards for schools and provide an improvement of the vehicular access to the school. The new parking spaces will be located at the front of the site and occupy approximately half of the existing area used as a hard court area and will be accessed via a new internal vehicular access road, which connects to the main access road at the front of the site. Whilst it is considered that the loss of part of the existing hard court area is regrettable, it is accepted that given the level constraints within the site and the proximity of the car park to the front access, this is the most feasible location. Furthermore, an alternative all-weather pitch remains at the north of the site. It is anticipated that this new facility will alleviate the amount of traffic travelling through the existing one-way access road and potentially provide parking for sixth form students, who currently have to park off site.

The remainder of the existing hard court area will be used to provide 3 new courts which will be surrounded by a ball catch fence (approximately 6m in height) to protect the adjacent new car park and sports hall. A scheme of new external lighting is also proposed to the new hard court area, as well as street lights to the unnamed road and the new and existing access roads into the school campus which will also improve security within the campus.

A number of changes are also proposed to the front boundary treatment of the school campus and adjoining land fronting onto the bowling green, the area for which has been reduced in order to accommodate the necessary highway works and two-way traffic along the unnamed road. Part of the existing brick wall and metal palisade fence is shown to be retained and a new 2.1m high weldmesh fence and double

vehicular gates is proposed across the school entrance and running northwards along the existing internal access road. New 2.1m high double metal gates will be used to replace the existing entrances into the bowling green and a new close boarded timber fence with metal posts used to define the new southern boundary of the bowling green site with a new brick wall constructed at the south-east boundary of the site. These boundary treatments are similar to the existing front boundary and are considered acceptable in the context of the school campus.

Access and highway safety

With regard to highway safety and parking issues, it is evident that the redevelopment and extension of the school premises enabling an additional 200 pupils to be accommodated at the school, is likely to have implications on the existing access arrangements, parking facilities and highway safety in the area. For this reason, a comprehensive scheme of improvements works are proposed to take place in conjunction with the proposed redevelopment of the school to address highways safety issues which are relevant in its determination. As identified earlier however, a number of improvements to the existing public highway are being pursued in conjunction with the Highways Department of the Authority and are therefore able to be undertaken without needing planning consent.

The Transport Statement (TS) accompanying the application identifies that the proposed increase in sixth form numbers by 200 students will result in the overall student numbers increasing to 1882. It identifies that there are no areas of the local highway network where high traffic flows are experienced and the only area of local congestion occurs near the main entrance during peak times. It is suggested that the additional parking to be provided within the school site and the proposed widening and off-site highway works will alleviate this congestion. The TS confirms that recorded local accidents are varied and do not occur with a high frequency that would indicate that there are any issues with the operation of the highway network. It is anticipated that the majority of staff will drive to work and the parking provision has been calculated on that basis. It is also confirmed that as part of the safer routes to school, improvements to pedestrian routes and crossings are also being considered by RCT Highways. It is acknowledged that the increase in pupil numbers will locally increase traffic flows on Station Road however, there are no capacity concerns with this road or site access and the introduction of a 2 way access road along the unnamed road, should reduce vehicle flows along Conway Road and improve the current situation. The TS therefore concludes that the package of measures proposed in association with the proposed new catchment area, is not considered to create any material highway issues in terms of capacity or safety.

At present, the main vehicular route into the school is from the unnamed road via Station Road and Conway Road however, the eastern section of the unnamed road currently operates as a one-way system from the junction with Conway Road to Pencai Terrace. From the main school entrance, there is a single track access with two lay-bys with a separate pedestrian access and this ends with a roundabout in front of the main school building. Vehicular access to the rear of the site is further restricted by the bridge link and beyond this, the vehicular and pedestrian routes combine to provide access to the school buildings and parking spaces located at the rear of the campus. There is currently no bus drop off area on the site and buses currently use a pull-in lay-by located to the south-east of the site off the A4061, which is also used for student parking and bus pick up and drop off for off site visits. Students are also collected from a hammer-head pull in at the end of the Abergorki

Industrial Estate, from where there is direct pedestrian access to the north-west of the school campus. Therefore at present, access and parking provision both within and outside of the site is severely restricted and during the public consultation process, officers have also been made aware of problems with staff and students parking in nearby residential streets.

In respect of the current proposals which form part of the current planning application, the existing pedestrian and vehicular access arrangements within the site will remain largely unchanged. The main change is the provision of a new car park at the front of the site which will be accessed directly off the main access to the north-east of the main entrance. The car park will accommodate the increased pupil numbers, shortfalls in the existing car parking spaces and the spaces which will be displaced by the new science block. The 162 spaces proposed (including 4 disabled) will accommodate 134 staff parking spaces, 25 sixth form spaces and 3 visitor spaces. The supporting information suggests that this net increase in car parking numbers will reduce the amount of off-site parking by staff and students which currently takes place around the immediate site. It is considered that this will not only relieve the pressure of traffic travelling and parking along Conway Road and the unnamed road, but will also reduce vehicles arriving at the rear of the site, where access and parking are restricted. The introduction of cycle parking facilities with 35 spaces, will also provide for alternative means of travel to the site.

At the rear of the site, the demolition of the bridge link will remove the 3.5m high barrier that prevents tall vehicles from accessing the rear of the site and will also enable refuge and fire fighting vehicles greater movements within the site.

As detailed earlier, the application includes details of a number of off-site highway improvements which have been discussed with RCT Highways with a view to improving access around the school site. These include widening the existing unnamed road to provide a 2 way access which will also reduce the need for vehicles to use residential streets within the vicinity of the site and formalising the lay-by on the A4061 to provide formal bus bays and parent drop-off facility, including a restriction on general public use during peak school times. The improvements also include the widening of footways and the use of speed humps to provide safer access arrangements around the school entrance. Whilst not forming part of the current application, it is acknowledged that these works will provide an improvement to the current arrangements for accessing the school site.

Although a number of concerns have been raised by residents in relation to individual aspects of the highway works proposed including the details of proposed yellow lining in the areas around the main entrance and Conway Road, these proposals are not yet finalised and will be subject to a public consultation exercise. The views expressed are not therefore considered to be material in the consideration of this application however, RCT Highways officers have been made aware of the concerns raised.

Further measures to reduce traffic in the vicinity of the school are also provided in the Travel Plan which accompanies the application. The purpose of this is to put forward the framework for a Full Travel Plan, once the redevelopment of the school has been undertaken and to identify measures to promote sustainable travel with the objective of reducing car use by various means including increasing walking and cycling to school and promoting car sharing and the use of public transport. Whilst it is acknowledged that arrangements for transporting pupils to school are a matter for

parental choice, it is considered appropriate that these measures are provided through the current application and an appropriate conditions has therefore been included (*condition number 8*).

Information accompanying the current application clearly acknowledges the existing problems which exist in and around the school but also how various improvements will be provided. Whilst the Council's Transportation Section has highlighted areas concerned within the TA where further information is required in relation to the constructions details and specification for the proposed works, overall it is concluded that subject to appropriate conditions (*condition numbers 4 to 8*), the proposal would be acceptable. The proposed scheme is therefore considered acceptable in terms of access and highway safety issues and complies with Policy AW5 of the Local Development Plan.

Ecology

The application site does not contain any ecological designations however land immediately to the west of the site boundary is designated as part of the Mynydd Tyle-coch SINC (Site of Importance for Nature Conservation) and SLA (Special Landscape Area). In relation to ecology issues, the main impact that has been identified resulting from the proposed development is the effect that the proposed redevelopment could have on bats and nesting birds which may be occupying the site either within existing buildings or trees within the site.

The Ecological Impact Assessment Report submitted identifies that whilst a number of buildings within the site have potential for roosting bats, only one common pipistrelle roost was identified within the wood store (block 4). As no works are proposed to this building, there is no requirement for a bat licence however, the report recommends that continued vigilance for roosting bats should be maintained during the refurbishment works and this can be controlled through a suitably worded condition. It is also identified that additional lighting may be required during the construction phase however, directional lighting could be used to minimise disturbance. In relation to nesting birds, it is recommended that above ground vegetation clearance should be carried out outside of the nesting bird season however, if this needs to be undertaken during the season, appropriate survey and exclusion zones are applied. The use of bird boxes to provide a replacement habitat is also recommended together with the treatment of Japanese Knotweed on site.

In response to queries raised by the Council's Ecologist, further information has also been submitted in relation to the use of block 3 by a barn owl, which confirms that the owl was temporarily roosting in part of the building rather than nesting. It has also been confirmed by NRW that, provided the wood store building where a bat roost was found is not impacted by the development proposals, no objections are raised.

Following further consultation with the Council's Ecologist, it has been confirmed that other nesting bird habitat exists within the landscaping of the school and in some buildings. There is also some low level potential for small mammals and reptiles however, these issues can be controlled through the use of a Wildlife and Habitat Protection Plan condition which provides details of controlled site clearance with due and proper regard to protected species (*condition number 16*). This can also address the recommendation for avoidance of night working and lighting mitigation (to reduce impacts on bats and barn owls) and it is also considered appropriate that a landscape mitigation condition is included to ensure that as much existing

landscaping as possible is retained, particularly around woodland edges and other linear features (*condition number 17*). The use of such conditions should ensure that the mitigation measures recommended in the Ecology Impact Assessment Report are carried out and that the scheme complies with Policy AW8 of the Local Development Plan.

Members may also be aware that it has been necessary to remove a number of mature trees located within the existing boundary of the bowling green site in order to accommodate the proposed highway improvement works which are being pursued outside of this planning application however, these tree works were undertaken at the beginning of the year, in order to avoid the bird nesting season.

Impact on residential amenity and privacy

The visual impact of the various elements of this proposal on the nearest residential property to the south and east of the site will be minimal due to the distance of the new development from the boundary of the site.

In addition, new boundary details have been submitted as part of this application which are needed to define the new southern boundary of the school site and adjoining bowling green site following the highway improvement works. These details including new walls, access gates and weld mesh fencing are however considered appropriate and acceptable in the context of the existing street scene and will not detract from the amenities of local residents.

As identified earlier, the majority of the concerns raised by residents in relation to the highway improvement works including the potential location of double yellow lines and other traffic calming proposals are not material considerations in relation to this application. In respect of the query raised regarding whether the new car parking facility within the school grounds will be sufficient, it has been confirmed that the total on site provision will comply with the Council's SPG in relation to access, circulation and parking. Whilst it is accepted that there is nothing to prevent staff or students from parking on the public highway, it is anticipated that the more convenient and secure location of this facility within the school campus will reduce the majority of difficulties that residents currently experience from on-street parking associated with the school.

Drainage and Flooding Issues

The application is accompanied by a Drainage Assessment and Strategy which identifies that various elements included in the application will create a change in demand on the local drainage network including the new science block, new car park and access road and increase in sixth form capacity. It is confirmed that SuDS techniques will be utilised as widely as possible within the site to manage surface water run-off from the proposed development. It is also proposed to utilize the existing foul drainage network on site for the new science block.

The latest DAM map shows the application site lying close to the flood plain of the River Rhondda and the Nant Cwm-parc tributary of the River Rhondda, about 300 metres to the north-east of the school boundary. The Flood Risk Assessment (FRA) Report submitted with the application identifies that most of the school site is classified as Zone A, an area considered to be at little or no risk of fluvial flooding, with only a small section of undeveloped low lying land along the eastern boundary

being within flood Zone C2. Therefore, an FCA in accordance with TAN 15 (Development and Flood Risk) is not required however as surface water flooding is a potential issue and the development may impact on adjoining areas, an FCA has been submitted with the application.

In relation to the application site, it is advised that a small area of the school grounds along the eastern boundary is approximately 2-3 metres above the river level however, the remainder of the site and buildings are considerable higher than this. Information within the FCA confirms that whilst flooding from the Nant Cwm-parc and River Rhondda overflowing their banks has been known to occur, there is no record of the majority of the school grounds being affected, let alone the buildings which are all on a much higher level. It is therefore confirmed that apart from a few areas in the south-east corner of the site, no flooding event from the nearest rivers should have any effect on the existing or proposed buildings. In relation to surface water flooding, it is acknowledged that whilst this will remain a possibility in extreme conditions, the on-site drainage will be designed to include the creation of a designated flood zone within the proposed new car park. Under such a system, water will be allowed to spread out at a shallow depth and thereby attenuate the flow into the existing drainage network. It is confirmed that low lying areas outside the school site are likely to become flooded in extreme events which would affect the main access and links to the centre of Treorchy however, staff and pupils would remain safe within the school grounds.

The proposed development has not resulted in any objections being received in respect of drainage or flooding issues from NRW or the Council's Land Reclamation and Engineering Section subject to the imposition of appropriate conditions which are included below (*condition numbers 9 and 10*). It is therefore concluded that the application is able to satisfy the requirements of Policy AW10 of the Local Development Plan in relation to drainage and flooding issues.

Land Contamination and Stability Issues

The application site is identified within a Development Low Risk Area in relation to recorded coal mining risks and there is therefore no requirement for the application to be supported by a Coal Mining Risk Assessment.

An Interpretive Geo-Environmental Investigation Report has however been submitted to accompany the application which considers the issues of geology, hydrogeology, hydrology, past coal mining, radon and potential sources of contamination. As part of the investigation coal mining records have been sourced which indicate four mine entries to the north-west of the application site, approximately 200 metres from the new building footprint however, no evidence of surface mining has been found at the site. The report therefore concludes that there should be little, if any, residual impact from mining beneath the site.

In relation to land contamination, the response received from Public Health and Protection identifies the previous occupation of part of the site by Tyle-Coch Colliery and that the potential for contamination therefore exists. Having reviewed that Geo-environmental Report submitted, Pollution Control officers have advised that at the time of the report being issued not all of the investigations had concluded and as some high (and potentially explosive) levels of methane had been encountered during the gas monitoring and further monitoring was in progress, that further investigation may be required. As the remediation strategy has not been finalised, it

is therefore recommended that the standard land contamination conditions are attached to any consent (condition numbers 11. - 13.). Subject to this requirement, it is considered that the proposal will satisfy the requirements of Policy AW10 of the Local Development Plan in relation to contamination and stability issues.

Other Issues

The application site is located within the Rhondda Registered Landscape of Historic interest published by Cadw. Whilst guidance produced by Cadw identifies the need to assess the potential effects of a development in relation to the whole of the historic landscape and advises that development can have an adverse effect on the amenity and value of the landscape well beyond the site of the development itself, the majority of the proposals involve the refurbishment of existing facilities and new build elements and will not be readily visible from outside of the site. In relation to this issue, the Glamorgan Gwent Archaeological Trust has identified that the site lies within the historic landscape character area of Treorchy however, having considered the impact of the proposed development, does not consider that this will be a factor in the determination of this application.

Whilst the comments raised by the Council's Public Health & Protection Section are noted, it is considered that noise, dust and waste can be more efficiently controlled by other legislation. An appropriate Informative can be added to any permission notifying the applicant / developer of the need to comply with legislation concerning noise, dust and waste matters.

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 proposed redevelopment of the school as a sixth form centre of excellence will benefit existing students attending the school, as well as those sixth form students who will transfer from existing provision in Ferndale, Porth and Tonypany.

Whilst the main concerns raised by local residents focus on various highway improvements works which are being pursued outside of the planning process, their comments in relation to existing parking difficulties in surrounding residential streets are being accommodated in the provision of a new on-site parking facility which will alleviate pressure for on-street parking. The highway and access proposals forming part of the application are considered to be acceptable in highway safety terms.

Having taken into account all of the issues identified above, it is considered that the proposed development incorporating a new science building, the refurbishment of existing teaching buildings and associated external works is acceptable and complies with relevant policies of the Local Development Plan.

RECOMMENDATION: Grant

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

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

2. The development hereby approved shall be carried out in accordance with the approved plans:

Site Plans

Site Location Plan (Drawing no. 190000 Rev 2) – 01/02/16

Proposed School Site Plan (Drawing no. 190011 Rev 2) – 01/02/16

Proposed School Site Plan (Drawing no. 190012 Rev 2) – 01/02/16

New Science Block

Proposed Science Ground Floor Plan (Drawing no. 011111 Rev 7) – 03/05/16

Proposed Science First Floor Plan (Drawing no. 011112 Rev 5) – 03/05/16

Proposed Science Second Floor Plan (Drawing no. 101113 Rev 2) – 01/02/16

Proposed Science Lower Ground Floor Plan (Drawing no. 011114 Rev 5) – 03/05/16

Proposed Science Roof Plan (Drawing no. 011115 Rev 5) – 03/05/16

Proposed Science Building Elevations 1 (Drawing no. 021101 Rev 3) – 24/3/16

Proposed Science Building Elevations 2 (Drawing no. 021102 Rev 3) – 24/03/16

Bridge Link

Proposed Block 3B Plans (Drawing no. 012111 Rev 3) – 03/05/16

Block 3 Refurbishment

Proposed Block 3A Plans (Drawing no. 013111 Rev 3) – 03/05/16

Proposed Block 3 Elevations 1 (Drawing no. 022111 Rev 3) - 24/03/16

Proposed Block 3 Elevations 2 (Drawing no. 022112 Rev 3) – 24/03/16

Other

Proposed Boundary Fence (Drawing no. 900123) – 24/03/16

Proposed Boundary Fence (Drawing no. 900124 Rev 3) – 24/03/16

Proposed Sprinkler Tank and Ball Catch Fence (Drawing no. 190022) – 01/02/16

and documents received by the Local Planning Authority, unless otherwise to be approved and superseded by details required by any other conditions attached to this consent.

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

3. The development hereby approved shall be carried out in accordance with the construction programme identified in the letter dated 27 January 2016 from Boyes Rees Architects, comprising three phases as follows:

1. Civils Enabling Works - public highway widening works, internal access and hard courts,

2. Main Works - Removal of existing link bridge and construction of new science building,

3. Refurbishment Works - Refurbishment of existing science block and removal of temporary classrooms, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard amenity, highway safety and environmental/ecological interests on a phase by phase basis in accordance with policies AW5, AW6, AW8 and AW10 of the Rhondda Cynon Taf Local Development Plan.

4. Works of access, circulation and parking shall be laid out in accordance with the submitted layout plan, Drawing No. 190011 Rev 2 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that adequate access, turning and 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.

5. Notwithstanding the submitted plans full engineering design and details of access and off-site highway improvements on the unnamed road linking Conway Road with the A4061 Station Road, Station Road and access road in Abergorki Industrial Estate, including; longitudinal sections, street lighting details, signage, surface-water drainage and construction details shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to beneficial occupation unless otherwise agreed in writing by the Local Planning Authority.

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

6. No development shall take place, including any works of site clearance, until a Construction Method Statement has been submitted and approved in writing by the Local Planning Authority to provide for;

- a) the means of access into the site for all construction traffic;
- b) the parking of vehicles of site operatives and visitors;
- c) the management of vehicular and pedestrian traffic;
- d) loading and unloading of plant and materials;
- e) storage of plant and materials used in constructing the

- development;
- f) wheel cleansing facilities; and
- g) the sheeting of lorries leaving the site.

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

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

7. No construction HGV movements shall take place to and from the site between the hours of 08:00 – 09:00 and 15:00 – 16:00 week days.

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

8. Within 6 months of beneficial occupation, a Travel Plan (for school staff) use shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include:-

- a) Travel Plan Co-ordinator;
- b) Targets for the reduction of road traffic and single occupancy car use, the promotion and delivery of more sustainable travel such as walking, cycling, and use of public transport;
- c) Management strategy for monitoring and delivering the objectives;
- d) Review Process; and fallback position if the targets set have not been achieved.

The Travel Plan shall be implemented within one month following its approval and maintained and monitored thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To encourage sustainable modes of travel and reduce single car occupancy in the interest of highway safety and free flow of traffic in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

9. No development works shall take place on any phase of the development until such time as all drainage works relating to that phase have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

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

10. The new science block hereby approved shall be occupied until the drainage works (agreed under condition 9.) have been completed in accordance with the approved details.

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

11. Notwithstanding the submitted details, no development shall commence on any phase of the development until such time as a scheme to deal with contamination on that phase has been submitted to and approved in writing by the Local Planning Authority. Each submitted scheme should include all of the following measures unless otherwise agreed in writing by the Local Planning Authority:

1. A desk-top study to identify and evaluate all potential sources and impacts of contamination relevant to the site. The desk top study should contain a conceptual site model.
2. A site investigation shall be carried out to fully and effectively characterise the nature and extent of any contamination and its implications. The site investigation shall not be commenced until a desk-top study has been agreed in writing with the Local Planning Authority.
3. A written method statement for the remediation of contamination affecting the site

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

12. The development hereby permitted, shall not be occupied and/or operated until the measures approved in the scheme (referred to in Condition 11) have been implemented and a suitable validation report of the proposed scheme has been submitted to and approved in writing by the Local Planning Authority.

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

13. If during development works any contamination is encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals then work shall cease and revised contamination proposals shall be submitted to the Local Planning Authority. The development shall not re-commence until the additional proposals have been agreed in writing by the Local Planning Authority.

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

14. No development shall take place on any phase until full details (including the provision of samples where necessary) of the surfacing material

proposed to be used on any roadway, footpath, car park or other hard surfaced or metalled areas as part of that phase has 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 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.

15. No development shall take place on any phase of the development until such time as details of all external building and boundary treatment materials (including the provision of samples where necessary) proposed to be used on that phase 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 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.

16. No development shall take place in respect of Phase 2. or 3. identified in condition number 3. until a Wildlife and Habitat Protection Plan for Construction has been submitted and approved in writing by the Local Planning Authority. The plan shall include:

- a) An appropriate scale plan showing 'Wildlife and Habitat Protection Zones' where construction activities are restricted and where protective measures will be installed or implemented;
- b) Details of protective measures (both physical measures and sensitive working practices) to avoid impacts during construction (including tree protection zones);
- c) A timetable to show phasing of construction activities to avoid periods of the year when sensitive wildlife could be harmed (such as nesting bird season, hibernating and breeding amphibians and reptiles, etc.)
- d) details of pre-construction ecological surveys, including barn owls.
- e) details of mitigation of night working and site lighting with regards to bat and barn owl impacts
- f) details of bat and barn owl box and roosting/nesting provision (including barn owls).
- g) Persons responsible for:
 - i) Compliance with legal consents relating to nature conservation;
 - ii) Compliance with planning conditions relating to nature conservation;
 - iii) Installation of physical protection measures during construction;
 - iv) Implementation of sensitive working practices during construction;
 - v) Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction;
 - vi) Provision of training and information about the importance of the 'Wildlife 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 approved in writing by the Local Planning Authority.

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

17. No development shall take place until details of the Landscape Mitigation Plan to be submitted to and approved in writing by the Local Planning Authority.

The Landscape Mitigation Plan shall include details of;

- i) Purpose, aim and objectives of the scheme;
- ii) A review of the plans ecological potential and constraints;
- iii) Details of the landscaping schemes, including;
 - a) species composition,
 - b) source of material (all native planting to be of certified British provenance),
 - c) techniques and methods of vegetation establishment (natural restoration),
 - d) method statements for site preparation and establishment of target habitat features;
 - e) extent and location of proposed works;
 - f) invasive plant control;
 - g) aftercare and long term management (including management of existing grassland and woodland areas);
 - h) personnel responsible for the work;
 - i) timing of the works;
 - j) monitoring;
 - k) disposal of waste arising from the works;

All landscape works shall be carried out in accordance with the approved details, unless otherwise approved in writing by the Local Planning Authority.

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.

18. Full details of a scheme for the eradication and/or control of Japanese Knotweed (*Fallonia japonica*, *Rouse decraene*, *Polygonum cuspidatum*) shall be submitted to and approved by the Local Planning Authority prior to the commencement of work on site. The approved scheme shall be implemented prior to the occupation of any building.

Reason: To ensure compliance with the Wildlife and Countryside Act 1981 and in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

19. No works shall commence on any phase until details and design calculations of any retaining walls or structures required in connection with the development 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.

Reason: To ensure that land stability is maintained throughout the site in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

20. No development shall begin on any phase of the development until such time as details of all external lighting (including access, hard courts and car park) has been submitted to, and approved in writing by, the Local Planning Authority. Such details shall include lighting proposed during the construction phases as well as during the operational phases. Any lighting provided shall be in accordance with the approved scheme.

Reason: To prevent light pollution and to protect the amenities of neighbouring residential properties in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

21. Prior to its installation, full details of the design and materials of the ball catch fence shall be submitted to and agreed in writing by the Local Planning Authority. The fence shall be installed in accordance with the approved details.

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

=====

APPLICATION NO:	16/0084/10	(JAW)
APPLICANT:	Suli Properties	
DEVELOPMENT:	Proposed construction of 9 no. residential dwellings.	
LOCATION:	LAND ADJACENT TO NO 10 GARWELLT, PENYWAUN, ABERDARE, CF44 9LT	
DATE REGISTERED:	17/03/2016	
ELECTORAL DIVISION:	Penywaun	

RECOMMENDATION: Approve

REASONS:

The principle of the proposed development is acceptable.

The proposal is in keeping with the relevant policies 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 as well as highway safety and parking.

REASON APPLICATION REPORTED TO COMMITTEE

The proposal seeks full planning permission for more than 5 dwellings.

APPLICATION DETAILS

Full planning permission is sought to construct nine residential dwellings on a parcel of land within the residential estate of Garwellt, Penywaun. The application proposes the construction of two blocks of dwellings, one block comprising four dwellings and one block comprising five.

Each dwelling will be 8.8m in length with a rear single storey addition 1.6m in length. The dwellings will have slightly different widths which on average will be 4.0m and each dwelling will be 8.6m high to their ridge. Accommodation will be arranged over three levels, comprising an open plan living, dining and kitchen area and toilet on the ground floor, two bedrooms and a bathroom on the first floor. A bedroom and bathroom will be located in the roof space served by a single ridge roof dormer to the rear elevation. The external finishes will comprise rendered walls and tiled roofs.

The dwellings will be set back from the highway by 7.8m, providing a 1.5m deep enclosed front garden for each dwelling to the front of which will be a pedestrian walkway providing access to the front gardens. A row of seventeen parking spaces will run along the front of the site which will provide two spaces per dwelling with the exception of one plot having one parking space. There will be a pedestrian access at each end of the parking spaces and at the centre of the site that will link with the pedestrian access across the front of the dwellings and a 1.4m wide footpath that runs through the centre of the site. There will be a private gated access that allows access from the central footpath to the majority of the rear gardens. The rear of each dwelling will benefit from an enclosed garden area.

The application is accompanied by the following:

- Design and Access Statement

SITE APPRAISAL

The site is broadly rectangular in form, measuring approximately 0.13 hectares. The site is slightly elevated above the level of the adjacent highway, with a level plateau forming the main area of the plot. To the north the site is bounded by the highway, which serves Garwellt. To the south the site is bounded by three dwellings, which are located in a slightly higher elevation. To the east and west are neighbouring residential dwellings. The surrounding area is predominantly residential in character.

PLANNING HISTORY

12/0397	Development of eight residential properties (situated in two blocks of four)	Refused 13/03/12
		Appeal allowed 14/02/13

PUBLICITY

The application has been advertised by direct neighbour notification letters and the erection of site notices. As a result of the public consultation exercise two letters of objection have been received, which are summarised as follows:

- It is an ambitious undertaking to erect nine dwellings on this small area, which includes a public footpath between the two blocks. It would be more acceptable to erect the dwellings at street level to incorporate into the existing street and not build on the existing elevated position.
- Only area for children to play off road and near for parents to supervise, concern safety of children as they will be forced to play on the road.
- Will result in loss of parking for existing residents.
- Emergency services are unable to gain access due to narrowness of Delwyn Terrace and existing roads will be unable to cope with extra volume of traffic.
- Concern noise as a result of extra volume of traffic.
- Concern nearness to boundary with No 10 and impact to side bathroom and landing window, especially as a disabled person lives at property.
- Is access to side of adjacent dwellings going to be maintained and what will be the boundary treatment between the dwellings?
- Concern with regards to potential future occupiers of the dwellings as at present it is a quiet area.

CONSULTATION

Transportation Section – no objection subject to conditions and advisory notes.

Land Reclamation and Engineering – no objection subject to a condition.

Public Health and Protection – no objection subject to informative notes.

Welsh Water – no objection subject to a condition and advisory note.

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

Wales and West Utilities – raise no objection to the proposed development and provides advice with regard to the location of their apparatus in proximity to the application site and safe working practices to be adopted when working in close proximity to it.

Fire Service – no observations received within the statutory consultation period.

Countryside Section – no observations received within the statutory consultation period.

Coal Authority – the site lies within a low risk area and therefore there is no requirement to consult The Coal Authority.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

Policy CS1 - sets out criteria for achieving strong sustainable communities

Policy CS4 – housing requirements

Policy AW1 – states that provision will be made for the development of new dwellings including, the development of unallocated land within the defined residential settlement boundaries.

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

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

Policy AW6 - requires development to involve a high quality design and to make a positive contribution to place making, including landscaping.

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

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

Policy NSA12 – Development within and adjacent to settlement boundaries.

Relevant Supplementary Planning Guidance:

1. Design and Place making
2. Access, Circulation and Car Parking

National Guidance

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

Planning Policy Wales Chapter 3 (Making and Enforcing Planning Decisions), Chapter 4 (Planning for Sustainability), Chapter 9 (Housing), Chapter 13 (Minimising and Managing Environmental Risks and Pollution), set out the Welsh Government's policy on planning issues relevant to the determination of the application.

Other relevant policy guidance consulted:

PPW Technical Advice Note 12: Design;
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.

The application site lies within settlement limits in a predominantly residential area and planning permission was allowed at appeal to erect eight dwellings on the site in 2013. The principle of developing the site for residential purposes has therefore been firmly established. Therefore, the key considerations in this case are whether

the proposed development of the site for nine dwellings will have an acceptable impact on the character and appearance of the surrounding area, the impact of the proposed development on the residential amenities of neighbouring properties and the impact of the proposal on highway safety and parking.

Main Issues:

Impact on the character and appearance of the area

The application proposes two blocks of dwellings, a link of four and a link of five which will be set back from the highway on a similar building line to the adjacent dwelling, No. 10 Garwellt. Although the westernmost dwelling will be sited approximately 1.8m forward of the front building line of No. 11 Garwellt it is considered that the siting of the dwellings would not have an unacceptable impact on the street. The dwellings as is the case with the adjacent dwellings will be raised slightly above the highway and in line with the topography of the area with the two blocks providing an incremental increase in the ridge height from east to west which is considered acceptable.

The comments that the development of the site for nine dwellings is an ambitious undertaking and the suggestion that the dwellings be erected at street level are noted. The submitted scheme shows that although high density the site is capable of being developed to accommodate nine dwellings and the dwellings set slightly above the highway reflects the existing dwellings located either side of the site.

There is some concern that the appearance of the front of the site will appear as a row of parked cars when approaching the site from east or west. The proposed layout maximises the number of parking spaces at the site and it is not considered that the appearance of the parking spaces would appear to be so aesthetically poor in the context of the street scene as to warrant the refusal of the application.

Whilst it is noted that the proposed ridge roof dormers will be slightly larger than the previously approved scheme they will be sited within the rear roof planes and are considered acceptable.

Having regard to the above the proposal is considered acceptable in terms of its impact on the character and appearance of the area and accords with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

Impact on residential amenity and privacy

The site is located in an established residential area with dwellings located either side, opposite and to the rear of the site. It is therefore important to consider the potential impact, upon the amenities of the occupiers of existing adjacent properties, which may result from the development of the proposed dwellings.

The concern with regard to the impact on the side facing windows at No. 10 Garwellt is acknowledged. The proposed dwellings will be sited approximately 5.8m from the pine end of the adjacent dwellings (10 and 11 Garwellt), both of which have a landing and bathroom window located in their side elevations. Taking into account that these are not principal elevations, the windows do not serve habitable rooms, there are no windows in the side elevations of the proposed dwellings and the

distance between the proposed dwellings it is not considered that there would be an unacceptable effect on the residential amenities of the occupiers of these dwellings.

Although the proposed dwellings will be set back further into the site than No. 10 and 11 Garwellt it is considered that the separation distance between dwellings together with part of the dwellings at the rear being single storey in design will not result in an unacceptable impact on the occupiers of Nos. 10 and 11 Garwellt. The separation distance between the proposed dwellings and dwellings to the front and rear of the site is also considered to be acceptable.

The proposal therefore accords with policy AW5 of the Rhondda Cynon Taf Local Development Plan as it would not have an unacceptable adverse impact on the residential amenity of the occupiers of neighbouring dwellings.

Access and highway safety

The concerns of residents with regards to loss of existing parking for residents, the existing roads being unable to cope with the extra volume of traffic and emergency services being unable to gain access due to the narrowness of Delwyn Terrace are noted.

Garwellt has a carriageway width of 6.7m with no parking restrictions; however, the majority of terraced houses within the vicinity of the site do not have any off-street car parking and therefore park on street narrowing the available width of carriageway to single file traffic. The Planning Inspector in relation to the appeal decision in respect of the previous application to construct eight dwellings on the site commented *'whilst the existing highway network does not meet the more recent expectations of national guidance, this is an established residential area where the road network has operated for some time without tangible evidence of any serious highway safety problems with its use. In particular, the context of this densely built up situation, the scale of the proposal would not materially add to existing traffic movements or parking demand to the extent that the existing conditions would be fundamentally exacerbated by the development'*. It is considered that the current proposal to develop the site for nine dwellings would not lead to a different conclusion to that of the Planning Inspector in 2013.

The proposal is to maximise parking along the front of the site by providing seventeen parking spaces, that is, two spaces for eight of the dwellings and one space for one dwelling. Supplementary Planning Guidance: Access, Parking and Circulation indicates that the proposed development of nine three bedroom dwellings require a maximum of twenty seven off-street car parking spaces a shortfall in maximum provision of ten spaces. It is noted that the proposed dwellings are relatively small and moreover the site lies in an accessible and sustainable location, within convenient reach of bus services, shops and schools. The proposed level of parking is therefore considered acceptable.

Although there is no formal right of way through the site there is currently an existing pedestrian link with the footpath in Delwyn Terrace. The proposal includes the provision of a 1.4m wide by 26m in length footpath through the centre of the site to link with the existing footpath in Delwyn Terrace, thereby, aiding accessibility on foot in and around the housing area. There is some concern with regards to the limited amount of natural surveillance over this footpath which will be limited to views from first floor windows of adjacent dwellings, however, on balance, it is not considered that

the footpath is likely to attract an unacceptable level of anti-social behaviour and/or crime.

For the above reasons the proposal is considered acceptable in terms of highway safety and parking and accords with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Other Issues:

The following addresses the concerns of residents not addressed above:

- The concern that the site is the only area for children to play off road and near for parents to supervise and the future safety of children as they will be forced to play on the road is noted. The site is not formally allocated as amenity space in the Local Development Plan and the principle of developing the site for residential purposes has firmly been established.
- There is no evidence to suggest that the extra traffic generated by the proposed development would lead to unacceptable increased noise levels.
- It is acknowledged that there was a boundary treatment on the plans which was confusing. This has therefore been removed and a condition is recommended to require the submission of details of the boundary treatment of the site.
- The potential future occupiers of the dwellings is not a matter for the planning system to address.

Community Infrastructure Levy (CIL) Liability

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

The application is for development of a kind that is liable for a charge under the CIL Regulations 2010 as amended however, the application lies within Zone 1 of Rhondda Cynon Taf's Residential Charging Zones, where a nil charge is applicable and therefore no CIL is payable.

Conclusion

Taking all of the above considerations into account it is concluded that the proposed development of the site for residential purposes is acceptable and in keeping with the relevant policies of the Rhondda Cynon Taf Local Development Plan. The application proposal is considered acceptable in terms of its compatibility with the character of the immediate area, its impact upon highway safety and its potential impact upon the privacy and amenity of neighbouring dwellings. Therefore, it is recommended that approval of full planning permission be granted subject to the conditions specified below.

RECOMMENDATION: Grant

1. The development hereby permitted shall begin not later than five years from the date of this decision.

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:

Location Plan - Drawing No. AL(00)01
Proposed Site Plan – Drawing No. AL(00)04 Rev. B
Proposed Plans and Elevations – Drawing No. AL(00)03 Rev. B
Proposed plans – Drawing No. AL(00)02 Rev.A
Section A-A – Drawing No. AL (00)05 Rev. B

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

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

3. Prior to the commencement of the development, full details of the foul and surface water drainage arrangements shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and prior to the first occupation of the development.

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

4. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the buildings are occupied. Development shall be carried out in accordance with the approved details.

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

5. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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

6. Prior to the commencement of the development, a detailed site investigations report shall be submitted to and approved in writing by the local planning authority. The report should be sufficiently detailed to establish if any ground precautions are necessary in relation to the proposed development and the precautions that should be adopted in the design and construction of the proposed development in order to minimise any damage which might arise as a result of ground conditions. The

development shall be carried out in accordance with the approved site investigations report.

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 dwelling shall be occupied until the area for the parking of vehicles has been laid out in accordance with the approved layout plan number AL(00)04 Rev B dated 15th January 2016. The area shall not thereafter be used for any purpose other than the parking of vehicles.

Reason: To ensure that vehicles are parked off the highway, in the interests of highway safety and parking. To accord with policy AW5 of the Rhondda Cynon Taf Local Development Plan

8. Prior to the development being brought into beneficial use, a vehicular footway crossing along the site frontage Garwellt shall be provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

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

9. Prior to the commencement of the development, details of the construction, surfacing and drainage of the footway link between Garwellt and Delwyn shall be submitted to and approved in writing by the Local Planning Authority. The footway shall be constructed in accordance with the approved details prior to the first occupation of the development.

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

10. Surface water run-off from the development shall not discharge onto the public highway or to any highway drainage system.

Reason: In the interests of highway safety and to prevent overcapacity of the existing highway drainage system and potential flooding in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

11. Prior to the commencement of the development, details of construction traffic management and wheel washing facilities shall be provided on site in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and maintained throughout the construction period unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that mud and debris are not deposited from the construction site onto the public highway, in the interests of highway safety. To accord with policy AW5 of the Rhondda Cynon Taf local Development Plan.

APPLICATION NO: 16/0241/10 (KL)
APPLICANT: Mr J Rees
DEVELOPMENT: Domestic garage and vehicular cross-over
LOCATION: 81 DINAM PARK, TON PENTRE, PENTRE, CF41 7DY
DATE REGISTERED: 24/03/2016
ELECTORAL DIVISION: Pentre

RECOMMENDATION: Approve

REASONS:

Although one objection has been received, the application is considered to be acceptable in respect of the impact it has on the overall visual appearance of the surrounding area, the impact it has upon the amenity and privacy of neighbouring residential properties and the impact it has on highway safety.

REASON APPLICATION REPORTED TO COMMITTEE

A request has been received from Councillor Weaver for the matter to come Committee to:

- To assess the visual impact on no. 80 Dinam Park;
- To consider whether the building would be in-keeping with the surrounding area.

APPLICATION DETAILS

Full planning permission is sought for the construction of a domestic garage within the rear garden of no. 81 Dinam Park, Ton Pentre. The proposed garage would be sited at the most north-western corner of the site with access provided via a new vehicular cross-over to the southern boundary. The garage would measure 4 metres in width by 6.5 metres in depth with a pitched roof design measuring a maximum of 3.7 metres in height from ground level to the ridge and sloping to 3.1 metres at its eaves. It would incorporate a standard roller shutter garage door within the south facing front elevation with a separate pedestrian access door and window being provided in the east facing side elevation (providing access to the rear garden). External materials would consist of render, concrete roof tiles and white uPVC.

The garage would provide off-road parking for a campervan.

SITE APPRAISAL

The application site is located within a residential area of Ton Pentre and consists of a two-storey, detached property which is set within a rectangular shaped corner plot. The property faces an easterly direction with the principal elevation being set back from the footway at Dinam Park by an open plan garden and driveway which provides off-road parking for approximately 2 cars. An enclosed garden is positioned to the rear elevation with boundary treatments consisting of a 1.6 metre high wall to the western and southern boundaries and a hedgerow to the northern boundary.

The property has already been extended by means of a conservatory extension to the rear elevation with the original integral garage to the front being converted to habitable living accommodation. A garden shed is visible at the most western part of the rear garden, however, this would be removed from the site to accommodate the proposed development.

The site is bound by no. 79 Dinam Park to the north, no. 81 Dinam Park to the west and the main distributor road through Dinam Park to the south. Neighbouring properties vary in terms of their scale and design with a number of different house types being visible in the surrounding area. Garages within the wider residential area are predominantly integral to their respective property, being set approximately 1 metre forward of the front building line. Detached garages, where provided, are predominantly located to the side elevations of properties and are set back from the front elevations.

PLANNING HISTORY

No previous planning applications have been submitted at the application site in the last 10 years.

PUBLICITY

The application has been advertised by means of direct neighbour notification. One letter of objection has been received from a solicitor acting on behalf of the occupant of no. 80 Dinam Park. The letter is summarised as follows:

- The proposed development is a detached domestic garage on the Dinam Park Development. This is a Barratt Homes site which typically enjoys generous spacing between neighbouring properties and their associated buildings.
- The estate was purposely built with an open aspect to the front of the properties.
- The present application is inconsistent and incompatible with the development on the estate and is unacceptable in its present form. It should therefore be refused.
- The layout and density of the building design, including visual appearance is unacceptable and will impact directly on residential amenity.
- The houses on the estate are generally served by at least one garage and some larger properties have double garages. Garages are either integral or detached and all have a parking space to the front which accommodates at least one car. Many of the integral garages on the estate have been converted into additional living space.
- The detached garages on the estate are set back from neighbouring properties and in some cases level with them but are always sited discreetly and unobtrusively. They do not protrude in front of the neighbouring properties and are not (or barely) visible from the front windows of neighbouring properties. They are situated well inside the boundary of the properties they serve if located towards the front end of neighbouring properties.
- The development is disproportionate in size and incompatible with the design of other building on the estate.

- The applicant seeks to introduce a larger building than would be acceptable for his own purpose because he intends to purchase a campervan. This is not an acceptable reason for introducing an inappropriate building design.
- If a proposed departure from this intentionally well planned design were permitted to allow one detached garage to be sited ahead of the neighbouring property, this will inevitably cause harm to residential amenity which is both unacceptable and completely avoidable.
- Overshadowing/loss of outlook are detrimental of residential amenity.
- The proposed development is in conflict with the Council's own planning policies and would be out of keeping with the planning history and design of the estate which will cause harm to amenity.
- The plans and drawings reveal that the proposed development will be situated very close to the pavement and the road with no parking space to the front, which is inconsistent with development elsewhere on the estate.
- The proposed development is also sited too close to the boundary of our client's property and although our client has attempted to discuss the issues with the applicant and the Planning Department, no account of her informal representations has been taken.
- The proposed development conflicts with the Council's policies in terms of its size, scale character and would be incongruous and inconsistent with other buildings on the estate.
- There will be a negative visual impact caused by the proposed scale of the garage together with its relationship to the road and boundaries with neighbouring properties which would make it an over dominant structure in relation to those properties and the street scene rather than blending in sympathetically and unobtrusively with its surrounding.
- The current party fence wall between no. 80 & no. 81 measures 1.63 metres in height and the proposed development measures 3.7 metres in height which is more than double the height of the party fence wall.
- The overall visual effect of the development would be an overbearing structure which would seriously impact on the front and side aspect of our client's property.
- There will be significant overshadowing and loss of outlook to the detriment of residential amenity.
- By reference to the plans and drawings associated with the application, these are incapable of being made acceptable by the application of conditions.
- The applicant has not been prepared to enter into any constructive dialogue to make the proposed development acceptable although our client remains willing to enter into any discussions with the Council's Officers and/or the applicant to discuss any proposals which would be in accordance with the Council's own policies and less damaging to residential amenity.

The objection letter is accompanied by a number of photos of other detached garages in the estate. It is requested that the distances of set back from the front elevations and the distances from neighbouring properties be measured and that these distances are reviewed and taken into consideration.

CONSULTATION

Dwr Cymru/Welsh Water – no objection.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies inside the settlement boundary for Ton Pentre and is not allocated for any specific purpose.

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.

Supplementary Planning Guidance:

Design and Placemaking
A Design Guide for Householder Development
Access Circulation and Parking

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) and Chapter 8 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 proposed development

The application relates to the construction of a domestic garage within the residential curtilage of an existing residential dwelling and the principle of development is therefore acceptable subject to the criteria set out below.

Impact on the character and appearance of the area

The proposed garage would measure 4 metres in width by 6.5 metres in depth with a pitched roof design which would measure a maximum of 3.7 metres in height to the ridge (3.1 metres to the eaves). The garage would project forward of the front building line of no. 80 Dinam Park by approximately 3 metres and the proposal would therefore form a large and visible addition to the street scene. However, it is not considered that it would have such a significant impact on the character and appearance of the surrounding area that it would warrant the refusal of the application.

Although it was originally requested that the garage be reduced in height, the applicant has confirmed that it would provide off-road parking for a campervan and would therefore require more headroom than that provided by a typical domestic garage. Whilst this is not a valid planning reason for the approval of the application, the garage would not appear to be too dissimilar to other detached garages in the wider area which typically display shallow pitched roofs measuring approximately 3.3 metres in height to their ridge and approximately 2.6 metres at their eaves. These garages are predominantly set to the side of their respective properties with a distance of approximately 0.8 metres from the common boundary with adjoining properties. Whilst the proposed garage would be set in off the boundary with no. 80 by 0.2 metres, it is not considered that this factor would have a significant impact on the overall visual appearance of the wider street scene.

Whilst the objector is keen to discuss the matter of the size and location of the proposed garage with the applicant, it would be unrealistic to suggest that the garage could be set any further back into the plot or be reduced in depth. The rear elevation of the garage would be sited at the most northern part of the plot and would measure to a depth of 6.5 metres. Given that Supplementary Planning Guidance states that the floor area of a standard domestic garage should ideally measure 3 metres in width by 6 metres in depth, a reduction in the depth of the proposed garage to coincide with the front building line of no. 80 (which would require a reduction of approximately 3 metres) would render the garage unsuitable for its intended purpose.

Whilst it is acknowledged that other garages in the wider development provide parking in front of their front elevations, it is not considered that the lack of a parking space to the front of the proposed garage would be detrimental to the overall visual amenity of the surrounding area. The garage would be sufficiently set back from the footway by 2.7 metres which would retain a relatively 'open' feel to the wider development and it is not considered that it would have an unacceptable impact on the character and appearance of the surrounding area.

It should be noted that a garage with a flat roof design measuring up to 2.5 metres in height from ground with an identical footprint to that currently proposed could potentially be built in the exact same location as the proposed garage without the need for planning permission. It is therefore not considered that the proposed development, which would be a maximum of 1.2 metres greater in height (0.6 metres at the eaves), would have a significantly greater visual impact than what could be constructed without planning permission.

In addition to the above, the garage would incorporate appropriate external materials which would complement the existing property and other developments in the

surrounding area, and, on balance, the proposal is considered to be acceptable in terms of the impact it would have on the character and appearance of the existing property and the wider area.

Impact on residential amenity and privacy

Although the proposed garage would be sited in close proximity to the boundary with both adjacent properties (no's 80 & 82 Dinam Park), it is not considered that it would have such a significant overshadowing, overbearing or overlooking impact that it would warrant the refusal of the application.

The proposed garage would be of a single storey scale and would be sited to the east of no. 80 and to the south of no. 82. Any overshadowing to the front elevation of no. 80 would therefore be limited to the early morning time period only with any overshadowing to no. 82 being limited to the most south-western corner of the rear garden during the afternoon time period only. As such, the proposal would have a minimal overshadowing impact on surrounding properties.

The proposed garage would measure a maximum of 3.7 metres in height, however, this would be reduced to 3.1 metres at its eaves which would be sited adjacent to the common boundary with no. 80. Although the garage would be set 3 metres forward of the front elevation of the adjacent property, it would be set in from the boundary by 0.2 metres with a separation distance of at least 1 metre being maintained between the proposal and the side elevation of that property. It is therefore not considered that the garage would have a significant overbearing impact on no. 80.

In addition to this, the rear boundary of the application site is currently enclosed by an existing boundary wall measuring 1.6 metres in height from ground level and whilst it is appreciated that this is lower than the eaves height of the proposed garage, it is not considered that the resulting impact of the garage, in terms the general outlook from no. 80, would be significantly different to what could potentially be built at the site without planning permission (up to 2.5 metres in height).

Whilst it is acknowledged that the garage would provide a window within the side elevation, this would primarily overlook the applicant's own garden. Given the single storey nature of the proposal and the provision of adequate boundary treatments between no. 82 and the application property, it is not considered that the proposal would be detrimental to the privacy of the adjacent property.

Taking the above into consideration, the proposal is considered to be acceptable in terms of the impact it would have on the residential amenity and privacy of adjoining neighbours.

Access and highway safety

The proposed garage would provide one additional off-road car parking space which would be used for domestic purposes in relation to the application property. It would be accessed via a new vehicular cross-over to the highway at Dinam Park which is a common arrangement throughout the wider development. In addition to this, the garage would be adequately set back into the plot which would promote visibility along Dinam Park and it is therefore not considered that the development would be detrimental to highway safety in the area.

It is not considered that the garage would be suitable for any business or trade use and a condition is therefore suggested to restrict the use to residential only.

Other:

The objector claims that the applicant has not been prepared to enter into any constructive dialogue to make the proposed development acceptable however, this is not the case. A number of amendments were discussed with the applicant, although this was primarily to address the initial concerns raised by the objector. After careful consideration of the suggested amendments, the applicant concluded that a garage of a smaller scale would not be fit for its intended purpose and thus resolved to progress with the initial plans.

Community Infrastructure Levy (CIL) Liability

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

The application is for development of a kind that is not CIL liable under the CIL regulations 2010 (as amended).

Conclusion

It is not considered the proposal would have a significant impact on the character and appearance of the locality, the residential amenity of the surrounding neighbouring properties or highway safety. As such, the application is considered to comply with the relevant policies of the Local Development Plan (Policies AW5 and AW6).

RECOMMENDATION: Grant

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

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

2. The development hereby approved shall be carried out in accordance with the approved plans and documents received by the Local Planning Authority on 24th March 2016, 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 use of the garage hereby approved shall at all times be restricted to purposes normally associated with a domestic use. No trade or business use shall be carried out therein.

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

=====

APPLICATION NO:	16/0318/10	(GH)
APPLICANT:	Ms C Smith	
DEVELOPMENT:	Proposed side extension and provision of rooms in roof area. Internal alterations.(revised plans received 20/4/16, with set back of new side elevation by a further 0.5m)	
LOCATION:	9 MOORLAND HEIGHTS, PONTYPRIDD, CF37 4AQ	
DATE REGISTERED:	24/03/2016	
ELECTORAL DIVISION:	Trallwn	

RECOMMENDATION: Approve

REASONS:

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

REASON APPLICATION REPORTED TO COMMITTEE

Five letters of objection have been received from two neighbouring properties. In accordance with the Council's scheme of delegation this application is presented for Members to determine.

APPLICATION DETAILS

Full planning consent is sought to construct a side extension and front and rear dormer roof extensions, at 9 Moorland Heights, Pontypridd.

It is proposed that the 6.65m width of the dwelling would be increased by 1.85m to 8.5m, enabling sufficient space for a side extension. The depth would be maintained at 10m and the profile of the roof, with eaves at a maximum of 3m rising to a ridge line at 5.3m, would be replicated accordingly.

Within the enlarged footprint, it is further proposed that two 3.2m wide dormer windows would be constructed in front plane of the roof. To the rear, a large 8m wide box dormer would be erected, which would include two pairs of full-height glazed doors. The door closest to the attached property would have a Juliet balcony; the other would have a 2.1m wide rail balcony projecting to a depth of 1.4m.

In addition to the works described, an additional ground floor window would be installed within each new sections of front and rear elevation. Furthermore, the plans accompanying the application indicate that an enclosed porch would be constructed to the front, although this would conform to permitted development guidelines and not require consent.

It is noted that the new fenestration would be of matching uPVC, with concrete tiles to the front dormers to match the existing. The elevations of the dormers would be rendered to the same external finish as the extant elevations.

Lastly, following a concern about the proximity of the side extension to the neighbouring dwelling, the scheme was amended to draw the side elevation back by a further 0.5m from the boundary. Thus a gap of between 1.3 and 1.5m would be maintained.

SITE APPRAISAL

The application property is a semi-detached 1960's-built bungalow, located partway along a cul-de-sac of similar dwellings, and within a residential area to the eastern side of Pontypridd known as The Common.

The principal elevation of the bungalow faces south-west, and due to the steepness of the site, is around 1m higher than the level of the adopted highway, from which it is set back by a garden to a depth of around 4.1m.

To the rear the garden is slightly deeper, varying between 5.2m and 12.1m, and although the width of the plot allows space for a driveway, there are no off street parking spaces available on account of the retaining walls.

It was noticeable during the site visit that many of the neighbouring bungalows have already been subject to the same dormer development as that now sought, including a particularly unattractive conversion at the attached property to the south-east.

However, there were fewer examples of extensions to the side, although the property directly opposite the application site has benefitted from a very similar extension to that proposed.

Neighbouring properties are located immediately to the south-east, around 5.5m to the north-west, and 22m to the south-west. There are no dwellings to the rear of the site.

PLANNING HISTORY

There are no recent applications on record associated with this site.

PUBLICITY

The application has been advertised by direct notification to four neighbouring properties.

Five letters of objection from a total of two dwellings have been received. Concerns raised include the provision of the two proposed balconies and the impact on privacy; and as noted further above the position of the new side elevation in relation neighbour's dwelling.

These issues are considered within the body of the text further below.

CONSULTATION

Dwr Cymru/Welsh Water - a standard consultation response noting the potential proximity of DCWW assets to the site, and requesting an informative note to the applicant is appended to any consent.

No other consultation responses have been received within the statutory period.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies within the settlement boundary for Pontypridd

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.

SPG - A Design Guide for Householder Development

National Guidance

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

Planning Policy Wales Chapter 3 (Making and Enforcing Planning Decisions) and Chapter 4 (Planning for Sustainability), set out the Welsh Government's policy on planning issues relevant to the determination of the application.

Other policy guidance considered:

PPW Technical Advice Note 12 - Design

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 application relates to an extension to an existing residential dwelling. The principle of development is therefore acceptable subject to the criteria set out below.

Impact on the character and appearance of the area

The proposed development is considered to be acceptable in terms of the design, siting, massing, scale, materials and overall visual appearance. This view is taken for the following reasons:

Numerous other properties within Moorland Heights have had extensions built within the roof space, mostly of a similar form to that proposed at the application property, and with varying degrees of success in terms of their appearance. Consequently whilst there is still a sense of some uniformity, the original street scene has been altered.

Regarding the proposed rear box dormer, in its own right and with the exception of the projecting balcony, it would be of a size and form that would comply with permitted development guidelines. In any event both it and the two balconies would be largely screened from the public view.

The two separate dormers within the front facing roof plane are considered to be an acceptable design approach, and would not form a dominating structure of disproportionate size. The elevations of each would be rendered to match the current appearance of the bungalow and would similar to a recent development directly opposite the site.

In respect of the side extension, by virtue of the house appearing to be set forward of the northern neighbour and in a raised position, any development to the side is bound to have a greater degree of prominence. However, the applicant agreed to reduce the width of the original submission such that the new side elevation would be stepped back from the side boundary by 1.3m.

Given that the side extension would maintain the same ground floor profile as the current dwelling, it is likely that the enlargement would integrate satisfactorily within the context of the site at an appropriate scale, and without creating an excessive mass.

As such, it is considered that the proposals will not detract from the character or appearance of the area.

Impact on residential amenity and privacy

A number of objections have been received raising concerns about the development being overbearing, reducing light and impinging upon the privacy of neighbouring residents.

An objection from the attached property to the south-east is in relation to the two balconies causing a loss of privacy. The one closest to the boundary would be a Juliet balcony, and would therefore prevent views towards the neighbour's rear elevation.

The proposed French doors within it would enable views over the neighbour's garden, but as highlighted earlier, the rear dormer could be constructed without the need for planning consent. Moreover the full height glazing is no more likely to exacerbate the degree of overlooking which would be possible from a standard window.

The other balcony would be a minimum of 6m from the boundary and project only to a depth of 1.4m. Since the nearest window within the neighbour's rear elevation is set back further again from the boundary, at this distance any opportunity to be able to see into their windows would be negligible if not impossible.

With regard to the objections from the neighbouring resident to the north-east, the first concerns the impact on available light and outlook.

Noting that the existing side elevation and boundary wall are already visible from the neighbour's kitchen window, it is not considered that bringing the new side elevation 1.85m closer to the boundary would create a level of detriment that would merit a recommendation of refusal.

It is possible that the additional width of the side extension might cause a little more overshadowing than currently occurs, although it was noted that the orientation of the two properties means that this would be for a limited period. In addition, the neighbour's own carport, which is semi-translucent, would both cause some shading and block views of part of the side elevation and roof.

The comments above are made in the context of permitted development rights which would enable the applicant to erect a 2m high boundary treatment, or a side extension directly adjacent to the boundary to a maximum height of 4m, without consent.

The neighbour's second concern is that the development could cause parking issues, although like in many residential streets this problem is already evident. The application property, due to its position and retaining structures, does not have any off street parking capacity, and it is difficult to envisage how this could be overcome. It is true that the additional two bedrooms might generate extra parking demand, but it would already be possible for the property to gain additional bedrooms without the benefit of a planning application.

Lastly, the same resident has highlighted a number of issues in relation to diminished property value, a reduction of light to PV panels, and the potential stress and health effects of the development. Whilst it is accepted that these are matters of genuine worry, they are not material to the determination of the application.

On balance, in terms of the impact on the amenity and privacy of neighbouring residents, the application is considered to be acceptable.

Community Infrastructure Levy (CIL) Liability

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

The application is for development of a kind that is not CIL liable under the CIL Regulations 2010 (as amended).

Conclusion

It is considered the proposal would not have a significant impact on the character and appearance of the locality or upon the residential amenity of the surrounding

neighbouring properties. The application is therefore considered to comply with the relevant policies of the Local Development Plan.

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 revised plans entitled 'Proposed alterations and roof extensions to 9 Moorland Heights, The Common, Pontypridd' and documents received by the Local Planning Authority on 20th April 2016, 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 external materials of the proposed extension shall match as near as possible the materials of the existing dwelling.

Reason: To ensure that the extension is in keeping with the existing building in the interests of visual amenity in accordance with policies AW5 and AW6 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

19 MAY 2016

REPORT OF: SERVICE DIRECTOR PLANNING

REPORT

**APPLICATIONS RECOMMENDED
FOR APPROVAL**

OFFICER TO CONTACT

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

See Relevant Application File

This page intentionally blank