

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2016-2017:

**DEVELOPMENT CONTROL
COMMITTEE
7 JULY 2016**

**REPORT OF: SERVICE
DIRECTOR PLANNING**

	Agenda Item No.5
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.- 15/1295 - Proposed residential development and associated highway access, provision of an on site school, and ancillary uses and works on land at Ystrad Barwig Isaf (Amended details and plans received 15th March 2016), Ystrad Barwig Isaf, Crown Hill, Llantwit Fardre, Pontypridd.
- 2 Application No.- 15/1590 - Construction of two residential dwellings and associated works (Amended plans and details received 12th May 2016 and 16th May 2016), land at 52-56 Rickards Street, Pontypridd.
- 3 Application No. 16/0124 - Erection of a single wind turbine and associated infrastructure (revised plans received 31/5/16, including revised site boundary to accommodate an electricity connection to the Royal Mint, decrease in height of the turbine to 100 metres maximum blade tip height and change in colours to a green tower and yellow blades to represent a daffodil) (Amended plans/information received 31/05/16), on land 440 metres to the west of Rhiwfelin Fach Farm, North Of The Royal Mint, Llantrisant, Pontyclun, Gr 303656, 185383.
- 4 Application No. 16/0299 - Provision of a new 3-16 middle school at Porth County Community School site, including provision of a new primary building and associated landscaping and external works. To include demolition and alterations to existing school, Porth County Community School, Cemetery Road, Porth.

- 5** Application No. 16/0304 - Provision of a new 3-16 middle school at Tonypandy Community School site, including provision of a new build primary school and associated landscaping/external work. To include demolitions and alterations to existing secondary school, Tonypandy Comprehensive School, Llewellyn Street, Penygraig, Tonypandy.
- 6** Application No. 16/0537 - Proposed garden room, Ty Gwyn, Gwaunmiskin Road, Beddau, Pontypridd.

APPLICATIONS RECOMMENDED FOR APPROVAL

APPLICATION NO: 15/1295/13 (GD)
APPLICANT: Llanmoor Development Co. Ltd.
DEVELOPMENT: Proposed residential development and associated highway access, provision of an on site school, and ancillary uses and works on land at Ystrad Barwig Isaf (Amended details and plans received 15th March 2016)
LOCATION: YSTRAD BARWIG ISAF, CROWN HILL, LLANTWIT FARDRE, PONTYPRIDD CF38 1BL
DATE REGISTERED: 28/09/2015
ELECTORAL DIVISION: Llantwit Fardre

RECOMMENDATION: Approve

REASONS:

The principle of the proposed development in the context of a full and proper consideration of all policy aspects pertinent to the proposed development is considered acceptable. Additionally, the proposals are acceptable in terms of all other material planning considerations, including highway impacts, flooding, impact on landscape, impact on the character and appearance of the area.

REASON APPLICATION REPORTED TO COMMITTEE

The application is for a major housing development that could not be dealt with under the scheme of delegation.

APPLICATION DETAILS

This application seeks outline planning permission with all matters except access reserved for future consideration on land at Ystrad Barwig Isaf Farm, Crown Hill Llantwit Fardre. It is intended that the principal means of access to the site will be derived from the route of the existing farm access road which will be improved to a standard suitable to serve the level of development proposed with an emergency access provided on the western boundary of the site on the B4595. It was initially envisaged that the site would be capable of accommodating up to 600 dwellings however, with the inclusion of the school in the revised proposals, the figure after capacity testing, now stands at the provision of 487 dwellings over two phases, (314 in phase 1 on the eastern plateau and 173 in phase 2 on the western plateau).

An illustrative layout submitted with the application shows that the site would be developed in two distinct sections on elevated plateaux with the greater part of the

development taking place on the eastern part of the site which is separated from a smaller western element by a green corridor centred on the route of the Nant Myddlin separating the two built elements. The illustrative masterplan envisages the site being developed in a series of parcels which form distinct blocks through the site on the areas intended for development; since the proposals were revised, one of these blocks, as illustrated on the revised masterplan, also includes proposals for a 240 pupil primary school. The green corridor is described as both a central SINC (site of interest for nature conservation) corridor of marshy grassland and as central public open space. The illustrative masterplan also shows that boundary hedgerow to the site will be maintained as will one key hedgerow that runs north south through the western element of the proposed development.

In addition to the standard application forms and certificates and illustrative masterplan and other plans, the application is accompanied by the following documents which support the submission:

- Planning Statement;
- Design and Access Statement;
- Transport Assessment
- Landscape & Visual Assessment
- Extended Phase 1 Habitat Survey
- Tree Survey
- Flood Consequences Assessment
- Drainage Strategy
- Ground Conditions Desk Study, and;
- Agricultural Land Classification Survey & Farming Circumstances Report.

SITE APPRAISAL

The application site is comprised in an irregularly shaped area of some 20 hectares that forms Ystrad Barwig Isaf. The site is largely agricultural land comprised in a series of fields defined for the most part by hedgerows which are reinforced at the outer edges by highway infrastructure and the central area of the site is occupied by the houses and outbuildings of the farm unit. The topography of the site itself is best described as undulating

The site currently benefits from its own access road from Crown Hill, the site also benefits from a secondary access from the east via a lane which serves as the current access to the residential element on site. Public rights of way 220 and 221 Llantwit Fardre also pass through the site linking the residential development to the north with the community route adjacent to the Church Village By Pass road.

The wider area is characterised as being largely residential to the north of the site whilst the site itself and areas to the south are far more rural in character. That said the site itself is defined by roads as much as it is by its own boundaries in that Crown Hill lies to the east the bypass to the south of the site and the remaining boundaries

skirted by other routes. Llantwit Fardre is one of a group of settlements in the area with Church Village lying to the north, Beddau to the west and Efail Isaf to the east. The site is almost equidistant between the communities of Pontypridd and Llantrisant which both lie approximately four miles distant east and west respectively.

PLANNING HISTORY

12/0202	Provision of internal farm access road	Refused 23/04/12
12/0061	Provision of private agricultural access roads for the movement of vehicles/ livestock/machinery within the farm.	Permission required 13/02/12
10/0138	Use of land as a borrow pit to provide suitable fill material to construct the adjacent Church Village bypass and reinstate land to agricultural use.	Approved 25/06/10
09/1030	Re-grade agricultural land within enclosure using inert material as fill.	Approved 15/06/10
09/0102	Retention of existing waste transfer station to include hard standings, covered process area, parking, welfare facilities and storage area together with access on to the highway network amended as part of the Church Village bypass.	Approved 15/07/10
08/1239	Provision of hardstanding for storage of big bale cattle fodder.	Approved 07/10/08
08/1132	Excavation of topsoil the airings being used on the farm, hardcore and stone from the waste transfer station and soils imported to blind the inert tip on the farm will be crushed and laid into the excavation and then compacted by a tract excavator or similar. Fines arising from the crushing operation will be deposited on the crushed material levelled and tracked into the surface. The site will be fenced from the adjacent farm – access road construction as part of the Church Village bypass.	Withdrawn 10/07/08
05/1863	Variation of conditions 13 & 22 of planning appeal approval 1140167 for a skip sorting and recycling facility to allow the use to continue independently of tipping/land filling operations planning appeal approval 1139397.	Approved 14/04/06
03/0836	Renewal of permission 56/97/2775 skip sorting and recycling facility.	Refused 21/11/03.

		Appeal allowed 10/06/04
03/0348	Variation of condition 4 of consent 93/0422 to extend the period for landfill and restoration.	Refused 21/11/03.
		Appeal allowed 10/06/04
97/2893	Erection of an agricultural dwelling.	Approved 20/02/98
97/2775	Skip sorting and recycling facility	Approved 15/05/98
93/0422	Extension to existing landfill site; land to eventually be restored to agricultural and grazing use.	Approved 26/10/93
77/0281	Erection of agricultural building	Approved 19/04/77

PUBLICITY

The proposed development as originally submitted was advertised by means of press notice, site notices and neighbour notification letters and this resulted in the submission of 153 letters of objection and a 202 signature petition opposing the proposed development. Following the revision of the proposals to include a primary school within the proposed development, a further round of public consultation including press notice, site notices and neighbour notification letters was undertaken and this resulted in a further 126 letters being submitted including one from Anderson Planning & Development Ltd on behalf of the resident group "Residents Against Ystrad Barwig". All objections/views are reflected in the comments below and where the public have not chosen to comment further in light of the revisions it has been assumed that their initial comments still stand.

Local Development Plan & Planning Policy Issues

- The land is not marked for development in the Local Development Plan and it remains a valuable green corridor for those living in the local vicinity.
- Section 38(6) of the Planning & Compulsory Purchase Act 2004 requires that any determination made should be in accordance with the development plan unless material considerations dictate otherwise and it is submitted that there are no such considerations that would warrant an alternative decision in this case.

- The site remains outside of defined settlement limits and this has been sufficient in the past to resist development on other sites. Further, the development of this site was resisted through the creation of the development plan and it should not be considered for development again until the end of the plan period in 2021.
- One of the objectives of the Local Development Plan is to reduce the number of people flowing from RCT to Cardiff for work and the likelihood is that most people taking up residence here would fall into that category and the proposals would therefore have little impact in terms of getting people to work by sustainable means.
- Policy at the local and national level encourages the use of brownfield sites ahead of greenfield sites and allowing development here would fly in the face of this nationally expressed preference and many residents take the view that the brownfield options should be exhausted before further greenfield development is allowed.
- No decision should be taken on this application until it can be confirmed that allowing this development would have no adverse impact on the Cwm Cokeworks regeneration project, whose representatives have indicated that they hope to commence development of this site in 2017.
- Increasing urbanisation of the sort proposed is leading to the coalescence of once distinct and separate communities.
- Allowing the development of the site would set a precedent for development in the green wedge that runs between the new bypass road and the communities of Llantwit Fardre, Church Village and Tonteg.

Housing Land Supply

- The Council's Joint Housing Land Availability Study has recognised a shortfall in housing delivery but until recently monitoring revealed that targets are being met in the south of the Borough and that any shortfall could be met "without immediate intervention".
- The current housing land supply figures are based on outdated policy decisions made under different economic circumstances and in need of reassessment and review. Notwithstanding this in the time that the application has been under consideration other applications that could have addressed any such shortfall have been resisted.
- The claim by the applicant that the development will provide much needed accommodation and help to address the established and significant need for housing within this location is false as the housing land supply shortage in this area is artificial, need is significantly lower and Rhondda Cynon Taf has sufficient sites already allocated for development. Evidence of housing demand in the area should be clearly demonstrated and without it the application should be refused.
- There is no need to relocate the settlement boundary to meet the perceived housing land supply shortage.

- The southern half of the County Borough is meeting its targets in terms of housing delivery and a number of residents point out that in such circumstances it is inequitable to release further land in that area.

Social & Physical Infrastructure Issues

- The proposed development will have an adverse impact on schools that do not have the capacity to cope with the proposed development, (particular reference is made to the situation at Maes Y Bryn Primary the closest school to the proposed development which it is claimed is over capacity with some children already being schooled in demountable buildings which it is claimed is having an adverse impact on their education and the organisational ethos of schools).
- From an educational perspective local children can now see a working dairy farm which brings them some understanding of their environment and this should not be lost to housing.
- The proposed development would have an adverse impact on hospitals, doctors and dental surgeries in the locality that do not have the capacity to cope with the increased numbers that the development would bring, (a number of residents make reference to the time it can take to get a doctor's appointment in the area).
- The proposed development would clearly have an adverse impact and place greater pressure on the currently under provided recreational facilities in the area
- The application site is in part on a floodplain and there are no mitigation measures that could improve this concern.
- If it is intended to improve the flooding situation by means of any engineering works then the impacts on local ecology should be understood and properly compensated for.
- The development does not provide ready access to community services (shops, health services etc).
- A number of residents consider it questionable that sufficient foul drainage provision to cater for the development exists in the locality.
- It is suggested that the revisions to the proposal to include school provision are of a scale such that the original application should have been withdrawn and a new application submitted.
- It is suggested that the provision of the school and other contributions cannot of themselves make an inappropriate development appropriate.
- Despite the developer now offering to build a primary school on the site concern remains that this would remain a departure from the development plan and from the schools proposed for Tynant (Cwm Coke Works) and Church Village.
- Concern is also expressed that the school would be located on floodplain contrary to Local Development Plan and Welsh Government policy
- If there is to be a school on the site then this should come first before any houses are provided.

- There is a lack of vision in the current proposals illustrated in their lack of detail on access routes for pedestrians cyclists and public transport users.

Highways & Transportation Issues

- The proposed development would result in an unacceptable increase in traffic using the highway network in the locality.
- The new A473 church village bypass alleviates traffic in Tonteg, Llantwit Fardre and Church Village, however at peak times the access/egress infrastructure is excessively congested and the current infrastructure in and out of the villages cannot cope with the additional traffic.
- Highway Survey work undertaken by Llantwit Fardre Community Council at key locations has established that there is a clear concern and indication that there are congestion and capacity issues on the network.
- The proposal does not deliver any improvement in public transport provision forcing home owners to rely on their own transport and in any event the situation would only exacerbate traffic congestion.
- There is nothing to prevent future occupants from having as many cars as they want which would lead to congestion and parking on public land.
- The increase in congestion brought about by the proposed development which since its revision now includes a school as well as up to 600 dwellings, would take the area back to the situation it was in before the bypass was built, particularly so when the ongoing Brynteg Green and Station Road developments have been completed.
- Increased housing will encourage more traffic on to the roads increasing commute times for residents and adversely impacting work/life balance as a result.
- Ystrad Barwig Lane should not be used for construction access if the application is consented to and current access restraints need to be actively enforced.
- The further development of this site will lead to increased pressure on the bypass which currently has insufficient crossing points.

Public Footpaths & the Community Route

- The Council has previously persuaded community groups to accept cost cutting measures in the establishment of the community route by allowing it to continue on little used roads and subsequently allowed further development that has increased traffic on those roads ruining the enjoyment of the route.
- Despite this the route is a success and offers a pleasant walk away from traffic and offers pleasant views and the current proposal will ruin the views on the section between Rhiwsaeson Bridge and Efail Isaf.
- There is nothing in the current proposals that indicates the developer's intentions with regard to the public footpaths that cross the site and the indicative masterplan only implies that they would be extinguished.

- There is no indication of any measures to be put in place to protect the community route and its linking footpaths from excessive vehicular traffic in the course of construction or when the development is built out. The existing arrangements are already abused, (particularly the gated access) and allowing the development in its current form could only exacerbate this situation.

The proposed emergency gate system at the western end of the site will not work as witnessed by the fact that the existing system is abused.

Farm Related Issues

- There is some suggestion that the land is not undeveloped agricultural land as the applicant suggests as it has historically provided grazing for sheep and cows and hedgerows have been removed and modified it has been developed and improved.

The Physical Environment

- Noise levels from existing traffic already exceed established environmental standards and the proposals could only exacerbate this.
- The current ambient noise levels in the locality will increase with more housing.
- Similarly it is alleged that air pollution also exceeds established environmental standards and the proposals could only exacerbate this.
- Given the two points above, construction activity would become an intolerable and persistent nuisance creating noise and dust nuisance for a considerable period of time.
- There is a lack of formal and informal recreational facilities in the area.
- The proposed development would lead to the loss of the level of privacy with increased possibility of loss of daylight and overlooking where currently the existing residents now overlook open fields.
- It is also claimed that in addition to flood risk the site lies close to an ash tip and landfill site and waste transfer station and the impact of these polluting external elements has not been evaluated in the context of the development now proposed.

The Natural Environment

- The development of the site would affect a number of designated Sites of Interest for Nature Conservation (SINC's) which would have an adverse long term effect on grasslands, wildlife and tree species.
- Whilst the SINC sites will not be directly affected by the proposed housing it will inevitably affect them in an adverse manner given the increased proximity of human habitation to them, immediately south of the site is an unused area of pasture that is used annually by migratory birds.

- The developer must be obliged, if the development proceeds to meet his obligations with regard to European protected species in and around the site.
- The lack of tree preservation orders for the broadleaved trees and hedgerows on the site is concerning particularly as they provide habitat for a number of protected species, if allowed the impact of further light pollution on such species is also a clear concern.
- The proposed development would erode the green wedge and undermine its ability to function as a habitat corridor.
- A number of residents have claimed that development in the area over the last 40 years has lead to a shift in the water table which leaves gardens waterlogged and this would exacerbate that situation.

Other Matters

- The content and veracity of the design and access statement is questioned.
- The design and access statement gives no indication of what kind of houses will be built at or near established and in some cases high value properties.
- The development should not be allowed to encroach on to the boundaries of established residential properties.
- Loss of view/outlook.
- Devaluation of property.
- Adverse impact on existing residents with a developmental disability.
- The need for further housing development here is questioned on the basis that the wider area is already undergoing rapid expansion with developments at Station Road and Beddau along with a further 4000 homes planned just beyond the Borough Boundary at Creigiau.
- A large development of the type proposed would lead to a loss of existing amenity, ruin the existing community and character of Llantwit Fardre and pave the way for further residential development of Greenfield sites.
- The application form states that there would be no loss of public open space if the development were to proceed yet the passive enjoyment of the countryside facilitated by the footpath network would be lost.
- Houses which back on to Ystrad Barwig Lane currently enjoy relatively dark skies and this would be lost with residential development adjacent.
- The proposed development is larger than the nearby village of Efail Isaf and such a large development will have a negative impact on the local area.
- Despite the overcrowding of local schools the Council has in recent years twice refused consent for a bilingual playgroup in the locality.
- Existing gardens in the area are often waterlogged and allowing this development would in the view of residents make matters worse.
- The site is currently used as the location of the local school fun run and the loss of the site to development will result in this valuable school event no longer taking place.

Turning specifically to the objections raised by the Assembly Member, the issues raised are largely addressed above though Mr Antoniwi does afford insight into issues at a depth that needs further explanation in two areas.

In the area of transport traffic and accessibility Mr Antoniwi makes specific reference to his own questions to Welsh Government Transport Minister Edwina Hart and her subsequent response when discussing the wider South Wales Metro proposals. Mr Antoniwi put it to the Minister that he had previously expressed concerns over links between Beddau, Llantrisant Talbot Green and Pontyclun given the extent of housing development that has already taken place there or is to come forward. By way of response the Minister replied as follows – *“Where we’ve got massive housing expansions or we’ve got new industrial estates coming on, we’ve got to sort out the transport infrastructure. Because if we don’t sort it out it’ll be absolute chaos on some of the existing roads that exist in Wales. I don’t think that anybody should be thinking about giving planning permission for large developments without looking satisfactorily at the concerns around traffic and how you’re going to get people to school, to work and out to leisure”*

In addition to the above Mr Antoniwi also expresses his concern that a reasonable consideration of the application is that it goes against the objectives of and spirit of the Wellbeing of Future Generations Act 2015 particularly Sections 3 and 4.

Copies of all objection letters will be available for Members to inspect at the meeting.

CONSULTATION

Highways – have given careful consideration to the proposals and this is reflected in full in the assessment below, ultimately no objection is raised to the proposed development subject to conditions.

Land Reclamation & Engineering Manager - no objections subject to conditions.

Public Health & Protection Division – raise no objection to the proposed development subject to conditions. However, in consultation with Public Health Wales the latter have expressed a view that without additional information on how air quality impacts will be managed it is not possible to support the proposed development on public health grounds raising the following concerns –

- Clarification of what the site traffic percentages for 2017 to 2022 is referring to is required; does it refer to predicted vehicle emissions as a result of the development?
- Little consideration or information has been provided on any additional pollution sources present during the 7 year development period. Bearing in mind the close proximity of residential receptors this could cause nuisance issues. However without further information it is not possible to make further comment.

- It is noted that a conservative approach has been used in future vehicle emission reductions and that predicted road traffic impacts by 2022 will be in compliance with air quality objectives. Although consideration has been made on predicted vehicle numbers and associated vehicle emissions in relation to the development, there is no mention as to wider forecast on local road networks up to the year 2022.
- There is no mention of any forthcoming developments earmarked for development which could potentially have cumulative impact.

They recommend that the local authority consider measures to mitigate the impact of additional air pollution from the development and ensure that their local air quality management plan and associated monitoring is sufficiently robust in predicting and monitoring the impact, both locally and temporarily.

Natural Resources Wales – having considered all the information provided in respect of the proposed development (including that relating to the water framework directive) no objection is raised to the proposed development subject to conditions.

Dwr Cymru/Welsh Water – raise no objection to the development subject to conditions and advise in respect of their infrastructure which crosses the site and only foul water from the development will be allowed to connect to their systems.

Western Power Distribution – no observations received.

Wales & West Utilities – raise no objection to the proposed development and advise with regard to the location of their plant and apparatus in and around the site and in respect of appropriate working practices to be adopted when working in proximity to it.

South Wales Fire & Rescue Service – raise no objection to the proposed development subject to the developer providing adequate water supplies for fire fighting purposes and securing suitable access arrangements for fire fighting appliances.

Countryside Section – raise no objections subject to conditions.

Public Rights of Way Officer – holds no objections to the proposed development subject to alternative provision being made through the course of development and the applicant securing the necessary footpath diversions and/or stopping up orders at the appropriate time.

Education – no objection subject to the timely delivery of appropriate education provision to meet the needs of the proposed development.

Housing Strategy – As the proposal concerned is for 600 residential units, 120 units of affordable housing should be secured to satisfy these requirements.

Based on the findings of the Local Housing Market Assessment 2014/15, it is recommended that the following affordable housing unit mix be secured on site to satisfy these requirements:

- 40 x 1 bedroom walk up flats for social rent (DQR standard).
- 19 x 2 bedroom houses for social rent (DQR standard).
- 7 x 3 bedroom houses for social rent (DQR standard).
- 3 x 4 bedroom houses for social rent (DQR standard).
- 10 x 2 bedroom houses for low cost home ownership (market standard).
- 18 x 3 bedroom houses for low cost home ownership (market standard).

Leisure Services – no observations received.

Cwm Taf Health Board – no response received.

Coal Authority – raise no objection to the proposed development and recommend that a condition requiring further intrusive investigative works into ground conditions be applied to any planning consent that might be issued.

Police Authority – express some concern at the lack of detail in the design and access statement relating to community safety issues, however, no objection is raised to the proposed development and no conditions are recommended.

Glamorgan Gwent Archaeological Trust – recommend that appropriate conditions be attached to any consent that might be issued.

Llantwit Fardre Community Council – object to the proposed development on the grounds that it would lead to the highway and its associated infrastructure being hugely compromised, existing doctors surgeries already being oversubscribed with patients, the development providing no extra school spaces, the proposed development not being within the Local Development Plan settlement boundary, much of the site being on a flood plan and the impact that the development will have on the mineral resources of the area (sandstone).

Llantrisant Community Council – conclude that the planning application should not be accepted given that the development would appear to be contrary to Local Development Plan policy, the lack of detail in respect of the school now proposed, the lack of other facilities in the area to meet the needs of the existing population (surgeries), increased pressure on the highway infrastructure (particularly as the development would have only one access point and given that the existing primary routes are often congested), damage to wildlife.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

Policy CS2 - sets out criteria for achieving sustainable growth which benefits Rhondda Cynon Taf as a whole, including, promoting and enhancing transport infrastructure services.

Policy AW1 – Sets out how the Council will deliver sufficient new housing through the development plan up to 2021 and also sets out an expectation that affordable housing requirements can be met.

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

Policy AW4 – advises in respect expectations relating to planning obligations and community infrastructure.

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 criteria for the assessment of proposal in relation to their impact on 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 AW14 – aims to safeguard the sandstone resource in the County Borough.

Policy SSA10 – allocates land for housing in the south of the County Borough.

Policy SSA11 – requires that new housing development should come forward at a minimum density of 35 dwellings per hectare.

Policy SSA12 – requires the provision of 20% affordable housing.

Relevant supplementary planning guidance –

- Design and Placemaking
- Affordable Housing
- Nature Conservation
- Planning Obligations
- Access Circulation and Parking
- Development of Flats
- Employment Skills Training

National Guidance

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

Planning Policy Wales

Chapter 2 (Development Plans),
Chapter 3 (Making and Enforcing Planning Decisions),
Chapter 4 (Planning for Sustainability),
Chapter 5 (Conserving and Improving Natural Heritage and the Coast),
Chapter 6 (Conserving the Historic Environment),
Chapter 7 (Economic Development),
Chapter 8 (Transport),
Chapter 9 (Housing),
Chapter 12 (Infrastructure and Services),
Chapter 13 (Minimising and Managing Environmental Risks and Pollution),

set out the Welsh Government's policy on planning issues relevant to the determination of the application.

Other relevant policy guidance consulted:

PPW Technical Advice Note 2: Planning and Affordable Housing;
PPW Technical Advice Note 5: Nature Conservation and Planning;
PPW Technical Advice Note 11: Noise;
PPW Technical Advice Note 12: Design;
PPW Technical Advice Note 15: Development and Flood Risk;
PPW Technical Advice Note 16: Sport Recreation and Open Space;
PPW Technical Advice Note 18: Transport;
PPW Technical Advice Note 21: Waste;
PPW Technical Advice Note 23 : Economic Development
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:

The key determinants in the consideration of this planning application are the planning policy position and the five year housing land supply, sustainability, ecology, the water environment, highways and transportation issues, the impact of the proposal on the character and appearance of the area and the impact of the proposals on residential amenity and privacy.

Planning policy and housing land supply

The application site lies wholly outside of, but immediately adjacent to, the settlement boundary for Llantwit Fardre as defined by the Rhondda Cynon Taf Local Development Plan. As such the proposals would be considered a departure from the development plan and therefore the issue becomes one of whether there are any material planning considerations that would justify the grant of planning permission contrary to the development plan.

Residents have suggested that there is no material consideration that would justify a departure from the Local Development Plan however, under current circumstances the five year housing land supply requirement as of 1st April 2015 stood at only 2.4 years, every indication is that the 2016 study will reveal that this figure has fallen further. This shortfall indicates that there is a need to increase housing land supply and it represents a material planning consideration of some weight though the proposed development would also have to otherwise comply with development plan policies and the requirements of Planning Policy Wales and its associated technical advice notes.

In this instance, and notwithstanding any issues around site viability, the site has the potential to deliver up to 487 residential units along with a school and according to the applicants these would be delivered at a rate of 80 – 90 units a year which would result in between 400 and 450 units being delivered within the 5 year time horizon with the balance of the site to follow. As such the site would be capable of delivering a substantial amount of housing (approximately 10% of the current shortfall) to address the shortage but it would not, of itself, eliminate it.

In terms of protection of mineral resources in the area, the applicants correctly point out that reserves beneath the site are already sterilized by buffer zones around existing residential development, even though the net effect of allowing this development would be to sterilise additional resources to the south. Given the existence of the bypass, the topography of the site and the actual extent of reserves this does not represent defensible grounds for objection to the proposals.

A number of residents in objecting to this planning application have indicated that the development of the nearby Cwm Coking Works site should take place before this site is even considered for development, reflecting the view in Planning Policy Wales that promotes the re-use of previously developed land for housing ahead of the development of Greenfield sites. Whilst the Cwm site is brownfield and benefits from an outline planning permission for residential development, it is not immediately available for development due to the fact that the site would need to be remediated and the tip reclaimed before development could take place. This stance is therefore outweighed by the current housing land supply figures and in any event there is no mechanism available to the Local Planning Authority (other than a justifiable refusal of planning permission) to delay the development of one site in favour of another.

Similarly, some residents have raised the issue of the loss of good quality agricultural land being contrary to policy. The current policy requirement is that land classified 3a or above should where possible be protected. In this case approximately 5% of the gross site area is categorized class 3a agricultural land the balance is of a lower classification. Reference to the agricultural land classification survey provided by the applicants also demonstrates that this is not only a small percentage of the site itself but it is also fragmented and distributed in small parcels around the site and as such its protection would be regarded as impractical or even undesirable in such circumstances and members are advised that this would not represent a sustainable reason for refusal of the current submission.

A number of objectors have raised the issue of the Local Development Plan Annual Monitoring Report, pointing out that in 2014 the implementation of policy CS4 – housing delivery was assessed as amber i.e. *“targets are not currently being achieved but the situation can be ameliorated without immediate intervention or sufficiently progressed not to require direct intervention”*. However, Members should note that the 2015 Annual Monitoring Report switched the assessment of policy CS4 to red i.e. *“targets are not being achieved and it is unlikely that this will be addressed without specific intervention.”* The application has to be considered against the more up to date assessment.

Some objectors have raised the issue and questioned housing land supply issues generally, including the assertion that the figures are out of date and based on circumstances where growth was expected to occur at a far higher rate than has subsequently transpired, indicating that it should be subject to review through the Local Development Plan review. Whilst this might be a necessary element of the plan review process, as a Local Planning Authority the Council is obliged to determine the current submission against currently prevailing requirements and in the current circumstances this will include considering more positively planning applications for housing outside of settlement limits where it is appropriate to do so. As far as the settlement boundary itself is concerned it can only be moved through a review of the Local Development Plan, whilst allowing major development outside of settlement limits is tantamount to moving the settlement boundary it is potentially justified in the right circumstances by the need to address housing land shortages.

Some objectors have suggested (some explicitly some implicitly) that there should be no further releases of land for housing until the plan reaches its end date of 2021. The end date of the plan is not the same as its first review date and if the plan is found to be failing in any particular area the purpose of a review is to make appropriate adjustment. In such circumstances where housing land supply is in shortage there is no obligation on land owners to refrain from submitting candidate sites until 2021. Whilst the Local Development Plan will always be the primary consideration in determining planning applications there are other material considerations that can lead to an alternative conclusion.

The objectors are correct to assert that developer contributions should not be used to make an unacceptable development acceptable, but that is not the case in this instance, as explained below with particular reference to the provision of the school on site and that if Members are minded to approve this planning application in accordance with Officer's recommendation the Section 106 package sought is typical of what is necessary with a development of this size.

The applicant revised the application to include the construction of a school on site to serve the development and to meet the further educational need arising as a result of the development. Whilst the payment of the Community Infrastructure Levy would allow the Council to address the educational need arising from the development following discussions with Council Officers, the applicants took the view that it would be beneficial for their development to have a school onsite. The applicants wish to transfer the school and its grounds once constructed to the Council as a payment in kind/infrastructure payment. Further details of this are set out under "Community Infrastructure Levy (CIL) Liability".

Some residents have raised the issue that allowing the development would lead to the coalescence of what are now distinct and separate settlements. In this particular case the assertion lacks sufficient foundation to be considered as a valid objection to the current proposals. Whilst the application site and most of the surrounding countryside lies outside of settlement limits, neither the site itself nor the undeveloped land immediately around it is designated as green wedge or special landscape area, it is countryside outside of settlement limits. Further the boundaries of the site are well defined on all sides by established roads, footpaths and the community route with open ground beyond those routes to the west south and east. As such it is considered that no case could be made on the basis of coalescence of settlements. The reality of the situation is that the proposal represents the continuation of a settlement pattern that meets the needs of the wider community for additional house building that at the same time respects local diversity and the character and cultural identity of the local community and other communities round about.

Sustainability

The site does not lie in a green wedge or special landscape area and the Site of Interest for Nature Conservation (SINC) only relates to the watercourses that cross the site (see comments below in respect of ecology). The site immediately adjoins the Llantwit Fardre settlement and benefits from good road access to the principal town of Llantrisant/Talbot Green and to the principal town of Pontypridd as well. Crown Hill is served by local bus services and the Local Development Plan proposes a railway station close to the western boundary of the site. Furthermore, the site also benefits from the community route being located on its southern boundary and from the presence of two public footpaths passing through the site, which will remain/be incorporated into the new residential development maximising the opportunity for active travel particularly by means of cycling and walking. Consequently the

proposed development site complies with the definition of a sustainable location for development as defined by Local Development Plan Policy AW2 and chapter 4 of Planning Policy Wales.

Ecology

The impact of the proposed development on the ecology of the site itself and the wider area has been a source of some concern for many people who have taken the trouble to comment on this planning application particularly with regard to protected species that are known to inhabit the locality and also in terms of the impact of the proposed development on the local Site of Interest for Nature Conservation.

In responding as the Council's advisor on ecological matters Natural Resources Wales have indicated that they are satisfied with the information provided in respect of bats. NRW understand that in the course of development existing bat roosts will be lost and before that can take place the developer will need to seek and gain a licence from them to undertake such works. The mitigation strategy outlined by the applicants is considered acceptable and this detail will need to be included as part of any licence application. They do not consider that the proposed development is likely to be detrimental to the maintenance of the population of pipistrelle bats at a favourable conservation status and this can be addressed through the imposition of a suitable condition on any consent that might be issued.

Similarly with regard to the issue of dormice and otter Natural Resources Wales express satisfaction with the findings and recommendations of the ecological appraisal that accompanies the current application. No evidence of the presence of dormice or otter within the application site is established and the intention to consider these species in the development of the site given their known presence in close proximity to it is welcomed. NRW take the view that suitable measures to ensure the conservation of otter and the appropriate consideration of dormice can be achieved through the imposition of appropriate planning conditions. As mentioned above, the SINC status of the site relates to issues of ecology that centre on the watercourse and it is clear that in the long term both NRW and the Council's own ecologist are satisfied that biodiversity in the area can be maintained.

The water environment

With regard to the issue of flooding the Welsh Government's Development Advice Maps currently identify that a substantial part of the site lies within undefended C2 floodplain which would normally generate an objection to development on local and national planning policy grounds. However, in this case in support of the application the applicants have provided a flood consequences assessment that demonstrates that the site can be modelled into two development plateaux with safe escape routes whilst at the same time providing some betterment upstream and downstream of the proposed development and Natural Resources Wales the Council's statutory advisors in such matters are accepting of the findings of the report.

In considering the flood consequences assessment submitted in support of the current proposals Natural Resources Wales advise that the model review undertaken by Arup on behalf of the applicants demonstrates that the majority of the site is shown to be outside of flood zones 2 & 3. NRW confirm that the pre-development model has been validated and that they agree with the model outputs. They go on to confirm that providing that the mitigation works stated in the Flood Consequences Assessment are undertaken the area proposed for built development will not be at flood risk during the 1 in 100 and 1 in 1000 year flood events. NRW also confirm that as a result of the mitigation works there would be an increase of 100mm during the 1 in 1000 year event within the cross section area of the proposed channel, this though is an area of low lying land that was predicted to flood during the 1 in 1000 year flood event and that there is no further flooding elsewhere as a result of the proposed mitigation.

Whilst flooding is clearly an issue for many residents it is clear from the evidence provided by the applicants that has been independently evaluated by Natural Resources Wales that the proposed development is acceptable in terms of its impact on the water environment.

Impact on the character and appearance of the area

The impact of the proposed development on the character and appearance of the area is difficult to fully evaluate at the outline application stage as the acceptability or otherwise of any proposal in this context will often depend on detailing. However, and in addition to the sustainability credentials of the proposal, there is merit in the proposal inasmuch as it is contiguous with the existing built form of Llantwit Fardre and with appropriate detailing it has the potential to become a sympathetic extension of the village. Whether or not it could become a coherent addition to the village will though depend on detailing and developing the physical relationship between the proposed development and existing homes. In this the proposed masterplan is helpful providing as it does a clear indication of the location of proposed street frontages key buildings and access routes into and through the site by various means. The constraints on the development of the site brought about by the need to create two building envelopes within it out of the need to also accommodate measures to deal with flooding also gives a clear indication of the east to west phasing that development of the site would have to take. Similarly the applicants have been able to demonstrate through the masterplan a density of development that meets the net policy requirement of 35 dwellings per hectare underlining that the proposals could make a meaningful contribution to the housing land supply for the area whilst at the same time ameliorating the concerns expressed by residents at the visual impact of the proposed development. However, key to ensuring that this works is the requirement to agree finished levels for the site relative to established property and if Members are minded to support the current application then a suitable condition would be appropriate to control this issue.

A number of residents make the point that the development would add a level of development compatible with the size of Efail Isaf to Llantwit Fardre adding substantially to the overall population. The point is not entirely unfounded as a relatively large influx of people over a relatively short period of time has the potential to prove disruptive to social cohesion. However, this would not of itself prove sufficient grounds to refuse a planning application.

There has been some comment to the effect that the character of the Public Rights of Way through the site will be irreversibly damaged by the development of the site and that the passive enjoyment of open space that the footpaths facilitate would also be lost. This though would be an inevitable consequence of developing any area of ground through which a right of way passes and in light of the overall landscape and visual impact of the proposal which is considered below, this would not support the refusal of this application.

The landscape and visual impact of the proposed development have been the subject of a detailed study by Soltys Brewster on behalf of the applicants and the study concludes that overall the site does not result in significant effects on the baseline landscape and visual characteristics, with the exception of close views dominated by the site which has a moderate-major significance of visual effect. Even in the worse case view, the rural urban fringe context, field pattern, wider landscape setting and landscape network of hedgerows and trees are retained and the development would be viewed within the existing landscape context as an extension of Llantwit Fardre resulting in an overall neutral effect. The study has used established and accepted methodology and best practice in arriving at this conclusion and the Council's Landscape Architect accepts the overall report findings as robust but identifies a need to establish appropriate detailed landscaping for the site alongside the applicants submitted green infrastructure plan and landscape framework plan through the imposition of appropriate planning conditions to underpin this and ensure that the impacts of the proposed development on the character and appearance of the area remain acceptable.

Some residents have raised the issue that the area generally suffers from a lack of recreational facilities and that allowing the further development of this site would only serve to exacerbate this situation. This however ignores what the development could potentially deliver besides housing. The creation of the undeveloped central area necessitated by the need to address flooding at the site will open that currently enclosed area up as informal public open space, within which the applicant will also be providing formal play areas. Furthermore the provision of a school will also mean that the developer will be providing the recreation facilities that would be required by a new primary school and the Education Department have already indicated that on handover of the school these facilities would be dual use available for the public outside of school hours.

Impact on amenity and privacy

Given that this is an outline planning application it is difficult to assess what the full impact of the development on residential amenity or privacy would be. However the masterplan that accompanies the application and the building envelopes that it envisages strongly suggest that the site could be developed in a manner where the impact of the proposals on existing dwellings would be acceptable, particularly as the site is well defined with strong natural boundaries that would inevitably result in the maintenance of good distances between any existing and proposed development. Similarly, the masterplan indicates that the site could be developed in a manner where the levels and distances between homes would demonstrate levels of amenity and privacy not dissimilar to those already established in the newer residential areas of Llantwit Fardre immediately adjacent to the site which as such would make them acceptable.

The issues raised by Public Health Wales (as referred to above) relate to air quality which clearly falls under the banner of amenity and it is appropriate that this part of the report addresses the point raised.

In addressing the concerns raised it is important to consider not only the air quality assessment (AQA) itself but also to consider its findings in conjunction with those of the submitted transport assessment (which has informed the AQA) along with conditions that might be applied if members are of a mind to support the current application.

The overall finding of the AQA is that the effects of the development will be significant for a temporary period of time (through the development phase), and not significant by 2022. Taking into account the mitigation proposed and the residual air quality impacts of the proposed development these are judged to be not significant. Public Health Wales themselves accept that medium and long term impacts will be acceptable and conclude that predicted road traffic impacts by 2022 will be in compliance with air quality objectives,. Consequently it is the short term impacts of the proposal that need to be addressed and mitigated for.

Turning to the issue of the Air Quality Management Area (AQMA) Members should first note that the site subject of this planning application lies entirely outside of it. The AQMA was designated some time ago reflecting the heavily trafficked former route of the A473 between Tonteg and Beddau. The creation of the bypass has considerably improved that situation.

Referring to the specific bullet points outlined above in the Consultation section, Members are advised to note the following –

The AQA assumes a seven year build out period with 14% of traffic present by 2017, increasing to 43% by 2019 and 100% by 2022 these figures clearly relate to the expected level of traffic generated by the development at points in the build out of the site.

Other than the typical ground preparation and earthworks associated with the proposed development no particular or unique works are proposed as this would be a housing development on a greenfield site. In such circumstances the normal course of events, should Members resolve to support the current application, would be to apply a condition requiring the submission of a construction method statement to any consent that might be issued. In addition to the application of such a condition the developer would also be obliged to comply with other statutory pollution control and prevention measures and conditions required by the Public Health and Protection Division independent of the requirements of any planning condition. In short, no out of the ordinary works would be proposed that either haven't been assessed or couldn't be effectively regulated by condition or good working practices.

The AQA should not be read in isolation and in fact draws on the findings of the Transport Assessment which has formed the basis of much of the information contained in the AQA as baseline data.

The Transport Assessment confirms at paragraph 5.26 that the Council provided the applicant with details of seven committed sites in the vicinity of the application site and that the committed traffic flows from those developments have been taken into account. Additionally the scope of the traffic assessment was the subject of discussion and exchange of correspondence between the applicant's agent and the Transportation Section prior to the initial submission being written and following the revision in the proposals to include the school. The issue of traffic growth has also been fully accounted for as future potential development in the vicinity of the site has been factored in and assessed. Furthermore, a condition requiring the developer to provide the occupier of each new dwelling with a travel plan/welcome pack will also have the effect of securing a reduction in the volume of trips made by private cars which will also clearly have air quality benefits.

In that the principal concerns in respect of air quality relate to the effects of building the site out and the control of development through that process, Members are advised that conventionally these are matters that can be adequately controlled through the application of standard planning conditions such as those controlling the hours of operation and construction management plans.

In that the Transportation Section have rightly concluded that the inclusion of the school within the proposed development will result in no change from a traffic generation standpoint, it is reasonable to conclude that the impacts of the change on air quality will also be unchanged.

Given the above it is reasonable to conclude that the issues raised by Public Health Wales are not new and have been properly accounted for and that the air quality impacts of the proposed development, which are only short term, can be adequately addressed through the imposition of standard planning conditions.

Access and highway safety

The application has been accompanied by a transport assessment which has been the subject of amendment following the inclusion of a school as part of the scheme along with an interim residential travel plan and other supporting documentation. In considering the detail submitted the Transportation Section have had regard to the veracity of

- Traffic survey data,
- Trip rate and trip generation figures,
- Traffic distribution and growth information,
- The extent of committed development,
- Assessment years traffic flows,
- Percentage impact assessments,
- Junction analysis,
- Collision analysis,
- Site access and connectivity,
- The proposed Zebra crossing at Crown Hill,
- Emergency access and pedestrian link footways,
- Vision splays,
- Internal road layouts,
- Parking provision,
- Safe route in communities,
- Road safety audit,
- Off-site works,
- Travel plan, and
- Commuted sums for works requiring additional highway maintenance.

The revised Transport Assessment demonstrates that the proposed development would not have an adverse impact on the local and wider highway network and required highway improvements will and can be delivered through the development. The submitted drawings illustrate the required off site highway improvements and their general lack of engineering detail will require that appropriate conditions be attached to any consent issued if Members are of a mind to support this application. The Transportation Section are concerned that the land required to deliver pedestrian and cycle facilities together with the emergency access route to the B4959 lie outside of the red line boundary and the fact that it has not yet been established that the proposals lie within highway land, however this issue can be adequately addressed through the use of a Grampian condition to secure the provision of these improvements in an appropriate and timely manner. As such, concerns in respect of highway capacity and congestion have been addressed and the impacts of the proposed development are demonstrated to be within tolerable limits. As far as parking is concerned then this is more a matter of detail to be determined at the reserved matters stage should members be of a mind to support the current proposals.

As far as Public Rights of Way are concerned Members should first note the comments of the Public Rights of Way officer above who is satisfied that the footpaths through the site can be managed and maintained through the development process. There has been some comment at the effect of other development on the community route. The current masterplan is clear in its intent to ensure that rights of way through the site will be maintained. In terms of protecting the footpaths and community route from excess vehicular traffic resulting from the proposed development this would be covered by the requirement for a construction management plan under condition of any consent granted. Reference is also made by some residents that the existing gated arrangement is currently abused and allowing development would only exacerbate the situation, however no evidence is produced to support this view. Further with appropriate design securing greater surveillance of this facility than at present there is the potential for this problem to lessen considerably.

The Wellbeing of Future Generations Act

The local Assembly Member has made reference to the Wellbeing of Future Generations Act 2015 suggesting that the current proposals are in conflict with its content and spirit. Sections 3, 4 and 5 of the Act which are now in force are the sections of the act that most influence planning in Wales and have lead changes in Planning Policy Wales. Section 3 of the Act places a duty on public bodies to carry out sustainable development, section 4 sets out the seven wellbeing goals and section 5 requires public bodies to act in accordance with the sustainable development principle. The wellbeing goals embed further the principle of sustainability in the decision making process and in planning decisions requires that development should be measured against these goals. Of the seven goals the most pertinent in this case are those of a prosperous Wales a resilient Wales and a Wales of cohesive communities as the effect of the proposal on the other wellbeing goals is either nil or neutral. The development of the site can be undertaken in a sustainable and resource efficient manner and would generate wealth in the economy and employment opportunities for local people. The impacts on the natural environment have been fully assessed and have, subject to conditions should members be minded to support the proposal, been found to be acceptable as presented elsewhere in this report and the proposal would represent an attractive viable and a safe development with good connections to the existing community. As such it is considered that the application appropriately meets its obligations in respect of this particular piece of legislation.

Other Issues:

The following other points have been taken into account in considering the application, inasmuch as any of them might have any relevance to the determination of the application, though they were not the key determining factors in reaching the recommendation.

The suggestion that the revision of the proposals to include a school should have generated the withdrawal of the first application and the submission of a new one is entirely without foundation there being no requirement statutory or otherwise for the Local Planning Authority to conduct its business in that manner.

Loss of a private view/outlook is not a material planning consideration.

Similarly any devaluation of property brought about if the application is successful is not a material planning consideration.

The fact that an existing resident might have a developmental disability is not sufficient reason to refuse a planning application. Whilst the provisions of the Wellbeing of Future Generations Act places a responsibility on the deciding authority to have regard to such issues in terms of its impacts on the community, in this instance the claim made in respect of a specific individual does not represent sufficient reason to be rejecting this planning application.

The fact that there is a lot of residential development happening in the locality and close to the County boundary with Cardiff would not form a reasonable basis for the refusal of this planning application, particularly given the housing land supply situation.

On the basis that each planning application is dealt with on its individual merit allowing the current proposal would not set a precedent for further development of housing on greenfield sites outside of settlement limits.

The application form is correct in that there would be no loss of public open space as none of the site is currently public open space but a private farmstead through which Public Rights of Way pass, issues relating to the passive enjoyment of the countryside are addressed elsewhere.

Allowing the development may well increase ambient light levels at night for existing residents whose properties back on to Ystrad Barwig Lane, however, increasing ambient light levels through the provision of standard street lighting provision is not sufficient reason to refuse the planning application.

The fact that the number of houses might be larger than a small nearby village is of itself no reason for refusal and the objectors give no indication of what they consider the negative impacts to be beyond those alluded to elsewhere in this report.

The fact that as a Planning Authority the Council has refused other applications that might have addressed a specific housing need or that those who have promoted such applications have chosen to withdraw them rather than receive a refusal can form no basis for rejecting the current submission as each application has to be considered and determined on the basis of its individual merits.

There has been a suggestion that the doctors' surgeries and dentistry practices in the area are oversubscribed and that without proposals to address the current shortfall the application should be rejected. Members should first note that the Local Health Board have twice been consulted with regard to this application and have chosen not to offer any comment or concern in respect of the current proposals. Notwithstanding their silence in the matter past experience is that the Health Board tends to respond to increases in demand for local services and arguably as such allowing the development would in all probability make the delivery of additional services and facilities more likely.

In their objections to the current application the Glamorgan Ramblers have implied that it is one of the aims of the Local Development Plan to reduce commuting from Rhondda Cynon Taf to Cardiff. This is not so as Cardiff is often a source of well paid jobs for many residents of Rhondda Cynon Taf. Though it is acknowledged that the Cardiff Local Development Plan does have an implicit aim of reducing car based commuting into Cardiff by the introduction of the South Wales Metro creating a modal shift in people's commuting habits.

There has been some concern at the loss of a working farm however it is not for the Local Planning Authority to be unduly obstructive with regard to the fact that the owners have elected to take that particular business in a different direction. Similarly some objectors have taken exception to the suggestion on the part of the applicants that the site is undeveloped agricultural land as it has been altered improved and modified as agricultural land over a number of years. This though misses the point as the site is undeveloped in the sense that it has not been put to any use other than agriculture and has not been physically developed in any other way (other than for the farmhouses and associated outbuildings).

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

In the case of this planning application Members are advised that a CIL payment will be due but instead of making a financial payment CIL the developer wishes to make a payment in kind in the form of provision of land and a school building that will serve the development.

Whilst not a relevant consideration in the determination of this matter set out below for Members information are the rules and requirements that permit the Council to accept a payment in kind/infrastructure payment.

Regulation 73 of the Community Infrastructure Levy Regulations allows for payments in kind in the form of land and regulation 73A allows for payments in kind in the form of infrastructure.

Where CIL is paid by way of a land and/or an infrastructure payment the amount of CIL paid is equal to the value of the land and infrastructure provided as valued by an independent party. If there is a shortfall between the CIL due on the development and the value of the land and infrastructure the shortfall will be paid in money.

In order to accept an infrastructure payment the Council must have resolved to make infrastructure payments available in its area. At the date of this report such a resolution has not been made. In addition whilst the developer wishes to make a land and infrastructure payment the determination as to whether to accept this rests with the Council through its Cabinet.

Both forms of payment in kind have to be the subject of a legally binding agreement before the development starts. In the case of the land to be provided the agreement must state in writing the value of the land to be acquired and it cannot form part of an obligation entered into under Section 106 of the Town & Country Planning Act 1990. With regard to infrastructure (in this case the school building), there is a need to ensure that –

- The infrastructure provided through an infrastructure payment will be used to support the development of the area.
- The Council will need to be satisfied that the developer has sufficient control over the land on, in or under which the infrastructure is to be provided.
- The Council is satisfied that the infrastructure to be provided is relevant infrastructure, and;
- The infrastructure to be provided is not necessary to make the development granted permission acceptable in planning terms.

In both cases any agreement could only take place in circumstances where liability for CIL has been assumed and in the case of infrastructure the agreement would have to state the value of the infrastructure to be provided, the date on which it is to be provided and if the infrastructure is not provided at that date provision for the payment to the Council of the CIL cash amount plus interest.

It is clear therefore that subject to the stated requirements in the regulations that it is acceptable and sometimes even desirable to accept CIL as payment in kind/infrastructure payment. With particular reference to bullet point 4 the provision of a school is not necessary as the applicants have provided sufficient evidence to illustrate that provision could be facilitated at other schools in the locality, however on site provision is not only desirable in this case it is the preferred option of the Council as Education Authority.

Section 106 Contributions / Planning Obligations

Section 106 of the Town and Country Planning Act (as amended) enables local planning authorities and developers to agree to planning obligations to require operations or activities to be carried out on land (in-kind obligations) or require payments to be made (financial contributions), to mitigate any unacceptable impacts of development proposals.

The Community Infrastructure Levy (CIL) Regulations 2010, with effect from 6 April 2010, state that a planning obligation (under S.106) may only legally constitute a reason for granting planning permission if it is:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and,
- fairly and reasonably related in scale and kind to the development.

Planning Policy Wales (Chapter 3) advises that contributions from developers may be used to offset negative consequences of development, to help meet local needs, or to secure benefits which will make development more sustainable. Further guidance regarding what types of obligations developers may be expected to contribute towards is also contained within Policy AW4 of the Local Development Plan and the Council's SPG on Planning Obligations, however it is made clear that this is intended to form the basis of negotiations between all parties.

The Section 106 requirements in this case

Ecology – the delivery of a long term habitat management plan

Affordable housing – to be provided on the basis of the advice from the housing strategy group as outlined above.

Recreation – the provision of public open space and play areas as described in the site masterplan.

The agreement of an employment skills training plan.

Members are advised that the above requirements in the view of officers the Section 106 obligations sought accord with the Regulations 123 tests outlined above. It is perfectly acceptable to secure the maintenance of ecological diversity of an area in the long term through a Section 106 legal agreement that delivers its management. Similarly the delivery of affordable housing through such an agreement and the provision of public open space to meet the needs of that development are standard requirements in planning terms that are supported by planning policy at the local and national level where there is a demonstrable need for such provision as is the case here. In respect of the requirement for an employment skills training plan, there is a recognised need to secure employment and training opportunities for local people through the planning process given that Rhondda Cynon Taf has a higher rate of

unemployment and lower levels of educational attainment than the Welsh and UK average and this requirement is outlined in the Council's Supplementary Planning Guidance in respect of this issue.

Conclusion

This is a major application on a site that raises a number of complex issues. In this instance the key issue is set in planning policy and whether or not there is sufficient cause here to allow for the departure from the Local Development Plan due to the housing land supply issue. In this instance the applicants have been able to demonstrate that other than the location of the site being outside of development limits the proposal would otherwise comply with policy related requirements and that the proposal is acceptable in terms of other key issues such as sustainability, flooding, its impact on the character and appearance of the area, its impact on privacy and amenity and that it will not adversely impact the highway network and that it is acceptable in the context of the requirements of other legislation. As such support is offered for the current submission on the basis that it will contribute substantively to housing land supply in the County Borough whilst at the same time having a neutral or even positive impact in terms of planning policy and all other material planning considerations.

Members are advised that the proposed development will require referral to the Welsh Government under the requirements of The Town and Country Planning (Notification) (Wales) Order 2012 as it represents significant residential development (defined as a development of more than 150 residential units or with a site area exceeding 6 hectares) which is a departure from the adopted Local Development Plan. Members should also note that even though some of the site now proposed for development is currently designated flood plain category C2, there is no reason to refer the development of the site to Welsh Government on this basis as the categorisation does not affect the whole of the site.

RECOMMENDATION: Approve subject to Welsh Government raising no objections to the proposal and to the conditions specified below and the following requirements –

- The applicants entering into a Section 106 agreement as outlined above.

RECOMMENDATION: Grant

1. (a) Approval of the details of the layout, scale, appearance of the buildings and the landscaping of the site(hereinafter referred to as “the reserved matters”) shall be obtained from the Local Planning Authority in writing before the 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, and the landscaping which shall be in demonstrable broad accord with the

plans identified as approved in condition 2 below, 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 insofar as area 1 is concerned before the expiration of two years from the date of this permission and insofar as area 2 is concerned before the expiration of three years from the date of this permission (areas referred to as shown on plan Ref: UG1473).

(d) The development hereby permitted shall be begun before whichever is the latter of either (i) the expiration of 3 years from the date of this permission, or (ii) the expiration of 1 year from the final approval of the reserved matters or in the case of approval on different dates the final approval of the last such matter to be approved.

Reason: To comply with Section 92 of the Town & Country Planning Act 1990.

2. The consent hereby granted relates to the following plans –

- Site Location Plan Drawing No. UG1473-003.
- Illustrative Masterplan Drawing No. UG1473-004
- Net Development Areas & Densities Plan Drawing No.UG1473 Rev B
- Phasing Plan UG1473
- Preliminary Green Infrastructure Plan 1461001/P/GA/001 Rev G
- Indicative Cross Section – landscape Amenity 1473-013 Rev B
- Typical Cross Sections Through Central Green Corridor 1473-025
- Proposed Street Sections 1473-014 Rev A
- Public Rights of Way and Movement Plan 1473-020 Rev A.

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

3. No development other than any works of demolition, site clearance, site remediation or site improvement details shall commence until all matters relating to flood risk management, including full drainage details, have been submitted to and approved in writing by the Local Planning Authority.

Reason To ensure that drainage from the development does not cause or exacerbate any adverse conditions on site or to adjoining properties, the environment and existing infrastructure arising from inadequate drainage.

4. The development hereby approved shall only be carried out in accordance with the mitigation measures described in Table 3 of the WFD preliminary assessment prepared by Arup and dated 11th February 2016.

Reason: To Protect the water environment in accordance with Policy AW8

of the Rhondda Cynon Taf Local Development Plan.

5. The development hereby approved shall only be carried out in accordance with the mitigation measures outlined in the Flood Consequences Assessment prepared by Arup and dated July 2015, as approved by Natural Resources Wales.

Reason To prevent flooding through ensuring the satisfactory storage of fluvial floodwater in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

6. No development shall take place until a Species, Habitat and Tree/Hedgerow 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 'Species, Habitat and Tree/Hedgerow 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 and species could be harmed
- d) Details of specific species and habitat mitigation measures for key species (including bats, birds, badgers, otters and reptiles),
- e) Details of tree and hedgerow protection measures, and any required tree or hedgerow management works.

Persons responsible for:

- i) Compliance with legal consents relating to nature conservation;
- ii) Compliance with planning conditions relating to nature conservation (Ecological Clerk of Works);
- iii) Installation of physical protection measures and management 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) Specific species and Habitat Mitigation measures
- vii) Provision of training and information about the importance of the '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: In the interests of maintaining and enhancing biodiversity in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development

Plan.

7. No development shall take place until details of the Ecological, Hedgerow/Tree and Landscape Mitigation and Management Plan to be submitted to and approved in writing by the local planning authority.

The Plan shall include details of;

- i) Purpose, aim and objectives of the scheme;
- ii) A review of the plans ecological and landscape potential and constraints;
- iii) Details of;
 - a) species composition of hedgerow and woodland planting, and grass seeding,
 - b) source of material (all native planting to be of certified British provenance),
 - c) techniques and methods of habitat and vegetation establishment including wetland, grassland and woodland,
 - d) stream enhancement measures,
 - e) pre-occupation management of hedgerows and trees, and details of information regarding hedgerow management for new residents with hedgerow boundaries.
 - f) method statements for site preparation;
 - g) extent and location of proposed works;
 - h) aftercare;
 - i) personnel responsible for the work;
 - j) timing of the works;
 - k) monitoring;
 - l) 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: In the interests of maintaining and enhancing biodiversity in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

8. No development other than works of demolition or site clearance shall commence until a scheme to deal with the risks associated with contamination of the site have been submitted to and approved in writing by the Local Planning Authority.

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

9. In relation to each respective phase of development as shown on plan Ref: UG1473, prior to the occupation of any phase of the development a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. The report shall also include a long term monitoring and maintenance plan for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action as identified in the verification report and for the reporting of this to the Local Planning Authority.

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

10. Reports on monitoring, maintenance and any contingency action carried out in accordance with a long term monitoring and maintenance plan shall be submitted to and agreed in writing with the Local Planning Authority as set out in the plan. On completion of the monitoring programme a final report demonstrating that all long term site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and agreed in writing with the Local Planning Authority.

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

11. If during development contamination not previously identified is found to be present at the site then no further development (other than any carried out with the agreement of the Local Planning Authority) shall be carried out until the developer has submitted and received written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how the unsuspected contamination will be dealt with.

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

12. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters, the development shall be carried out in accordance with approved details.

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

13. In relation to each respective phase of development as shown on plan Ref: UG1473 the development, no development, other than for any works of demolition, site clearance site, shall commence until such time as a scheme to treat and remove suspended solids from surface water runoff during construction works has been submitted to and agreed in writing with the Local Planning Authority in consultation with Natural Resources Wales.

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

14. Before the submission of reserved matters for either phase of development as shown on drawing Re: UG1473, a detailed site investigation 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 minimize any damage which might arise as a result of ground conditions. The development hereby permitted shall be carried out in accordance with the approved site investigation report.

Reason: The site may be unstable and as such a stability report is required in accordance with Policy AW10 of the Rhondda Cynon Taf local Development Plan.

15. Construction works on the development shall not take place other than during the following times –
- Monday to Friday, 0800 hrs to 1800 hrs
 - Saturdays, 0800 hrs to 1300 hrs
 - Not at any time on Sundays, bank or public holidays unless otherwise agreed in writing with the Local Planning Authority

Reason: To ensure that the noise omitted from the development is not a source of nuisance to occupants of nearby residential properties in accordance with Policy AW10 of the Rhondda Cynon Taf Local development Plan.

16. Foul and surface water discharges shall be drained separately from the Site.

Reason: To ensure adequate disposal of foul and surface water from the

site in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

17. In relation to each respective phase of development as shown on drawing Ref:UG1473, no development other than works of demolition, site clearance site remediation or site improvement, shall commence until a drainage scheme for that phase of development has been submitted to and agreed in writing with the Local Planning Authority. The scheme(s) shall be implemented in accordance with the approved details prior to the occupation of that phase of development unless the Local Planning Authority gives its written consent to any scheme of variation. No further foul water, surface water and land drainage will be allowed to connect to the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of residents and prevent pollution of the environment in accordance with Policy AW10 of the Rhondda Cynon Taf Local development Plan.

18. No occupation of any dwelling within any phase shall occur until the pedestrian and cycle access facilities together with offsite works to create the emergency access to the B4595 have been constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and the associated speed reduction from 60mph to 30mph has been implemented.

Reason: In the interests of highway safety and so as to accord with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

19. No works shall commence on site other than any works of demolition, site clearance, site remediation or site improvement, until full engineering design and details (including Road Safety Audit Report with Designers Response) have been submitted to and approved in writing by the Local Planning Authority for the off-site highway improvement and mitigation works at Crown Hill and the A473 roundabout, right turning lane and access to the development incorporating uncontrolled pedestrian crossing facilities and the proposed zebra crossing near the junction of Crown Hill and Aspen way. These proposals shall be implemented prior to the first occupation on phase 1 of the development and in accordance with current highway design requirements.

Reason: In the interests of highway and pedestrian safety and the free flow of traffic and to accord with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

20. In relation to each respective phase of development as shown on drawing

Ref: UG 1473, and notwithstanding the submitted plans, no work shall commence on that phase other than any works of demolition, site clearance, site remediation or site improvement, until full engineering design and details of internal road layout including sections, ecologically sensitive street lighting, highway structures, traffic management measures, turning facilities, shared pedestrian cycle facilities, footways, link footpaths and highway surface water drainage relevant to that phase of development 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 the safety of all highway users and to accord with the requirements of Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

21. Parking provision shall be in compliance with Rhondda Cynon Taf's supplementary planning guidance on delivering design and place making: access circulation and parking requirements (March 2011).

Reason: To ensure that adequate parking is made available to serve the development in the interests of highway safety and to accord with Policy AW5 of the Rhondda Cynon Taf Local development Plan.

22. No development shall take place within any phase (or part thereof) until a Construction Method Statement Management Plan, relating to that phase the subject of the development, has been submitted and approved in writing by the Local Planning Authority to provide for:

- The means of access into and egress from the site for all construction traffic;
- The parking of vehicles of site operatives and visitors;
- The management of vehicular and pedestrian traffic;
- Loading and unloading of plant and materials;
- Wheel washing facilities;
- The suppression of dust;
- The sheeting of Lorries leaving the site;
- Details of plant and equipment;
- Methods and types of ground compaction;
- Mitigation measures for the control of noise;
- Location of site compounds;
- Use of artificial lighting;
- Measures to treat and remove suspended solids from surface water run-off;
- The temporary protection of trees and/or hedgerows during periods of construction.

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

Reason: In the interests of the safe and free flow of traffic and in order to ensure that the amenities of residents in proximity to the site are not unduly impacted upon in accordance with policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

23. The developer shall provide the occupier of each dwelling with a travel plan/welcome pack.

Reason: To promote a reduction in road traffic and the use of sustainable modes of travel and to accord with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

24. No development of any phase of the development shown on drawing Ref: UG1473 shall take place until a written scheme of targeted historic environment mitigation has been approved in writing the Local Planning Authority. Thereafter the programme of work will be fully carried out in accordance with the requirements and standards of the written scheme.

Reason: To identify and record any features of archaeological interest discovered during the works and in order to mitigate the impact of the works on the archaeological resource and to accord with the requirements of Policy AW7 of the Rhondda Cynon Taf Local Development Plan.

25. The proposed primary school facility, as shown in the Illustrative Masterplan 1473-004, Rev -, and forming part of Phase 1 of the scheme (as defined by Phasing Plan, UG1473, Rev - shall be completed and made available for first beneficial education use prior to the occupation of the 100th dwelling hereby approved

Reason: To ensure sufficient education provision to meet the needs of the development.

26. No development shall take place until details of an invasive plant control, and eradication scheme has been submitted to and approved in writing by the local planning authority.

Reason: In the interests of maintaining and enhancing biodiversity in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

27. Prior to the commencement of any phase of development details in the form

of existing and proposed sections and levels of that phase of development shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure the creation of a satisfactory landform and to comply with policies AW5 & AW6 of the Rhondda Cynon Taf Local Development Plan.

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APPLICATION NO: 15/1590/10 (GW)
APPLICANT: Mr Cornthwaite
DEVELOPMENT: Construction of two residential dwellings and associated works (Amended plans and details received 12th May 2016 and 16th May 2016)
LOCATION: LAND AT 52-56 RICKARDS STREET, PONTYPRIDD, CF37 1RE
DATE REGISTERED: 14/06/2016
ELECTORAL DIVISION: Graig

RECOMMENDATION: Grant

REASONS: The proposal is within the settlement boundary as identified in the Rhondda Cynon Taf Local Development Plan and within a predominantly residential area of Pontypridd.

Originally the application was for three dwellings. An initial objection from the Transportation Section, that no off-road parking would be provided, resulted in the applicant reducing the number of dwellings from three to two and off-road parking being provided. Whilst this results in less dwellings and the loss of some of the traditional visual character of the street scene, it is however considered that these issues would not warrant a refusal reason.

The size, scale and design of the dwellings themselves would have an acceptable impact on the character of the area and there would be no significant detrimental impact on residential amenity.

REASON APPLICATION REPORTED TO COMMITTEE

- Three or more letters of objection have been received.

APPLICATION DETAILS

Originally, this application sought planning permission for the erection of three linked dwellings in a gap within the terrace that was formerly occupied by dwellings. These have been demolished some time ago. No off-road parking was proposed.

Following an objection from the Transportation Section, the applicant has amended the proposal to a pair of semi-detached dwellings with off-road parking to the sides of the dwellings.

It is proposed to finish the elevations in cream or similar coloured render and the roofs would be covered with a Marley Mendip Roof tile (Old English Red or similar)

The application is accompanied by the following:

- Design and Access Statement.
- Coal Mining Risk Assessment

SITE APPRAISAL

The site is a gap within a terrace of traditional residential dwellings at Rickards Street in Pontypridd. The site and dwellings adjacent are raised above the pavement on an elevated plinth that has a stone wall fronting Rickard Street. To the rear of the site is another retaining wall that retains the steeply sloping land behind. Dwellings on Graig Terrace are located on the land above.

PLANNING HISTORY

08/0893	53-55 Rickard Street, Pontypridd	Development of 6 apartments (4no.2 bedroom, 2no. 1 bedroom)on three floors with associated vehicle and bicycle parking and secure bin store beneath	Refused 27/02/13
05/1707	51a Rickard Street, Pontypridd	Provision of 5 bedroom supported unit	Refused 17/03/06

PUBLICITY

The application was originally advertised via the erection of a site notice and by direct neighbour notification.

Three letters of objection were received from local residents of Graig Terrace. The objections are summarised below:

- Development will impact on privacy.

- Development will affect our views.
- Development will impact on the value of property.
- There is potential for damage to my property due to the close proximity to the rear boundary. A full structural survey should be carried out of my property before and after the construction. Any damage to my property should be paid for by the developer.
- We have always had access to our properties from Rickards Street. Previous owners kept it clear and now it is overgrown.
- Access is limited and would cause disruption to Rickards Street daily.

Following the application being amended to two dwellings, the application was re-advertised. A further letter was received from one of the original objectors on Graig Terrace.

- Our house is over 100 years old and could be structurally affected by the construction.
- Any new retaining structures would affect stability
- They just want to make money from the site.
- No thought of access to our properties in case of emergency or fire.
- The proposed houses are higher than those either side and would be out of character

CONSULTATION

The Coal Authority – the site falls within defined development high risk area. The submitted Coal Mining Risk Assessment report identifies past mining activity in the area. However further more detailed consideration of ground conditions, foundation design and gas protections measures may be required as part of any subsequent building regulations application. An informative note is advised.

Countryside, Landscape and Ecology – a condition restricting site clearance to outside the nesting bird season and a bat informative note would be required.

Dwr Cymru/Welsh Water – no objection subject to conditions that foul and surface water are drained separately from the site, no surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network and the site is crossed by a public sewer. Advisory notes are provided on sewers and water supply

Flood Risk Management – no objection subject to full drainage conditions. An assessment to ensure the development does not affect highway drainage is required.

Public Health and Protection – no objection subject to conditions on the demolition of existing dwellings, noise from construction works, dust, waste and a scheme to protect future occupiers from noise from the adjacent railway line.

Structural Engineer – structural calculations of the retaining structures will be required by condition.

Transportation Section – the development provides 1 space per dwelling and is close to public transport and the town centre. No objection subject to conditions to construct access in permanent materials, surface water not to drain to the public highway and vehicular crossings to be provided.

Wales & West Utilities – pipes are located within the locality of the site. Should the application be approved the developer must contact them to discuss their requirements. Advisory notes for the protection of their apparatus are also provided. No construction works would be allowed over or enclosing their apparatus.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The site is within settlement boundaries as defined by the Rhondda Cynon Taf Local Development Plan and is unallocated.

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

Policy AW1 - supports new housing inside the settlement boundaries and allocated sites.

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 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.

Policy SSA11 – details a minimum of 35 dwellings per hectare unless it can be justified as an exception.

Policy SSA13 – provides criteria for housing development within settlement boundaries.

Supplementary Planning Guidance:

Access Circulation and Parking

Design and Placemaking

National Guidance

Chapter 2 (Development Plans), Chapter 3 (Making and Enforcing Planning Decisions), Chapter 4 (Planning for Sustainability), Chapter 7 (Economic Development), Chapter 8 (Transport) and Chapter 9 (Housing) set out the Welsh Government's policy on planning issues relevant to the determination of the application.

Other relevant policy guidance consulted:

PPW Technical Advice Note 12: Design;

PPW Technical Advice Note 18: Transport;

PPW Technical Advice Note 23: Economic Development

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 site is a gap within a residential terrace located within the settlement boundary as identified in the Rhondda Cynon Taf Local Development Plan (LDP) and is unallocated. It is understood dwellings were previously located on the site, however they were demolished some time ago.

The changes in the application highlighted above result in one less dwelling being provided on the site than it previously contained. The provision of two dwellings on a site this size however falls above the required minimum density identified in the LDP of 35 dwellings per hectare.

Therefore, the principle of residential development is acceptable subject to other material planning considerations, which are assessed below:

Impact on the character and appearance of the area

Originally the application proposed three dwellings that would have filled the gap within the terrace. This would have resulted in a similar visual impact to when the original dwellings were located at the site. An objection that no off-road parking would be provided was however raised by the Transportation Section. Whilst it is considered there is an argument that no-off-road parking is required (to achieve a better visual outcome) the applicant amended the application.

The number of proposed dwellings was reduced to two and parking bays are proposed either side of the dwellings and would be cut into the stone wall and bank. As a result, the original step accesses (at the sides) to the former dwellings would be lost and new stepped accesses created. It is considered that the resulting development and the loss of the continual stone wall fronting this part of Rickards Street would look somewhat at odds with the existing street form. As such, it is considered the retention of the stone wall as it is, would have been the preferential option in these terms. Notwithstanding this, it is considered the proposal would however, not have such a significant detrimental visual impact to warrant a refusal on its own.

Turning to the dwellings themselves, they are higher than the dwellings either side by approximately 1m. Objectors have pointed to this resulting in the dwellings being out of character with the small cottages adjacent. It is however noted that there are dwellings of different heights along Rickards Street, including dwellings higher than the adjacent dwellings. It is considered that the additional height, to the dwellings either side, would not be so significant so as to look out of place in the street scene. It is noted that the proposed roofing materials would be a Marley Mendip red and no brick details have been submitted. It is considered that a different type of roof covering would be more complimentary to the character of the area. Details of these could be obtained by condition if permission is granted.

Taking into account the above assessment it is considered the development would not result in a significant detrimental visual impact on the character of the site and the area as a whole.

Impact on residential amenity and privacy

The dwellings would be located in the gap in the terrace and the dwellings to the rear are at a higher level to the site. As such, there would not be a significant impact from loss of light or overbearing.

In terms of overlooking, the main windows would be on the front and rear elevations. An objection has been raised from an occupier of dwellings to the rear that there

would be a loss of privacy. The windows at the rear would however look towards the rear slope and the objector's property is at a higher level. It is therefore considered the proposal would not result in a significant overlooking issue and loss of privacy.

Other related objections raised by some local residents include: the development would result in a loss of views, a loss of their property value and that the applicant just wants to make money from the development. Whilst these issues are not substantiated, they are however not planning issues that would warrant a refusal of the application.

Taking into account the above assessment, it is therefore considered the proposed dwellings would have an acceptable impact on the amenity of nearby residents.

Access and highway safety

Properties on Rickards Street, generally, do not have off road parking accessed directly from the street and the majority of parking is on street. There is restricted parking to the front of the site and unrestricted on street parking opposite. The property is also located close to the centre of Pontypridd and its shops, services, employment opportunities and public transport links.

An off-road parking area would be provided for each dwelling. Whilst the parking would be a benefit, it is considered the use of these could result in some pedestrian and traffic disruption. Notwithstanding this, no objection has been raised by the Transportation Section.

Taking into account the above assessment the development would result in no significant detriment to highway safety.

Other Issues

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

Ecology and trees

The site is overgrown and contains some shrub type vegetation. The Council's Ecologist considers a condition requiring site clearance is carried outside nesting bird season would be required. A bat informative would also be required.

Public Health

Whilst the comments raised by the Public Health and Protection Section are appreciated, it is considered hours of construction works, dust and waste matters can be more efficiently controlled by other legislation. An appropriate note can be added to any permission concerning waste and dust issues if permission were to be granted.

A condition is also required to protect residents from railway noise. The site is in a residential area and the railway is on the opposite of Rickards Street and at a lower level. It is considered it would be unreasonable to require these details and an informative note alerting the developer to this issue would be sufficient.

Community Infrastructure Levy (CIL) Liability

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

The application is for development of a kind that is liable for a charge under the CIL Regulations 2010 as amended. The application lies within Zone 2 of Rhondda Cynon Taf's Residential Charging Zones, where there is a liability of £40 / sqm for residential development.

The CIL (including indexation) for this development is expected to be £6,741.09.

Conclusion

The application is considered to comply with the relevant policies of the Local Development Plan in respect of the principle of development, impact on residential amenity, the impact on the character and appearance of the area, the impact on highway safety.

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)
 - The development hereby approved shall be carried out in accordance with the approved plan(s) no(s) 01-A Proposed Elevation Plans received on 12th May 2016.
 - 02-A Proposed Floor Plans received on 12th May 2016.
 - 03-B Proposed Site Plan received on 12th May 2016.
 - 05-C Proposed Street Scene received on 12th May 2016.
 - 06-B Proposed Section received on 12th May 2016.

and documents received by the Local Planning Authority on 9th 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.

3. Notwithstanding the submitted plans and details, building operations shall not be commenced until samples of the finishing materials for the dwellings elevations and roofs and retaining structures 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 samples so approved.

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

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) no windows or roof lights (other than any hereby permitted) shall be installed above ground floor without the prior express permission of the Local Planning Authority.

Reason: To safeguard the privacy of residents in the locality in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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

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

6. No works shall commence on site, until details and design calculations, of the retaining walls 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: In the interests of health and safety and visual amenity in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

7. Site clearance shall only take place outside the nesting bird season or following pre-clearance check has been carried out by a suitably qualified

person and details have been first approved in writing by the Local Planning Authority.

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

8. Notwithstanding the submitted plans, the parking areas shall be constructed in permanent material and thereafter shall only be used for the parking of vehicles.

Reason: To ensure that adequate access 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.

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

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

10. Notwithstanding the submitted plans and prior to the first beneficial occupation of either of the dwellings hereby approved footway vehicular crossovers shall be provided in accordance with details to be first submitted to and approved 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.

11. 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.

12. 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.

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APPLICATION NO: 16/0124/10 (HW)
APPLICANT: Infinite Renewables
DEVELOPMENT: Erection of a single wind turbine and associated infrastructure (revised plans received 31/5/16, including revised site boundary to accommodate an electricity connection to the Royal Mint, decrease in height of the turbine to 100 metres maximum blade tip height and change in colours to a green tower and yellow blades to represent a daffodil) (Amended plans/information received 31/05/16)
LOCATION: ON LAND 440 METRES TO THE WEST OF RHIWFELIN FACH FARM, NORTH OF THE ROYAL MINT, LLANTRISANT, PONTYCLUN, GR 303656, 185383
DATE REGISTERED: 31/05/2016
ELECTORAL DIVISION: Town (Llantrisant)

RECOMMENDATION: Approve

REASONS: The key issue in this application is considered to be weighing any visual and landscape impacts of the proposed turbine against the production of a significant percentage of electricity from a clean renewable source for the Royal Mint, which is a significant employer, institution and visitor attraction in the County Borough.

While there will a significant visual and landscape impact on the surroundings, particularly on Llantrisant Common, the applicant has reduced the height of the turbine to reduce the impact. It is also noted that the applicant is proposing that the turbine be finished in “daffodil” colours. It is considered that this will give the turbine an identity, which will associate it more closely with the Royal Mint and make the turbine a more unique and positive feature in the landscape. Given these factors, it is considered that the benefits of the turbine in respect of renewable energy production and potential economic benefits to the County Borough outweigh any visual harm due to the turbine. Therefore, on balance, the application is considered acceptable.

APPLICATION DETAILS

Full planning permission is sought for a single wind turbine on a site located around 440 metres to the west of Rhiwfelin Fach farm and 350m north of the Royal Mint, Llantrisant.

The proposed wind turbine would be 66 metres in height to the hub and have an overall height to blade tip of 100 metres. The application also comprises an access

track, small control room building and an electricity connection via an underground cable to the Royal Mint. It is proposed that the turbine will supply electricity straight to the Royal Mint, forming 9% of its total electricity needs, with a generating capacity of 1.5 megawatts

The turbine proposed is a three blade turbine. Somewhat unusually, the applicant has proposed to finish the tower of the turbine in green and the blades in yellow, in order to represent a daffodil.

The proposed access track is to be constructed from Pant y Brad Road for a length of 22 metres. The access works would necessitate the removal of 11 metres of hedgerow, which is proposed to be reinstated. The access would cross the path of Public Right of Way ANT/273/1.

The application is accompanied by supporting information which includes a Planning Statement, a Design and Access Statement, a Transport Management Plan, a Landscape and Visual Impact Assessment and addenda, Ecology Surveys, a Noise Impact Assessment, Technical Note and Shadow Flicker Analysis.

SITE APPRAISAL

The site measures approximately 0.69 hectares and is located in a field which is in the open countryside, approximately 440 metres to the west of Rhiwfelin Fach Farm and 350 metres to the north of the Royal Mint, Llantrisant.

The site lies on sloping land which rises to the north above the valley floor of the Nant Muchudd. The site presently comprises of agricultural land which is grazed by livestock. The existing access to the site is gained from an agricultural field gate on Pantybrad Road. Public Rights of Way known as ANT/273/1 and 2 are located within the vicinity of the access to the site.

The site lies within the Mynydd Glyn and Nant Muchudd Special Landscape Area, with the Llantrisant Surrounds Special Landscape Area to the south. The Rhos Tonyrefail Site of Special Scientific Interest (SSSI) lies to the west of the site and Llantrisant Business Park lies to the south of the site, which includes the Royal Mint. Llantrisant Common lies to the south beyond the Business Park. In addition the Common also has an SSSI designation (Llantrisant Common Pastures).

PLANNING HISTORY

14/0913/10 Erection of a single wind turbine and associated infrastructure.

Withdrawn
4/11/2015

PUBLICITY

The application has been advertised by means of site notices and a press notice due to the Public Right of Way crossing the site, and by direct notification of neighbours by letter. Reconsultation has also taken place due to the revised details. Four objections have been received as a result of this publicity, which are summarised as follows:

- No details are provided about the contribution to the Community Fund;
- The proposals show insufficient regard for biodiversity, particularly in relation to the level of details given for the nature of the replacement hedgerow;
- Insufficient detail is offered on measures to prevent pollution of the SINC quality habitat nearby;
- Insufficient value is given to the impact on the affected SLA;
- Other wind farms in the area do not justify the proposal, as they are in upland locations, where as this one will have a negative impact on a lowland location;
- Concerns regarding some of the method for considering landscape and visual impact and the justifications put forward for the turbine on this basis;
- The argument that this is justified because it is a single turbine is unconvincing, as it would significantly intrude on the field of view;
- Concerned that the presence of pylons cannot be used to justify the turbine as pylons have a lower impact;
- The application has stated that only a localised area will be affected, but has not stated the number of people using this area;
- This kind of single turbine development does not represent a strategic approach to wind energy;
- Concerned that this could result in further turbines being constructed;
- No mention is made of the materials to be used;
- Concerns that the proposed daffodil colours are inappropriate and would make the turbine stand out more (three out of the four objections are exclusively on this subject).

CONSULTATION

Highways Development Control - no objection, subject to conditions.

Countryside - no objection raised, subject to conditions.

Land Reclamation and Engineering - no objection raised, subject to a condition.

Natural Resources Wales - no objection raised, subject to conditions.

Cadw - the proposed turbine will have an adverse impact on three designated monuments, but at most this will be low.

Glamorgan Gwent Archaeological Trust - no objection raised.

Wales and West Utilities - no objection raised.

Ministry of Defence - no objection raised.

Dwr Cymru/Welsh Water - no objection raised.

City of Cardiff Council - no observations to make.

Cardiff Airport - require a "Grampian" condition for mitigation measures to the Airport Radar system, as the turbine is in the line of sight of the radar.

Coal Authority - have objected to the application as they consider a Coal Mining Risk Assessment Report is required.

Western Power Distribution - no comments made.

Telecommunications Operators - no comments made.

Llantrisant Community Council - no comments made.

Public Health and Protection - no objection raised subject to conditions.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan (LDP)

The site is outside the settlement boundary, is within Special Landscape Area SLA 23.6 (Mynydd y Glyn and Nant Muchudd Basin) and within the Sandstone Safeguarding Area.

Policy AW5- New Development

Policy AW7- Protection and Enhancement of the Built Environment

Policy AW8- Protection And Enhancement Of The Natural Environment

Policy AW10- Environmental Protection and Public Health

Policy AW12- Renewable & Non-Renewable Energy

Policy AW14- Safeguarding of Minerals

Policy SSA23- Special Landscape Areas

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 6 (Historic Environment), Chapter 7 (Economy), Chapter 8 (Transport), Chapter 12 (Infrastructure and Services) and Chapter 13 (Minimising and Managing Environmental Risks and Pollution) are considered relevant to the determination of this application.

Technical Advice Note (TAN) 8: Planning for Renewable Energy and Technical Advice Note (TAN) 11: Noise are also considered relevant.

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.

A previous application was submitted on this site for a wind turbine with a blade tip height of 116 metres. While this application was withdrawn prior to a decision, it was on the Development Control Committee Agenda of 5th November 2015, with a recommendation for refusal for the following reasons:

“1. It is considered that the proposed turbine would result in :-

- an unacceptably adverse impact on the character and appearance of the surrounding landscape which is located within the Special Landscape Area of Mynydd Y Glyn and Nant Muchudd Basin,*
- an unacceptably adverse impact on the views from the adjacent Special Landscape Area of Llantrisant Surrounds,*
- significant adverse cumulative visual effects with existing wind farm development and*
- an adverse impact on residential visual amenity.*

It is therefore considered that the turbine would be contrary to the provisions of policies AW5, AW12 and SSA 23 of the Rhondda Cynon Taf Local Development Plan.

2. There is inadequate information submitted to accompany the application in terms of the expected noise levels to enable a proper assessment and determination whether the proposed turbine would be in keeping with the provisions of Policy AW10 of the LDP.”

Therefore it is considered an assessment has to be made of whether the applicant has overcome these concerns to a sufficient degree to enable a recommendation for approval to be made. The key issue in doing this in respect of the first proposed reason for refusal is considered to be weighing any visual and landscape impacts of the proposed revised turbine scheme against the production of a significant percentage of electricity from a clean renewable source to the Royal Mint, which is a significant employer, institution and visitor attraction in the County Borough. It is noted that the Visitor Centre has opened since the withdrawal of the previous application, and there is seen to be great potential for this to draw a significant number of visitors into Rhondda Cynon Taf, with associated economic benefits from this. The key policy in assessing such impact is considered to be Policy AW12 of the Rhondda Cynon Taf Local Development Plan, which allows smaller energy developments subject to them being acceptable against criteria, including "landscape importance".

The applicant has revised the scheme by reducing the height of the proposed turbine from 116 metres in height to blade tip, to 100 metres in height to blade tip, to reduce the impact of the proposed turbine. It is acknowledged that the turbine and much of the surrounding area sits within Special Landscape Areas, and the revised proposal will still have a significant impact on these, particularly on Llantrisant Common. In respect of the Landscape and Visual Impact Assessment, it is considered that the greatest impacts are on Viewpoint 3 (Heol-y-Sarn) and Viewpoint 4 (Beddau), both of which take in a wide ranging view of the Common as well as the turbine. However, it is accepted that the reduced height of the turbine does reduce this impact from the original scheme.

It is not considered that the impact of the revised single structure is adverse to the extent that it alters the character of the surrounding Special Landscape Areas. While the turbine will introduce a large single vertical structure into the landscape, it is not considered that this in itself will remove the special qualities which led to their designation.

In respect of other Viewpoints, there are also considered to be significant impacts from Viewpoints 1 (Pantybrad) and 2 (Ynysmaerdy). In respect of Viewpoint 1, this is very close to the proposed turbine, and given the height of the structure in a rural location, it is expected that there would be a significant impact. In respect of Viewpoint 2, this is on the edge of the small village of Ynysmaerdy, which is the settlement closest to the turbine, and which the turbine will have most impact on. It is accepted that the turbine will significantly alter the outlook from this viewpoint, but it is not considered, particularly with the reduction in height of the turbine, the intervening road and the industrial buildings that there is a significant impact on residential amenity from the turbine.

In respect of the impact on the town of Llantrisant and the Conservation Area, four revised viewpoints were submitted to illustrate this. These show that the turbine will

alter the outlook from these viewpoints. However, it is not considered that the turbine would significantly impact on the setting of the town or the Conservation Area.

It is also noted that the applicant is proposing that the turbine will be finished in "daffodil" colours. While it is not considered that this reduces the visual impact of the turbine, it is considered that this will give the turbine an identity, which will associate it better with the Royal Mint, providing added interest to the new visitor attraction and making the turbine a more unique and positive feature in the landscape. It is also noted that the Royal Mint wish to publicise their use of renewable energy within the new exhibitions, and this will be a visible symbol, easily identifiable symbol of this in the local area for visitors to see.

Given the above factors, it is considered that the benefits of the turbine in respect of renewable energy production and potential economic benefit to the County Borough outweigh any visual harm due to the turbine. Therefore, on balance, the application is considered acceptable in this respect, and therefore is not considered to conflict with Policy AW12 of the Local Development Plan.

Turning to noise, Public Health and Protection are now satisfied that they have the information required to demonstrate that the acoustic impact of the turbine will be acceptable.

OTHER ISSUES

In respect of the Coal Authority's comments, it is noted that part of the site is within a designated High Risk Coal Mining Area. However, this includes the crane pad and part of the access track, rather than the foundation of the turbine. Therefore, the need for this has been queried with the Coal Authority. Authorisation is requested for the Service Director Planning to issue the Decision Notice once either the Coal Authority have either withdrawn their request for an assessment or a satisfactory assessment has been submitted.

In respect of the objector's concerns regarding the reinstatement of the hedgerow, it is considered that the 11 metres to be lost will not have a significant impact, subject to reinstatement. It is considered acceptable to deal with this matter by a condition (condition 4 refers).

Turning to the concern raised regarding pollution, it is considered this issue can be satisfactorily addressed by a condition (condition 9 refers).

In respect of cumulative impact, it is acknowledged that additional turbines may, depending on their height and location, have an unacceptable cumulative visual and landscape impact with the proposed turbine subject of this application. However, this will have to be considered should such applications be submitted.

In respect of sandstone resources, the impact on these from a small loss of ground for a period of 25 years is considered to be insignificant.

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).

Community Benefits

The applicant is proposing that an annual community benefit of £9,000 per annum (linked to the Retail Price Index) would be provided to the Llantrisant Community for the twenty five year operating period of the turbine. It is envisaged this money would be paid to Llantrisant Community Council to be spent on local projects.

It should be noted however, that the community benefit is not put forward as mitigation and should not be a material consideration in the determination of this planning application.

CONCLUSION

Given the above, on balance the revised application for the turbine is considered acceptable and therefore it is recommended that planning permission is granted, subject to conditions, and subject to the coal mining risk being satisfactorily addressed.

Authorisation is requested for the Service Director Planning to issue a decision notice granting planning permission subject to the conditions below and subject to either the Coal Authority withdrawing their request for an assessment of coal mining risk or a satisfactory assessment being submitted, and to add any further conditions required in this respect.

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 permission hereby granted shall endure for a period of 25 years from the date when electricity is first exported from a wind turbine within the site to the electricity grid network ('First Export Date'). Written confirmation of the First Export date shall be notified in writing by the developer to the Local Planning Authority within one month of the First Export Date.

Reason: For clarity regarding the First Export Date.

3. The development hereby approved shall be carried out in accordance with the following approved plans unless otherwise approved and superseded by details required by any other condition attached to this consent or unless otherwise submitted to and approved in writing by the Local Planning Authority:-
- Planning Drawing- drawing no. 13-041 207 Rev C dated 24/5/2016
 - Site Plan Including Cable Route- drawing no. 13-041 407 dated 8/6/2016
 - Indicative Proposed Elevations- drawing no. 13-014 901 dated 24/5/2016
 - Fence Elevation to Compound- drawing no. 14-029 901 dated 22/7/2014
 - Substation/Switchgear Building- drawing no. 14-029 903 dated 5/2/2016
 - Access Road Section- drawing no. 14-029 902 dated 22/7/2014

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

4. The development shall not be commenced until a scheme has been submitted to and approved in writing by the Local Planning Authority for the reinstatement of the hedgerow that is to be lost as part of the development. The scheme shall include a time scale for reinstatement. The works shall be carried out in accordance with the approved scheme.

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

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

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

6. The development shall not be commenced until a habitat management plan for the area in the vicinity of the turbine has been submitted to and

approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved scheme.

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

7. The development shall not be commenced until details of a 5 year bat and bird monitoring scheme has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved scheme.

Reason: To provide a case study assessment of the impacts on bird use of a single turbine scheme on a lower valley side location, to assess the number of incidences of bat and bird strikes and in accordance policy AW8 of the Rhondda Cynon Taf Local Development Plan.

8. The development shall not be commenced until a Species and Habitat Protection and Mitigation Plan for Construction has been submitted and approved in writing by the Local Planning Authority including the following matters:-

- An appropriate scale plan showing 'Wildlife Protection Zones' where construction activities are restricted and where protective measures will be installed or implemented;
- Details of protective measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction;
- 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, reptiles, etc.)
- Details of specific species and habitat mitigation measures
- Persons responsible for:
 - Compliance with legal consents relating to nature conservation;
 - Compliance with planning conditions relating to nature conservation;
 - Installation of physical protection measures during construction;
 - Implementation of sensitive working practices during construction;
 - Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction;
 - Specific species and Habitat Mitigation measures;
 - Provision of training and information about the importance of 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 agreed otherwise in writing by the Local Planning Authority.

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

9. The development shall not be commenced until a management plan has been submitted to and approved in writing by the Local Planning Authority addressing how water pollution will be prevented during construction activities. The works shall be carried out in accordance with the approved scheme.

Reason: To protect water quality in nearby watercourses in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

10. The development shall not be commenced until the following details have been submitted to and approved in writing by the Local Planning Authority:

- i. Full details of the colour and external finish of the turbine and associated structures, including the proposed “daffodil” colour scheme for the turbine;
- ii. A maintenance scheme for the finishes of the turbine, to cover the lifetime of the turbine’s operations, to ensure the turbine finishes are well maintained.

The works 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 in the interests of visual amenity in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

11. The development shall not be commenced until a Traffic Management Plan (TMP) has been submitted to and approved in writing by the Local Planning Authority. Any temporary mitigation measures affecting public highway shall be implemented prior to transportation of the abnormal loads and reinstated upon completion of the development. The TMP shall include the following:-

- Convoy Length (number of vehicles including emergency services and escorts);
- Traffic Management (during transportation of abnormal loads);
- Structures (over bridges height, width, weight restrictions);
- Highway works (including all temporary works to public highway to facilitate access and reinstatement works including timescales);
- Dry Run (to be witnessed by highway authority and police);
- Temporary Traffic Regulation Orders; and
- Emergency Contingencies.

The development shall be completed in accordance with the Traffic Management Plan.

Reason: In the interests of highway safety / to ensure safe and satisfactory delivery of all components, in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

12. The development shall not be commenced until a report indicating a methodology for undertaking a conditions survey of Pant y Brad Road, that could be affected by the proposed development, has been submitted to and approved in writing by the Local Planning Authority. The report should include: the timescales for undertaking the surveys and the method(s) of reporting the findings to the Local Planning Authority; comprehensive photographs; and potential compensation arrangements. The development shall not be brought into use until the final survey on completion of the development hereby approved and any compensation arrangements have been submitted to and approved in writing by the Local Planning Authority.

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

13. The development shall not be commenced until design and details of the means of access to the site from Pant y Brad Road have been submitted to and approved in writing, and the works have been carried out in accordance with the approved details.

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

14. The development shall not be commenced until facilities for wheel cleansing have been provided on site in accordance with details submitted to and approved in writing by the Local Planning Authority. Wheel cleaning shall be carried out in accordance with the approved details prior to any construction works commencing.

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

15. The development shall not be commenced until full drainage arrangements have been submitted to and approved in writing by the Local Planning Authority. The turbine shall not be brought into use until drainage arrangements have been completed in accordance with the approved details.

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

16. The development shall not be commenced on site until details of the mitigation measures to be installed on the Cardiff Airport Radar system together with a programme for their installation has been submitted to and agreed in writing by the Local Planning Authority. The mitigation measures shall be installed in accordance with the agreed details and programme and retained as such at all times thereafter.

Reason: The turbine is in the line of sight of Cardiff Airport's Radar, and this is required for aviation safety, in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

17. No abnormal load delivery shall take place between the hours of 7:30-9:00 and 15:00-17:30 weekdays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and free flow of traffic, in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

18. 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.

19. The mitigation for minimising loss and the protection of Marshy Grassland set out in Section 7.2 of the submitted Ecological Report shall be carried out as detailed prior to the turbine being brought into beneficial use, unless otherwise agreed in writing by the Local Planning Authority.

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

20. All electricity and control cables between the turbine and the switch room shall be laid underground, unless otherwise agreed in writing with the Local

Planning Authority.

Reason: To minimise environmental impact in the vicinity of the site in accordance with policy AW12 of the Rhondda Cynon Taf Local Development Plan.

21. The turbine shall not be brought into beneficial use until the cable has been laid and connected to the Royal Mint's electricity supply. The turbine shall supply the energy generated through this cable directly to the Royal Mint thereafter for the duration of the operation of the turbine.

Reason: The application has been approved partially on the basis of the benefits of the turbine supplying energy to the Royal Mint, and it is considered this should continue to be the case, and in accordance with policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

22. The turbine shall not display any prominent name, logo, symbol, sign or advertisement on any external surface unless otherwise agreed in writing by the Local Planning Authority. The turbine shall not be illuminated and there shall be no permanent illumination on the site, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of visual amenity in accordance with policies AW5 and AW12 of the Rhondda Cynon Taf Local Development Plan.

23. The rating level of noise immissions from the wind turbine (including the application of any tonal penalty) when determined in accordance with the "Guidance Notes for Noise Conditions" (attached to this notice), shall not exceed the values for the relevant integer wind speed set out in, or derived from, the tables attached to this condition at any dwelling which is lawfully existing or has planning permission.

Table 1 – Day Time Noise Levels (Between 07:00 and 23:00) expresses in dB LA90, 10 minute

	Location	Wind Speed at 10m Height									
		3	4	5	6	7	8	9	10	11	12
NSP -1 Dyffryn	51.554956°										
	-3.400389		34	36	39	41	44	44	44	44	44
NSP – 2 Rhiwfelin Fach	51.560458										
	-3.385757		34	36	39	41	44	44	44	44	44
NSP – 3 Rhiwfelin	51.563405										
	-3.398909		34	36	39	41	44	44	44	44	44

NSP – 4 Bedw	51.561819										
	-3.406215		34	36	39	41	44	44	44	44	44
NSP – 5 Pantybrad	51.565726										
	-3.397119		34	36	39	41	44	44	44	44	44
NSP – 6 Glanmychudd Fach Farm	51.556707										
	-3.385267		34	36	39	41	44	44	44	44	44

Table 2 – Night Time Noise Levels (Between 23:00 and 07:00) expresses in dB
LA90, 10 minute

	Location	Wind Speed at 10m Height									
		3	4	5	6	7	8	9	10	11	12
NSP -1 Dyffryn	51.554956°										
	-3.400389		31	36	39	37	41	41	41	41	41
NSP – 2 Rhiwfelin Fach	51.560458										
	-3.385757		31	36	39	37	41	41	41	41	41
NSP – 3 Rhiwfelin	51.563405										
	-3.398909		31	36	39	37	41	41	41	41	41
NSP – 4 Bedw	51.561819										
	-3.406215		31	36	39	37	41	41	41	41	41
NSP – 5 Pantybrad	51.565726										
	-3.397119		31	36	39	37	41	41	41	41	41
NSP – 6 Glanmychudd Fach Farm	51.556707										
	-3.385267		31	36	39	37	41	41	41	41	41

Reason: To protect the amenity of residents in accordance with policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

24. The wind turbine operator shall continuously log power production, wind speed and wind direction, all in accordance with Guidance Note 1(d) of the “Guidance Notes for Noise Conditions” (attached to this notice). These data shall be retained for a period of not less than 24 months. The wind turbine operator shall provide this information in the format set out in Guidance Note 1(e) to the Local Planning Authority on its request, within 14 days of receipt in writing of such a request.

Reason: To protect the amenity of residents in accordance with policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

25. No electricity shall be exported until the wind turbine operator has submitted to the Local Planning Authority for written approval a list of proposed independent consultants who may undertake compliance measurements in accordance with this condition. Amendments to the list of approved

consultants shall be made only with the prior written approval of the Local Planning Authority.

Reason: To protect the amenity of residents in accordance with policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

26. Within 21 days from receipt of a written request from the Local Planning Authority following a complaint to it from an occupant of a dwelling alleging noise disturbance at that dwelling, the wind turbine operator shall, at its expense, employ a consultant approved by the Local Planning Authority to assess the level of noise immissions from the wind turbine at the complainant's property in accordance with the procedures described in the "Guidance Notes for Noise Conditions" (attached to this notice). The written request from the Local Planning Authority shall set out at least the date, time and location that the complaint relates to and any identified atmospheric conditions, including wind direction, and include a statement as to whether, in the opinion of the Local Planning Authority, the noise giving rise to the complaint contains or is likely to contain a tonal component.

Reason: To protect the amenity of residents in accordance with policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

27. The assessment of the rating level of noise immissions shall be undertaken in accordance with an assessment protocol that shall previously have been submitted to and approved in writing by the Local Planning Authority. The protocol shall include the proposed measurement location identified in accordance with the "Guidance Notes for Noise Conditions" (attached to this notice) where measurements for compliance checking purposes shall be undertaken, whether noise giving rise to the complaint contains or is likely to contain a tonal component, and also the range of meteorological and operational conditions (which shall include the range of wind speeds, wind directions, power generation and times of day) to determine the assessment of rating level of noise immissions. The proposed range of conditions shall be those which prevailed during times when the complainant alleges there was disturbance due to noise, having regard to the written request of the Local Planning Authority under condition 26, and such others as the independent consultant considers likely to result in a breach of the noise limits.

Reason: To protect the amenity of residents in accordance with policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

28. Where a dwelling to which a complaint is related is not listed in the tables attached to condition 23, the wind turbine operator shall submit to the Local Planning Authority for written approval proposed noise limits selected from

those listed in the tables to be adopted at the complainant's dwelling for compliance checking purposes. The proposed noise limits are to be those limits selected from the tables specified for a listed location which the independent consultant considers as being likely to experience the most similar background noise environment to that experienced at the complainant's dwelling. The rating level of noise immissions resulting from the combined effects of the wind turbines when determined in accordance with the "Guidance Notes for Noise Conditions" (attached to this notice) shall not exceed the noise limits approved in writing by the Local Planning Authority for the complainant's dwelling.

Reason: To protect the amenity of residents in accordance with policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

29. The wind turbine operator shall provide to the Local Planning Authority the independent consultant's assessment of the rating level of noise immissions undertaken in accordance with the "Guidance Notes for Noise Conditions" (attached to this notice) within 2 months of the date of the written request of the Local Planning Authority for compliance measurements to be made under condition 26, unless the time limit is extended in writing by the Local Planning Authority. The assessment shall include all data collected for the purposes of undertaking the compliance measurements, such data to be provided in the format set out in Guidance Note 1(e). The instrumentation used to undertake the measurements shall be calibrated in accordance with Guidance Note 1(a) and certificates of calibration shall be submitted to the Local Planning Authority with the independent consultant's assessment of the rating level of noise immissions.

Reason: To protect the amenity of residents in accordance with policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

30. Where a further assessment of the rating level of noise immissions from the wind turbine is required pursuant to Guidance Note 4(c) of the "Guidance Notes for Noise Conditions", the wind turbine operator shall submit a copy of the further assessment within 21 days of submission of the independent consultant's assessment pursuant to condition 27 above unless the time limit has been extended in writing by the Local Planning Authority.

Reason: To protect the amenity of residents in accordance with policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

31. In the event that the turbine does not function (i.e. does not supply electricity to the grid) for a continuous period of 12 months and if so instructed by the Local Planning Authority; the wind turbine and its associated ancillary equipment shall be dismantled, and its base removed to a depth of one metre below ground level, and removed from the site

within a period of 6 months from the end of that 12 month period, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to ensure that the turbine is not obsolete, produce electricity whilst in situ and is removed from the site if it ceases to function, in accordance with policies AW5 and AW12 of the Rhondda Cynon Taf Local Development Plan.

32. Not later than 12 months before the expiry date of the permission, a decommissioning and site restoration scheme shall be submitted for the written approval of the Local Planning Authority. Such a scheme will include for:

- the removal of all surface elements, plus one metre of the turbine bases below ground level,
- confirmation of the management and timing of works;
- a traffic management plan to fully address highway issues during the period of the decommissioning works;
- any other works of restoration and aftercare, following consultation with other parties, as the Local Planning Authority deem to be reasonable and necessary.

The approved decommissioning schemes shall be implemented and completed within 24 months of the expiry date of this permission.

Reason: To ensure derelict or obsolete structures do not adversely affect the environment in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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APPLICATION NO:	16/0299/08 (SF)
APPLICANT:	Rhondda Cynon Taff County Borough Council
DEVELOPMENT:	Provision of a new 3-16 middle school at Porth County Community School site, including provision of a new primary building and associated landscaping and external works. To include demolition and alterations to existing school.
LOCATION:	PORTH COUNTY COMMUNITY SCHOOL, CEMETERY ROAD, PORTH, CF39 0BS
DATE REGISTERED:	18/03/2016
ELECTORAL DIVISION:	Porth

RECOMMENDATION: Approve subject to conditions.

REASONS: The principle of creating a new 3-16 middle school on the site of the current Porth County Community School has been previously agreed by the Council as part of the 21st Century School's Programme. The redevelopment of the site has been designed in order to accommodate existing provision at Llwynceilyn Infants School, Porth Infants School and Porth Junior School.

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 building and refurbishment proposals are considered to be appropriate in the context of the existing school campus. The additional accommodation provided will result in a slight increase in pupil numbers at the site however, it is not considered that this will have an adverse impact on surrounding properties or highway safety.

Whilst some local residents have raised concerns relating to the impact of the development on the surrounding highway network, this impact has been assessed as part of the scheme and appropriate mitigation measures provided.

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 the Council 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 create a new 3-16 middle school in Porth will involve the demolition of a number of the existing school buildings and their replacement with a new primary school building and associated landscaping, parking facilities and other external works. This redevelopment of the existing school has been designed in order to accommodate existing provision at Llwynycelyn Infants School, Porth Infants School and Porth Junior School, which will be closed. Existing Learning Support Classes at Ysgol Ty Eos and Porth County Community School will also transfer to the new middle school to create specialist provision for the four key stages and a new catchment area will be created. The creation of a new middle school in Porth, will provide a radically different approach to education in the area, by sharing both primary and secondary resources.

Members will be aware that planning applications for Tonyrefail Comprehensive School involving new and refurbished school buildings and a primary school (16/0062) and also Treorchy Comprehensive School, involving a new science teaching block, refurbishment of existing buildings and other external works (16/0082) have already been considered at the 21st April 2016 and 19th May 2016 meetings of this Committee, where resolutions to approve both applications were made.

A further planning application for the provision of a new 3-16 middle school and associated works at Tonypany Community College, is also currently under consideration and is reported elsewhere on this agenda (16/0304).

Proposed Development at Porth County Community School

The existing Porth County Community School comprises 8 school buildings of different ages and architectural styles, the oldest being the former Porth Grammar School Building constructed in 1913. There is currently the capacity for 97 staff and visitor car parking spaces that are located at various locations around the site.

The school is currently an 11-19 comprehensive school and the proposal will see the existing school close and re-open as a middle school providing education to children aged between 3 and 16. This will be achieved by constructing a new primary school building within part of the existing site which will accommodate 330 pupils plus up to 24 SEN pupils. The school in its current form has capacity for 1465 pupils although the current occupancy is around 1128. The proposed new arrangements will support approximately 810 secondary pupils and 330 primary pupils in the new school building with additional places for children with special needs. The existing secondary provision will be transferred to the sixth form centre which is being created at Tonyrefail Comprehensive School and the existing staffing structures for the school will need to be developed for the 3-16 age range, with 127 staff for the secondary school and 44 staff being employed to run the new primary school.

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:

- Provision of new primary school building (two floors) located on the western side of the campus to the south of building 3-1. This would include administration facilities and 6 new classrooms on the ground floor and 7 new classrooms on the first floor.
- Demolition of existing school buildings 1, 4, 5, 6, 7 and 8 to accommodate the new primary school building.
- New internal access from the existing southern access and provision of car park to serve the new primary school.
- New coach drop off and parking facility to serve secondary school accessed from the existing northern access.
- Removal of existing parking bays to the north of building 3-1 and area resurfaced for use in association with school cafe and sandwich shop, together with other landscaping works.

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

- Design and Access Statement (DAS) (DarntonB3 – 18 March 2016)
- Transport Assessment & Scoping Reports (Hydrock - January & March 2016)
- Framework School Travel Plan (Hydrock - March 2016)
- Chip Shop Hill Improvement Scheme (Hydrock)
- Ecology Appraisal Report (Soltys Brewster – 6 November 2015)
- Bat Activity Survey (Mott Macdonald – January 2016)
- Tree Survey, Categorisation and Constraints Report (Soltys Brewster – 29 October 2015)
- Acoustic Design Review Stage 3 (Hunter Acoustics – 19 February 2016)
- Ground Investigation Reports (Hydrock – February & March 2016)
- Civil Engineering Infrastructure Strategy Report (Hydrock – March 2016)

The Design and Access Statement identifies that the application supports the desire to remove old buildings in a poor condition and to reduce capacity in the secondary accommodation, whilst providing a new facility for primary accommodation and improving safety and access routes to the site for vehicular traffic.

SITE APPRAISAL

Porth County Community School is situated within the built up area of Porth, to the north-west of the town centre and provides secondary education to the surrounding

community. The school site is located to the north of Cemetery Road (B4278), below which lies the railway line and the Rhondda River. The school is located on a south facing hillside site known as Mount Pleasant and is severely sloped from north to south, resulting in the campus being spread out over a number of east-west plateaus.

The current application site is restricted to an area of 1.87 hectares, although the school occupies a larger site including a number of existing school buildings to the north and east, an all-weather pitch and MUGA to the north and additional parking areas to the east. The campus contains 8 individual teaching buildings, including the former Porth Grammar School building (1913), which occupies the south-west part of the site. Most of the remaining permanent school buildings were constructed during the 1980's, however a number of temporary and pre-fabricated buildings are also located within the site. The school car park consists of a number of areas which are distributed around the school campus and existing building blocks, although more extensive areas of parking are located in the south-east corner of the school campus.

The main vehicular access to the school is via an unnamed road from the west, which is shared with agricultural and residential traffic and a further access is also provided for vehicles and pedestrians to the south-west of the former Grammar School Building. From the northern site entrance, there is a single track road, which ends in the car park area to the front of the main school buildings. An additional access is also located along the southern boundary known locally as Chip Shop Hill, which provides the main pedestrian link to Cemetery Road.

The northern boundary is screened by a mature tree screen and beyond this, the land is used for agricultural purposes. The south, west and eastern boundaries are surrounded by mainly two storey terraced dwellings, with those in Cemetery Road located along the southern boundary of the site being separated from the site by a rear access track, stone boundary wall and mature tree screening.

PLANNING HISTORY

There are no recent records of planning applications relating to the application site.

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, **no letters of objection have been received however, four letters have been received from local residents which raise the following comments / concerns:**

- Concerns over road safety implications of the development;

- Road safety provision has previously been requested and although there is a crossing patrol, it is considered that extra measures are needed to slow down the traffic which will increase as a result of the development;
- It is considered that the provision of speed bumps from nos. 101 to 76 (Cemetery Road) should be provided;
- Previous development on the site has resulted in an increase in water flowing through gardens in Cemetery Road, which has caused problems and has needed to be addressed through the provision of land drains. It is therefore hoped that the building of the new school will not cause a recurrence and aggravation of this problem;
- There is no mention of any yellow line / traffic restrictions in the application and it is essential that the present arrangement which enables parking outside of number 70 Cemetery Road, without incurring penalties, to continue.

The fourth letter is from the person who owns part of the lane leading from Cemetery Road, over which access to the school is currently provided and the following concerns are raised:

- No consultation has been carried out with his family regarding the impact that the proposed development may have.
- At the start and end of the school day, children, cars minibuses and coaches are all fighting for room on the road to enter and leave the school. The land was not designed for that purpose and is poorly lit with no pavement. This is a highly dangerous situation and should not have been allowed to develop in this way.
- Concerns are expressed over the legal position regarding liability of staff, pupils and visitors accessing the school across our property.
- The substantial increase in traffic will have further serious implications for safety unless development is undertaken to improve safety of access.
- It is considered that the estimates for vehicles entering the school if the development proceeds has been greatly underestimated. The lack of provision for parking and access can be seen at the new school at Ynyshir and it is questioned whether the estimates shown for this application are any more realistic.
- No consultation has been carried out on what detrimental impact this increase in numbers will have on any future development we intend to undertake ourselves.

CONSULTATION

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

The response notes that the proposal involves the change of the existing school with a capacity of 1465 pupils which caters for an age range of 11-18 to become a middle school catering for ages 3-16. The new school will have a capacity of 330 pupils

aged 3-11, relocated from Porth Infants School, Porth Junior School and Llwynceilyn Infants School within new primary accommodation and 810 pupils aged 11-16, accommodated within the existing school buildings to remain. Sixth Form pupils (140 pupils on roll in January 2016) will be accommodated at new facilities at Tonyrefail School.

The proposals include changes to the western access to the school to provide a route to a new car park to serve the primary school. The on-site bus parking to serve the secondary school element is also to be improved to accommodate three bus parking bays and improved circulatory system (capable of accommodating additional buses as required).

A review of the Transport Assessment accompanying the application has concluded that the traffic generated by the proposal would not have a significant adverse impact on the surrounding highway network.

In relation to the junction impact assessment which examines the capacity of the Cemetery Road / Western School Access Road and impact of right turning movements onto the junction associated with the proposed use of the primary school car park for drop-off and pick-up, it is noted that the proposed mitigation measures would improve highway safety.

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

- site location
- access
- western access
- southern access (Chip Shop Hill)
- circulation
- school capacity
- parking
- safety 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 proposed development would not result in significant harm to highway users necessitating a highway objection or additional mitigation measures beyond those proposed. The proposed development would result in a change to patterns of travel however, due to the staggered timing of the end of school day for primary and

comprehensive school students and timing outside the network peak travel periods, any impact on highway capacity, operation and safety would be insignificant.

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

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 presence of chrysotile (asbestos) within the soil on the development site.

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

Natural Resources Wales - has raised significant concerns regarding the proposal as submitted and recommended that planning permission should only be granted if further information is submitted to the Council which demonstrates that the proposal will not have an unacceptable effect on European Protected Species. In particular, following a review of the Bat Activity Survey submitted, it was noted that many buildings were considered to have high potential to support roosting bats and that emergence surveys found evidence of roosting pipistrelle bats in buildings on site. These surveys were undertaken late in the season (September and October) and additional surveys of these buildings during the main bat maternity season (May-August) was recommended in the report. It has therefore been concluded that it cannot be ascertained that the proposals will not be detrimental to the maintenance of the favourable conservation status of the bats concerned and further information is therefore required including, comprehensive bat survey information, full details of the nature and extent of the proposed works on site, a comprehensive assessment of the likely impacts of the proposals on bats and details of any bat mitigation that will be put in place.

The Coal Authority - comments awaited.

Countryside, Landscape and Ecology - the Ecology Survey has identified that the lower school, swimming pool, upper school, admin block and technology block all had high potential to support roosting bats, which were confirmed with the emergence / re-entry surveys identifying three roosts. Other buildings were assessed as having low to low / moderate potential, and two outbuildings had negligible value. Furthermore, the lower school was found to have brown long-eared bat droppings within the roof space and a common pipistrelle was observed emerging from this building and also from the technology building and the building linking the upper school and admin block. It is noted that long-eared bats are a difficult species to provide alternative roost for and may therefore need particular thought and care. The Survey recommends that further emergence / re-entry surveys are undertaken in 2016 to ascertain the status of the roosts and the

Council's Ecologist has confirmed that demolition of the buildings will be likely to need a European Protected Species licence and further consultation with NRW is recommended to determine whether sufficient work had been completed to enable the determination of the planning application.

It is also noted that the ecology survey identifies three trees with bat roost potential, two of which were rated as U (fell) category in the Tree Report. If any of those three trees are identified for removal, information on how the bat potential will be considered in those works is also requested, together with a strategy for protecting reptiles and nesting and roosting provision for bats and birds.

In relation to the reference to habitat enhancement in relation to BREEAM, it is advised that points for ecology could be achieved by agreeing a better grassland management of the retained grassland on the site's northern boundary, which includes important species, rather than the wildflower seeding proposals.

The Council's Ecologist has concluded that as a result of the comments raised by NRW, which make it clear that a better understanding is required of the status of the bat roosts within the buildings affected prior to the grant of planning permission, the more detailed bat work referred to by NRW should be undertaken.

Following the receipt of comments from NRW and the Council's Ecologist, the applicant has proceeded in carrying out the additional survey work required and the submission of updated information in relation to bats is anticipated prior to the Committee meeting.

Wales & West Utilities - has raised **no objections** but has advised that it has apparatus in the area and advises direct contact by the developer to discuss their requirements.

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 and the installation of a grease trap. 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.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

Porth is identified as a Key Settlement within the Northern Strategy Area 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 provision of a new school building and redevelopment of an existing educational facility that is located centrally within the Key Settlement of Porth, 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 redevelopment 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 it is apparent that the physical alterations to be carried out within the site involving the removal of a number of the existing school buildings and their replacement with a new primary school building, will have a considerable impact on the existing school environment and other areas adjoining the school site.

New Primary School Building

The new two storey school building is proposed to be located in the south-west corner of the existing campus in a location which will facilitate ease of access, as well as removing one of the identified buildings in a poor state of repair (lower school / former Porth Grammar School building 8). Due to the narrow shape of the plot and the slope of the site, the classrooms have been arranged in a linear form, with only the main hall and administration accommodation on the other side. This arrangement however, allows the nursery, reception and SEN classroom to access directly onto external spaces on the south side of the building.

The new school building has an irregular shape with an internal floorspace of 2,044 sq.m over two floors, consisting of two blocks, a linear rectangular two storey teaching block (approximately 10m in width by 74m in length) and a further rectangular single storey block containing the hall, reception and offices (approximately 21m in width by 30m in length). The building extends to a height of approximately 8.5 metres and has a shallow pitched roof, extending down to an eaves height of 7.1 metres.

The accommodation provided over two floors would accommodate a reception, hall, head teacher's office, kitchen and 6 new classrooms including, nursery and SEN room on the ground floor and 7 new classrooms including, a second SEN room and staff room on the first floor. Other associated store and plant rooms and WCs are also included on both floors.

Whilst the overall scale of the new school building will result in it forming a prominent feature within the site, its size and height are comparable with many of the existing buildings within the site which are substantial. From the main public view points outside of the site from the south and west, the scale and appearance of the building in the context of the surrounding school buildings, is however considered to be acceptable.

The proposed external finish of the building includes a pale buff brick plinth and white render, with coloured render on the main classrooms and a zinc coated aluminium standing seam roof. The proposed windows are a combination of timber

and powder coated aluminium in a neutral colour. It is considered that the use of modern materials, whilst representing a contrast to the brick and cladding used on the other 1980's school buildings, is acceptable and will enhance and modernise the appearance of the school campus. The proposed building is a significant length however, the visual impact of its long facade has been reduced through a design which includes changes in plane and material.

A number of external play areas to serve Key Stages 1 and 2 pupils are also proposed to be located to the south of the new school building, in an area which is currently occupied by a number of temporary buildings which are to be demolished. Whilst this proposal will result in pupils being accommodated closer to the nearest neighbouring properties fronting onto Cemetery Road, the external perimeter of these areas would be extensively screened from the south by fencing and existing landscaping and the change in levels of the land would also prevent any loss of privacy from these areas.

Demolition of Existing School Buildings (buildings 1, 4, 5, 6, 7 and 8)

In order to accommodate the new primary school building and external areas, it is necessary to demolish a number of the existing school buildings that are presently located in the south-west part of the site. Information submitted with the application advises that during the initial site analysis, it was identified that the permanent buildings in best condition were buildings 2 and 3 (sports hall and main school buildings to the north and east of site). Building 1 (swimming pool), was found in poor repair, infrequently used and expensive to maintain and run. Building 8 (lower school / former Porth County Grammar School building), had been recently water damaged due to theft and its existing solid wall construction and traditional construction method would present future maintenance and operational costs.

Whilst building 1 is a functional building and has a poor visual appearance, the same cannot be said of building 8, which is an attractive building constructed in traditional materials. Although it is regrettable that this building will be removed from the site, it is acknowledged that the accommodation it provides would not be particularly suitable for the provision of modern primary education and the building would be difficult and expensive to adapt.

The remaining buildings proposed to be demolished (buildings 4, 5, 6 and 7) all consist of modular temporary accommodation and their removal, in order to accommodate the new school building, will therefore result in the overall appearance of the site being modernised and improved.

New Internal Access Road and Car Park

The new internal access road leading from the existing southern access point and provision of new car park is designed to serve the new primary school. The new car park, which will accommodate a total of 70 additional spaces, including 4

accessibility spaces, is designed to accommodate the increased pupil numbers associated with the primary school. This also includes an area to enable pupils to be dropped off and picked up from within the school campus. Approximately half of the car park will be located behind the proposed new school building and will not therefore be readily visible from the public highway or neighbouring properties. Staff and visitor spaces are located opposite the school entrance and the service road separating the building from the car parks will provide a one-way route through the school car park. This enables land to the south of the development to remain as green space for outdoor space and teaching.

It is considered that the provision of a separate parking facility to serve the new primary school facility is an essential part of the scheme and it is not considered that its design or proposed location will have any adverse impact on the surrounding area in terms of visual impact. Further consideration of the highway implications and increased traffic generation is dealt with under the access and highway safety section below.

New Coach Drop Off and Parking Facility

The new coach drop off and parking facility, which is accessed from the existing northern access point, is designed to serve the new middle school by enabling coaches to park and turn within the school campus. The location of the new facility on the site of the former swimming pool (to be demolished) is required to ensure that coaches can enter the site, park and leave the site in a forward gear and will involve the creation of a hardstanding area towards the centre of the site that is located approximately 50 metres from the existing access.

It is considered that the provision of this coach parking facility is an essential part of the scheme and its proposed location will not have any adverse impact on the surrounding area in terms of visual impact, as it will not be readily visible from outside of the site. Further consideration of the highway implications and increased traffic generation is dealt with under the access and highway safety section below.

In relation to the built element and demolition works forming part of the application, it is not considered that the development 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 west however, the building works proposed will be set in at least 60 metres from the existing southern entrance and at least 22 metres from the rear gardens of properties in Cemetery Road and 35 metres from the dwellings. Views into the site are already partially screened by the existing stone boundary wall and boundary trees and vegetation and due to the changes in site level, it is not considered that the new school building or other proposed changes will be overly prominent. The siting, design and appearance of the new primary school building is therefore considered to comply with policies AW5 and AW6 of the Local Development Plan.

Access and Highway Safety

The current proposal is to move sixth form pupils to a new facility at Tonyrefail School and to relocate primary aged pupils from 3 local schools to form a new middle school at the existing school. The school currently has a capacity of 1465 pupils with 1128 on its role. The 3-16 school will have a total capacity of 1140 pupils - 330 pupils from ages 3-11 and 810 pupils from ages 11-16.

The school currently has access for vehicles from unnamed roads leading from the B4278 Cemetery Road to the west and south of the school with further pedestrian access to the east from Park Street. The school is served by four on-site parking areas spread across the site with the eastern car park being split level, with some formal areas and other unmarked areas used for drop-offs and sixth form parking. The existing site is able to accommodate 97 vehicles. Pupils are currently dropped off and picked up from the western side of the site near to the main entrance and also from the southern site access and vehicles also park on the single lines on Cemetery Road, opposite and immediately east of the western access road. Pick-ups also take place in the eastern school car park. School transport is provided by seven buses, which currently reverse into the top and lower access roads from the western access road at school start and finish times.

It is acknowledged that the current site has developed historically and some of the existing vehicular and pedestrian routes on site are not optimal. In particular, it has been identified that there are currently issues with children crossing car parking areas to access teaching areas and also issues with coach drop off and turning. It is also evident from the comments received from local residents that the number of pupils attending the school is already considered to put pressure on the surrounding highway network and that the redevelopment of the school campus may therefore have some implications on the existing access and parking arrangements in the area. Whilst the proposed capacity of the new school at 1140 is not significantly higher than the numbers of pupils currently attending (1128), it is acknowledged that the age difference of the pupils who are now proposed to be accommodated is likely to generate more trips to the site by people using cars and may therefore impact on the existing access, parking 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 secure in particular, improvements to safety and access relating to coach drop off and pedestrian access routes to the site and to address concerns relating to parking and drop off facilities for the primary school. The application submission advises that the existing roads and points of access into the school site are considered adequate to accommodate any additional transport movements associated with the proposed school. The proposal would provide an amended access junction into the primary school section of the site which provides access to the new car park area adjacent to the school. The parking requirement has informed the design of the scheme and additional parking (70 spaces) and drop off areas have been created to serve the

new primary block, which are greater than the standard in the Council's SPG for a building of this type. This approach has been taken in order to reduce the impact of the development on the local road network. Existing staff vehicles would continue to be accommodated in the existing car parking areas to the east of the campus, whilst the existing car park in the centre of the site will remain, although 9 spaces will be removed in order to accommodate further facilities for the school cafe. The on-site bus parking provision will be improved to provide three bus parking spaces within the site and an improved circulatory system to enable buses to enter and exit the site in forward gear. A new pedestrian route will also be provided which links the primary school site to the highway network and walking routes will also be provided linking the primary school site with the southern access via Chip Shop Hill.

The Transport Assessment (TA) accompanying the application identifies a number of key highway impacts against which the proposed development needs to be assessed. In relation to the access and parking arrangements for the secondary school, these will remain largely unchanged and the Transport Assessment therefore focuses on the primary school provision.

Trip Generation / Traffic Flows

The assessment examined the trip generation for the 330 pupils, which concluded that the development would result in a total of 279 trips along the roads serving the development during both the AM and PM peak times. This took into account that the existing schools offered breakfast clubs, resulting in pupils arriving between 08:00 and 09:00 and that after school clubs would extend the collection times to between 15:00 and 18:00, thereby reducing the school PM peak traffic flow.

The impact of traffic flows on the B4278 Cemetery Road / Brithweunydd Road was also assessed, which determined that the proposal would have a net increase in traffic flows of between 40.1% and 46.9% however, that there would still be significant spare highway capacity during both the AM and PM peak times. On this basis, the assessment concluded that the traffic generated would not have a significant adverse impact on the surrounding network.

A junction impact assessment was also undertaken on the capacity of the Cemetery Road / western school access road to assess the impact of right turning movements onto the junction, with the use of the primary school drop-off and pick-up facility. This demonstrates that the junction has sufficient capacity however, the TA also proposes a number of mitigation measures which improve highway safety and on that basis, the traffic impact assessment is considered acceptable.

Western Access

The upper access to the main school site is to be retained to enable school transport buses to access the new parking and turning facility which is proposed to replace building 1. This is considered to have sufficient length and width to accommodate the seven buses used.

Improvements to the western access road are also proposed consisting of the realignment of the junction, reduction of crossing width and improvement of visibility for pedestrians, dropped kerbs and tactile paving, the provision of an advisory pedestrian route 1.2m wide to link existing footway to new primary school access and the realignment and reconstruction of the lower access to serve the new primary school. The western access road between the lower access and Cemetery Road forms part of the adopted highway and can be conditioned accordingly.

Southern Access (Chip Shop Hill)

Improvements involving the demarcation of shared surfacing and road markings at the southern school access gates to signify a school crossing area to allow pupils to access both pedestrian gates and improve the crossing environment for pedestrians, are proposed as part of the safer routes assessment.

Whilst the kerb line at the southern access road junction with the B4278 Cemetery Road has been built out to improve junction visibility, this is considered to fall short of the requirement for the existing 30mph speed limit. This would however be addressed by the TA's proposed mitigation measures which include the introduction of a 20mph zone and the cutting back of overhanging vegetation.

An internal link is provided to facilitate use of both accesses in an emergency with bollards / gates under the control of the school management to prevent through traffic under normal circumstances, which is considered acceptable. The existing pedestrian access from Park Street will also be retained as a pedestrian only access.

Circulation

The swept path analysis showing school service buses negotiating the western access in the existing layout and the proposed layout incorporating pedestrian improvements, indicate that the proposed improvements will not have a detrimental effect on the existing junction. The existing access is currently utilised by school buses to egress the site and it is considered that the dimensions and geometry of the turning loop appear acceptable to accommodate such vehicles. Further information showing swept paths for both school buses and refuse vehicles on the basis of detailed design is considered to be required, but can be addressed through a suitable condition. No changes are also proposed to the southern access (Chip Shop Hill), which will continue to be used by service and delivery vehicles.

Parking

The parking provision shown on the submitted drawings exceeds the parking requirements specified within the Councils SPG, with the intention that additional spaces would be available for short-term parking associated with pupil drop-off and pick-up use.

The number of drop-off / pick-up bays to be provided is not specified within the SPG, however, a bay with capacity to accommodate up to 5 dedicated drop-off pick up spaces in addition to the excess parking provision of 93 spaces would be available

for this. Such provision, coupled with the rapid turn-over of spaces associated with drop-off and pick-up activity and the staggered finish of the school day between the primary and secondary school and the effect of children attending breakfast club, afterschool club and participating in other afterschool activities, would relieve the pressure for on street parking. Furthermore, a detailed survey of parking demand in adjacent residential streets indicates significant remaining parking capacity at school peak periods and on this basis, the parking provision is considered acceptable.

A further 2 parking spaces are provided to accommodate mini-bus type vehicles that would be associated with the operation of the school which is considered acceptable. Service and delivery vehicles will be managed to avoid the school start and finish times and sufficient facilities for turning and parking of those vehicles have been provided within the site.

The internal layout provides for three dedicated home to school bus-stop / parking bays, together with a turning loop to allow buses to access and egress the school site in forward gear. As indicated earlier, seven buses currently serve the school which will reduce to six in September 2016 with the possibility of further reductions resulting from changes in Home to School Transport Policy. All school buses are currently required to reverse into the site and park before the school finishes and all pupils board the buses before any vehicles depart. The proposed bus bays incorporate a safe access route which would not require students to walk amongst the vehicles however, if a similar system to the existing arrangement is required, there is adequate space within the upper access road and turning loop to accommodate in excess of seven buses.

Currently there is no cycle parking provision at the school. The survey undertaken as part of the TA however indicates minimal, if any, cycle use by existing students or staff due to the lack of cycle routes in the locality and the topography of the catchment area and therefore only 10 cycle spaces are proposed. Whilst this is not in accordance with the Councils SPG which requires 197 stands, this approach is considered acceptable given the lack of cycle routes in the locality and the negligible levels of cycling identified by the survey undertaken. Furthermore, the usage of this facility can be monitored with a view to increasing the provision as part of the Schools Travel Plan monitoring, should demand increase.

Parking Stress Study

In response to concerns raised during the public consultation undertaken that the current situation could possibly worsen as the result of the provision of the primary school, a parking stress study was undertaken as part of the TA and in the absence of pick-up and drop-off facilities within the existing school, these activities were undertaken in adjoining streets. The parking capacity of each street was established through detailed analysis of length of kerb line, parking restrictions, drop kerbs, driveway accesses, parking bays, proximity to junctions and carriageway and a survey of parking levels within streets adjacent to within walking distance of the school was then undertaken every 15 minutes between 13:30 and 15:30 on 16th March 2016.

Comparison of the parking capacity against baseline parking and peak school parking identified a spare capacity of 148 parking spaces within an appropriate walking distance during the school peak pick-up period. Furthermore, the parking stress survey results reflect the existing school with no on-site facilities and the proposed redevelopment of the site would provide increased on-site parking provision (available for drop-off / pick-up), dedicated drop-off bays for the primary school, staggered school finish times and measures implemented by the school travel plan, which would further reduce the parking demand for school drop-off and pick-up within the surrounding streets.

Safe Routes in Communities

Safe walking routes in the community to facilitate walking as a means of children travelling to and from school has been assessed in accordance with Welsh Government Learner Travel Statutory Provision and Operational Guidance (2014) within the following study areas:-

Area 1a – B4278 and Site Access Roads.

Area 1b – B4278 East.

Area 2 – Mount Pleasant Rd, Packers Rd, Aberhondda Rd, Victory Ave.

Area 3 – High St, B4278 (Rheola Rd) and B4278 South

Area 4 – B4278 (North Rd, Pontypridd Rd), River Terrace and Dyllas Rd

The existing pedestrian routes assessed are already utilised by comprehensive school students, aged 11-19, to walk to and from school and the proposed redevelopment of the school would result in the use of the same routes and footway network. The proposed development would however result in increased pedestrian traffic arising from parents walking primary school aged children, (ages 3-11) to and from school and it is therefore considered that it would be reasonable to require the redevelopment of the school to address the highway and pedestrian improvements in study areas 1a, 1b and 2, which are in close proximity to the school, which can be conditioned accordingly. These off-site improvements are summarised as follows:

- Cemetery Road - 20mph zone between western access road and Mount Pleasant Road with signage, traffic calming, road markings, zebra crossing near western school access road, School Keep Clear zigzag markings opposite the western school access road, refresh existing zebra crossing markings near junction with Mount Pleasant Road, refresh existing zebra crossing markings near junction with Aberhondda Road.
- Rheola Road - refresh existing zebra crossing markings.
- Wayne Street - drop kerbs / tactile paving at junction with Mount Pleasant Road.
- Upton Street - drop kerbs / tactile paving at junction with Mount Pleasant Road.
- Victory Avenue drop kerbs/tactile paving at junction with Mount Pleasant Road.

Public Transport

Public bus-stops are situated 400m away from the school on the B4278 adjacent to the western school access road and the 120 bus service provides a 20 minute frequency of service and access to the school from Caerphilly, Upper Boat, Hawthorn, Rhydyfelin, Pontypridd, Hopkinstown, Trealaw, Tonypandy, Llwyn-y-pia, Ystrad Rhondda, Gelli, Treorchy, Treherbert and Blaencwm.

The school is currently served by seven school buses which arrive at 08:10 and depart at 14:45 and connect the school to Cymmer, Glynfach, Pontygwaith, Trebanog, Trehafod, Tylorstown, and Wattstown.

The nearest rail stations to the school are Dinas and Porth Rail Stations which are approximately a 1.2 to 1.3km walk from the site. These are served by the Arriva Trains Wales Rhondda Line which links Cardiff and Treherbert. These routes provide a half hourly service in each direction throughout the day and provide some potential for staff and to a lesser extent pupils, to travel to the school by rail. Given the public transport links identified above, it is considered that the site benefits from satisfactory public transport provision to encourage use of sustainable modes of travel.

Travel Plan

A Travel Plan framework has been submitted for consideration as part of the planning application the aim of which is to reduce single occupancy car trips to and from the school and to promote greater use of sustainable modes of travel, which is considered acceptable subject to a suitable planning condition.

Conclusion

In reviewing the TA, it is considered that the proposed development would not result in significant harm to highway users necessitating a highway objection or additional mitigation measures beyond those proposed. The proposed development would result in a change of patterns of travel, due to the staggered timing of the end of school day for primary and comprehensive school students and timing outside the network peak travel periods and as such, any impact on highway capacity, operation and safety would be insignificant. The access and off-site mitigation proposals would require a Traffic Regulation Order (TRO) as part of off-site highway improvements and traffic management to facilitate delivery of the scheme.

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 and dropping-off facilities around the school site. Although a number of concerns have been raised by residents in relation to the road safety implications of the development, it is considered that the measures included within the TA will satisfactorily address those concerns and that the proposed scheme is therefore 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, the applicant has submitted an Ecological Appraisal Report, Tree Categorisation and Constraints Report and a Bat Activity Survey in order to identify and address and ecological issues arising out of the development.

In relation to these issues, the main impact that has been identified resulting from the scheme is the effect that the proposed development could have on bats and nesting birds which may be occupying the site, either within existing buildings or trees within the site.

The Bat Activity Survey submitted identifies that a number of the buildings within the school campus have high potential to support roosting bats and two of these, identified as building A (lower school / former Porth Grammar School) and building G (swimming pool) are proposed to be demolished. Two of the other buildings identified as having moderate / low potential building E, which includes the sixth form building and outbuilding are also proposed to be demolished. Two further temporary buildings were identified as having negligible potential and therefore required no further surveys. In addition, the lower school / former Porth Grammar School buildings was found to have brown long-eared bat droppings within the roof space which confirmed its use as a bat roost. Pipistrelle bats were observed emerging during a nocturnal survey and other bats also emerging from the technology building and one of the main school links. The survey identifies that whilst the majority of trees within the campus contain no features capable of supporting roosting bats, trees located to the west and north require more detailed survey to fully assess potential. As three emergence / re-entry points were confirmed during the surveys, the report recommends that further surveys are undertaken in 2016.

As indicated earlier, following the receipt of comments from NRW and the Council's Ecologist confirming that this survey work would need to be undertaken in order to confirm whether an EPS licence would be required and whether the proposals would be detrimental to the maintenance of the favourable conservation status of the bats, the applicant has proceeded in carrying out the additional survey work. At the time of writing this report, the submission of additional information and the further comments from NRW and the Council's Ecologist are awaited however, should this information and an appropriate mitigation scheme be found acceptable, it is considered that this issue could be addressed through a suitably worded condition (condition number 18.). Members will therefore be advised of any further information or comments received when the application is reported to Committee.

The Ecological Appraisal Report confirms that the ecological baseline conditions at the site were established through a combination of desk study and Extended Phase 1 Habitat Survey. The Report also provides provisional details of the performance of the building under the Land Use and Ecology categories of the BREEAM New

Construction (2014) scheme. The Phase 1 study identifies that the site is dominated by amenity grassland, buildings and areas of hardstanding which are considered of limited ecological however, that trees associated with the site should be retained and protected where practical. A total of fourteen individual trees and two further groups are required to be removed in order to facilitate the new primary school building and associated development however, the majority of these have been identified as category 'C' low quality trees and their removal is not considered to have a significant visual impact. Three trees within the site have been identified as supporting features suitable for use by roosting bats and as two of these trees have been identified for felling, it has been requested that the updated bat information includes details of how the bat potential will be considered in these works.

It was also identified that slow worm and common lizard have been recorded within the site in the past and the semi-improved grassland along the northern boundary was considered suitable to support reptiles. It is confirmed that should any areas with potential to support reptiles be likely to be affected, a survey would be required to inform the preparation of a mitigation strategy and further clarification on this has been requested. Details of specific mitigation measures for reptiles has also been included as part of condition number 18.

Drainage and Flooding Issues

The application is accompanied by a Civil Engineering Infrastructure Strategy Report which identifies the existing constraints, engineering requirements, options and civil engineering solutions for the necessary site level, access and drainage strategies for the proposed development.

In relation to flood risk, the latest DAM map shows the application site lying approximately 160 metres north of the River Rhondda. The elevation by the north and south boundaries of the site is about 157 metres AOD and 127 metres AOD, whereas the river is down at an elevation of approximately 108 metres AOD. The report advises that the site is shown on the DAM to be located within Flood Zone A and is therefore considered to be at little or no risk of flooding. As such, it is confirmed that a flood consequences assessment is not required. It is advised that the flood risk associated with surface water drainage has been considered and is proposed to be dealt with in a number of ways including direct discharge into the existing surface water system, the use of underground attenuation tanks and a rainwater harvesting system. It is also confirmed that the foul drainage from the site will be discharged into the existing foul sewer at the south-west entrance of the site.

Whilst the application is not accompanied by full details of the proposed drainage scheme, it is confirmed that discussions have already been undertaken with the Council's Drainage Section and Dwr Cymru / Welsh Water in relation to site requirements and no information has been presented to indicate that the site could not be satisfactorily drained. The proposed development has not resulted in any objections being received in respect of drainage or flooding issues from NRW, Dwr

Cymru / Welsh Water or the Council's Land Reclamation and Engineering Section subject to the imposition of appropriate conditions which are included below (condition numbers 8 and 9). 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

A Ground Investigation Report has been submitted to accompany the application which provides an assessment of the ground and ground water conditions and initial geotechnical design recommendations for the redevelopment of the school. This comprises an initial ground investigation including geo-environmental assessment and geotechnical conclusions. In relation to the geo-environmental conclusions, it is noted that both arsenic and benzo(a)pyrene were recorded and whilst it is advised that neither are considered a significant risk, the Council's Public Health & Protection Section has requested appropriate conditions to deal with contamination issues (conditions numbers 10, 11 and 12).

The geo-technical conclusions identified that obstructions associated with the existing lower school building such as foundations and floor slabs should be anticipated. In relation to previous mine workings, it is advised that the site is not underlain by mine workings within influencing distance of the surface and no further consideration of surface instability arising from historic mining is required. The report identifies however that the footprint of the buildings have prevented intrusive ground investigation and it is identified that additional work is therefore required. This can be addressed by an appropriately worded condition (condition number 13.).

The Council's Public Health & Protection Section has also requested the submission of details for the systems that are intended to be used in order to disperse fumes produced by the preparation and cooking of food and to prevent waste cooking oil, fats, grease and food debris from entering the foul drainage system and this can also be addressed through appropriate conditions (condition numbers 14 and 15). Subject to these requirements, 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.

Whilst other 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.

Impact on residential amenity and privacy

As identified earlier, the visual impact of the various elements of this proposal on the nearest residential properties located to the south and west of the site will be minimal

due to the distance of the new development from the boundary of the site. The information submitted as part of the application indicates the provision of both hard and soft landscaping to the south of the new primary school building, which will improve its visual impact from the nearest residential properties in Cemetery Road and ensure that their amenities are not adversely affected.

The majority of the concerns raised by residents in relation to the access and highway safety implications of the scheme will be addressed through the improvement works outlined earlier in this report. In relation to the issue raised relating to additional traffic restrictions being placed along the western access road, Transportation Officers have advised that this is not currently part of the proposed traffic restrictions. The concerns raised by another resident in relation to flooding issues should be satisfactorily addressed through the submission of a suitable drainage scheme for the development, which will be required by condition (condition numbers 8 and 9).

In respect of the issues that have been raised by the owner of the adjoining land and the land over which the existing western access to the school is obtained, no alterations to the existing roads or points of access are required, as they are considered to be adequate for any additional transport movements associated with the proposed development. All of the new development proposed will be contained within the application site, or involve improvement works to the adopted highway and will not therefore affect the adjoining land. The further issue raised in relation to existing rights of access is a private matter and not therefore considered to be material to the determination of this application.

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 proposal is limited to a new primary school building. Therefore, whilst this building will be readily visible from cross valley views outside the site, the proposal is considered to be of a scale and design which integrates well with the larger site and would also be seen in the context of the other substantial buildings which surround it. It is not therefore considered that the location or siting of this building would have an adverse impact on the historic landscape.

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 to provide a new 3-16 middle school will benefit existing students attending the school, as well as those primary aged students who will transfer from existing provision in Porth and Llwynceilyn.

Whilst the main concerns raised by local residents focus on drainage and highway issues resulting from the proposed development, the provision of a new on-site parking facility together with the off-site improvements proposed, should ensure that concerns regarding highway safety in the area are addressed. 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 primary school and associated landscaping and external works is acceptable and complies with relevant policies of the Local Development Plan.

RECOMMENDATION: Subject to the receipt of NRW comments which are favourable in terms of the impact on bats, approval of the application is recommended. In the event that comments from NRW are not received however, Members may also be asked to resolve to grant delegated powers to officers to approve the application, subject to a satisfactory resolution of the bat issue.

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

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

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

Site Plans

- Site Location Plan (Drawing no. 17054P-DB3-ZZ-XX-DR-A-90_02 - 18/03/16)
- Site Plan as Existing (Drawing no.17054P-DB3-ZZ-XX-DR-A-90_03 - 18/03/16)
- Site Plan as Proposed (Drawing no.17054P-DB3-ZZ-XX-DR-A-90_01)

Rev B -18/03/16)

- Proposed Demolitions Plan (Drawing no.17054P-DB3-ZZ-XX-DR-A-90_04 -18/03/16)

New Primary School

- Ground Floor Plan (Drawing no.17054-DB3-XX-GF-DR-A-20_01 Rev D - 18/03/16)
- First Floor Plan (Drawing no.17054-DB3-XX-01-DR-A-20_02 Rev D - 18/03/16)
- Elevations (Drawing no.17054-DB3-XX-ZZ-DR-A-21_01 - 18/03/16)
- Proposed Site Elevations (Drawing no.17054-DB3-XX-ZZ-DR-A-90_11 18/03/16)

Other

- Tree Constraints Plan (Drawing no.1566701/Pre/S/001- 18/03/16)
- Stage 3 Landscape General Arrangement Plan (Drawing no. 1566701/P/GA/004 Rev C -18/03/16)
- Proposed Drainage Layout (Drawing no. C151727 Rev B - 18/03/16)

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

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

3. Notwithstanding the submitted layout plan, full engineering design and details of the improvements to the western access road off the B4278 Cemetery Road, including the junction improvements, tie in to existing highway, traffic management and provision of footway to serve the primary school access and improvements to the southern access road (Chip Shop Hill), including surface water drainage and construction details together with details of mitigation measures to facilitate safe routes to and from the school, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented to the satisfaction of the Local Planning Authority prior to beneficial occupation.

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

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

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

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

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

6. 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.

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

- Travel Plan Co-ordinator;
- 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;
- Management strategy for monitoring and delivering the objectives;
- 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.

8. No development works shall take place drainage arrangements 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.

9. The new primary school building approved shall not be occupied until the drainage works (agreed under condition 8.) 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.

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

- 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.
- 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.
- 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.

11. No part of the accommodation, hereby permitted, shall not be occupied and/ or operated until the measures approved in the scheme (referred to in Condition 10) 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.

12. 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.

13. Notwithstanding the submitted details before the submission of the application for the approval of reserved matters, a detailed site investigations report shall be submitted to and approved in writing by the Local Planning Authority. The report should be sufficiently detailed to establish if any ground precautions are necessary in relation to the proposed development and the precautions that should be adopted in the design and construction of the proposed development in order to minimise any damage which might arise as a result of ground condition. The development, hereby permitted, shall be carried out in accordance with the approved site investigations report.

Reason: The site may be unstable and as such a stability report is required in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

14. Prior to the use, hereby permitted, commencing a scheme of odour/effluvia/fume control shall be submitted to and approved in writing by the Local Planning Authority. The building/premises shall thereafter only be operated in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of the occupiers of adjoining properties in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

15. Details of a system to prevent waste cooking oil, fats and grease and solid waste from entering the foul drainage system shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the use of the premises commences and then shall operate in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

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

16. No development shall take place 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 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.

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

18. No development shall take place 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
- 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 reptiles, etc.)

d) Details of mitigation of night working and site lighting with regards to bat impacts

e) Details of management and habitat re-establishment, particularly semi-improved grassland

f) Details of specific mitigation measures for bats, nesting birds and reptiles

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.

19. 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;

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.

20. No works shall commence 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 Local Development Plan.

21. No development shall begin on the development until such time as details of all external lighting (including access 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.

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

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

23. 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.

24. Any topsoil [natural or manufactured], or subsoil, to be imported shall be assessed by a competent person for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Subject to approval of the scheme of investigation, sampling of the material received at the development site to verify that the imported soil is free from contamination shall be undertaken by a competent person in accordance with a scheme and timescale to be agreed in writing by the Local Planning Authority. Only material approved by the Local Planning Authority shall be imported.

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.

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APPLICATION NO:	16/0304/08	(BJW)
APPLICANT:	RCTCBC	
DEVELOPMENT:	Provision of a new 3-16 middle school at Tonypany Community School site, including provision of a new build primary school and associated landscaping/external work. To include demolitions and alterations to existing secondary school.	
LOCATION:	TONYPANDY COMPREHENSIVE SCHOOL, LLEWELLYN STREET, PENYGRAIG, TONYPANDY, CF40 1HQ	
DATE REGISTERED:	21/03/2016	
ELECTORAL DIVISION:	Penygraig	

RECOMMENDATION: Approve subject to conditions.

REASONS: The principle of creating a new 3-16 middle school on the site of

the current Tonypandy Community School has been previously agreed by the Council as part of the 21st Century School's Programme. The redevelopment of the site has been designed in order to accommodate existing provision at Tonypandy Primary School, Penygraig Junior School, Ysgol Yr Eos and Penygraig Infants School.

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 are considered to be acceptable.

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 the Council 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 create a new 3-16 middle school in Tonypandy will involve the demolition of a number of the existing school buildings and their replacement with a new primary building and associated landscaping, parking facilities and other

external works. This redevelopment of the existing school has been designed in order to accommodate existing provision at Tonypandy Primary School, Penygraig Junior School, Ysgol Yr Eos and Penygraig Infants School which will be closed. The existing Secondary School will close and re-open as a new through school, providing a different approach to education for children from the age of three up to sixteen by sharing both primary and secondary resources.

Members will be aware that planning applications for Tonyrefail Comprehensive School involving the provision of new and refurbished school buildings and a new primary school (16/0062) and also Treorchy Comprehensive School, involving the construction of new science teaching block, refurbishment and re-cladding of existing teaching buildings and other external works (16/0082) have already been considered at the 21st April 2016 and 19th May 2016 meetings of this Committee, where resolutions to approve both applications were made.

A further planning application for the provision of a new 3-16 middle school and associated works at Porth County Community College (16/0299), is also currently under consideration and is reported elsewhere on this agenda.

Proposed Development at Tonypandy Community School

The existing Tonypandy Community School comprises 6 school buildings. Blocks 1-5 are the original blocks and date from the early 1970's of which some will be refurbished as part of the application. Block 2, the existing single storey art, craft block is proposed to be demolished as part of the scheme to allow greater room for the new primary block and to provide shared, all-weather playing facilities.

These blocks are a mixture of single and two storey buildings built around a steel frame with supporting pre-cast concrete slabs, metal deck flat roofs; block partitions through the ground floor; timber stud partitions through the first floor and a brick/block cavity envelope. Block 6 dates to the 1990's/2000's and is a two storey brick/block construction with a robust portal steel frame. There are currently 81 established staff and visitor car parking spaces that are located at southern part of the site.

The school is currently an 11-19 comprehensive school and the proposal will see the existing school close and re-open as a middle school providing education to children aged between 3 and 16. This will be achieved by constructing a new primary school building within part of the existing site which will accommodate 480 pupils. The school in its current form has capacity for 1020 pupils although the current occupancy is around 809.

The proposed new arrangements will support approximately 780 secondary pupils and 480 primary pupils in the new school building with potential accommodation, if required, for children with special needs. The existing secondary provision will be transferred to the sixth form centre which is being created at Tonyrefail Comprehensive School (there are currently 150 on the roll, January 2016) and the

existing staffing structures for the school will need to be developed for the 3-16 school. The proposal would therefore increase capacity of the site by 240 pupils. Staffing levels indicated are 95 staff for the secondary school and 44 staff for the new primary school.

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:

- Demolition of the single storey element of the existing school block 2 to accommodate new primary school building and two all weather multi use games areas (MUGAs) with an area of 1200 sq.m. The demolition would total an area of 1292 sq.m with a further internal refurbishment of 2641 sq.m of the existing school. External works would consist of the making good of existing facades with matching facing brick and re-pointing of brick work. The demolition would reduce the floor area of the school from 8929 sq.m to 7636 sq.m.
- Provision of new primary school building (two floors) located on the northern part of the site that is currently an all-weather sports pitch. This would include an entrance foyer, reception/secretary's room, hall, head teacher's office, kitchen, staff room, community room, intervention/community room, medical room, withdrawal room and four classrooms (including a nursery, reception year 1 and 2 classrooms) at ground floor level. The first floor features 4 additional classroom (for years 3-6), W.C.'s, changing areas and an ICT "HEART" space and server area. Other associated store and plant rooms and WCs are also included on both floors.
- The proposed new primary school would have a floor area of 2468 sq.m and would measure 81m in length at its longest point by 22.2m in width at its widest point by 5.7m to the lowest eaves point and 8.4m in height to the highest part of the roof. The building proposes a palette of modern and contemporary materials including; grey brick work; render panels; composite aluminium windows, aluminium standing seam roof and fascias; recycled dressed stone and a metal canopy.
- The school rooms would be arranged around a central corridor with classrooms facing north east to benefit from favourable amounts of natural light and attractive cross-valley views while operational rooms would face the main pedestrian and vehicular access to the site.
- Creation of hard play (1350 sq.m); soft play (2000 sq.m); habitat (750 sq.m) and an external class area to the north east boundary of the site.
- Hours of operation at the site proposed would be unchanged from the current use and are as follows:

School/nursery	08.00 – 17.00
Hired school spaces	17.00 - 21.00

- Improved internal access from existing northern access and provision of car park to serve new primary school. This would consist of 103 parking spaces (including 6 accessible spaces) and 59 pick-up/drop-off spaces.
- Improved and remodelled access from the existing southern access and provision of car park to serve the existing secondary school. This would consist of 89 parking spaces (including 5 accessible spaces) and 12 pick-up/drop-off spaces.
- Provision of improved road access to upper plateau of the site including a turning area and accessible parking bays.
- Retention and refurbishment of existing hard surfaced sports area on the upper plateau (3570 sq.m with approximately 400 sq.m lost to the improved and new areas of the access road).
- Creation of a new all weather pitch on the upper plateau (6486 sq.m, 5900 sq.m built on existing redgra surface and 586 on new substrate).

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

- Design and Access Statement (DAS) (Darnton B3 – 18 March 2016).
- Transport Assessment & Scoping Reports (Hydrock - January & March 2016).
- Framework School Travel Plan (Hydrock - March 2016).
- Ecological appraisal report and summary of ecological credits available under BREEAM land use and ecology (Soltys Brewster – 13th November 2015).
- Presence/ Likely Absence Bat Survey Report (Mott Macdonald – November 2015).
- Tree Survey, Categorisation and Constraints Report (Soltys Brewster – 28th October 2015).
- Environmental Noise Survey 3847b/ENS1 (Hunter Acoustics – 7th December 2015).
- Acoustics Design Review Stage 3 3847b/ADR2 (Hunter Acoustics – 19th February 2016).
- Ground Investigation Report (Hydrock – February 2016).
- Civil Engineering Infrastructure Strategy Report (Hydrock – March 2016).

The Design and Access Statement identifies that the application supports the desire to remove old buildings in a poor condition and to reduce capacity in the secondary

accommodation, whilst providing a new facility for primary accommodation and improving safety and access routes to the site for vehicular traffic.

SITE APPRAISAL

Tonypandy Community College site consists of two plateaus with a level difference of approximately 10m. The lower plateau contains the existing secondary school building with an all weather pitch on its north side. The upper plateau has an existing hard play area and a redgra pitch in infrequent use.

There are two access routes to the site; a vehicular south entrance from the Llewellyn Street and one on the north side of the site from Parc Gellifaelog. The site is challenging due to the confined area of the lower plateau and steep slopes otherwise. Additional pedestrian access can be gained by a lane to the rear of Wyndham Street to the south east of the site.

The application supports the desire to remove and refurbish old buildings in poor condition and to reduce capacity in the secondary accommodation, whilst providing a new facility for the primary accommodation and improving safety and access routes to the site for vehicular traffic.

The current application site is restricted to an area of 5.3 hectares, although the school occupies a larger site with an area of 14 hectares. The site contains 6 linked blocks, a car park and play areas on the lower and upper plateaus. The main school block was constructed in the early 1970's with a further block (Block 6) built sometime in the 1990-2000's.

The northern boundary is screened by a mature tree screen and beyond this, the land is used for agricultural purposes. The south, west and eastern boundaries are surrounded by mainly two storey terraced dwellings, with the boundaries adjacent to where the new build is proposed, are defined by stone walls with mature tree screening.

PLANNING HISTORY

There are no recent records of planning applications relating to the application site.

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. No responses have been received.

CONSULTATION

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

A review of the Transport Assessment accompanying the application has concluded that the traffic generated by the proposal would not have a significant adverse impact on the surrounding highway network.

In relation to the junction impact assessment this examines the capacity of the Station Street / A4119 - southern school access and the Parc Gellifaelog / A4119 / Gelli Road signalised junction – northern school access.

In terms of the southern access point the TA concludes that the capacity would be adequate in all scenarios while increased queue lengths for the right turn manoeuvre from Station Street which would not adversely affect the side road functions of Station Street with Gilfach Road and Ardmore Avenue.

The northern access incorporating the improvements to the signalised junction at Parc Gellifaelog / A4119 and Station Road, is considered acceptable subject to the implementation of the mitigation measures identified which can be conditioned accordingly.

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

- site location
- access
- northern access from Parc Gellifaelog
- southern access from Llewellyn Street
- eastern pedestrian access
- circulation
- school capacity
- parking
- road safety audit
- safety routes in communities
- collision analysis
- public transport
- travel plan

The submitted documents have been reviewed and it is considered that the proposed development would not result in significant harm to highway users necessitating a highway objection or additional mitigation measures beyond those proposed.

The proposed development would result in a change of patterns of travel which due to the staggered timing of the end of school day for primary and middle school

students and timing outside the network peak travel periods and as such any impact on highway capacity, operation and safety would be insignificant.

Consequently, subject to the suggested conditions and informative notes it is considered that the proposal is acceptable.

Land Reclamation & Engineering – has raised no objection subject to a condition requiring full drainage details for 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, waste and lighting. The need for a scheme to deal with potentially previous contaminating land uses has also been identified and a condition is suggested.

Countryside, Landscape and Ecology - the ecology survey covers a larger area than just the school site. It includes the open fields to the south of the school, where a number of ecological features are identified. The survey work was carried out before the details of the scheme were available. Therefore the conclusions of the report are not based on the scheme as submitted, but a larger potential development. The ecology report therefore identifies a number of further surveys for the fields to the south of the School. It is assumed these areas are not affected by the current scheme. On the basis that the works are all contained within the existing school footprint, the recommendations for further survey work for these adjacent areas would be unnecessary.

The works in the school involve the demolition of 2 buildings. Building A has been found to support a pipistrelle bat roost, and the survey report recommends that an additional emergence/re-entry survey is undertaken of building A in optimal bat surveying conditions in 2016. It is assumed that this means surveying in May to July period in good weather conditions. Given that recommendation it is considered that planning permission cannot be given until that additional bat work is submitted. Demolition of the building will be likely to need a European Protected Species licence and it is therefore suggested that Natural Resources Wales (NRW) are consulted on the application.

The ecological survey identifies the loss of some areas of semi-improved grassland within the school grounds. These are described as species-poor, although the target note includes a number of species associated with good quality species-rich grassland (bird's-foot trefoil, black knapweed, red clover, tormentil and heather. No indication of abundance is provided in the target note so how species-rich the grasslands are is impossible to gauge. It does appear that some of this grassland is going to be lost, but more retained. It is noted in the layout plans reference to habitat area (750 m square). If the scheme gains planning permission it is strongly suggested that any habitat mitigation is delivered via the use of better (hay) management of grassland areas within the site, and the re-use of soils and wildflower seed sources on the Site. There is no need for wildflower seeding.

The ecology report states that areas of semi-improved grassland have slow worm potential and that no works likely to impact on reptiles should be undertaken unless a strategy for protecting reptiles has been identified.

The report identifies issues of nesting birds and controlled demolition/clearance works, and recommends the incorporation of bat and bird boxes into the fabric of the new build.

An additional report has been submitted which contains further survey work on the affected demolished building and the possible impact on bats. The updated bat report concludes that no bat license is needed for the demolition on site, although a specified bat sensitive method statement will be employed. It is considered that this is a reasonable approach however it is recommended that NRW confirm that no European Protected Species Licence (EPS) is needed. If NRW do confirm that no EPS licence is needed, a condition should be attached that all the recommendations in Section 5 of the June 2016 Soltys Brewster Bat Report are implemented with details as agreed by the Council.

Natural Resources Wales - has raised significant concerns regarding the proposal as submitted and recommended that planning permission should only be granted if further information is submitted to the Council which demonstrates that the proposal will not have an unacceptable effect on European Protected Species. In particular, following a review of the Bat Activity Survey submitted, it was noted that 'Building A' was considered to have high potential to support roosting bats and that emergence surveys found evidence of roosting pipistrelle bats in the building. These surveys were undertaken late in the season (September) and it was noted that an additional survey of this building during the main bat maternity season (May-August) was recommended in the report.

It has therefore been concluded that it cannot be ascertained that the proposals will not be detrimental to the maintenance of the favourable conservation status of the bats concerned and further information is therefore required including comprehensive bat survey information, full details of the nature and extent of the proposed works on site, a comprehensive assessment of the likely impacts of the proposals on bats and details of any bat mitigation that will be put in place.

The updated bat report has been forwarded to NRW as recommended by the Council's Ecologist. NRW's comments have not been received at the time of writing this report however, should they be received prior to the committee meeting, they will be reported orally to Members at that time.

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 and the installation of a grease trap. 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.

The Coal Authority - comments awaited.

Western Power Distribution – no adverse response received within the consultation period.

Wales & West Utilities - has raised no objections but has advised that it has apparatus in the area and advises direct contact by the developer to discuss their requirements.

South Wales Fire and Rescue Service - no response received within the consultation period.

Education and Lifelong Learning - no response received within the consultation period.

Sports Council for Wales - no response received within the consultation period.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

Porth 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 Tonypany, 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 development and 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 Primary School

The main development at the site is the construction of a new primary school block. The new two storey primary school block is proposed on the northern end of the site on an existing all weather pitch. The building would be on the lower plateau of the

site but would still be in a visually prominent position within the surrounding settlements.

It is considered that the proposed primary school block would form a modern, contemporary and visually attractive building, well suited to its purpose and in keeping with the existing topography and orientation of the site. The building would be located over 100m from the closest properties in Parc Gellifaelog and at an elevated position to those properties. Due to the distances to existing properties it is not considered that the proposed primary school block would have a detrimental visual impact on neighbouring properties. It is also acknowledged that there have been no adverse responses received as part of the consultation process for the application.

It is considered that the new primary school block would relate well with existing buildings within the site and would continue the linear arrangement and orientation of those buildings. Consequently, it is considered that the main proposed physical development at the, the new primary school block, would be visually acceptable and would not have an adverse impact on neighbouring properties or the existing school campus.

The new primary school is conceived as a simple 2-storey form, running north-south along the lower plateau. The building has a mono-pitched aluminium standing seam roof, uses a mix of modern and traditional materials such as facing brick, render and stone and has a footprint of approximately 1547 sq.m (dimensions of approximately 81m in length by 22m in width). Main views of the building would be from the north and east of the site which are arranged at a lower level although, due to the prominent nature of the site, the building would be visible from cross valley views from the wider locality.

The building would be of a similar height, scale and mass as the existing structures within the site and it is not considered that, despite its exposed position, it would be unduly prominent. The building would be viewed against the backdrop of the existing buildings and the mountainside and is not therefore considered to appear out of keeping.

The proposed external finish of the building includes a mixture of facing brick, render panels, powder coated aluminium windows and recycled stone final details of which are to be confirmed. It is considered that the use of modern materials, whilst representing a contrast to the materials to the other 1970's and later school buildings, is considered acceptable and will help enhance and modernise the appearance of the school campus. The design and appearance of the new primary school block is therefore considered to comply with policies AW5 and AW6 of the Local Development Plan.

Demolition of block 2 and refurbishment of main school building

The demolition of the design and technology block (block 2) is intended to maximise the developable area of the lower plateau thereby necessitating greater room for the rationalisation and creation of the new primary school block.

The demolition would remove the existing single storey element of the school, creating uniformity in the height of buildings across the wider site. The refurbishment would largely involve the consolidation of the secondary school, which will cease to cater for sixth form pupils, within a reduced school envelope.

It is considered that the demolition of block 2 and part refurbishment of the existing secondary school would facilitate the wider re-development of the school site. The removal of the existing building and upgrading of existing secondary facilities would not have an adverse impact in visual terms and are considered to be acceptable.

External Works, new car park and new all weather pitch

The external works that are proposed as part of the application would consist of the following:

- New/improved road to all weather pitch from existing secondary car park to upper plateau area with 3 accessible parking spaces and a turning area
- Hard and soft play areas for new primary school block
- Habitat area for new primary school block
- External classroom area within a canopy area for new primary school block
- New transformer and sprinkler tank for the whole site
- Refurbishment of existing hard surface sports courts on the upper plateau
- New all weather pitch on the upper plateau
- 2 no new Multi Use Games Areas (MUGA's) on lower plateau
- New car park for the new primary school block
- Extended car parking area for the existing secondary school block
- Drop off/pick up areas for both the primary and secondary schools
- Refurbishment of the existing steps and path pedestrian access to the site
- Cycle racks to both primary and secondary schools

A scheme of new external lighting is also proposed including, flood lights to the new external play areas, as well as street lights and the new and existing access roads into the school campus.

It is considered that the external works would be appropriate and commensurate with the increased use of the site as both a primary and secondary school. The outside play and teaching areas would enhance the teaching facilities of the primary school and meet modern educational standards. The improved access arrangements to the upper plateau would facilitate greater access to this area which would allow increased use due to the removal of the existing all weather pitch on the lower plateau.

The creation of the all weather pitch on the upper plateau would replace the existing facility and would enable the re-use of an area that is currently under-utilised. Similarly, the improved access and refurbishment of the hard surface sports court area would enable greater use of the existing space.

The MUGA's would provide improved areas for structured play that, like the other sports facilities can be shared with all users across the site.

The car park areas would provide acceptable levels of parking for staff, services, pupils and general visitors to the site. The car parks encourage separation of car-borne visitors to the site thereby reducing the pressure on existing highway routes and infrastructure (this will be explored in greater detail later in this report).

It is considered that the external works proposed would create a visually interesting and acceptable setting to the proposed primary school block and secondary school refurbishment.

Access and highway safety

The proposed new middle school is to be created by the construction of a new primary school and demolition and alterations to the existing buildings on the Tonypandy Community College campus. External works to provide adequate access, circulation and parking are also proposed as part of the application.

The existing Community College site is close to the A119 and benefits from a vehicular access from the A4119 via Station Street, Gilfach Road and Llewellyn Street. These roads are 7.3m wide and are characterised by moderate on street parking and footway widths that vary between 1- 1.8m.

Existing school transport and pupil drop-off / pick-up facilities are provided by means of a dedicated bus turning loop provided at the Northern end of the school site with access from a signalised junction with the A4119 via a residential development known as Parc Gellifaelog. The access road comprises 6.75m wide carriageway with 2m footways on both sides to accommodate public service vehicles. At present there is no vehicular access for cars and delivery vehicles beyond the bus-stop / drop-off / pick-up area.

The site also benefits from a number of pedestrian only access points served by a footbridge over the A4119 and network of quiet residential streets and rear lanes.

With regard to highway safety and parking issues, it is evident that the redevelopment and extension of the school premises enabling an additional 240 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.

In terms of car parking arrangements those of the secondary school will remain largely unchanged. This is due to the rationalisation of the existing car parking area for the secondary school, the reduction in capacity of the school with the removal of sixth form provision thereby reducing trips by teaching staff for the sixth form and traffic movements by sixth form pupils themselves.

By contrast the parking arrangements for the primary school are required to cater for the new facility at the site and the increase in capacity that this would create. In this regard the Transport Assessment (TA) examined the existing trip generation to the site, taking into account the reduction in trips due to the removal of sixth form provision during the AM and PM peak times (08.00-09.00 and 15.00-16.00 respectively). The TA determined that an additional 310 trips would be generated across the site during AM and PM peak times.

The distribution of these additional trips was examined across the network using factors such as the post codes of pupils, their distance from the school and therefore the likelihood that they would walk and a 50-50 split to north and south access points.

Consequently a traffic impact assessment of the following junctions was undertaken for:-

- Station Street / A4119 Junction (southern access point)
- Parc Gellifaelog / A4119 / Gelli Road signalised Junction (northern access point)

Access

Northern Access from Parc Gellifaelog

The Proposed site indicates that the existing northern access which currently serves only a bus turning area and pupil drop-off / pick-up is to be utilised to provide access to the primary school car park and additional drop-off/pick up facilities. The existing Secondary School bus turning loop, bus stop and drop-off / pick-up is to be retained.

Currently 5 school buses (2 No. Home to School and 3 No. Consortium) conveying 11-18 year old pupils utilise the access via Parc Gellifaelog and the bus turning loop and bus stop. This level of service is expected to continue following the construction of the proposed primary school and alterations to the middle school. Home to School Transport by means of bus is not provided for primary school children although any children entitled to such provision would be conveyed by car/taxi.

Southern Access from Llewellyn Street.

The existing access from Llewellyn Street is to be retained to serve the secondary school car park drop off bays and service areas.

A link is also shown between the two car parks and whilst this provision is advantageous in terms of facilitating use of both accesses, in case of emergency, there is concern that this could lead to through traffic. However as the link is within the curtilage of the school site it could be managed by the school with removable barriers provided if required.

Eastern Pedestrian Access.

The existing pedestrian access from the Lane at the rear of Wyndham Street is to be retained with the steps and pathways within the curtilage of the site being refurbished and construction of a new internal footpath created to lead to the proposed primary school as part of the proposed works.

Circulation

The proposed internal road layout shown on drawing 17054T-DB3-ZZ-XX-DR-A-90-04 Proposed Site Plan incorporates satisfactory road width, aisle width and horizontal alignment to accommodate circulation and turning manoeuvres by parking, service and delivery vehicles.

Parking

Car parking requirements for the proposed school in accordance with the Councils adopted Supplementary Planning Guidance (SPG) is summarised below:-

Car Parking Provision

	Parking Requirement (SPG)	Parking provided
Existing Site (1020 pupils)	94	81
Proposed Redevelopment (1260 students)	107	192
Drop-off / Pick-up spaces	22	68

The parking provision shown on the submitted drawings exceeds the parking requirements specified within the Councils SPG with the intention that additional spaces would be available for short term parking associated with pupil drop-off and pick up.

The provision of drop-off / pick up bays is not a requirement of the SPG, however, the proposals include the provision of excess parking provision of 85 spaces together with areas of the circulatory system demarked for use as drop-off / pick up bays at school start and finish time which would accommodate a further 68 cars. Such provision coupled with the rapid turn-over of spaces associated with drop-off and pick-up activity and the staggered finish of the school day between the primary and secondary school and the effect of children attending breakfast club, after school club and participating in other after school activities would relieve the pressure for on street parking in adjacent residential streets and is considered acceptable.

A further 3 car parking spaces are provided adjacent to the all weather pitch to provide disabled access to the facility. As these spaces are remote from the school to cater for disabled parking associated with use of the sports facility they have not been counted as part of the site parking provision.

Currently there is no cycle parking provision. The hands-up surveys undertaken indicate minimal if any cycle use by existing students due to the lack of cycle routes and the topography of the catchment area and on this basis and therefore 10 cycle spaces are proposed and usage monitored with a view to increasing the provision as part of the Schools Travel Plan should demand increase. Whilst this cycle parking provision is not in accordance with the Councils SPG this approach is considered acceptable given the topography of the surrounding area and levels of cycling identified by the hands-up surveys.

Safe Routes in Communities

Safe Routes to School have been assessed in accordance with Welsh Government Learner Travel Guidance within the following study areas and improvements identified:-

Area 1 - Parc Gellifaelog

Area 2 - Gelli Road

Area 3 - A4119 / Footbridge / Brynderwen Rd / Hendrecafn Rd

Area 4 - Pleasant Rd / Penpisgah Rd

Area 5 – Llewellyn Street / Gilfach Road / Middle St / Hendrecafn Rd.

Area 6 – B4278 / Glannant St / Vicarage Rd / Belle View / Dinas Rd.

Considering that the existing pedestrian routes assessed are already utilised by students to walk to and from school and that the proposed redevelopment of the school would result in the use of the same routes and footway network it is considered that the mitigation measures identified would significantly improve safe movement for all pedestrians and can be conditioned accordingly.

The proposal would require a total of 107 car parking spaces to serve the school development of 1260 pupils with 193 spaces provided which is acceptable. A total of 68 additional short term parking spaces are to be provided to accommodate pupil-drop-off/pick-up which will significantly reduce the impact on adjacent streets at school start and finish times. Adequate provision exists for the school transport buses which will utilise the existing bus turning loop and bus stop accessed from Parc Gellifaelog. Service and delivery vehicles will utilise the existing access from Llewellyn Street and the new access from the bus turning area at Parc Gellifaelog as appropriate. The internal road layout is satisfactory for these vehicles to access and egress the site in forward gear.

Routes within the Community which are likely to be utilised by pupils walking to and from school have been assessed in accordance with Welsh Government – Learner Travel Guidance and whilst considered in the main available and safe a number of safety improvements/mitigation measures are recommended that would require Traffic Regulation Orders to implement and can be conditioned accordingly.

Consequently, it is considered that the proposal would provide a safe and secure environment for pedestrian and vehicular traffic to and from the site in line with the details provided and subject to the suggested conditions.

Ecology

The application site does not contain any ecological designations. However the applicant has submitted an ecological appraisal; a tree survey, categorisation and constraints report and a Bat survey report in order to address any possible ecological issues.

The Ecology report details the respective habitats of the application site and its wider environs as well as providing details of the performance of the building under the BREEAM framework. As the application site for the new school is on the site of the existing all-weather pitch and design and technology block there is nothing in the way of meaningful habitat that could potentially be lost. The areas of habitat that are identified are part of the wider 14 hectare site and would be unaffected by either construction activities or the operation of the school thereafter.

It is recommended that should construction activities affect areas of surrounding land of ecological value that could support reptiles that survey and mitigation works be undertaken to maintain the favourable conservation status of the species. As it is not envisaged that this would be the case it is considered to be unnecessary to impose a condition of this nature.

Bats

A bat survey was carried out at the site in order to address the likelihood of the use of the existing buildings by bats. The initial survey work, carried out in November 2015, classified the site based on the age of the buildings with the original 1970's building being classified as Building A while the later 1990's – 2000's building as Building B.

Building B had negligible potential for use by bats and no survey or recommendations were made for this building.

Building A had generally low potential for roosting bats due to the flood lighting from the existing playing pitch and the general levels of light around the building. However one section of the building, the corner of the courtyard with the north east side of the building, was assessed to have high potential. A single common pipistrelle bat was

observed emerging from the upper level of the building from a gap under the roof of the fascia, adjacent to the drain pipe.

On this basis it was concluded that a European Protected Species Licence (EPS) would be required for any works that will involve demolition, refurbishment or working in close proximity to the bat roost. Furthermore, it was recommended that one more emergence/re-entry survey be undertaken in 2016 under optimal surveying conditions to allow further clarification of the use of the building by bats and allow for the application of the EPS licence once the design has been finalised.

Further survey work was recently undertaken on the site as recommended in the initial bat survey report. The recent survey did not detect any bat activity including any emergence/re-entry activity from the location that it was recorded in 2015. The emergence point was on a two storey part of the eastern elevation of a building that would not be part of the proposed demolition but would be adjacent to a single storey building that would be demolished.

On the basis that no activity was recorded the potential roost site is considered likely to be used by non-breeding individuals on an occasional/irregular basis and as such would have no impact on the ability of the species to survive, breed or reproduce. Additionally, the previous bat recorded is likely to make use of a variety of other roost sites in the local area and as such a significant effect on the local distribution or abundance of Common Pipistrelle bats is considered unlikely. However mitigation measures are specified to minimise the risk to any bats that may be present during works on site as well as the incorporation of additional roosting facilities within the fabric of the new and refurbished buildings on site.

The updated report concludes that as the favourable conservation status of the protected species would not be adversely affected that an EPS licence would not be required although a bat sensitive method statement will be employed. This view is considered reasonable by the Council's Ecologist although NRW's confirmation that no EPS Licence is needed. On the basis NRW confirm that no EPS is needed, a condition is suggested that all the recommendations in Section 5 of the June 2016 Soltys Brewster Bat Report are implemented with details as agreed by the Local Planning Authority.

The views of NRW are unavailable at the time of writing the report, however, should they confirm this view it is considered that this issue could be suitably addressed by an appropriately worded condition as suggested. Members will be advised of any comments received in this regard when the application is presented at Committee and advised in accordance with the response received.

Impact on residential amenity and privacy

As identified earlier, the visual impact of the various elements of this proposal on the nearest residential properties to the north, south and east of the site will be minimal

due to the distance of the new development from the boundary of the site and the relative change in level.

Additionally, no responses have been received as part of the consultation exercise for the proposal as a whole. Consequently, it is considered that the proposal is acceptable in this regard.

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 primary school block and the new car park and access road. It is proposed to utilize the existing foul drainage network on site for the new primary block.

The calculations for drainage structures however have not been included and, as such, a condition is suggested to seek these details and ensure that adequate and acceptable drainage is provided that would not cause or exacerbate any adverse impact on the development site, adjoining properties, environment and existing structures that may arise from inadequate drainage.

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

Land Contamination and Stability Issues

The application site is identified within both a Development Low Risk and partial High Risk Area in relation to recorded coal mining risks the summary specifies that the former mine workings are at a depth that would not adversely affect the proposed development. Additionally, the areas of potential high risk do not directly affect the footprint of the main primary school block on site. The application has not been accompanied by a specific Coal Mining Risk Assessment document. However, a Geo-Environmental Investigation Report has been submitted to accompany the application which considers the issues of geology, hydrogeology, hydrology, past coal mining, radon and potential sources of contamination.

The conclusions of the report require additional investigatory works in terms of geotechnical and geo-environmental issues at design stage to mitigate the possible stability and contamination factors that are inherent in developing made ground featuring colliery spoil and imported materials.

In relation to land stability this issue can be dealt with by an appropriately worded condition requiring that further geotechnical investigations be undertaken prior to works commencing. This is the approach that has been recommended by the Council's Structural Engineer.

With regard to land contamination, the response received from Public Health and Protection identifies the previous occupation of part of the site by a former Colliery (Nantgwyn) and a refuse tip and that the potential for contamination therefore exists. Having reviewed 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 15-18). Subject to these requirements, 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 proposals involve a new build primary school block and general refurbishments and will be readily visible from cross valley view's outside the site. In relation to this issue, it is considered that the proposal would integrate well with the existing built form on the site and would form a logical extension of the buildings on the site. While the proposals would form a substantial addition to the existing buildings on site it is considered that they would be of a form, scale and design that would sympathise with current buildings on site and with the topography and setting of the area. Consequently, it is considered that the proposal would not have a detrimental impact in this regard.

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 development at the school would provide a modern, contemporary school within the heart of the community as well as deliver various infrastructure improvements and renovations that would benefit existing students and the surrounding locality.

It is considered that the proposals can be accommodated at the site without leading to overdevelopment and would be of a scale, form and character that would be

appropriate to its setting and would provide a visually attractive and environment for the expanded teaching facilities at this site.

The proposals would not have an adverse impact on neighbouring properties in terms of loss of privacy or amenity and no adverse comments have been received in this regard. Additionally, the impact on highway safety has been rigorously examined and, subject to appropriate conditions, is considered to be acceptable.

Having taken into account all of the issues identified above, it is considered that the proposed development is acceptable and complies with relevant policies of the Local Development Plan.

RECOMMENDATION: Provided that NRW comments have been received and are favourable in terms of the impact on bats approval is recommended. Members may also resolve to authorise the Service Director Planning to approve the application, subject to a satisfactory resolution of the bat issue.

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

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

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

Site Plans

- Site Location Plan (Drawing no. 17054T-DB3-ZZ-XX-DR-A-90-01) – dated 24/03/16
- Site Plan as Proposed (Drawing no. 17054T-DB3-ZZ-XX-DR-A-90-04) – dated 24/03/16
- Site Elevations as Proposed (Drawing no. 17054T-DB3-ZZ-XX-DR-A-90-05) – dated 24/03/16
- Proposed Scope of Works (Drawing no. 17054T-DB3-ZZ-XX-90-A-9006) – dated 24/03/16
- Lower School (Block 7), Proposed Ground Floor Plan (Drawing no. 17054T-DB3-B07-OG-DR-A-20-00) – dated 24/03/16
- Lower School (Block 7), Proposed First Floor Plan (Drawing no. 17054T-DB3-B07-01-DR-A-20-01) – dated 24/03/16
- Lower School (Block 7), Proposed Roof Plan (Drawing no. 17054T-DB3-B07-02-DR-A-20-02) – dated 24/03/16
- Lower School (Block 7), Proposed Elevations (Drawing no. 17054T-DB3-B07-XX-DR-A-21-01) – dated 24/03/16

- Lower School (Block 7), Proposed Section (Drawing no. 17054T-DB3-B07-XX-DR-A-21-20) – dated 24/03/16
- Stage 3 General Arrangement Plan (Drawing no. 1566601/P/GA/004 – revision C) – dated 21/03/16
- Tree Constraints Plan (Drawing no. 1566601/Pre/S/001), dated 24/03/16
- Drainage Plan, Sheet 1 of 4 (Drawing no. C151728-C07, Revision C), dated 21/03/16
- Drainage Plan, Sheet 2 of 4 (Drawing no. C151728-C08, Revision B), dated 21/03/16
- Drainage Plan, Sheet 3 of 4 (Drawing no. C151728-C09, Revision B), dated 21/03/16
- Drainage Plan, Sheet 4 of 4 (Drawing no. C151728-C10, Revision B), dated 21/03/16

and documents received, 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. Prior to the commencement of 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 condition. The development, hereby permitted, shall be carried out in accordance with the approved site investigations report.

Reason: The site may be unstable and as such a stability report is required in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order) no external lighting equipment shall be erected or installed without the prior express permission of the Local Planning Authority.

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.

5. No development shall take place until there has been submitted to and

approved by the Local Planning Authority a comprehensive scheme of landscaping, which shall include indications of all existing trees (including spread and species) and hedgerows on the land and details of any to be retained together with measures for their protection during the course of development.

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

6. 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.

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

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

8. Access, circulation and parking shall be laid out in accordance with the submitted layout plan, drawing number 17054T-DB3-ZZ-XX-DR-A-90-04 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.

9. Notwithstanding the submitted plans full engineering design and details of the proposed mitigation works to the signalised junction of Parc Gellifaelog with the A4119 and Gelli Road including ; longitudinal sections, street lighting details, signage, road marking, surface-water drainage , signal

design, construction details and Road Safety Audits together with full engineering design and construction details of off-site improvements to facilitate Safer Routes To School, 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.

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

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

11. 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.

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

- Travel Plan Co-ordinator;
- 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;
- Management strategy for monitoring and delivering the objectives;
- 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.

13. 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.

14. The new primary school building hereby approved shall be occupied until the drainage works (agreed under condition 13) 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.

15. The development hereby permitted shall not begin 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 otherwise agreed in writing by the Local Planning Authority:

- 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.
- 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.
- 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.

16. No element of the accommodation, hereby permitted, shall not be occupied until the measures approved in the scheme (referred to in Condition 15) 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.

17. 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.

18. Any topsoil [natural or manufactured], or subsoil, to be imported shall be assessed by a competent person for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Subject to approval of the scheme of investigation, sampling of the material received at the development site to verify that the imported soil is free from contamination shall be undertaken by a competent person in accordance with a scheme and timescale to be agreed in writing by the Local Planning Authority. Only material approved by the Local Planning Authority shall be imported.

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

19. 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.

20. 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.

21. 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 Local Development Plan.

22. 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.

23. Works of demolition and renovation of the existing school building shall be carried out in accordance with the recommendations in Section 5 of: Tonypany Community College, Bat Survey Report - 21 June 2016 by Soltys Brewster.

Reason: In the interest nature conservation in accordance with Policies AW5 and AW8 of the Rhondda Cynon Taf Local Development Plan.

24. No development shall take place 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
- 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 reptiles, etc.)
- d) details of mitigation of night working and site lighting with regards to bat impacts
- e) Details of management and habitat re-establishment, particularly semi-improved grassland
- f) 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.

25. 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;
- 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 enhance and afford protection to animal and plant species in accordance with Policies AW5 and AW8 of the Rhondda Cynon Taf Local Development Plan.

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APPLICATION NO: 16/0537/10 (CPU)
APPLICANT: Mr Leigh Griffiths
DEVELOPMENT: Proposed garden room.
LOCATION: TY GWYN, GWAUNMISKIN ROAD, BEDDAU,
PONTYPRIDD, CF38 2AY
DATE REGISTERED: 16/05/2016
ELECTORAL DIVISION: Beddau

RECOMMENDATION: Approve

REASONS:

The garden room is of a limited scale and height and 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

- A request has been received from Councillor Yeo for the matter to come to Committee for the reason that he believes it would be in the public interest for this application to be heard at Committee.

APPLICATION DETAILS

Full planning permission is sought for a garden room that has been erected within the garden of a detached residential property. The application is made partly in retrospect as the frame of the building has already been erected. The outbuilding measures 6m in width by 4m in depth and has been sited within the north-western corner of the rear garden. When completed, it would have a lean to roof that would slope from front to back from a height of 3.15m down to 3m from ground level. It is proposed that the external walls of the building would be finished with cedar cladding and the roof would be covered with a synthetic rubber which is manufactured by a company known as Rubbaseal. The window and door proposed within the front and south-eastern side elevation of the building would have anthracite aluminium frames.

SITE APPRAISAL

The application site relates to the garden of a detached, two-storey dwelling which fronts onto Gwaunmiskin Road within the residential area of Beddau. The dwelling was recently constructed on the site following the approval of planning permission in 2014. It is located within a broadly rectangular parcel of land which is situated between an access road serving the rear of the adjacent commercial buildings and a semi-detached property known as 'Carl Rosa'. The garden is relatively flat in level and is comparable to Gwaunmiskin Road to the north-east.

The garden room has been erected within the north-western corner of the garden and is adjacent to the boundary of Carl Rosa and the rear boundaries of numbers 15 and 16 Heol Cawrdaf. At the time of the officer's site visit, the frame of the building had been erected and the walls were enclosed by a form of insulation material. The north-western elevation which faces onto the garden of Carl Rosa is mainly screened by a couple of tall coniferous trees. Nevertheless, the boundary between the two properties is relatively open and the building is visible from the back of Carl Rosa. At the rear of the garden room building, there are the back gardens of a pair of semi-detached houses (No.s 15 and 16 Heol Cawrdaf). These two properties are positioned on a similar level to the application property. The rear boundary of no.15 appeared to be relatively open whereas no.16 had a modest timber shed and a glass greenhouse defining its rear boundary. The private access road and car park serving the block of retail units to the south are on a slightly lower level and the garden room is not overly visible from this location. The surrounding area is predominately residential in nature although there are a small cluster of retail properties immediately to the south-east of the site.

PLANNING HISTORY

14/1435	Demolition of existing dwelling and construction of new dwelling and associated works	Granted 30/12/14
13/1323	Extension to rear and side together with new first floor	Granted 16/01/14
13/0964	Proposed extension to rear and side together with new	Refused 29/10/13

PUBLICITY

The application has been advertised by means of direct neighbour notification. One letter of objection has been received from the owner of No. 15 Heol Cawrdaf. The resident highlights that works began without the necessary planning permission. The particular concerns raised relate to the size and position of the garden room.

CONSULTATION

None undertaken with this type of application.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

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

- 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), 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;

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

As identified earlier in this report, there is a recent planning history relating to the construction of the dwelling on this site. Planning permission for an extension was granted in 2014 (Ref: 13/1323). However, following the commencement of the development, it became apparent that the original dwelling had actually been demolished and as a result, the applicant was required to submit a retrospective application for a replacement dwelling (Ref: 14/1435) which was approved planning permission in December 2014. The plans submitted were very similar if not identical to the previous approved scheme for the extension.

While the planning history of this property is acknowledged, this application purely relates to the construction of a domestic garden room. **Principle of the proposed development**

The application property is located within the defined settlement limits where the principle of new development is considered to be acceptable.

Impact on the character and appearance of the area

In terms of visual amenity, the garden room is being constructed within the corner of the rear garden. It has a rectangular footprint which is subservient to and respectful of the scale of the existing dwelling. Although the building is visible from neighbouring gardens, it is not considered to be of a scale or design which would be out of context with a domestic garden. It is appreciated that at present the building does have quite a garish appearance due to the prominence of the silver insulation material. However, the building would be finished with cedar timber cladding which would match and complement the materials used on the existing dwelling. Therefore, it is considered that the garden room building would be acceptable in terms of the design, siting, massing, scale, materials and overall visual appearance.

Impact on residential amenity and privacy

While acknowledging the concerns raised by the owner of 15 Heol Cawrdaf, the garden room building is not considered to be overly excessive in terms of either its scale or height. It is located close to the common boundary with the three adjoining properties but it is not considered to have a significant overbearing, overshadowing or overlooking impact upon these properties.

The garden room is located to the east of the objector's property and No. 16 Heol Cawrdaf. Therefore, it is considered that any overshadowing to these properties would be limited to the early morning period only. Carl Rosa to the north would mainly experience overshadowing in the afternoon. While this impact is acknowledged, the building would have a maximum height of 3.15m and therefore any potential overshadowing is considered to be minimal. Moreover, it is noted that there are coniferous trees situated in close proximity to the north-western elevation of the garden building and therefore any impact to Carl Rosa would be further reduced. In terms of potential overlooking, it is noted that the submitted plans show that a patio door would be located near to the common boundary with Carl Rosa. As the boundary treatment between the site and this property is relatively open, there is potential for some overlooking to occur. However, the level of overlooking from the garden room would not be significantly greater than the impact that could be experienced as a result of someone standing in the garden at present. The neighbour also has a pitched roof extension projecting off the back wall of the property which would further reduce any potential overlooking impact between the two properties. Finally, it should be noted that the garden room would be of a domestic nature and would be used in association with the existing dwelling.

Although the neighbour's concerns to this application are appreciated, it is not considered that the garden room building is of a scale or height which would be unduly harmful to the amenities of neighbouring properties and therefore the proposal is considered to be acceptable in this respect.

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 development 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 (Policies AW5 and AW6).

RECOMMENDATION: Grant

1. Within 3 months of the date of this decision, the development hereby approved shall be carried out and completed in accordance with the approved plan(s) no '2517 R' and documents received by the Local Planning Authority on 16/05/2016, 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 and to ensure that the development 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.

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LOCAL GOVERNMENT ACT 1972

as amended by

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

LIST OF BACKGROUND PAPERS

DEVELOPMENT CONTROL COMMITTEE

7 JULY 2016

REPORT OF: SERVICE DIRECTOR PLANNING

REPORT

**APPLICATIONS RECOMMENDED
FOR APPROVAL**

OFFICER TO CONTACT

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

See Relevant Application File

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