

## **PLANNING & DEVELOPMENT COMMITTEE**

**5 APRIL 2018**

### **REPORT OF THE SERVICE DIRECTOR, PLANNING**

#### **PURPOSE OF THE REPORT**

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 17/1156/10 (HL)  
**APPLICANT:** Mr Mark Moses  
**DEVELOPMENT:** Construction of 7 No detached houses with integral garages together with road widening.  
**LOCATION:** SITE OF FORMER ABERTAF JUNIOR & INFANTS SCHOOLS, TROEDPENNAR TERRACE, ABERCYNON, CF45 4TS  
**DATE REGISTERED:** 09/11/2017  
**ELECTORAL DIVISION:** Abercynon

---

**RECOMMENDATION:** Approve

#### **REASONS:**

The application proposes the development of seven new residential units on a brownfield site within the development limits of Abercynon. The proposal would bring a vacant site back into beneficial use and would make a small contribution towards addressing the Council's housing land supply shortage. The development is compliant with planning policy and is acceptable with regard to all other material planning considerations.

---

#### **REASON APPLICATION REPORTED TO COMMITTEE**

- The proposal is not covered by determination powers delegated to Service Director Planning.

#### **APPLICATION DETAILS**

Full planning permission is sought for the development of seven new dwellings on land to the south-west of The Beeches/ Troedpennar Terrace Abercynon.

The development would comprise the provision of four No. five bedroom dwellings and three No. four bedroom dwellings provided in a linear arrangement, facing The Beeches/ Troedpennar Terrace. All the properties would be detached, would benefit from front and rear gardens and at least three parking spaces per property (driveway and integral garage spaces). With regard to external materials, a mix of natural stone; render; facing brick; concrete roof tiles; and uPVC windows and doors are proposed. The existing boundary wall, adjacent to the highway would be reduced to 0.9m in height.

The application proposes to increase the width of part of the highway adjacent to the site to 4.8m, provide a full size turning area and a 1.8m wide pavement on the land opposite the site. The 1.7m wide pavement adjacent to the main development would be unaffected.

The application is accompanied by the following:

- Coal Mining Risk Assessment.

## **SITE APPRAISAL**

The application site comprises a roughly rectangular shaped parcel of land with an area of approximately 0.46hec, located to the south-west of the residential properties known as The Beeches. The site was formerly occupied by Abertaf Primary School, the buildings of which were demolished in 2014 and 2017. The site is unallocated but positioned within the settlement limits as defined by the Rhondda Cynon Taf Local Development Plan.

The site is broadly level with that of the adjacent carriageway with the exception of the north western yard, which sits at a lower level. To the north east the site is bounded by a traditional stonework wall, which separates the area from the adjacent highway of The Beeches/ Troedpennar Terrace. To the south west the site is bounded by an area land covered by vegetation, with some tree cover, which falls away from the application site. The neighbouring land to the north-east; north-west and south-east is predominantly residential in character.

The site is served off The Beeches/ Troedpennar Terrace which is a cul-de-sac leading to Abertaf Welsh School which attracts a considerable amount of pedestrian movement. The highway has a carriageway width of 7.0m to the boundary of the existing dwellings and narrows to 3.7m thereafter passing the plot frontage.

## **PLANNING HISTORY**

|            |   |  |
|------------|---|--|
| 170260/23  | Prior notification for demolition of last remaining block (Block 1) of former school  | Permission required<br>05/04/2017      |
| 16/0595/10 | Construction of 3 No detached residential dwellings with access and off-street parking to front of dwellings                      | Approved<br>14/11/2016                 |
| 15/0651/10 | Construction of 3 No. detached residential dwellings with access and off-street parking to front of properties off "The Beeches". | Refused<br>10/02/2016                  |
| 14/1060/23 | Prior notification for demolition of the middle block (Building B) of former school.  | Permission not required.<br>05/09/2014 |
| 14/0211/10 | Demolition of school buildings and construction of bat roost using salvaged materials   | Withdrawn<br>01/09/2014                |
| 13/1017/10 | Two detached dwelling houses plots 3 and 4  | Withdrawn<br>01/09/2014                |
| 10/0176/10 | Proposed detached dwelling  | Refused<br>07/05/2010                  |

## **PUBLICITY**

The application has been advertised by direct neighbour notification and the erection of site notices. No letters of objection or representation have been received.

## **CONSULTATION**

Transportation Section – raise no objection subject to conditions.

Land Reclamation & Engineering (Drainage) – raise no objection subject to conditions.

Natural Resources Wales –raise no objection subject to conditions

Dwr Cymru Welsh Water – raise no objection subject to conditions.

Western Power Distribution – advice provided with regards to connections or diversions of the main power supply.

Wales & West Utilities – advice provided regarding the location of apparatus.

Ecology – raise no objection subject to conditions.

Coal Authority - raise no objection subject to conditions.

Rights of Way - raise no objection. No public right of way will be affected by the proposal.

Public Health & Protection – no response received.

## **POLICY CONTEXT**

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

**Policy CS1** Emphasises the promotion of residential development in location which support and reinforce the Principal Towns and Key Settlement. .

**Policy CS4** Identifies the housing requirement figure for the plan period.

**Policy CS5** Identifies the affordable housing figure requirement over the plan period.

**Policy AW1** Identifies how the housing requirement figure will be met including through the allocations in the Local Development Plan

**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 policy for the protection and enhancement of the natural environment, including that proposals should not result in harm to sites with

recognised nature conservation interest or have an unacceptable impact on features of importance to landscape or nature conservation.

**Policy AW10** Development proposals must overcome any harm to public health, the environment or local amenity.

**Policy NSA2** Provides criteria for residential development in key settlements

**Policy NSA10** Identifies a housing density requirement for the northern strategy area at a minimum of 30 dwellings per hectare and gives criteria for the consideration of lower densities.

**Policy NSA12** - Supports residential development within defined settlement boundaries.

The following Supplementary Planning Guidance documents are also relevant-

- Access, Circulation and Parking;
- Planning Obligations; and
- Design and Placemaking

## **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 (Edition 9, November 2016) Chapter 2 (Local Development Plans); Chapter 3 (Making and Enforcing Planning Decisions); Chapter 4 (Planning for Sustainability); Chapter 8 (Transport), Chapter 9 (Housing), sets out the Welsh Government's policy on planning issues relevant to the determination of the application.

Other relevant policy guidance consulted:  
PPW Technical Advice Note 12: Design;  
PPW Technical Advice Note 18: Transport;  
Manual for Streets

## **REASONS FOR REACHING THE RECOMMENDATION**

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

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

### **Main Issues:**

The application proposes the development of seven new dwellings on a rectangular shaped parcel of land positioned to the south-west of the residential properties in The Beeches and to the south-east of Abertaf Welsh School. The site is located inside of the defined settlement limits as defined by the Rhondda Cynon Taf Local

Development Plan and within an established residential area. As such, the key considerations with regard to the determination of this application are: the principle of development; impact of the proposed development on the character and appearance of the surrounding area; impact on the residential amenities of neighbouring properties and highway safety.

### **Principle of development**

The application site comprises a formerly developed, brownfield area of land within the defined settlement limits. The site is not allocated for any specified use within the Local Development Plan. In such circumstances residential development would usually be considered acceptable subject to the proposals being able to demonstrate compliance with the planning policies that would affect the proposed development

One of the key requirements of policy is that residential development in the northern strategy area should achieve a density of 30 dwellings per hectare. The current proposal would deliver a density of 15 dwellings per hectare. Although this is below the density advocated by the policy, it is considered that the number of dwellings proposed has been limited by the restricted depth of the site and the access and highways leading to the site. It is considered that the provision of a linear development, as proposed, would be more in keeping with the area as apposed to a cul de sac arrangement. In this instance it is considered that the development proposed density is acceptable in planning policy terms.

In conclusion on this issue it is considered that the proposed development is planning policy compliant in respect of Local Development Plan policies CS1, CS4, CS5, AW1, AW2, AW8, AW10, NSA10, and NSA12 in as much as the issues outlined above relate to those policies and is considered policy compliant against these tests and the broader requirements of Planning Policy Wales.

### **Impact on the character and appearance of the area**

With regard to the impact of the proposal on the character and appearance of the area, it is considered that the redevelopment of the site for residential purposes would be in keeping with the existing residential character of the area.

The proposal would lead to the development of seven dwellings, each set within its own grounds with off road parking provided to the front of each property. Although all of the dwellings proposed are larger in size and scale than many of those closest to the site, it is considered that their siting, position, design and overall appearance would add variety in design and housing choice thereby improving the character and appearance of the area and is considered compliant with the requirements of policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

### **Impact on residential amenity and privacy**

As specified above, the application site is located to the south-west of the residential properties known as The Beeches. The proposed properties would also be positioned opposite three detached dwellings approved as part of application 16/0595/10. The site layout plan submitted indicates that a minimum distance of 26m

would be maintained between the front elevations of the proposed dwellings and those within The Beeches. Although the proposed properties are large in their overall size and scale, it is considered that the position and orientation of the site and dwellings, distance maintained and slightly raised finished floor level of the properties in The Beeches, would prevent the proposal from generating a level of overshadowing, loss of light or infringement of privacy significantly detrimental to the residential amenity of those living closest to the site that would justify a refusal of planning permission.

In light of the above, the application is considered acceptable in terms of its impact on the amenities of neighbouring residential properties in close proximity to the site and is compliant with the requirements of policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

### **Access and highway safety**

The plans submitted detail that access to the site would be gained by The Beeches/ Troedpennar Terrace. As previously stated, Troedpennar Terrace/ The Beeches is a cul-de-sac leading to Abertaf Welsh School which attracts a considerable amount of pedestrian movement. The highway has a carriageway width of 7.0m to the boundary of the existing dwellings and narrows to 3.7m thereafter passing the plot frontage which results in vehicles having to reverse a considerable distance before being able to turn, to the detriment of safety to all highway users and free flow of traffic.

As part of the application, the developer has proposed to mitigate the impact of the proposal on highway and pedestrian safety by increasing the width of the carriageway along the site frontage to 4.8m; provide full size turning area for use of all including service and delivery vehicles; and a 1.8m footway on the opposite side of the carriageway for safe pedestrian access. The turning facilities and 1.8m wide pavement were previously approved as part of application 16/0595/10.

Following consultation, the Highways and Transportation Team have raised no objection to the application noting that the alterations to the carriageway width, provision of the turning head and pavement improves highway safety for all existing users and subject to conditions the proposal would not have a detrimental impact on the highway safety and free flow of traffic.

Whilst it is appreciated that the proposal would generate an increased number of vehicles movements to and from the site, it is considered that the increase would be minor in scale and in light of the highway alterations proposed, the development would not have such a detrimental impact on the highway safety and free flow of traffic in the area to warrant refusal of the application. The application is therefore considered compliant with the relevant criteria of policy AW5 of the Rhondda Cynon Taf Local Development Plan.

### **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

The site has an extensive and complicated history with regards to Bats. One of the main school buildings was demolished in 2014 after suffering significant fire damage in late July 2014. The second was demolished in 2017 following the grant of a European Protected Species Licence from Natural Resources Wales. The licence required the provision of a replacement bat house on site. This building has now been built and is indicated on the current plans. The building measures 1.9m wide, 3.0m deep with a monopitch lean to roof with a maximum height of 2.8m falling to 2.1m and is constructed from salvaged stone, brick and slate with bat access points on the ridge of the building. The building is positioned outside of the residential curtilage of plot 1. Plans submitted as part of the application indicate that bat and swift boxes would be built as an integral feature into all of the proposed dwellings.

Following consultation, the Council's Ecologist and Natural Resources Wales have raised no objection to the positive determination of the application subject to conditions. As a result, subject to the imposition of the required conditions, the application is considered compliant with the relevant requirements of policy AW10 of the Rhondda Cynon Taf Local Development Plan.

### Coal Authority

The site is located within the High Risk Coal Field Area. Following the submission of a Coal Mining Risk Assessment, the Coal Authority have confirmed that they raise no objection to the application subject to the imposition of a condition requiring the developer to carry out a full site investigation. Subject to these conditions, the application is considered compliant with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

### **Community Infrastructure Levy (CIL) Liability**

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

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

### **Conclusion**

As outlined above the application is considered to comply with the relevant policies of the Local Development Plan representing as it does acceptable residential development within the settlement limits of Abercynon. The proposal is considered acceptable in all other key areas such as its impacts on the character and

appearance of the area, privacy, amenity and the highway network and Members are consequently recommended to approve the proposal subject to conditions.

**RECOMMENDATION: GRANT SUBJECT TO THE CONDITIONS BELOW:**

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):

2590 NB  
2590 NB 01  
2590 NB 02  
Plan 1  
Plan 2 and  
Plan 3.

and documents :  
Coal Mining Risk Assessment; and  
Bat and swift box

received by the Local Planning Authority on 23rd October 2017, 8th November 2017 and 9th February 2018, 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. No development shall take place until drainage arrangement have been submitted to and approved in writing by the Local Planning Authority. No



dwelling shall be occupied until the drainage works have been completed in accordance with the approved plans. No surface water and/ or land drainage shall be allowed to connect directly or indirectly with the public sewerage networks.

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

5. Before the development is brought into use the means of access, together with the parking, road widening, footway provision and turning facilities, shall be laid out in accordance with submitted layout plan 2590 NB 01 and approved by the Local Planning Authority.

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

6. Notwithstanding the approved plans, development shall not commence until full engineering design and details of the road widening, turning head, footway provision, reinstating existing vehicular crossovers, and new crossovers including sections and surface-water drainage details have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and implemented prior to beneficial occupation of the first dwelling.

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

7. No development shall take place, including any works of site clearance, until a Construction Method Statement has been submitted and approved in writing by the Local Planning Authority to provide for;
  - a) the means of access into the site for all construction traffic,
  - b) the parking of vehicles of site operatives and visitors,
  - c) the management of vehicular and pedestrian traffic,
  - d) loading and unloading of plant and materials,
  - e) storage of plant and materials used in constructing the development,
  - f) wheel cleansing facilities, and
  - g) the sheeting of lorries leaving the site.

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

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

8. No HGV deliveries shall take place during the construction period between the hours of 08:00 am to 09:15 am and 14:45 pm to 15:30 pm on weekdays

to and from the site.

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

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

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

10. 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. The scheme shall detail methods for the eradication of any other invasive vegetation on site.

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.

11. All planting, seeding or turfing in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building(s) or completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

12. 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. Prior to installation, details of all external lighting to be included as part of the development shall be submitted to and approved in writing by the Local Planning Authority.

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

13. The use and occupancy of the bat and swift boxes here approved shall be monitored during years 1, 3 and 5 following installation. A summary report of the use and findings shall be submitted to and approved in writing by the Local Planning Authority after each inspection.

Reason: In the interests of the ecological value of the area, in accordance with policy AW8 of the Rhondda Cynon Taf Local Development Plan.

14. Notwithstanding the details of the plans submitted, a five years maintenance plan for the bat roost building, starting from the date of this permission, shall be submitted to and approved in writing by the Local Planning Authority. The plans shall detail persons responsible for the building structure and maintenance and the submission of an annual report of the buildings condition. At the end of the five year monitoring period, a review of the condition monitoring results in association with the bat use monitoring results required by the conditions of the European Protected Species Licence and a plan outlining the in perpetuity after care for the building shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the ecological value of the area in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan.