



PLANNING & DEVELOPMENT COMMITTEE

4 JULY 2019

REPORT OF THE DIRECTOR, PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 19/0116/16
(GW)
APPLICANT: W.D.L Homes
DEVELOPMENT: Application for reserved matters approval (appearance, landscaping, layout, access and scale) and discharge of conditions 8 (Landscape Mitigation Plan), 10 (Site Investigation Report), 11 (Contamination Report) and 21 (Tree Protection) in respect of 87 dwellings and associated works (16/1390/13)
LOCATION: COLEG Y CYMOEDD, CWMDARE ROAD, CWMDARE, ABERDARE, CF44 8ST
DATE REGISTERED: 31/01/2019
ELECTORAL DIVISION: Aberdare West/Llwydcoed

RECOMMENDATION: GRANT

REASONS:

Outline planning permission has been granted for up to 110 dwellings at the site (Ref 16/1390/13). The proposed scheme of 87 dwellings is considered acceptable in all material planning considerations. In addition, the information submitted to discharge conditions 8, 10, 11 and 21 of the outline permission is considered acceptable.

REASON APPLICATION REPORTED TO COMMITTEE

The application is being reported to the Planning and Development Committee as it is a reserved matters application for 10 or more dwellings so the proposal is not covered by determination powers delegated to the Director of Prosperity & Development.

APPLICATION DETAILS



Outline planning permission has previously been granted for the demolition of the school up to 110 houses on the site (16/1390/13). The school has now been demolished and this reserved matters application is for 87 dwellings. The layout is similar to that approved in the indicative masterplan for the outline permission.

The proposed housing mix is as follows:

- 2 no.1 bedroom flat.
- 4 no. 2 bedroom house.
- 31 no. 3 bedroom house.
- 50 no. 4 bedroom house.

The elevations of the dwellings would be finished with either render or brick and the roofs would be covered with a dark grey tile.

Nine of the above units are to be 'affordable housing' in accordance with the requirements of the outline permission.

Information has also been submitted to discharge conditions 8 (Landscape Mitigation Plan), 10 (Site Investigation Report), 11 (Contamination Report) and 21 (Tree Protection).

The application is accompanied by the following:

- Planning Statement
- Landscape Specification, Management Plan & Knotweed Removal Methodology
- Site Investigation Report and addendums.

SITE APPRAISAL

The site is made up of two land parcels, the existing Coleg y Cymoedd Aberdare Campus and an adjoining small portion of the 'greenfield' land located to the north of the site's boundary.

The site area equates to approximately 4.5 hectares and the majority of it has been in operation as a college campus since 1959. Currently accessed from Cwmdare Road, the site previously had a number of large purpose-built educational buildings and large areas of surface parking. These have been recently demolished and the site has been cleared ready for the commencement of the development.

The site is bound to the west by Maesgwyn School and to the south by the former Aberdare High School, located on the opposite side of Cwmdare Road. To the east is the B4275, Hirwaun Road and a small number of residential dwellings. The site is bound to the north by the remainder of the open field/greenfield land which houses a single residential dwelling.

PLANNING HISTORY (Relevant to this application)

19/0580	Coleg Y Cymoedd, Cwmdare Road, Cwmdare		Discharge of conditions 13 (external highway works) and 14 (traffic regulation order) of planning permission ref. 16/1390 for residential development.	Pending
19/0309	“	“	Discharge of conditions: 5 (Scheme of Historic Investigation), 7 (Species and Habitat Protection Plan), 9 (Arboricultural Impact Assessment). 12 (Drainage Strategy), 15 (Internal Highway works) of previously approved outline planning application 16/1390 for development of dwellings.	Pending
18/0346	“	“	Discharge of condition 6 (Construction Method Statement) & part discharge of condition 7 (Demolition Method Statement) of previously approved planning application 16/1390/13.	Discharged 20/03/19
16/1390	“	“	Demolition of existing buildings and development of up to 110 dwellings, provision of public open space, landscaping and associated infrastructure.	Granted 13/10/17

PUBLICITY

The application was advertised via the erection of site notices and by direct neighbour notification. No correspondence has been received at the time of writing this report.

CONSULTATION

Coal Authority - condition 10 of the permission requires site investigations to be undertaken prior to the commencement of development to identify any necessary ground precautions and to ensure that any such precautions are carried out in accordance with those so approved.

It is noted a Site Investigation Report (June 2017, prepared by Intégrale Géotechnique (Wales) Limited) accompanies the planning application. On the basis that as a result of intrusive site investigations comprising of eighteen probe holes the Report is able to confirm that the risk affecting the development is low.

The Coal Authority is able to recommend that the Local Planning Authority discharge Condition 10.



Dwr Cymru / Welsh Water – no objection subject to compliance with the requirements of condition 12 on the outline permission for drainage details.

Natural Resources Wales – no objection.

RCT Countryside, Landscape and Ecology – the landscaping plan is acceptable. In addition, the details for condition 8 (landscaping mitigation plan) and condition 21 (tree protection) are acceptable to discharge the conditions.

RCT Flood Risk Management – full comments pending following further meetings with the applicant.

RCT Public Health and Protection – having reviewed and received the correspondence (Report 11999/GNS dated 24th April 2019) from Intégral Géotechnique (Wales) Limited, this Department acknowledges that the contamination is present on the above site.

In order to protect Human Health our Department agrees that 300mm of clean imported soils should be placed in all proposed garden and landscaped areas to break the pathway for contaminants. All imported soils are required to meet standards for the Chemical Testing of Imported Soils.

In addition, it further requested that the buried topsoil identified by the consultants in TP2 and TP6 is removed from beneath the site as specified by the consultants; as this have potential to generate ground gas.

As a result, it is recommended that condition 11 can be discharged.

RCT Transportation Section – no objection subject to conditions requiring details of the access design and engineering details, a Traffic Regulation Order to provide a controlled pedestrian crossing at Cwmdare Road, full engineering design and details of internal layout, off street parking to be in line with the Council's Supplementary Planning Guidance, surface water run-off not to discharge on to the public highway, a construction method statement and Travel Plan.

South Wales Fire and Rescue – no objection.

South Wales Police – no objection.

Wales and West Utilities – no objection.

Western Power – no objection.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan



The site is mainly on brownfield land within the settlement boundary of the principal town of Aberdare. Part of the site is outside the (non-flexible) settlement boundary on land allocated for expansion of the college and in a coal resources protection area.

Policy CS1 - emphasises building strong, sustainable communities in the Northern Strategy Area, to be achieved partly by promoting development in principal towns (1) and partly by promoting re-use of previously developed land (3).

Policy CS4 - defines housing land requirements.

Policy CS5 - requires provision of affordable housing.

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

Policy AW2 - promotes development in sustainable locations.

Policy AW4 - lists community infrastructure and planning obligation contributions which the Council may seek in respect of new development.

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

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

Policy AW7 - covers the protection and enhancement of the built environment.

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 AW14 - protects the resources of coal from sterilisation.

Policy NSA10 - seeks a minimum housing density of 30 dwellings per hectare and gives criteria for accepting lower densities.

Policy NSA11 - seeks the provision of 10% affordable housing on residential development of 10 dwellings or more.

Policy NSA12 - gives criteria for housing development within settlement boundaries.

Policy NSA28 - Land adjoining the College is allocated for education development.

Supplementary Planning Guidance:

Access Circulation and Parking

Affordable Housing

Design and Placemaking

Nature Conservation

Planning Obligations

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.



The Welsh Government published Planning Policy Wales 10 on 5th December 2018, and the document aims to incorporate the objectives of the Well-being of Future Generations Act into Town & Country Planning.

The following Planning Policy Wales chapters set out the Welsh Government's policy on planning issues relevant to the determination of the application.

Chapter 2 - People and Places: Achieving Well-being Through Placemaking;
Chapter 3 - Strategic and Spatial Choices (good design making better places, promoting healthier places, sustainable management of natural resources);
Chapter 4 - Active and Social Places (community facilities and recreational spaces);
Chapter 5 - Productive and Enterprising Places (reducing energy demand and use of energy efficiency); and
Chapter 6 - Distinctive and Natural Places (landscape, biodiversity and ecological network and lighting).

Other relevant policy guidance consulted:

PPW Technical Advice Note 2: Planning and Affordable Housing;
PPW Technical Advice Note 5: Nature Conservation and Planning;
PPW Technical Advice Note 12: Design;
PPW Technical Advice Note 18: Transport;
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:

Outline planning permission has been previously been granted for up to 110 dwellings on the site (Reference 16/1390/13). This reserved matters application is for 87 dwellings subject to an assessment of the appearance, landscaping, layout, access and scale. In addition, some details for conditions relating to site investigations, contamination, landscaping mitigation and tree protection have been submitted. These are assessed below:

Impact on the character and appearance of the area

The layout is similar to that approved on the indicative masterplan, which was part of the outline permission. The number and density of housing being proposed is considered acceptable in this location.



The scheme is for a range of housing types and sizes and the design, size, scale and finishing materials would be acceptable.

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 an acceptable distance from any surrounding dwellings. No objections have been received as part of the public consultation exercise. As such, the impact on nearby residents is considered to be acceptable.

Access and highway safety

No objection has been raised by the Transportation Section to the access subject to the same conditions placed on the outline permission (16/1390). Members are advised that these details are being considered under separate discharge of condition applications (as detailed above in the Planning History Section).

Information for Conditions

The information submitted for conditions 8 (Landscape Mitigation Plan), 10 (Site Investigation Report), 11 (Contamination Report) and 21 (Tree Protection) are acceptable as detailed above in the Consultation Section. As such, it is considered that these conditions can be discharged.

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:

Drainage

The comments by the Council's Flood Risk Management Section are noted. However, Members are advised that foul and surface water drainage is currently being considered as part of discharge of conditions application (19/0309).

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

The application would comply with the relevant policies of the Local Development Plan in respect of the principle of development, the impact on highway safety, ecology and



trees, the impact on the character and appearance of the area, impact on residential amenity, the impact on heritage and the impact from former coal mining works (Policies AW2, AW5, AW6, AW7, AW8, AW10, NSA10, NSA11 and NSA12).

RECOMMENDATION: GRANT SUBJECT TO THE BELOW CONDITIONS

1. The development hereby approved shall be carried out in accordance with the approved plans no's:
 - ABE2-15-04-01 - Rev D - Site Location Plan received on 23rd May 2019
 - ABE2-15-04-02 - Rev E - Planning Layout received on 23rd May 2019
 - ABE2-15-04-03 - Rev D - Materials-Boundary Enclosures Layout received on 23rd May 2019
 - ABE2-15-04-04 - Rev D - Storey Heights-Highways Adoption Layout received on 23rd May 2019
 - ABE2-15-04-05 - Rev A - Street Scenes received on 8th March 2019
 - TDA.2446.01 Rev D- Detailed Soft Landscape Proposals received on 4th June 2019
 - 1695-1000 Rev F Engineering layout with level details received on 12th June 2019
 - Lighting Plan received on 1st April 2019
 - 1695-200 Swept Path Analysis - Refuse – Rev C received on 12th June 2019
 - 1695-201 Swept Path Analysis - Fire Appliance – Rev C received on 12th June 2019
 - 1695-202 Swept Path Analysis – Private Drives – Rev A received on 12th June 2019
 - 1695-700 Longsections (1 of 3) Rev D received on 12th June 2019
 - 1695-701 Longsections (2 of 3) Rev F received on 12th June 2019
 - 1695-702 Longsections (3 of 3) Rev A received on 12th June 2019
 - 1695-2200 S38 Layout – Rev B received on 12th June 2019
 - the Windsor – Render received on 31st January 2019
 - the Windsor – Brick received on 31st January 2019
 - The 2.1.3 Floors/Elevations received on 30th January 2019
 - The Pendine Floors/Elevations received on 30th January 2019

- The Pembroke Floors/Elevations received on 30th January 2019
- The Rhossili Floors/Elevations received on 30th January 2019
- The Garages Floors/Elevations received on 30th January 2019
- The Whitland Floors/Elevations received on 30th January 2019
- The Anglesey Floors/Elevations received on 30th January 2019
- The Mewslade Floors/Elevations received on 30th January 2019
- The Laugharne (Brick) Floors/Elevations received on 30th January 2019
- The Laugharne (Render) Floors/Elevations received on 30th January 2019
- The Llangenith Floors/Elevations received on 30th January 2019
- The Oxwich (Render) Floors/Elevations received on 30th January 2019
- The Oxwich (Brick) Floors/Elevations received on 30th January 2019
- The Ashford Floors/Elevations received on 30th January 2019
- The Windsor (Render) Floors/Elevations received on 30th January 2019
- The Windsor (Brick) Floors/Elevations
- The Oxwich Bay Floors/Elevations received on 30th January 2019
- The 4.2.2 Floors/Elevations received on 30th January 2019

and documents received by the Local Planning Authority on 29th January 2019, 30th January 2019 and 22nd March 2019, unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

2. All landscape works and planting shall be carried out in accordance with the details and timings identified in the Landscape Specification, Management Plan & Knotweed Removal Method Statement received on 30th January 2019.

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.



3. During construction works the existing trees shall be protected in accordance with the details in the submitted Tree Protection Plan, the Arboricultural Implications Assessment and Method Statement and the Species and Habitat Protection Plan. The protection measures shall be retained and maintained throughout all construction works.

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, AW6 and AW8 of the Rhondda Cynon Taf Local Development Plan.

4. The development, hereby permitted, shall be carried out in accordance with the recommendations of the site investigation report carried out by Intégral Géotechnique reference 11999/GNS/17/SI/A (June 2017) and addendums dated 8th January 2019, 22nd March 2019 and 24th April 2019.

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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