



PLANNING & DEVELOPMENT COMMITTEE

4 JULY 2019

REPORT OF THE DIRECTOR OF PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 18/1258 Demolition of existing building and erection of 34 affordable residential units, access route, car parking, landscaping and associated works. RCT Heddfan Buildings, Ilan Avenue, Rhydyfelin, Pontypridd

1. PURPOSE OF THE REPORT

Members are asked to determine the above planning application.

2. RECOMMENDATION

That Members consider the proposals and my report thereon and determine the application having regard to the advice given.

3. BACKGROUND

This application was originally reported to the meeting of the Planning and Development Committee held on 21st February 2019 with a recommendation that planning permission be granted subject to conditions and the developer first entering into a Section 106 agreement to secure the development as affordable housing and to provide an employment skills training plan. A copy of the original report is attached as **APPENDIX A**. At that meeting, Members resolved to undertake a site visit to consider the location of the proposed access and alternative access points (Minute no. 212 refers).

The site meeting took place on 5th March 2019 where issues relating to the proposed access and possible alternative location for the access on the link road between Ilan Avenue and Cardiff Road were discussed at length as were issues relating to car parking.

The matter was then reported back to the meeting of the Planning and Development Committee held on 4th April 2019. A copy of the report is attached as **APPENDIX B**. Members resolved that they were minded to refuse the application contrary to officer recommendation as the proposal was deemed unsatisfactory in terms of the proposed access



and highway safety (Minute no. 257 refers). On the basis that this would be a decision contrary to officer recommendation and in accordance with adopted procedure, the proposals were further deferred to allow for a further report on the strengths and weaknesses involved in taking a contrary decision.

Following Members resolution to refuse the application the applicants requested that they be given time to consider their position in the matter. Reconsidering the access point given the concerns expressed by Members and the public was the intention though the alternative location on the link road also set out some land ownership issues in respect of the highway verge.

Having resolved the land ownership issues, on 21st May 2019 the applicants submitted a revised layout showing a total of 35 dwellings (an increase of one unit over the initial submission). Thirteen of the plots would have direct access on to Ilan Avenue and the balance (22 units) would be accessed via a new cul de sac accessed from the link road between Ilan Avenue and Cardiff Road.

In that Members are now being asked to consider a fundamentally different proposal to that on which the initial resolution to refuse was based, the differences are described below and Members will need to consider the proposed development afresh. As such, no reasons for refusal or commentary on the strengths and weaknesses of the case for refusal are presented within this report.

The revised layout, like the original, would respect the established residential development on Ilan Avenue maintaining distances front to front of between 23 and 38 metres. Within the site back to back distances on average of 20m and face to face distances of between 18.75m and 23.25m. The revised proposals would comprise the following house types-

- House type 1 Two storey semi-detached brick built tiled roof three bedroom house.
- House type 2 Two storey semi-detached brick built tiled roof two bedroom house.
- House type 3 Two storey two bedroom semi-detached house finished in substitute stone and slate.
- House type 4 Two storey detached double fronted three bedroom house in substitute stone and slate



- House type 5 Two storey detached double fronted three bedroom house in substitute stone and slate
- House type 6 Two storey semi-detached brick built tiled roof three bedroom house.
- House type 7 Two storey property with 2 bedroom disability flat on ground floor and 2no. walk up 1 bedroom flats on the first floor Finished in brick with a tiled roof
- House type 8 Two storey detached property with walk up one bedroom flats on both floors in substitute stone and slate.
- House type 9 & 10 Semi-detached disability standard two bedroom bungalows finished in substitute stone and slate.

Officers are of the view that the residential development of the site remains acceptable in principle with the alterations to the layout that are now proposed. The impact of the revised proposals on residential amenity and privacy are acceptable as is the impact on the character and appearance of the locality. Members will recall that bat presence was identified in the existing building at the site and are advised that the proposals for the redevelopment have been brought forward with mitigation proposals that the Councils Ecologist regards as acceptable. Highways Development Control have confirmed that the revised proposals are, subject to conditions, acceptable in highway terms.

The revisions have been advertised by means of site notices and neighbour notification letters and this has resulted in the submission of two further letters (one with a 24 signature petition attached), objecting to the development raising the following issues –

- A resident of Gerddi Glan Taf regards the junction of that development with the Cardiff Road Link as busy enough without this development adding to it.
- The proposals for additional parking space to be provided on the grassed areas of Ilan Avenue would be opposed by local residents, is not needed or wanted and a waste of Council Tax payers money.
- The parking space for the proposed houses facing on to Ilan Avenue is considered questionable and a danger to all road users should the development proceed in the manner now proposed.



- Planning and highway departments have a duty of care towards residents and other road users and the proposed arrangements will cause problems
- The development should be brought forward with all new dwellings accessed from the single cul de sac entrance.
- Other development in the Rhydyfelin/Hawthorn area has been developed with all parking space served of new roads (College Green, Alexon etc.) and this development should be brought forward in the same way.
- The existing access to Heddfan is not suitable to service large vehicles that would be involved in the demolition and reconstruction process and therefore the new access on the link road should be provided before any works whatsoever take place.

Additionally the Local Member has raised the following concerns –

- The relocation of the proposed access from the northern boundary to the eastern boundary does not improve the situation given its proximity to the entrance to Gerddi Glan Taf.
- The number of private drives proposed at the northern boundary exacerbate the situation, as they remove curb side parking capacity, increase congestion on the main road through residents accessing/egressing the proposed drives, degrade pedestrian experience through dropped kerbs varying the camber of the footway and the lack of compulsion to use private drives will lead to overspill parking as witnessed in other developments.
- There is no evidence in the revised plans of measures to support active travel and low carbon travel options. This requirement is essential given the Council's obligations under the Active travel Act and Wellbeing of Future generations Act to improve the viability of these options. The development takes a car first approach, which is incompatible with the legislation. The integration of measures such as protected pavement access for pedestrians, possibly with shared cycle lanes, to guard against encroachment on to the pavement – ensuring pedestrians can safely access the Taff Trail, incorporation of communal bicycle racks and pedestrian crossings to encourage pedestrian access to bus stops and the surrounding community could assuage some of these concerns.



With regard to the above points, the following comments are offered.

- Highways development control have considered the new access arrangement and would have taken into account capacity issues and subject to conditions have raised no objections to the proposals.
- If Members share the view that additional parking space is not required then the requirement for a financial contribution to provide it can be removed from the Section 106 requirements.
- With regard to the third and fourth points, Highways development control would have had due regard to the arrangement now proposed and are of the view that the proposed arrangements are acceptable in highway safety terms.
- While the whole development being served off a single cul de sac entrance might be the preference of existing residents the proposals fall to be considered on the basis of what is actually proposed and its acceptability in planning and highway terms.
- The fact that some (larger) developments have been developed in a certain way does not oblige other developers on other sites to design their proposals in the same way, as each application has to be considered on its individual merit.
- Members will note that if they are minded to support the current proposals that a construction Method Statement would be required by condition prior to works commencing on site.

As Members will be aware, the loss of on-street car parking space has been a source of great concern to local residents and in response to this, the applicants have agreed to make a financial contribution of £10K towards the provision of off street parking on the grassed areas on the northern side of Ilan Avenue. This would be delivered through the Section 106 agreement along with the requirements that the development remain social housing and the provision of an employment skills training plan.

The applicants have also requested that the Section 106 require that only 20% affordable housing be required on site in line with current planning policy requirements. Whilst in reality the applicants as a housing association would maintain the site as 100% affordable housing, reducing the requirement to 20% will aid in drawing down funding for further affordable housing in the locality. However, officers have concerns regarding the shortfall in car parking provided by the current proposal, and the proposals are only deemed acceptable on the basis that they are 100% affordable housing which has



lower levels of car ownership. As such officers remain of the view that the development should only be consented to on the basis that it would remain 100% affordable housing.

Members are also asked to note that the Community Infrastructure Levy viability in respect of the revised scheme (including indexation) is expected to be £74,223.10. However, social housing relief may be claimed on the social housing element of the development.

Additionally, as a result of the revision and if Members are minded to support the current proposals, there is a need to revisit the conditions originally recommended in February because of the proposed changes to the scheme. Firstly, condition 2 will need to be reworded to reflect the current suite of plans as follows –

2.The development shall be carried out in accordance with the following approved plans unless otherwise agreed in writing with the Local Planning Authority –

- *Site location plan drawing no: A100*
- *Site layout drawing no: A101*
- *Block plan drawing no: A102*
- *House type 1 drawing no:A111*
- *House type 2 drawing no: A112*
- *House type 3 drawing no:A113*
- *House type 4 drawing no: A114*
- *House type 5 drawing no: A115*
- *House type 6 drawing no: A116*
- *House type 7 floor plans drawing No:A117*
- *House type 7 elevations drawing no:A118*
- *House type 8 drawing no: A119*
- *House types 9 & 10 drawing no:A120*

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



Condition 6 as originally recommended should be revised to remove any reference to barn owls, as this element of the condition cannot be justified.

Condition 14 as originally reported would need to be amended as follows –

14. The level of off street car parking indicated on submitted drawing A101 shall be laid out on site in permanent materials prior to beneficial use. The spaces shall remain for the parking of vehicles only.

Reason: To ensure that vehicles are parked off the public highway in the interests of highway safety

Additionally the revision to the layout has also necessitated that the following condition be added to any consent that might be issued.

21. The development shall not be occupied until a Traffic Regulation Order (TRO) to amend existing double yellow lines into the proposed new access has been completed, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the deliverability of traffic management measures and restrictions in the interests of highway safety.

In conclusion and in light of the efforts made by the applicants to address insofar as they are able the concerns of local residents Members are advised to support the proposals.



APPENDIX A

PLANNING & DEVELOPMENT COMMITTEE
21 FEBRUARY 2019
REPORT OF THE SERVICE DIRECTOR, PLANNING

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 18/1258/10
(GD)
APPLICANT: Hafod Housing Association
DEVELOPMENT: Demolition of existing building and erection of 34 affordable residential units, access route, car parking, landscaping and associated works.
LOCATION: RCT HEDDFAN BUILDINGS, ILAN AVENUE, RHYDYFELIN, PONTYPRIDD, CF37 5PN
DATE REGISTERED: 12/11/2018
ELECTORAL DIVISION: Hawthorn

RECOMMENDATION: Approve, subject to a S.106 Agreement.

REASONS:

The principle of the proposed development is compliant with planning policy and represents an opportunity to fully redevelop a redundant site to provide much needed social housing in a variety of types to the benefit of the wider community.

REASON APPLICATION REPORTED TO COMMITTEE

- The proposal is not covered by determination powers delegated to Service Director Planning;
- Three or more letters of objection have been received;

APPLICATION DETAILS

The planning application seeks outline planning permission for the redevelopment of the former Heddfan site at Ilan Avenue, Rhydyfelin for a development of 34no. affordable homes of varying design types. The development will be centred around a cul de sac off Ilan Avenue which will serve as the principle means of access for the majority of the properties though eight of the properties will also have direct access from Ilan Avenue



itself. There are a total of ten different dwelling types in the proposed development as follows.

- House type 1 is a semi detached gable fronted brick built two storey three bedroom dwelling.
- House type 2 is semi detached brick built two storey two bedroom house.
- House type 3 is a two storey gable fronted semi detached house built in reconstituted stone with two bedrooms and a ground floor wc/shower room.
- House type 4 is a two storey double fronted semi detached three bedroom house built in reconstituted stone.
- House type 5 is a two storey semi detached two bedroom house built in reconstituted stone with ground floor wc/shower room
- House type 6 is a two storey semi detached two bedroom house built in brick with ground floor wc/shower room
- House type 7 is a two storey semi detached three bedroom house built in brick with ground floor wc/shower room
- House type 8 is a two storey detached unit comprising a disability standard bungalow at ground floor and 2no. one bedroom flats at first floor built in brick.
- House type 9 is a two storey detached property comprising 2no. one bedroom flats built in reconstituted stone.
- House type 10/11 comprise semi detached two bedroom bungalows built in reconstituted stone.

Where properties are finished in brick the roof will be red/brown tile and those in reconstituted stone will have artificial slate roofs.

As mentioned above the principal means of access will be from Ilan Avenue and it will be located approximately 10m south east of the access point which currently serves the former offices

The application is accompanied by the following in addition to the plans and application forms:

- Combined Planning Statement and Design & Access Statement
- Pre Application Consultation report
- Ecological Statement
- Noise Assessment
- Tree Survey & Arboricultural Method Statement
- Ground Investigation Report.



SITE APPRAISAL

The application site is comprised in the vacant building and associated car park area and grounds of Heddfan, Rhydyfelin. The site is 0.82 hectare in size and is broadly rectangular in shape and relatively flat. The boundaries of the site benefit from some mature planting though there has been some recent thinning of trees. Access to the site is derived from Ilan Avenue and there is also a pedestrian access on the unnamed access road that links Ilan Avenue and Cardiff Road.

The wider area is predominantly residential in character comprising a healthy mix of housing of varying age, design and tenure types, with the overwhelming majority of properties being conventional two storey houses though there are also some bungalows immediately north west of the application site. The site is well located in relation to local facilities in nearby Treforest and local bus routes run directly past the site providing easy access to Pontypridd or Cardiff.

PLANNING HISTORY

98/2584	Change of use from home for the elderly to offices/training centre with extension of car parking	Approved 27/11/98
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PUBLICITY

The planning application has been advertised by means of press notice site notice and neighbour notification letters. The consultation exercise has resulted in the submission of four letters of objection one of which is accompanied by a 31 signature petition, raising the following issues.

- Access should be provided from the unnamed link road between Ilan Avenue and Cardiff Road, opposite Gerddi Glan Taf rather than from Ilan Avenue itself. Moving the access as suggested would result in less disruption to existing residents
- Having the site access and eight of the properties with access on to Ilan Avenue will create problems with traffic flow up and down the road, as it will inevitably result in reversing movements on to or from the public highway.
- The existing bus stop on Ilan Avenue is often blocked and this results in people boarding and alighting in the middle of the road. Have the development and access at this location increases the potential for accidents as a result of this.
- There is general concern that the existing highway network does not have the capacity to accommodate further development with long



queues often forming at peak time to both the Upper Boat roundabout and the Glyntaf slip road.

- Local infrastructure should support such developments and not make life harder for established local residents and more housing will inevitably lead to increased journey times.
- Increased numbers of vehicles will increase personal anxiety levels.
- The current proposals would lead to the loss of nearly all trees on site and this would disrupt or destroy the currently pleasant outlook that many established residents benefit from. Trees should be retained where at all possible or replaced with the planting of similar trees.
- The submitted survey indicates that half of the trees have a continued life expectancy of 20 years or more. The development should aim to retain some of the best trees or ensure that landscaping proposals that secures appropriate replacement are provided.
- Works have been carried out on the site, including the felling of mature trees before any consent has been granted.
- The redevelopment of the site will lead to pollution through increased amounts of dust and noise, and given the age of the building the potential presence of asbestos.

CONSULTATION

Highways – no objections subject to conditions.

Flood Risk Management – no objections subject to conditions.

Public Health & Protection – advise that they are content that suitable measures in terms of noise attenuation can be used to bring noise levels both in the houses and in external amenity areas down to acceptable levels

Countryside – as the site is urban in nature and assuming that the developer will be able to obtain a bat licence from Natural Resources Wales, there is no overriding ecological reason to refuse the planning application, even though the current mature trees/shrub landscaping provides some local wildlife and amenity value

Education – no objections.

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

Western Power Distribution – no response received.

Wales & West Utilities – raise no objections to the proposed development and advise in relation to the presence of their infrastructure in the vicinity of the



application site and safe working practices to be adopted when working in proximity to it.

South Wales Fire & Rescue Service – no objections subject to the developer addressing the need for adequate water supplies for fire fighting purposes and appropriate access for emergency fire fighting appliances.

Coal Authority – no objections.

Natural Resources Wales – advise that the site lies within flood zone A of the development advice map and that a justification test does not apply but surface water requirements do. The acceptable criteria is for no increase in flooding elsewhere to occur as a result of the proposed development and the Council's drainage section should be consulted in this regard.

The advice of the Council's ecologist should be sought with regard to the presence of bats in the existing building as a European protected Species.

Police Authority – no response received.

Welsh Government (Highways) – no response received.

Community Council – no response received.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

Policy CS2 - sets out criteria for achieving sustainable growth including, promoting and enhancing transport infrastructure services.

Policy CS4 - sets out housing requirement figure for the Local Development Plan period.

Policy CS5 - sets out the affordable housing requirement for the Local Development Plan period.

Policy AW1 – sets out how the housing requirement figure will be achieved over the Local Development Plan period.

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

Policy AW11 – aims to protect industrial and employment sites.

Policy SSA11 – requires a minimum housing density of 35 dwellings per hectare.



Policy SSA12 - requires the provision of 20% affordable housing on sites of 5 or more units.

Policy SSA13 – supports residential development within defined settlement boundaries.

Supplementary Planning Guidance

- Design and Placemaking
- Design and Placemaking : Access, Circulation and Parking Requirements.
- Planning Obligations
- 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 Edition 10 sets out the Welsh Government's current position on planning policy which incorporates the objectives of the Wellbeing of Future generations Act in to planning.

It is considered that the current proposals meet the seven wellbeing of future generations goals inasmuch as they relate to the proposed development and the site is being brought forward in a manner consistent with the five ways of working.

It is considered that the proposed development is consistent with the key principles and requirements for placemaking as defined by chapter 2 people and places: Achieving Wellbeing Through Placemaking of the new policy document and that the proposal is also consistent with the following insofar as they relate to the development proposed –

Chapter 1 managing new development.

Chapter 3 strategic and spatial choices.

Chapter 4 active and social places

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 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:

The key issues in the consideration of this particular planning application are the planning policy position, the impact of the proposed development on the character and appearance of the area, the impact of the proposed development on the residential amenity and privacy of established residential properties, impact on ecology and the impact of the proposals on access and highway safety.

Principle of the proposed development

In planning policy terms, on balance the redevelopment of the site to provide residential accommodation is considered acceptable. One of the key considerations in this respect is the sustainability of the location of the proposed development which policy at the national and local level requires to be considered. The site lies within the defined settlement boundary and within an established residential area, it is also accessible via a range of sustainable transport modes with multiple bus stops and a railway station all within walking distance, and has ready access to key services and facilities in Treforest, Pontypridd and Cardiff. In sustainability terms it must therefore be concluded that the site benefits from a very good location and that there is no conflict with planning policy on this issue.

The site though was formerly used as and still contains office buildings and it is therefore also appropriate to consider the proposals against the requirements of policy AW11 of the Local Development Plan which aims to protect existing employment uses by placing certain requirements that redevelopment proposals are expected to meet. Whilst it is clear that the site is not allocated for employment use under the Local Development Plan and that its redevelopment would have regenerative benefits. However the policy requires that the site be marketed for 12 months before alternative uses



should be permitted. In this instance the application site was marketed inasmuch as it was put up for sale by Rhondda Cynon Taf Council for a range of uses including the current employment use. The site was purchased at auction with this application resulting from its sale and the time period for marketing has not been fully met. The policy also requires that a land bank of employment sites suitable to accommodate a range of employment uses across the plan area is maintained which will be the case given that the Council benefits from a substantial employment land bank, and that the proposed use would not prejudice adjoining employment land and in this case there is none. In conclusion on this issue it is considered that the regenerational benefits of the proposed development outweigh the technical shortcomings on marketing and the proposals satisfy this particular policy requirement.

In conclusion on this issue and in addition to the two key policies addressed above, The site would be a windfall site that would make a small but valuable contribution to the housing land supply and would be developed at an appropriate density, amenity accessibility and design related issues are considered in greater detail below along with their policy impacts.

Ecology

The principal concern from an ecological perspective relating to this application has been in respect of bats which are a European Protected Species. The site has been appropriately surveyed and one bat was found to have been roosting within the building. And the site also shows evidence of foraging. To address this issue the applicants have provided a mitigation strategy outlining the location of bat boxes and the retention of trees on and beyond the site boundaries. Given the circumstances, and subject to appropriate conditions to secure the situation neither the Council's Ecologist nor Natural Resources Wales have raised objection to the proposals on this basis. Members will be aware that in addition to securing planning permission, the developer will also be required to obtain a European Protected Species licence from Natural Resources Wales before demolition works can commence.

Impact on the character and appearance of the area

In considering the impact of development on the character and appearance of the area it should first be noted that the wider area is not characterised by any particular design style or idiom. The housing immediately south east of the application site comprises modern homes built on the former school site in the last five years whilst elsewhere around the proposed development more traditional social housing much of which is now in private ownership forms semi detached and small terraces of housing and there is a series of small bungalows and individually designed private dwellings immediately north west of the site.. The character and appearance of the area is therefore varied and



the proposed development will be read as part of the wider mix. Furthermore the redevelopment of the site for housing will also have the benefit of removing an arguably non conforming use from an otherwise predominantly residential area. As such the proposal is considered to comply with the requirements of Local Development Plan Policies AW5 and AW6 in respect of this issue.

Members will note from the above that local residents are particularly concerned that the redevelopment of the site will lead to the loss of established trees within the site. This would be with regard to the trees and shrubs located centrally within the site and along its north eastern boundary where a degree of removal has already taken place. However this can be compensated for in the long term with appropriate landscaping (which also needs to address the ecological needs of the site) and the fact that much of the established boundary planting on the north western, south western and south eastern boundaries will remain in place.

Impact on residential amenity and privacy

In considering the impact of the proposed development on the issues of amenity and privacy it is appropriate to consider both the nature and significance of any such impacts particularly insofar as they might affect established residential properties. In this instance it is also important to keep in mind that this is a redevelopment of an existing site with a large utilitarian building and a substantial car parking area still in place. Within the proposed development the proposed houses and flats are set out with reasonable amounts of amenity space to front and rear and good distances between the proposed properties. The minimum distance back to back between proposed houses being approximately 17m. Given the enclosed and self contained nature of the application site the relationship of the proposed development with established residential development in the area is a comfortable one. The minimum distance between any proposed property and those established on Ilan Avenue would be 21.3m. There was some concern with regard to the impact that noise from nearby roads might have on the amenity and living conditions of future residents however, sufficient evidence has been provided to illustrate that this would not be a problem.

Whilst there was some initial concern relating to the relationship of the houses proposed for plots 9 and 10 with the adjacent bungalow to the north of these plots (Hightrees) the applicants have revised the layout to show two bungalows on these plots which overcomes any concerns about that relationship being in any way overbearing.

Access and highway safety

In considering the acceptability or otherwise of the proposed development in highway terms officers have given careful consideration to access to the site



in terms of the detail provided by the applicants and in respect of the wider highway network and the details are considered acceptable in highway terms. Whilst the amount of parking to be provided is less than might be required by the current supplementary planning guidance maxima, being mindful of the sustainable location, the number of one bedroom units and the fact that the site would be developed for social housing which generates fewer car owners, the proposals are considered acceptable.

A number of objectors have suggested that access to the development should be located on the link road between Ilan Avenue and Cardiff Road, however, the applicants have indicated that they have no desire to move the access to this location and want the access considered as submitted. Similarly comments are made criticising the current levels of congestion on the network at particular times of day it is not considered that the current proposal would exacerbate that situation to the extent that it would warrant refusal of the current application.

Other Issues:

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

A number of objectors have made reference to the potential for redevelopment works to lead to pollution in the locality, with particular reference being made to asbestos, noise and dust. Members should be aware that these are concerns that relate to all development and redevelopment proposals and are adequately controlled through planning conditions if appropriate or more commonly through other legislation. As such this can form no basis for the refusal of the current planning application.

Objectors have also made reference to the fact that some works, and specifically works to the trees on site have already been carried out. Such works that have taken place are entirely lawful and would not have required the consent of the Council as Local Planning Authority.

The loss of a private view or outlook is not a material planning consideration. Similarly change brought about by the redevelopment of the site and the personal anxiety that it might cause, though entirely understandable, is also not a material planning consideration.

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 CIL liable under the CIL Regulations 2010 (as amended).

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, however as the proposed development involves the demolition of the existing building/s the CIL (including indexation) for this development is expected to be £0.]

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:

1. necessary to make the development acceptable in planning terms;
2. directly related to the development; and,
3. 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

- An agreement to maintain the proposed development as social housing in perpetuity.
- The agreement of an employment skills training plan

Conclusion

The application is considered to comply with the relevant policies of the Local Development Plan in respect of and the creation of 34no. new dwellings on a



windfall site will make a small but valuable contribution to addressing the housing land supply shortage within the County Borough.

RECOMMENDATION: GRANT SUBJECT TO THE BELOW CONDITIONS:

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

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

2. The development shall be carried out in accordance with the following approved plans unless otherwise agreed in writing with the Local Planning Authority –

- Site layout drawing no. A002 Rev D
- House type 1 drawing no. A003 Rev A
- House type 2 drawing no. A004 Rev A
- House type 3 drawing no. A005 Rev A
- House type 4 drawing no. A006 Rev A
- House type 5 drawing no. A007 Rev A
- House type 6 drawing no. A008 Rev A
- House type 7 drawing no A009 Rev A
- House type 8 floor plans drawing no A010 Rev A
- House type 8 elevations drawing no A011 Rev A
- House type 9 drawing no. A012 Rev A
- House type 10 & 11 drawing no. A013 Rev C
- Block plan drawing no. A023 Rev A
- Site Section drawing no. A024 Rev B

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

3. 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.

4. 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.

5. 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. If any trenches for services are required in the fenced-off areas 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.

6. Prior to the commencement of development, details for the provision of bat and barn owl boxes (incorporated within the conversion scheme) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details and maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

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

7. Before any works start on site, existing and proposed levels (including relevant sections) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reasons: To protect residential and visual amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

8. Building operations shall not be commenced until samples of the external finish materials and hard landscape areas 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 .

9. 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.

10. 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.

11. Other than for works of demolition, site clearance and site preparation, development shall not commence until details indicating the provision of a 2m wide footway for the entirety of the site frontage along Ilan Avenue have been submitted to and approved in writing by the Local planning Authority. The approved details shall be substantively implemented on site prior to the beneficial occupation of the first dwelling.

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

12. Other than for works of demolition, site clearance and site preparation, development shall not commence until full engineering design and details of the road layout, including sections; street lighting details 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 substantively completed before the first occupation of any dwelling hereby approved.

Reason: To ensure the adequacy of the proposed development in the interests of highway safety.

13. Upon commencement of construction works to the approved dwellings details providing for the upgrading/relocation of the existing 2no. bus stops fronting Ilan Avenues shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented prior to the first occupation of any dwelling hereby approved.



Reason: To encourage sustainable modes of transport by future occupiers of the proposed development.

14. The parking areas shown on submitted drawing no A002 Rev D shall be constructed in permanent materials and retained for the purposes of the parking of vehicles only.

Reason: To ensure that vehicles are parked off the public highway in the interests of highway safety and the free flow of traffic.

15. No development shall take place, including any works of site clearance until a construction method statement has been submitted to 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 machinery
- e) Storage of plant and materials used in construction 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.

16. No development shall take place until a Species and Tree 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 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, and reptiles,
- e) Details of wildlife sensitive lighting proposals
- f) details of tree retention and protection measures
- g) Details of water pollution control measures
- h) An agreed scheme of progress reporting to the Council during the construction programme.



Persons responsible for:

- i) Compliance with legal consents relating to nature conservation;
- ii) Compliance with planning conditions relating to nature conservation and trees (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.

Reason: In the interests of maintaining biodiversity and to accord with Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

17. 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:
1. A desk-top study to identify and evaluate all potential sources and impacts of contamination relevant to the site. The desk top study should contain a conceptual site model.
 2. A site investigation shall be carried out to fully and effectively characterise the nature and extent of any contamination and its implications. The site investigation shall not be commenced until a desk-top study has been agreed in writing with the Local Planning Authority.
 3. A written method statement for the remediation of contamination affecting the site

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

18. No dwelling, hereby permitted, shall not be occupied until the measures approved in the scheme (referred to in Condition 17 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.



RHONDDA CYNON TAF

19. 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.

20. All building works relating to the proposed residential properties and external amenity areas shall be constructed so as to provide sound attenuation against external noise as detailed in Environmental Noise Assessment (Ref: 7257/BL/HH/Revision A). The sound insulation works shall be completed as approved before the use of the buildings begins and shall thereafter be retained in perpetuity.

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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RHONDDA CYNON TAF

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

PLANNING & DEVELOPMENT COMMITTEE

4TH APRIL 2019

SITE MEETING REPORT

**APPLICATION NO. 18/1258/10 – DEMOLITION OF EXISTING BUILDING AND
ERECTION OF 34 AFFORDABLE RESIDENTIAL UNITS, ACCESS ROUTE,
CAR PARKING, LANDSCAPING AND ASSOCIATED WORKS. RCT
HEDDFAN BUILDINGS, ILAN AVENUE, RHYDYFELIN, PONTYPRIDD, CF37
5PN**

**REPORT OF THE DIRECTOR, COMMUNICATIONS & INTERIM HEAD OF
DEMOCRATIC SERVICES**

Author: Hannah Williams, Council Business Unit.

1. PURPOSE OF THE REPORT

- 1.1 To consider the outcome of the site inspection in respect of the above-mentioned proposal and to determine the application, as outlined in the report of the Service Director, Planning, attached at Appendix 1.

2. RECOMMENDATION

It is recommended that Members:

- 2.1 Approve the application in accordance with the recommendation of the Service Director, Planning.

3. BACKGROUND

- 3.1 In accordance with Minute No 212 (Planning and Development Committee – 21st February, 2019) a site inspection was undertaken on Tuesday 5th March, 2019 to consider the location of the proposed access to the development and the location of the alternative access suggested by the objectors.

- 3.2 The meeting was attended by the Planning and Development Committee Members County Borough Councillors S. Rees, G. Caple, G. Hughes, J. Bonetto, P. Jarman, S. Powell and R. Yeo.
- 3.3 Local Member, County Borough Councillor M. Webber was also present at the meeting.
- 3.4 Apologies for absence were received from Committee Members - County Borough Councillors J. Williams, W. Owen, J. Harries and D. Grehan.
- 3.5 Members of the Planning & Development Committee met at the entrance of the former Heddfan site at Ilan Avenue, Rhydyfelin which is 0.82 hectare in size.
- 3.6 Members were provided with an overview of the application by the planning officer in attendance, advising Members that the application seeks outline planning permission for a development of 34 affordable homes of varying design types. The development would be centred around a cul de sac off Ilan Avenue which will serve as the principle means of access for the majority of the properties though eight of the properties will also have direct access from Ilan Avenue itself.
- 3.7 The Highways Development Control Manager advised that the proposed development provides satisfactory access, circulation and parking and subject to the implementation of the conditions outlined within the original report, the proposed development was considered acceptable on Highways terms. Referring to resident's concerns regarding the current levels of congestion at the site, the Highways Manager advised that there is no capacity issue with Ilan Avenue and should Members approve the application, improvements would be made to the bus stop to include yellow markings, Bus Boarder and a raised footway and that the footway would be widened to 2m.
- 3.8 Following questions from Members in respect of the suggestions made by objectors to use an alternative access through the link road between Ilan Avenue and Cardiff Road, the Highways Development Control Manager stated that the applicant will not consider moving the access to this location and from highway safety and operational point of view, the introduction of a further junction between Ilan Avenue and Cardiff Road would be considered more dangerous than the proposed access, due to the short length of the road and multiplicity of the junction leading to Cardiff Road (A4054).
- 3.9 Members noted the concerns of the Local Member, County Borough Councillor M. Webber who noted that the amount of parking to be provided is less than required by the current supplementary planning

guidance. The Local Member commented that the previous use of the Heddfan building was for staff on a rota basis, as oppose to a vast number of residents which would generate a continuous flow of traffic through an already congested area.

- 3.10 The Local Member agreed with the suggestions made by objectors that the access should be provided from the unnamed link road between Ilan Avenue and Cardiff Road and referred the Committee to the junction of Gerddi Glan Taf which had been approved with access and egress from opposite. The Member added that should the application be approved and subject to the opinion of the local residents, the grassed areas outside the properties on Ilan Avenue should be developed into off road parking to alleviate parking issues for those who reside within the proximity of the site.
- 3.11 The Chair thanked the officers for the report and closed the meeting.