

**APPLICATION NO:** 11/0886/20 (GW)  
**APPLICANT:** MJP Investments  
**DEVELOPMENT:** Demolition of former school building (Conservation Area Consent)  
**LOCATION:** THE FORMER INFANTS SCHOOL, CROSS BROOK STREET, BLAENRHONDDA, CF42 5SB.  
**DATE REGISTERED:** 22/08/2011  
**ELECTORAL DIVISION:** Treherbert

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**RECOMMENDATION:** Approve

**REASONS:**

It is apparent the structural condition of the former school is visibly poor and the applicant's structural report details that the buildings walls cannot be stabilised, and thus restored, for health and safety reasons. The applicant has also provided evidence that an alternative buyer or viable scheme has not come forward and that this would be unlikely in the future. The proposed redevelopment scheme as detailed in the related planning application (11/0872) is considered acceptable.

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**APPLICATION DETAILS**

Conservation Area consent is sought for the demolition of the former infants school in Blaenrhondda. A full application (11/0872) for the redevelopment of the site for residential development, follows this item on the agenda. The submitted plan for this application indicates that only the school building would be demolished. However it should be noted the bridge to the site would also be removed as detailed in application 11/0872.

Members will be aware that previously applications for the demolition of the school and the redevelopment of the site for residential (08/1633 & 08/1642) were refused and a subsequent appeal dismissed. The Inspector dismissed the appeal as he was, "not satisfied that the potential avenues to find an alternative use and user, if not owner, able to save the building have been adequately explored as Circular 61/96 requires". Furthermore, "that the proposed replacement scheme would neither preserve nor enhance the character or appearance of the conservation area or offer significant community benefits which might outweigh that view".

The application is accompanied by the following:

**Structural Survey** - This application includes an updated structural survey dated September 2011 and completed by Shear design (Consulting Civil and Structural Engineers). This states that since October 2008 the site has been secured by the Council, due to continuing vandalism and its dangerous condition. They state that the report is based on a visual inspection and no

intrusive investigations have been carried out. Its findings are summarised below:

It concludes that the majority of the roof structure has collapsed or is severely burnt/charred with elements of roof timbers in a precarious condition. Some roof collapse has caused localised areas of masonry collapse. Further roof collapse would lead to further instability of perimeter and internal walls. The structure is open to further deterioration by poor weather conditions. It is stated, since October 2008 it is evident that deterioration of the walls in the majority of places with further cracking becoming visible between mortar joints and opening up from the exposure to water and frost penetration has taken place. They state it is their opinion that the ongoing deterioration of the existing un-restrained walls and partial roof structure will almost certainly cause the collapse in part of whole at any time by a sequence of events such as high wind pressures or severe rains storm, or a heavy frost event.

The report also assesses the potential for re-use of the building. It is stated, as detailed in the October 2008 report, that there would be an unacceptable risk in trying to stabilise the remaining walls based on Construction Design and Management (CDM) health and safety legislation. They further state as the condition of the remaining structure has visually worsened since October 2008, it is their opinion that the building is beyond repair/refurbishment and should be demolished. They conclude the demolished materials could be re-used as part of a redevelopment.

**Marketing Statement** - A marketing statement by Jones Battye and dated 21<sup>st</sup> November 2012 has been submitted. This details the property has been marketed since November 2011 by way of sales board, web site and direct marketing. This includes two letters sent to Fernhill Conservation Group, advising them the property is for sale. It is detailed that no response was received to the letters. The report concludes the likelihood of a sale is slim and the market for such a property in its location has disappeared. It further details although the current economic recession may end soon the likelihood of a sale of this property in the near future would still remain slim because of its location.

**Bat Survey** - A bat survey, which also looks at the potential for barn owls, has been submitted as part of the application. This is dated 6<sup>th</sup> January 2008 and is the same survey that was submitted with previous applications. It concludes that due to the condition of the building all potential bat roosts have been eradicated, that there is no evidence of any wildlife within the structure and there is no possibility that bats or barn owls will return here, as the building is completely unsuitable as a roosting or nesting site. In addition a recent visual assessment (taking account of the original bat report) has been carried out by the applicant's agent. A summary of the assessment was submitted on the 23 November 2012. This details that further damage has occurred to the building and that there is no further evidence of wildlife within its structure.

## **SITE APPRAISAL**

The site is located within the Blaenrhondda Conservation Area that was designated in 1975. The purpose of this designation is to preserve and enhance the character and appearance of the area that is deemed to be of special architectural or historic interest. Members should note the school has suffered considerable recent fire damage, which has resulted in damage or loss to some of the features detailed below.

Blaenrhondda School was opened in 1882 and it is unknown when the school closed. It is positioned on the western boundary of the Conservation Area to the south west of Brook Street. The architecture is typical of schools from this period. Large gable ends punctuated with tall windows (usually in sets of three) dominate each elevation. The large hipped roof with deep valleys cover a complex of original extensions. Raised on a plinth with blue brick detailing the squared stonework rises up to eaves level, where simple bargeboards terminate the wall.

The original materials used in the school building match that of the later buildings constructed on Brook Street. The introduction of buff and red brick is used for the architectural detailing. Quoin work, stringcourses, window reveals with header arches and piers are all in coloured brickwork. The former windows are of timber sash with multi-paned fenestration and are typical of 19<sup>th</sup> Century schools, however many of these are now boarded up.

A stone bell cote is located at the north end of the building, facing east and overlooks the entrance to the school. The void in which the bell once hung is visible and this feature has a slated roof.

Modern flat roof extensions have been added and the original floor plan of the school has been eroded over time.

The site faces northeast into Brook Street and the rear backs on to the banks of the river Rhondda. It is accessed via an iron road bridge with stone piers capped with an attractive pyramid capping stone and iron railings. Although the iron bridge is in a poor state of repair the stonework that continues around the site, in the form of low and high walls, is mainly intact and in good condition. The lower walls are located to the rear of Brook Street while the taller structures are positioned to the west of the site.

In the wider context the southwest, steep sloping side of Blaenrhondda Mountain constrains the streetscape while the larger more gentle slopes of the Ystradffernol and Tynwydd Mountains move away to the north. The site is highly visible from these outlying areas and as such it can be easily seen and thus understood how the school fits into the historical streetscape.

## **PLANNING HISTORY**

11/0872	The Former Infant School, Cross Brook Street,	Proposed residential development	Pending
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Blaenrhondda			
08/1642	Former Primary School, Brook Street, Blaenrhondda	Development of a residential scheme comprising a 2-storey terrace of 4 No.3 bed houses, 4 No.2 bed apartments and 8 No.1 bed apartments plus associated parking, amenity space and new bridge.	Refused 03/08/09  Appeal: Dismissed 16/02/10
08/1633	Former Primary School, Brook Street, Blaenrhondda	Conservation Area consent for the demolition of former infants school.	Refused 03/08/09  Appeal: Dismissed 16/02/10
08/0913	The Former Infants School, Cross Brook Street, Blaenrhondda	Demolition of existing dilapidated school building - Application for Conservation Area Consent	Withdrawn 30/07/08
08/0247	Blaenrhondda Primary School, Brook Street, Blaenrhondda	Conservation area consent for demolition of former infant school	Withdrawn 30/05/08
08/0242	Blaenrhondda Primary School, Brook Street, Blaenrhondda	Demolition of former school and replacement with residential 2 storey terrace of 4x4 bed houses, 4x2 bed apartments and 8x1 bed apartments, plus associated parking and amenity space (Outline).	Withdrawn 30/05/08

## **PUBLICITY**

The application has been advertised via direct neighbour notification and site notice. Originally 221 letters of objection were received and their comments are summarised below:

1. This school building is the last landmark building still standing in the Conservation Area.
2. It is not in such a dangerous state as it warrants total demolition. In fact only small areas of wall require replacement to maintain structural integrity.
3. The applicant has refused to be responsible for the buildings security and post safety notices. He has contributed to its present state.

4. The dilapidation of the building is as a result of the applicant's failure to provide adequate protection to the building. The Structural survey is biased, exaggerated and based on insufficient data. The inspector states he did not enter the building and cannot comment. Much of the building is still in good condition and there are very few "unrestrained walls. Many of the existing cracks are historical and have resulted many years ago.
5. The building is capable of being sympathetically restored to its former glory.
6. Since the rejected appeal the applicant has made no attempt to liaise with the local residents to agree an acceptable alternative community use other than quote an exorbitant selling price of £250,000 and a completion within 6 months. An estate agents off-the-cuff estimate obtained was £80,000 maximum taking the condition of the building into consideration.
7. The loss of the school would have a detrimental effect of the future of the village, which is in a deprived area.
8. The conservation groups' proposal for the reuse would be an inspiration, regenerating the area through its sustainable use, instilling the community with a sense of accomplishment.

In addition, a document has been submitted highlighting potential uses and users for the existing building. These include a visitor/community/tourist centre, a café, use by local groups and organisations and business uses.

Following changes to the proposal the application was re-advertised. A total of 255 pro forma letters and 2 further letters including one from the Fernhill Rhondda Conservation Group have been received reiterating points 1 to 7 above in relation to this application.

## **CONSULTATION**

Countryside, Landscape and Ecology - the submitted bat survey is still valid. Any new sitings since then will need to be looked at. The provision of bat/barn owl boxes in any proposal would be a biodiversity benefit.

Structural Engineer - no objection. Details appear adequate.

Victorian Society - no comments at the time of writing this report.

## **POLICY CONTEXT**

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

The site is inside the settlement boundary and is unallocated. It is also identified as being within Blaenrhondda Conservation Area.

**Policy CS1** - sets out criteria for achieving strong sustainable communities including, promoting residential development in locations which support the role of principal towns and settlements and provide high quality, affordable accommodation that promotes diversity in the residential market.

**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 AW7** states development proposals which impact upon sites of architectural and / or historical merit will only be permitted where it can be demonstrated that the proposal would preserve or enhance the character and appearance of the site.

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

**Policy AW10** protects the environment from pollution.

**Policy NSA5** allocates land at the former Fernhill Colliery site for the construction of between 350 and 400 dwellings, a local retail centre and informal recreation contained in a countryside setting.

**Supplementary Planning Guidance - The Historic Built Environment (2011)** provides detailed guidance regarding land and buildings within the historic built environment including, listed buildings and conservation areas.

### **National Guidance**

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

Planning Policy Wales Chapter Chapter 2 (Development Plans), Chapter 3 (Making and Enforcing Planning Decisions), Chapter 4 (Planning for Sustainability), Chapter 5 (Conserving and Improving Natural Heritage and the Coast), Chapter 6 (Conserving the Historic Environment), Chapter 7 (Economic Development), Chapter 8 (Transport), Chapter 9 (Housing), Chapter 12 (Infrastructure and Services) and Chapter 13 (Minimising and Managing Environmental Risks and Pollution) set out the Welsh Government's policy on planning issues relevant to the determination of the application.

Other relevant policy guidance consulted:

PPW Technical Advice Note 2: Planning and Affordable Housing;  
 PPW Technical Advice Note 5: Nature Conservation and Planning;  
 PPW Technical Advice Note 6: Planning for Sustainable Rural Communities;  
 PPW Technical Advice Note 11: Noise;  
 PPW Technical Advice Note 12: Design;  
 PPW Technical Advice Note 15: Development and Flood Risk;  
 PPW Technical Advice Note 18: Transport;  
 PPW Technical Advice Note 22: Sustainable Buildings;

## Manual for Streets

### Welsh Office Circular 61/96

Para. 33 - The general presumption should be in favour of retaining buildings, which make a positive contribution to the character or appearance of a conservation area. Proposals to demolish such buildings should be assessed against the same broad criteria as proposals to demolish listed buildings. In cases where a building makes little or no such contribution the authority will normally need to have full information about what is proposed for the site after demolition. Consent for demolition should not be given unless there are acceptable and detailed plans for redevelopment. It has been held that the decision-maker is entitled to consider the merits of any proposed development in determining whether consent should be given for the demolition of an unlisted building in a conservation area.

### **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:**

Demolition of unlisted buildings in conservation areas requires 'Conservation Area Consent'. Policy and guidance on dealing with such applications is contained within Planning Policy Wales, the Rhondda Cynon Taf Local Development Plan and Welsh Office Circular 61/96. All of which conclude, that there is a general presumption in favour of retaining buildings which make a positive contribution to the character of the conservation area. Notwithstanding the current condition of the school building, historically it has clearly contributed strongly to the character of Blaenrhondda. Where demolition is proposed the guidance details there are several tests which should be applied. These are summarised and assessed below. Further issues of importance in the determination of this application include: community benefit, Environment Impact Assessment and the impact on protected species.

### **Tests:**

(i) The building's contribution to local character and its current condition; the cost of repair in relation to its importance and the value derived from continued use.

The school building has historically made a strong contribution to the character of the local area. Architecturally, it is a classic example of a late Victorian school, in a simple gothic style with tall gables and windows. Built of stone with brick dressings, originally it would have been a building of some attraction, in a rather beautiful setting.

Following the cessation of the school at the site, it has entered a period of decline and is now in a poor condition. It could be argued that, because of this, the building's contribution to local character is not what it once was. However, it is clear that a full restoration of the existing building would be the most desirable option from the point of view of the Conservation Area.

A visual inspection shows clearly that the current building is in a dangerous state of repair, following repeated acts of vandalism and arson, and subsequent years of being exposed to the elements. A structural report, submitted with the application, highlights the building is deteriorating and this would continue until the building would eventually collapse. It further states that due to Health and Safety risks the building cannot be restored. The Council's own Structural Engineer is also of the opinion that the details in the structural report are adequate. Notwithstanding this, letters have been submitted from objectors including the Fernhill Rhondda Conservation Group disputing the findings of the structural report. Photographs have been submitted attempting to detail that the building has not significantly deteriorated further since 2008. In assessing this issue the structural report was carried out by a qualified Civil Engineer and the Council's Structural Engineer's comments back the reports findings. These conclude that repair in situ does not seem a viable option due to health and safety issues involved. Based on these qualified consultation comments it would therefore be difficult to dispute this.

In terms of cost of repair, as in the previous application, no figures have been submitted. As detailed in the inspector's report for the previous appeal, no mention of whether any insurance cover for repairing the building has been provided. Furthermore it is considered that in the current poor economic climate, the likelihood of a viable scheme of repair has also reduced.

#### (ii) Efforts made to retain the building's use or an alternative use

The Inspectors comments highlighted that "I am not satisfied that the potential avenues to find an alternative use and user, if not owner, able to save the building have been adequately explored as Circular 61/96 requires".

Clearly the building does not have an existing use, and its previous use as a school is no longer an option due to the modern school being built nearby to replace it. This test also includes the offering of the freehold of the site on the open market, and whether suitable marketing of the site has taken place. There was some evidence with the previous applications in 2008, that marketing had taken place on a commercial basis involving possible retail, industrial office, hotels and nursing homes uses without generating any direct interest. Some interest for residential use was generated for a perceived



shortfall in affordable housing. Since the previous refusal and dismissal of the subsequent appeal the applicant has commissioned a marketing exercise over a period of approximately a year by Jones Battye. As detailed above this has not generated a positive response and their qualified opinion is that any interest in the near future would be slim due to the site's location.

In the Inspector's report for the previous appeal, significant weight was placed on other schemes, such as that put forward by the Fernhill Rhondda Conservation Group (F.R.C.G). They have ambitions for the use of the site as a tourist/visitor/recreation centre and for other uses by local groups and business. This type of scheme was put forward in the previous applications and the Inspector for the appeal noted these schemes as potentially a viable route for retention of the building although no apparent viable scheme was in place. Whilst these projects would most likely be wholly supportable, there is no evidence to support that funding is available for such a proposal and these schemes have not progressed significantly further.

In summing up this issue the applicant has provided evidence to show that they have contacted F.R.C.G. directly; giving them an opportunity to potentially buy the site and progress an alternative scheme. However Jones Battye detail that no response was received from their letters. Members are advised that currently there is no evidence that such an alternative scheme from the F.R.C.G. is currently viable.

### (iii) The merits of the alternative proposal

Members should note that in considering the consent for demolition Government guidance states that consent should not be given unless there are acceptable and detailed plans for a replacement scheme. Also, it is worth noting the Inspector for the previous appeal stated "I do not accept either that the associated removal of the fire damaged school is so desirable that it would itself improve the conservation area. Even in its current condition it is a substantial remnant and intrinsic component of the historic and architectural qualities of the area".

As Members are aware the applicant has submitted a residential scheme for the site (Reference 11/0872). The design has adopted to provide a residential apartment block in the location of the former school, albeit in a slightly larger area. As detailed further in the report for 11/0872 it concludes this proposal is acceptable.

### **Summing up the tests**

In summing up the above tests it is considered the evidence provided regarding the structural integrity of the building and the lack of a potential viable alternative scheme adds significant weight to allowing the demolition. Indeed, without any future intervention the former school building will undoubtedly further deteriorate. However, it is noted the Inspector indicated the removal of the existing building would not improve the area as the school still retains much of its qualities. Although this point may be arguable, it is considered the former schools qualities (highlighted in the Inspector's

comments) largely remain despite further deterioration since they were made. The alternative scheme would be considered acceptable, taking into account further deterioration of the school. Therefore on balance it is considered the application would overcome the Inspector's concerns with regard to the tests.

### **Community benefit**

With regard the issue of "community benefit"; this was detailed in the inspector's report for the previous appeal. As a result of the adopted Rhondda Cynon Taf Local Development Plan the developer would have to provide obligations for affordable housing and a transport tariff. This would most likely be a similar situation whether the existing building was converted to residential or the school demolished and a new residential build. Furthermore the replacing of the bridge would provide a benefit for other land owners on the school side of the river. It can be seen that the replacement scheme would provide some community benefits, which adds weight to the application for demolition. However on its own, this would not solely justify demolition.

### **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.

### **Protected species**

With regard to protected species the applicant has submitted the updated bat survey submitted with the previous applications. This also details the potential for barn owls at the site. It concludes that due to the condition of the building all potential bat roosts have been eradicated, that there is no evidence of any wildlife within the structure and there is no possibility that bats or barn owls will return here, as the building is completely unsuitable as a roosting or nesting site. No objection has been raised either by the Countryside Section or Countryside Council for Wales (Now Natural Resources Wales).

### **Environmental Impact Assessment (E.I.A.)**

Demolition projects which have a significant impact on the environment may require an (E.I.A). Such developments can come under Schedule 2.10(b) (urban development projects) to the Town and Country Planning (Environmental Impact Assessment) Regulations 1999. However taking into account the size of the site and the above bat report it is not considered an E.I.A. would be required.

### **Conclusion**

In conclusion, it is apparent the former school building is of significance to Blaenrhondda Conservation Area, however its structural condition is visibly poor. The applicant's structural report details that the buildings walls cannot be stabilised, and thus restored, for health and safety reasons. The applicant has also provided evidence that an alternative buyer or viable scheme has not

come forward and that this would be unlikely in the future. Furthermore the proposed redevelopment scheme as detailed in planning application 11/0872, is considered acceptable. Therefore taking all the above into account, it is considered on balance that it is recommended that this application for 'Conservation Area Consent' be approved.

**RECOMMENDATION: Grant**

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

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

2. Demolition shall not begin until an appropriate photographic survey of the existing buildings on the site has been carried out in accordance with details to be submitted to and approved by, the Local Planning Authority. The resulting photographs should be deposited with the adopted Rhondda Cynon Taf Historic Environment Record, operated by the Glamorgan Gwent Archaeological Trust (Heathfield House, Heathfield, Swansea, SA1 6EL).

Reason: In the interest of the historic and architectural significance of the former school in accordance with Policy AW7 of the Rhondda Cynon Taf Local Development Plan.

3. The demolition hereby permitted shall not be undertaken before a contract for the carrying out of the works of redevelopment of the site (approved in application 11/0872) has been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to safeguard the special architectural or historic interest of the building in accordance with Policy AW7 of the Rhondda Cynon Taf Local Development Plan.

4. Any demolition works shall not take place other than during the following times:

- (i) Monday to Friday 0800 to 1800 hours
- (ii) Saturday 0800 to 1300 hours
- (iii) Nor at any time on Sundays, Bank or Public holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the noise emitted from this development is not a source of nuisance to occupants of nearby residential properties.

5. No collection of building waste shall be made from the site between the hours of 08:00 and 09:30 hours and 15:00 and 17:30 hours on weekdays.

Reason: In the interests of road safety during the morning and evening rush

hours in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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**APPLICATION NO:** 11/0872/10 (GW)  
**APPLICANT:** MJP Investments  
**DEVELOPMENT:** Proposed residential development  
**LOCATION:** THE FORMER INFANTS SCHOOL, CROSS BROOK STREET, BLAENRHONDDA, CF42 5SB.  
**DATE REGISTERED:** 22/08/2011  
**ELECTORAL DIVISION:** Treherbert

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**RECOMMENDATION:** Approve

**REASONS:**

**This is an application for residential development of the former infants school site. The scheme is acceptable as a matter of principal because it lies within the settlement boundary of Treherbert. Also, the proposal does not give rise to significant issues in terms of its impact on the character and appearance of the area, residential amenity, highway safety, ecology and risk of flooding. Therefore, is recommended for approval. However, the application has generated a considerable volume of public opposition in the local community.**

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**APPLICATION DETAILS**

This application seeks full planning permission for the residential development of the former school site. It is proposed to demolish the existing school and construct a new residential block containing 16 x 1-2 bedroom apartments.

The submitted plans show the block would be sited in the same location as the existing school. Its design is similar to the existing school incorporating gables, tall windows and features such as the bell tower. Materials, including some stone would be salvaged from the schools demolition and used in the elevations and a course of blue engineering bricks would be used below the window sill level and a buff brick would be used as window detailing. Grey coloured stone window heads and sills would be used. The roof would be covered with a natural slate roof and rainwater goods would be aluminium painted black, eaves and fascias would be timber painted white. Windows would be timber casement windows. Entrances to the apartments would mainly be from the north end elevation and the inner courtyard area and a further entrance with ramp would be located in the south end elevation. The apartments would be arranged over two floors.

An access road would be constructed along the western edge of the site to the rear of the building. 24no. parking spaces would be provided to the south

and west of the building with an area of cycle stands. An area to the south of the site is indicated as being open space and a bin store is shown as being located near the front of the building close to the bridge.

Originally the application detailed the existing bridge would be used to access the site. Following an objection from the Transportation Section the applicant now proposes to replace the bridge with a new one providing a 4.1m wide vehicle carriageway and a 1.2m wide footway. Members should be aware this is not included in the application site area and is not owned by the applicant. Details of the ownership of the bridge have been explored and are unknown. Notwithstanding this, evidence suggests that landowners on the west side of the river have rights to maintain the access to the site.

The application is accompanied by the following:

- Structural Report
- Design and Access Statement:
- Bat and barn owl survey
- Marketing Statement

Members should note a further application for Conservation Area Consent (11/0886), for the demolition of the school is being considered elsewhere on this agenda.

## **SITE APPRAISAL**

The site is located within the Blaenrhondda Conservation Area that was designated in 1975. The purpose of this designation is to preserve and enhance the character and appearance of the area that is deemed to be of special architectural or historic interest. Members should note the school has suffered considerable recent fire damage, which has resulted in damage or loss to some of the features detailed below.

Blaenrhondda School was opened in 1882 and it is unknown when the school closed. It is positioned on the western boundary of the Conservation Area to the south west of Brook Street. The architecture is typical of schools from this period. Large gable ends punctuated with tall windows (usually in sets of three) dominate each elevation. The large hipped roof with deep valleys cover a complex of original extensions. Raised on a plinth with blue brick detailing the squared stonework rises up to eaves level, where simple bargeboards terminate the wall.

The original materials used in the school building match that of the later buildings constructed on Brook Street. The introduction of buff and red brick is used for the architectural detailing. Quoin work, stringcourses, window reveals with header arches and piers are all in coloured brickwork. The former windows are of timber sash with multi-paned fenestration and are typical of 19<sup>th</sup> Century schools, however many of these are now boarded up.

A stone bell cote is located at the north end of the building, facing east and overlooks the entrance to the school. The void in which the bell once hung is visible and this feature has a slated roof.

Modern flat roof extensions have been added and the original floor plan of the school has been eroded over time.

The site faces northeast into Brook Street and the rear backs on to the banks of the river Rhondda. It is accessed via an iron road bridge with stone piers capped with an attractive pyramid capping stone and iron railings. Although the iron bridge is in a poor state of repair the stonework that continues around the site, in the form of low and high walls, is mainly intact and in good condition. The lower walls are located to the rear of Brook Street, while the taller structures are positioned to the west of the site.

In the wider context the southwest, steep sloping side of Blaenrhondda Mountain constrains the streetscape while the larger more gentle slopes of the Ystradffernol and Tynewydd Mountains move away to the north. The site is highly visible from these outlying areas and as such it can be easily seen and thus understood how the school fits into the historical streetscape.

## PLANNING HISTORY

11/0886	Blaenrhondda Primary School, Brook Street, Blaenrhondda.	Demolition of former school building (Conservation Area Consent)	Pending
08/1642	Former Primary School, Brook Street, Blaenrhondda	Development of a residential scheme comprising a 2-storey terrace of 4 No.3 bed houses, 4 No.2 bed apartments and 8 No.1 bed apartments plus associated parking, amenity space and new bridge.	Refused 03/08/09  Appeal: Dismissed 16/02/10
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08/0247	Blaenrhondda Primary School, Brook Street,	Conservation area consent for demolition of former infant school	Withdrawn 30/05/08

## Blaenrhondda

08/0242	Blaenrhondda Primary School, Brook Street, Blaenrhondda,	Demolition of former school and replacement with residential 2 storey terrace of 4x4 bed houses, 4x2 bed apartments and 8x1 bed apartments, plus associated parking and amenity space (Outline).	Withdrawn 30/05/08
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**PUBLICITY**

The application has been advertised via direct neighbour notification and site notice. Originally 221 letters of objection were received and their comments are summarised below:

1. Government guidance presumes in favour of retaining buildings that make a positive contribution to the character of the conservation area.
2. The replacement structure lacks the traditional detailing of the existing school. It would have a uniform regimented look, which lacks the charm of the school.
3. The huge increase in height to the eaves and roof and the elongated windows will present a totally disproportionate appearance to the building.
4. The visual intrusion due to the increased height for residents on Brook Street would not be acceptable.
5. The use of render on the rear is not acceptable as stone is available widely in the area from reclamation businesses.
6. The proposed would result in overlooking issues. The first floor level is way above the river wall and residents would look down on the rear of the properties on the other side of the river.
7. The additional traffic from the site would result in unacceptable traffic flow and parking problems on this already oversubscribed stretch of road.
8. Wide vehicles will not be able to negotiate the narrow bridge, which is also restricted to 3.5 tonnes.
9. There is no proven need for further housing in the north Rhondda Fawr yet alone the conservation area. Many houses in the immediate area are unoccupied.
10. The site is in a C2 flood zone and many insurance brokers are refusing to insure new housing in such areas. There is no evidence the

development meets the criteria of TAN 15. Mitigation measures being incorporated make no difference. No Flood Consequence Assessment has been provided.

11. The proposed bin store would discourage recycling.

Following changes to the proposal the application was re-advertised. A total of 255 pro forma letters and 2 further letters including one from the Fernhill Rhondda Conservation Group have been received. These reiterate some of the above comments and also add comments relating to the amended building design. These are summarised below:

1. Proposal lacks traditional detailing of the existing school. It would not be as high quality.
2. The extension of the footprint to the east presents a disproportionate appearance to the building.
3. There will be overlooking from the first floor windows for residents on Brook Street.
4. The existing bridge weight restriction precludes any construction traffic or emergency vehicles entering the site.
5. The developer's drawings do not clarify what materials would be reused.
6. Building has been neglected and little effort has been made to reuse it.
7. There have been landslips above and close to the site.
8. People will not use a shared bin store facility properly which would result in littering of the river.
9. Any protected species survey is now out of date and the open nature of the building may make more likely bats and barn owls have increased their presence.

## **CONSULTATION**

Countryside, Landscape and Ecology - no objection. It is evident the building has deteriorated and is less suitable for barn owls and bats since the original protected species survey report. With regard the replacement bridge there is low potential for bats and on balance a survey is not required, however there is potential to make the new bridge a more appropriate bat and bird habitat. A precautionary advisory note is also recommended.

Countryside Council for Wales (Now Natural Resources Wales) - no objection.



Dwr Cymru/Welsh Water - no objection subject to drainage conditions. The proposed site is crossed by a public sewer.

Education and Children Services – there is capacity in all local schools for the proposed development.

Environment Agency Wales (Now Natural Resources Wales) - the application site lies entirely within zone C2, as defined by the development advice map (dam) referred to under TAN 15 Development and Flood Risk (July 2004). Flood map information confirms the site to be within the 0.1% (1 in 1000 year) extreme flood outline. In the previous application (08/1462) the developer provided a Flood Consequence Assessment. This demonstrated that the risks and consequences of flooding could be acceptably managed in accordance with criteria set out in Technical Advice Note 15. Therefore there is no objection subject to the development level of the site being no lower than 216.8m Above Ordnance Datum (AOD). Further conditions and advice are provided with regard Flood Defence Consent, pollution prevention, biodiversity and fisheries, water efficiency, sustainable drainage systems and waste.

Fire Service – no objection. Adequate water supply for fire fighting purpose should be provided and access for emergency fire fighting appliances.

Housing Strategy - Policy NSA 11 of the adopted Local Development Plan specifies a target of 10% affordable housing. Therefore two 2 bedroom units should be provide on-site for low cost home ownership. The developers contribution should be equivalent to the equity retained (30%) for the scheme. The nominated purchaser should pay the developer not more than 70% of the open market value (Paragraph 4.2 of the Affordable Housing Supplementary Planning Guidance).

Land Reclamation and Engineering - the site is located within flood zones B and C and I would recommend that the planning authority consult with the Environment Agency Wales. A Flood Risk Assessment must be submitted. If permission is granted a number of conditions are suggested including a Hydrological Impact Assessment, drainage details, and flood risk management and assessment.

Public Health and Protection Section - no objection subject to demolition of existing dwellings, noise, dust, disposal of waste and lighting.

Structural Engineer - no objection. Details appear adequate.

Transportation Section - no objection subject to conditions requiring improvements to junction with Brook Street, replacement bridge, engineering details of road layout, details of street lighting and surface water drainage, parking areas to be constructed of permanent material and a construction method statement. A 'Transport Tariff' of £18,048 is also required.

Victorian Society - no comments received at the time of writing the report.

## **POLICY CONTEXT**

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

The site is inside the settlement boundary and is unallocated. It is identified as being within Blaenrhondda Conservation Area.

**Policy CS1** - sets out criteria for achieving strong sustainable communities including, promoting residential development in locations which support the role of principal towns and settlements and provide high quality, affordable accommodation that promotes diversity in the residential market.

**Policy AW1** - supports new housing inside the settlement boundaries.

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

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

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

**Policy AW7** states development proposals which impact upon sites of architectural and / or historical merit will only be permitted where it can be demonstrated that the proposal would preserve or enhance the character and appearance of the site.

**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 as a result of flooding.

**Policy NSA5** - allocates land at the former Fernhill Colliery site for the construction of between 350 and 400 dwellings, a local retail centre and informal recreation contained in a countryside setting.

**Policy NSA10** - requires new housing development to be a minimum of 30 dph unless it can otherwise be demonstrated.

**Policy NSA11** - states at least 10% affordable housing will be sought on sites of more than 10 units.

**Policy NSA12** - details criteria for development within and adjacent to settlement boundaries.

**Supplementary Planning Guidance - The Historic Built Environment (2011)** provides detailed guidance regarding land and buildings within the historic built environment including, listed buildings and conservation areas.

### **National Guidance**

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

Planning Policy Wales Chapter Chapter 2 (Development Plans), Chapter 3 (Making and Enforcing Planning Decisions), Chapter 4 (Planning for Sustainability), Chapter 5 (Conserving and Improving Natural Heritage and

the Coast), Chapter 6 (Conserving the Historic Environment), Chapter 7 (Economic Development), Chapter 8 (Transport), Chapter 9 (Housing), Chapter 12 (Infrastructure and Services) and Chapter 13 (Minimising and Managing Environmental Risks and Pollution) set out the Welsh Government's policy on planning issues relevant to the determination of the application.

Other relevant policy guidance consulted:

PPW Technical Advice Note 2: Planning and Affordable Housing;  
 PPW Technical Advice Note 5: Nature Conservation and Planning;  
 PPW Technical Advice Note 6: Planning for Sustainable Rural Communities;  
 PPW Technical Advice Note 12: Design;  
 PPW Technical Advice Note 15: Development and Flood Risk;  
 PPW Technical Advice Note 18: Transport;  
 PPW Technical Advice Note 22: Sustainable Buildings;  
 Manual for Streets

Welsh Office Circular 61/96

Para. 33 - The general presumption should be in favour of retaining buildings, which make a positive contribution to the character or appearance of a conservation area. Proposals to demolish such buildings should be assessed against the same broad criteria as proposals to demolish listed buildings. In cases where a building makes little or no such contribution the authority will normally need to have full information about what is proposed for the site after demolition. Consent for demolition should not be given unless there are acceptable and detailed plans for redevelopment. It has been held that the decision-maker is entitled to consider the merits of any proposed development in determining whether consent should be given for the demolition of an unlisted building in a conservation area.

## **REASONS FOR REACHING THE RECOMMENDATION**

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

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

### **Main Issues:**

#### **Principle of the proposed development**

The site is located within the settlement boundary identified in the Rhondda Cynon Taf Local Development Plan where the principle of residential

development is acceptable subject to the following material planning considerations.

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

The school building has historically made a strong contribution to the character of the local area. Architecturally, it is a classic example of a late Victorian school, in a simple gothic style with tall gables and windows. Built of stone with brick dressings, it must have originally been a building of some attraction, in a rather beautiful setting. Currently, the building is a sorry shadow of its former self.

The Inspector for the previous appeal refusal (08/1642) indicated that the block plan form of the school building was a key character of the Conservation Area, in its contrast to the linear plan form of Brook Street. This proposal is essentially a new build apartment block, which goes a long way to reflect the old school building in plan form, size, scale, materials and design.

In terms of the materials used the proposal details stone would be salvaged from the demolition of the school and used in the new scheme. Other materials would be of a similar type to that has been used in the school i.e. slate, bricks and stone work. The bell tower and a plaque identifying the site as the former school would also be incorporated in the design. Potentially some of these materials may be salvageable; however this is not indicated in the application. Some elevations particularly at the rear of the building would be rendered. It is noted that the use of render in the previous scheme was criticised by the Inspector for the appeal and has been highlighted in the objections received for this application. Notwithstanding this, the amount of render proposed is not significant and is mainly kept for the rear elevations. The proposed building would be predominantly stone from the main vantage points and it is considered this would overcome the Inspector's concerns that this could "inevitably and irreversibly change the essential architectural use of stone as the main building material in the Conservation Area". It is also appreciated that it may not be possible to reclaim the amount of stone required for the proposed building.

Further issues include the proposed refuse and cycle stores. These would be small in scale and would be acceptable in terms of their design.

In summary, it is considered that this proposal takes on the block plan form of the school to some degree. The scale and design of this proposal is also considered acceptable in terms of the character of the area and reflective of the former school. It would also be predominantly stone. Therefore it is considered in these aspects that the proposal would overcome the inspector's concerns in the previous appeal.

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

With regard to the amenity of surrounding residents, the proposed block containing the dwellings would be sited on the opposite side of the river to the rear of dwellings on Brook Street and in the same location as the former school. There have been some objections from surrounding residents that the

proposed dwellings would overlook the rear of properties on Brook Street and result in a loss of privacy. The distance between the front elevation of the building and the rear boundary of the properties would vary between 12 and 14m; the distance with the rear elevations of the terraces would be between 23m and 25m. The plans indicate the slab level of the new building would be approximately 1.7m-2m above that of the level of the buildings on Brook Street. Furthermore, it should also be noted that the majority of the building would be a similar height to the existing school with only some parts being approximately 0.5m taller. Notwithstanding this it is considered the distance would be adequate to maintain privacy and prevent overshadowing between the site and the existing buildings.

A further issue highlighted from the previous applications; was the issue of car lights shining to the rear of properties on Brook Street from the parking and turning areas. As Members will be aware this issue was not seen by the Inspector for the previous appeal as warranting a refusal reason and that the introduction of landscaping in the relevant areas would alleviate any issue. This proposal shows an access road, which is lower down than the existing boundary wall and lower than that previously refused. In addition the bike shed and landscaping detailed would aid screening. Therefore this is not considered an issue to warrant a refusal issue.

### **Access and highway safety**

Members are advised following negotiation with the applicant, a replacement bridge is now proposed (as in the previous application). This would provide a wider bridge and separate pedestrian facilities, which would be considered a benefit not only for this site, but other sites on this side of the river.

There have been a number of objections to the development, resulting from the public consultation exercise, in terms of the potential traffic generated and associated parking issues. The development would provide 24no. off-road parking spaces and cycle parking would also be provided on site. It is considered this would be a sufficient amount of parking for the development. However, Members should note that if additional parking is required, there is space within the site to provide more. Details of this could be obtained by a suitably worded condition if permission were to be granted.

In terms of access to the site from Brook Street the Transportation Section has not objected subject to a condition requiring 'build outs' at the junction to improve the visibility splay. Details of this could be obtained by a suitably worded condition if permission were to be granted.

As a result it is considered the proposed development would be acceptable in terms of its impact on highway safety and parking.

### **Flooding**

The site is located within a C2 flood risk zone, as defined by the development advice map referred to under TAN 15 Development and Flood Risk (July 2004). The developer was made aware of this in the previous application and a Flood Consequence Assessment (F.C.A) was submitted. The F.C.A.

concludes the existing stonewall around the site protects the site and its existence and continual maintenance would act as a flood defence infrastructure. However, there is still considered to be a residual risk of flooding. Further steps the developer could take include the development of a Sustainable Drainage System including porous paving and on site rainwater harvesting for reuse. As the existing site is mainly impermeable concrete it is considered that this would improve the situation. These details could be obtained by a condition if permission is granted. Natural Resources Wales (Environment Agency) has stated that based on the F.C.A., it is considered the risks and consequences of flooding could be acceptably managed in accordance with criteria set out in TAN 15 and the development would be acceptable. They further state they do not object subject to the development level being no lower than 216.8m Above Ordnance Datum (AOD). Members are advised the finished floor level of the building is shown as being no lower than 216.95m which is similar to the existing school.

### **Impact on protected species, the environment and nature conservation.**

With regard to protected species the applicant has submitted an update to the bat survey submitted with the previous applications (which also details the potential for barn owls at the site). It concludes that due to the condition of the building all potential bat roosts have been eradicated, that there is no evidence of any wildlife within the structure and there is no possibility that bats or barn owls will return here, as the building is completely unsuitable as a roosting or nesting site. It is visually evident that the building has further deteriorated since this report was carried out. No objection has been raised either by the Countryside Section or Countryside Council for Wales (Now Natural Resources Wales) and no evidence of sightings of protected species has been submitted as a result of the consultation exercise.

The Council's Ecologist has stated with regard the replacement bridge that the evidence suggests bat potential is low and on balance no further survey work would be required. Measures should however be provided to make the new bridge a more appropriate as a bat or bird habitat; details of which could be obtained by condition if permission were to be granted.

### **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.

### **Public Health**

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

### **Environmental Impact Assessment**

Finally demolition projects which have a significant impact on the environment may require an Environmental Impact Assessment (E.I.A). Such

developments can come under Schedule 2.10(b) (urban development projects) to the Town and Country Planning (Environmental Impact Assessment) Regulations 1999. However taking into account the size of the site and the above bat report it is not considered an E.I.A. would be required.

### **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 affordable housing contribution of 2 units.**
- **A transport tariff contribution of £18,048 towards improving the strategic highway network.**

### **Conclusion**

In conclusion the main consideration in assessing the impact of the proposal is whether the loss of the former school and the proposed residential development has an adverse impact on the character of the area, which is, designated a Conservation Area. It is evident that the school contributes significantly to the character of the Conservation Area, however the building is in a poor condition and deteriorating. Indeed, without future intervention, the building will no doubt remain a ruin.

The replacement structure proposed would go some way to reflecting the block form of the school. This was indicated as being important for the character of the conservation area, by the inspector for the previous appeal.

The proposal in terms of its design and scale would be acceptable in terms of the impact on the character of the Conservation Area.

Furthermore the proposed access, replacement bridge and car parking are considered acceptable.

In terms of the impact on residential amenity the development would introduce a residential use to a building and site that was formerly a school. Notwithstanding this, it is considered there is sufficient distance to prevent a significant detrimental impact on the amenity of surrounding residents. Therefore in these terms the application would be acceptable.

The applicant has also shown that the consequences of flooding can be managed or mitigated against and that the development would not have a detrimental impact on protected species.

Therefore taking all the above into account it is recommended that this application be approved.

The application is considered to comply with the relevant policies of the Local Development Plan in respect of the principle of the proposed development, impact on the character and appearance of the area, the impact on residential amenity and privacy and access and highway safety (policies AW1, AW2, AW5, AW6, AW7, AW8, AW10 and NSA12).

**RECOMMENDATION: Grant**

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

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

2. Development shall not begin until an appropriate photographic survey of the existing buildings on the site has been carried out in accordance with details to be submitted to and approved by, the Local Planning Authority. The resulting photographs should be deposited with the adopted Rhondda Cynon Taf Historic Environment Record, operated by the Glamorgan Gwent Archaeological Trust (Heathfield House, Heathfield, Swansea, SA1 6EL).

Reason: In the interest of the historic and architectural significance of the former school in accordance with policy AW7 of the Rhondda Cynon Taf Local Development Plan.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order), no windows, roof lights, private car garages, extensions, garden sheds, gates, fences, walls, other means of enclosure, satellite antennae or structures of any kind (other than any hereby permitted) shall be erected, installed or constructed on this site without the



prior express permission of the Local Planning Authority.

Reason: To preserve and enhance the visual amenities of the locality in accordance in accordance with Policies DCP1 and Policies ENV16 of the Rhondda Local Plan.

4. Notwithstanding the submitted plans and before work starts, the design and details of the following shall be submitted to and approved in writing by the Local Planning Authority

- (a) window openings;
- (b) door openings;
- (c) bridge (including tie in with existing wall)

Drawings shall be submitted to a minimum scale of 1:5 with full size moulding cross section profiles. The works shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the proposed works will be in keeping with the character of the Conservation Area in accordance with policies AW5 and AW7 of the Rhondda Cynon Taf Local Development Plan.

5. The following materials and features shall be carefully salvaged, protected and stored in a secure location for re-use in accordance with the approved plans unless otherwise agreed in writing by the Local Planning Authority:

1. Stone
2. Bricks
3. School plaque
4. Stone bell tower

Reason: In the interests of the character of the conservation area in accordance with policies AW5 and AW7 of the Rhondda Cynon Taf Local Development Plan.

6. Building operations shall not be commenced until samples of the new roof coverings (including ridge tiles) and any additional materials for the elevations 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 AW7 of the Rhondda Cynon Taf Local Development Plan.

7. The proposed stone walling shall be constructed in strict accordance with details of coursing, jointing, texture relief and colour to be submitted to and approved in writing by the Local Planning Authority and such details to be demonstrated by the prior construction of a sample panel. The panel shall

be retained on site until the completion of the walling.

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 AW7 of the Rhondda Cynon Taf Local Development Plan.

8. The proposed render shall be constructed in strict accordance with details of texture, colour and finish to be submitted to and approved in writing by the Local Planning Authority and such details to be demonstrated by the prior construction of a sample panel. The panel shall be retained on site until the completion of the walling.

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 AW7 of the Rhondda Cynon Taf Local Development Plan.

9. The development for which permission is hereby granted shall not be commenced until full details of the surfacing materials proposed to be used on any roadway, footpath, car park, lay-by or other paved or metalled areas have been submitted to and approved, in writing, by the Local Planning Authority and no dwellings shall be occupied until the works have been completed in accordance with the approved details.

Reason: To ensure that the new development will be visually attractive in the interests of amenity and would not have a detrimental impact on flooding or highway safety in accordance with policies AW5, AW7 and AW10 of the Rhondda Cynon Taf Local Development Plan.

10. The development permitted shall only be carried out in accordance with the approved Flood Consequences Assessment submitted by Mofor Drayton Consultants Ltd dated February 2009 (application 08/1642/10) and the following mitigate measure detailed within section 3.3

The development level of the site must be set no lower than 216.8 metres Above Ordnance Datum.

Reason: To protect the properties against flooding in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

11. Any facilities for the bulk storage of fuel, oils and chemicals, including their emptying and filling points, shall be located within a sealed bunded area, details of which shall be submitted to and approved in writing by the Local Planning Authority before installation.

Reason: To prevent pollution of nearby watercourses and drainage systems in accordance with Policy AW10 of the Rhondda Cynon Taf Local

## Development Plan.

12. Any works within the watercourse shall only take place between 15<sup>th</sup> May and 15<sup>th</sup> October, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect salmon migration and spawning period in accordance with Policies AW5 and AW8 of the Rhondda Cynon Taf Local Development Plan.

13. Notwithstanding the submitted plans, no development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building hereby approved is occupied. Development shall be carried out in accordance with the approved details.

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

14. 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 any existing trees to be retained; the position, design, materials and type of any boundary treatment to be erected: and the surfacing materials for any hard surface area. Development shall be carried out in accordance with the approved details.

Reason: To preserve and enhance the visual amenities of the locality and adjacent Conservation Area in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

15. 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 preserve and enhance the visual amenities of the locality and adjacent Conservation Area in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

16. Notwithstanding the approved plans, full engineering and design details of the improvements to the existing unnamed road leading to the proposed development site that incorporate junction buildouts onto Brook Street shall be submitted to and approved in writing by the Local Planning Authority

prior to works commencing on site. The approved details shall be carried out to the satisfaction of the Local Planning Authority prior to works commencing on site.

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

17. Notwithstanding the submitted details, development shall not commence until full engineering design and details of the new access road bridge to be constructed which incorporates a 4.1m wide carriageway, a 1.2m wide footway and a 0.5m wide overhang margin strip either side together with 0.5m wide margins to support the parapets have been submitted to and approved in writing by the Local Planning Authority. The design of the bridge and relevant Road Safety Audits shall be in compliance with the Design Manual for Roads and Bridges. The new access bridge shall be constructed in accordance with the approved details, prior to any new building works commencing on-site that would be associated with the residential development hereby approved.

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

18. Notwithstanding the approved plans, development shall not commence until full engineering 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.

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.

19. The parking areas shall be constructed in permanent materials and retained for the purposes of parking only unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that vehicles are parked off the highway, in the interests of road safety in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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

Reason: In the interests of highway safety and to prevent overcapacity of the existing highway drainage system unless otherwise agreed in writing by the Local Planning Authority in accordance with policy AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

21. 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 road safety in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

22. No development shall take place until drainage arrangements including a Hydrological Impact Assessment have been submitted to and approved in writing by the Local Planning Authority. The dwellings shall not 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 Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

23. The development for which permission is hereby granted shall not be commenced until a scheme for the provision and implementation of a sustainable urban drainage system has been submitted to, and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved scheme and maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent the increased risk of flooding in accordance with policies AW8 and AW10 of the Rhondda Cynon Taf Local Development Plan.

24. The dwellings hereby permitted shall be constructed to achieve a minimum Code for Sustainable Homes Level 3 and achieve a minimum of 1 credit under category 'Ene1- Dwelling Emission Rate' in accordance with the requirements of Version 3 of the Code for Sustainable Homes. The development shall be carried out entirely in accordance with the approved assessment and certification.

Reason: To ensure the development constructed is in accordance with policy guidance in relation to providing sustainable buildings, outlined in

paragraph 4.12.4 of Planning Policy Wales (5th Edition) November 2012.

25. Unless otherwise agreed in writing by the Local Planning Authority, construction of the dwellings hereby permitted shall not begin until an 'Interim Certificate' has been submitted to and approved in writing by the Local Planning Authority, certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credit under 'Ene1 - Dwelling Emission Rate', has been achieved for that individual dwelling or house type in accordance with the requirements of Version 3 of the Code for Sustainable Homes.

Reason: To ensure the development constructed is in accordance with policy guidance in relation to providing sustainable buildings, outlined in paragraph 4.12.4 of Planning Policy Wales (5th Edition) November 2012.

26. Prior to the occupation of the dwellings hereby permitted, a Code for Sustainable Homes 'Final Certificate' shall be submitted to and approved in writing by the Local Planning Authority, certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credit under 'Ene1 - Dwelling Emission Rate', has been achieved for that dwelling in accordance with the requirements of the Version 3 of the Code for Sustainable Homes.

Reason: To ensure the development constructed is in accordance with policy guidance in relation to providing sustainable buildings, outlined in paragraph 4.12.4 of Planning Policy Wales (5th Edition) November 2012.

27. Prior to the commencement of development, details for the provision of bat and bird habitat measures 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.

28. Demolition or construction works on the development shall not take place other than during the following times:

- (i) Monday to Friday 0800 to 1800 hours
- (ii) Saturday 0800 to 1300 hours
- (iii) Nor at any time on Sundays, Bank or Public holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the noise emitted from this development is not a source of nuisance to occupants of nearby residential properties in accordance with policies AW5 and AW7 of the Rhondda Cynon Taf Local Development Plan.

29. No collection of building waste shall be made from the site between the hours of 08:00 and 09:30 hours and 15:00 and 17:30 hours on weekdays.

Reason: In the interests of road safety during the morning and evening rush hours in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

