

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2013-2014

**DEVELOPMENT CONTROL
COMMITTEE
6 FEBRUARY 2014**

**REPORT OF: SERVICE
DIRECTOR PLANNING**

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| | Agenda Item No. 5 |
| APPLICATIONS RECOMMENDED FOR APPROVAL | |

1. PURPOSE OF THE REPORT

Members are asked to determine the planning applications outlined in Appendix 1.

2. RECOMMENDATION

To approve the applications subject to the conditions outlined in Appendix 1.

1. Application No. 11/1377 - 5 no. new build properties and access road, with on site parking and visitor parking (Amended Plans Received 20/08/2013), land adjacent to 16 Gorsedd Street, Mountain Ash
2. Application No. 13/0402 - Two detached three bedroom houses, land opposite 4 Bute Place, Hirwaun, Aberdare.
3. Application No. 13/0532 - Construction of one dwelling - (Revised House Design) (Amended Plans received 20.8.2013, 31.10.2013 and 11/12/2013), land adjacent to Y-For (Formally known As 3-4) Castell-Y-Mwnws, Llanharry, Pontyclun.
4. Application No. 13/0803 - Construction of 13no. social rented dwellings comprising 8no. 1 bed flats, 4no. 2 bed flats and 1no. 2 bed bungalow and associated works (Amended Plans received 14th January 2014), Land Immediately South of Llanharan Rugby Club, off David Place, Bridgend Road, Llanharan, Pontyclun.
5. Application No. 13/0912 - Detached dwelling with rear parking, Land adjacent to 15 Jestyn Street, Porth.
6. Application No. 13/0915 - Replacement of existing Public House with a development of 12 No one bedroom flats (Amended Plans received 13th January 2014), The Red Cow, 57a High Street, Treorchy.
7. Application No. 13/0941 - Trim the hedge on our side bordering Waun Hir, Garthlyn, Heol Ffrwd Philip, Efail Isaf, Llantwit Fardre, Pontypridd.
8. Application No. 13/1039 - Improvements of Craig Yr Hesg Quarry entrance to provide two way quarry entrance and exit, Craig Yr Hesg

- Quarry, Berw Road, Pontypridd.
9. Application No. 13/1076 - The proposed works include an improved access to the existing storage chamber and combined sewer overflow in the adjacent field, off A473 to the south of Brynna and west of Bryncae, lands to the east of Rhyd Lethin, adjacent to and crossing the Nant Y Gofer Stream, south of Ewenni Fach River and railway line.
 10. Application No. 13/1103 - Demolition of existing residential dwelling and associated garage and development of 39 no. affordable dwellings and associated works, land off Castellau Road, Beddau.
 11. Application No. 13/1192 - Construction of 19 no. residential units and associated works, land adjacent to Dyffryn Road, Rhydyfelin, Pontypridd.
 12. Application No. 13/1193 - Change of use from nursing home to guest house (supporting statement received 09/01/14), Abbeyfield Society, 115 High Street, Mountain Ash.
 13. Application No. 13/1251 - The conversion of building E2 of Coed-Y-Lan Comprehensive School to a domestic dwelling, Building E2, Coed Y Lan Comprehensive Lower School, Tyfica Road, Pontypridd.
 14. Application No. 13/1252 - The Conversion of building E2 of Coed-Y-Lan Comprehensive School to a domestic dwelling, Building E2, Coed Y Lan Comprehensive Lower School, Tyfica Road, Pontypridd.
 15. Application No. 13/1261 - The undertaking of all necessary remedial works in order to change the use of land from 'waste ground' to a surfaced off road parking area with vehicular crossover, Land between 102 & 104 Penrhiwceiber Road, Penrhiwceiber, Mountain Ash.
 16. Application No. 13/1284 - Two storey rear extension, 20 Rhondda Road, Ferndale.
 17. Application No. 13/1321 - Garage conversion, porch extension and hardstand, 1 Ffordd Catraeth, Cilfynydd, Pontypridd.
 18. Application No. 13/1328 - Block of 3 No. garages/stores, Land at rear of Argyle Street, Abercynon.

APPLICATIONS RECOMMENDED FOR APPROVAL

APPLICATION NO: 11/1377/10 (BJW)
APPLICANT: Mr P Langford
DEVELOPMENT: 5 no. new build properties and access road, with on site parking and visitor parking (Amended Plans Received 20/08/2013)
LOCATION: LAND ADJACENT TO 16 GORSEDD STREET, MOUNTAIN ASH, CF45 3LR
DATE REGISTERED: 23/04/2012
ELECTORAL DIVISION: Mountain Ash West

RECOMMENDATION: Approve, subject to S106 Agreement.

REASONS:

The proposal would make productive use of a disused site that would be in keeping with surrounding land uses and would not cause detriment to the amenities of neighbouring properties.

APPLICATION DETAILS

Full planning permission is sought for the construction of 5 dwelling houses (2 semi detached and 1 link of 3 properties) with parking on land adjacent to 16 Gorsedd Street, Mountain Ash, CF45 3LR.

The proposal would consist of 2 areas of housing located and accessed off a new highway access with a turning area off Gorsedd Street. The housing would consist of a pair of semi-detached dwellings located to the north of the site and a link of 3 dwellings located to the west of the site directly behind properties in Gorsedd Street.

The application has been held in abeyance, at the applicant's request, due to concerns expressed by the case officer over the three-storey design of the link of three properties originally proposed within the scheme. This has led to a re-design of this element of the scheme to a more traditional two-storey development.

Details for the dwellings are as follows:

Semi detached dwellings

The dwellings would measure 5.5m in width (each) by 8.75m in depth by 5m in height to the eaves and 7.6m in height to the ridge of the roof.

Accommodation would consist of a hallway; W.C.; living room and combined kitchen and dining room at ground floor and 3 bedrooms (1 en suite) and a bathroom at first floor level.

The properties would be finished with rendered blockwork, with facing brick headers and a composite slate roof.

Due to the change in level at the site the property closest to Cartref, an existing neighbouring property, would be 350mm higher than the other semi detached property. However, the site section indicates that both properties would be considerably lower than Cartref (approximately 4m).

Link of 3 dwellings

The dwellings would measure 6.2m in width (each) by 9.5m in depth by 4.75m in height to the eaves and 7.85m in height to the ridge of the roof.

Accommodation would consist of a hallway; W.C.; living room and combined kitchen and dining room at ground floor and 3 bedrooms (1 en suite) and a bathroom at first floor level.

The properties would be finished with rendered blockwork, with facing brick headers and a composite slate roof.

The application is accompanied by a Design and Access Statement (DAS) in support of the application. The DAS states that the proposal would respect the character, appearance and topography of the area and would provide accommodation of a density, layout and design that is in keeping with and sympathetic to the character and appearance of the area.

SITE APPRAISAL

The site is an irregularly shaped plot of land measuring 3600 square metres (0.36 ha) situated to the east and north of Gorsedd Street, Mountain Ash. The site is steeply sloping from east to west with the highway of Gorsedd Street and the rear of properties 16-32 (evens) forming the southern boundary.

The western part of the site rises east to west from a fairly shallow plateau that leads from the top of Rock Street to several garages and the rear of more modern properties located at the head of Stream Street and Cliff Street respectively.

The site becomes steeper the further west with the upper western area, which it is not proposed to develop being located at the highest level of the site and at the same height as the top of Gorsedd Street.

The land was previously allotment gardens although it is clear that this use has ceased some time ago and the area is now extensively overgrown with well-established ground flora.

There is also an unmade track to the rear of properties within Gorsedd Street that provides access to the rear of these properties.

PLANNING HISTORY

Applications submitted in the last 10 years include:

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| 07/2093 | Land adj. 16 Gorsedd Street, Mountain Ash. | Construction of 23 dwellings (flats), roads, highway works, drainage and all associated works (Amended plans received 07/02/08, 26/02/08 and 01/04/08 with alternative site layout, access arrangement, design of Block 2, lowered ground levels for Block 3 and Permacrib retaining wall 6.8m high). | Refused 16/04/08 |
| 07/0101 | Land adjacent to Gorsedd Street, Mountain Ash. | Construction of 10 new dwellings with associated new highway and drives. (Amendment to site plan). | No decision |
| 06/0982 | Land adjacent to Gorsedd Street, Mountain Ash. | Construction of 13 new dwellings with associated new highway and drives. | Withdrawn 24/01/07 |
| 03/0558 | Land at the rear of 16-32 Gorsedd Street Mountain Ash. | Construction of five detached dwellings, one detached double garage, part adopted highway & private road with associated drainage & infrastructure. (Approval of Reserved Matters). | Granted 28/07/03 |
| 02/1279 | Land to rear of Gorsedd Street, Mountain Ash | Construction of five detached dwellings, one detached double garage, part adopted highway and private road with associated drainage and infrastructure (Amended plans received 06/11/02). | Granted 24/01/03 |

PUBLICITY

This has included site notices and the direct notification of properties surrounding the site. Eight responses have been received which raise the following issues:

- Parking is already a problem in the area and these proposals will make things worse.
- The creation of the vision splay will force traffic from Gorsedd Street into the middle of the road and in the path of traffic turning left off Conybeare Street.
- The garage at the rear of No. 16 Gorsedd Street is not on the plan.
- I constantly use the back lane to load and unload my van for my business and the development will restrict this access.
- The additional properties will put more pressure on the old drainage system in use.
- Reduction in sunlight to the rear of my property.
- No additional site notices have been displayed.
- Loss of trees, bushes and shrubbery on the land.
- Disruption during the build period.
- Loss of privacy.
- Concerns over the impact of materials being stored in the upper part of the site during the construction period.
- Loss of parking space on Gorsedd Street due to the access into the site.
- The original outline consent for the site, C/01/4450, stipulated that the access to the existing rear lane should be maintained at all times by condition.
- The land retains existing access rights for myself to the garage on my property adjacent to 16 Gorsedd Street. The proposed highway layout would affect my access arrangements.

CONSULTATION

Transportation Section – no objection, subject to conditions.

Land Reclamation and Engineering – no objection, subject to conditions.

Public Health and Protection – no objection, subject to conditions.

Dwr Cymru/Welsh Water – no objection, subject to conditions.

Western Power Distribution – Western Power Distribution has a low voltage overhead main crossing the new site entrance at a right angle on Gorsedd Street. It is anticipated that if the conductor does not meet the specification for ground clearance over the new driveable area then alterations would be charged to the party who applies for new connections.

Wales and West Utilities – no response received.

South Wales Fire and Rescue Service – no objections. Advice is offered that the developer should consider the need for adequate water supplies for fire fighting purposes and the access for emergency fire fighting appliances.

POLICY CONTEXT

The site is within the settlement boundary and unallocated.

Rhondda Cynon Taf Local Development Plan

Policy CS1 - sets out criteria for achieving sustainable growth.

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

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

Policy AW8 - only permits development where it would not cause harm to features of the natural environment.

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

National Guidance

In the determination of planning applications regard should also be given to the requirements of National Planning Policy that 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.

Chapter 2 (development plans), Chapter 3 (making and enforcing planning decisions), Chapter 4 (planning for sustainability), Chapter 9 (housing), Technical Advice Note 12 Design.

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

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 development site is within the defined settlement boundary where development is considered to be acceptable subject to compliance with other policies within the Local Development Plan. The site has a history of previous consents including an outline

and approval of reserved matters for 5 dwellings in 2003. Other subsequent applications for a greater number of houses have been refused or withdrawn more recently in 2006.

Consequently, despite the fact that the historic consents have expired, there has been little discernable change in development plan policy for this site since the previous approvals. Therefore, it is considered that the principle of using the site for residential purposes has been established and is acceptable.

It is considered that the dwellings could be accommodated at the site without leading to over development and that the proposal would make a productive use of the land that would be in keeping with surrounding land uses.

Character and appearance of the area

The area is characterised by a mix of predominantly, traditional terraced housing and several modern, new-build houses. It is considered that the site would represent an infill opportunity

It is considered that the design of the properties takes their influence from the existing terrace properties within the area in terms of their scale and design. The properties are modest in scale and height and of a density that is comparable to the less intensive areas of housing within the locality.

It is considered that the properties are of an acceptable design and scale in terms of their scale and design and would be sympathetic to the character and appearance of the area in this regard.

The most significant factor in the appearance of the proposal is the change in level across the site that rises steeply from east to west on the site. However, this area is characterised by terraces and other properties arranged against the steeply sloping valley sides. Consequently, it is considered that the form and arrangement of the development would be in keeping with and sympathetic to the form and appearance of existing properties.

Therefore, it is considered that the proposal is respectful, sympathetic and acceptable in terms of the character and appearance of the area.

Impact on amenities of neighbouring properties

The site is represents an infill plot that would have a close relationship with existing neighbouring properties due to the densely built-up urban form of this area.

Having regard to the layout, scale and design of the properties and their relationship with surrounding dwellings, it is considered that any arrangement would have some

impact on neighbouring properties due to the densely built up urban form of the surrounding area.

It is considered that due to the change in level at the site and the relationship between existing properties, the proposed dwellings would not have a significantly detrimental impact on the amenity of neighbouring properties.

The semi-detached dwellings would maintain an acceptable distance to the rear of properties in Pamela Street and would present the pine end of the house to Cartref and the rear of properties in Eva Street.

The link of properties to the rear of Gorsedd Street would feature rear facing windows. However, it is considered that due to the change in level, the properties in Gorsedd Street are at a higher level, and the angle that the windows would be located at would reduce their impact to an acceptable level. Additionally, due to the levels at the site and the distance to the rear of properties in Gorsedd Street it is considered that the buildings would not be overbearing or adversely affect the light of those properties.

In terms of the rear lane access to properties in Gorsedd Street this appears to be an unmade track and is shown within the ownership of the applicant. It is acknowledged that the previous approval of outline consent retained the access of properties in Gorsedd Street by condition while the current application does not.

It is considered that under the proposed arrangement part of the lane would be improved by the creation of a road and turning area and access would be able to be obtained to the remainder of the lane. In this regard it is considered that access arrangements would certainly be no worse than the existing arrangements and would potentially be improved.

With regard to the existing garage to the side of 16 Gorsedd Street, it is noted that this is not indicated on the site plans. Additionally, the easement that the owner enjoys over the land which forms part of the application site is also acknowledged. In this case it is considered that this is a private legal matter between the interested parties and the grant of planning permission would not affect existing rights of the owner in this respect.

It is acknowledged that concerns have been raised regarding the vehicular access to the site and the impact on existing parking arrangements in the area. However, these arrangements have been assessed by the Council's Transportation Section and are considered to be acceptable, subject to conditions.

In terms of the access for construction traffic it is inevitable that there would be potential difficulties for large vehicles accessing this site due to the surrounding highway network and this requires careful management. This has been recognised by the Council's Transportation Section which has recommended that a traffic management plan with wheel washing facilities be agreed for the development.

Consequently, having regard to the issues above it is considered that the proposal is acceptable in this regard.

Highway safety

The Transportation Section has raised no objection to the application. This view is subject to conditions requiring additional details for submission and approval in relation to the access and parking arrangements and footway to serve the development; the creation of additional parking facilities; the creation of the vision splay and a scheme for traffic management and wheel washing facilities.

The Transportation Section have also requested a Transport Tariff payment for the development, in accordance with the Council's Supplementary Planning Guidance (SPG) for improvements to the strategic highway network in the area.

It is acknowledged that there have been significant objections from local residents to the scheme on highway safety grounds citing the access to the proposed development, the impact on the existing parking provision in the area and the parking provision for the proposed development.

It is considered that the comments, conditions and tariff suggested by the Transportation Section have regard to the comments that have been made and would address the concerns that have been raised.

Other issues

Representations were received that there have been no additional site notices erected following the submission of amended plans. However, there has been a comprehensive re-notification of neighbouring properties in the area. Additionally, the layout and number of dwellings is unchanged from the originally submitted scheme, it is the height of the link of three properties which has been altered from a three storey block to a two storey block. The consultation has been undertaken in accordance with statutory requirements.

Conclusion

The application represents a visually acceptable form of development that would not have an adverse impact on the amenity of neighbouring residents, the visual amenity of the area or, subject to conditions, highway safety considerations.

Consequently, the application is considered to comply with the relevant policies of the Local Development Plan in respect of the issues outlined above (and in accordance with policies AW5, AW6, AW8 and AW10).

RECOMMENDATION: Approve, subject to the applicant entering into a Section 106 agreement the Heads of Terms of which are set out below:

Heads of Terms

That the applicant enters into an agreement to make a transport tariff contribution towards improving the strategic highway network at a rate of:

Residential 3/4/5 + bedrooms £3,008 / unit x 75% Level 2 tariff

5 x £2256 = £ 11280

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

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

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 or roof lights (other than any hereby permitted) shall be installed above ground floor ceiling height without the prior express permission of the Local Planning Authority.

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

4. 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.

5. 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.

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

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

7. 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) Not 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 policy AW5 of the Rhondda Cynon Taf Local Development Plan.

8. 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 found and surface water drainage in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

9. 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.

10. Each dwelling 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.

11. Unless otherwise agreed in writing by the Local Planning Authority, construction of any dwelling 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.

12. Prior to the occupation of each individual dwelling 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.

13. No lorries shall access or leave the site between the hours of 15:30 pm and 09:30 am.

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

14. Notwithstanding the submitted plans, development shall not commence until full engineering design and details of the road layout including sections; street lighting details surface-water drainage details and tie in with Gorsedd Street 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.

15. The vehicular access to the site shall be laid out, constructed and retained thereafter with 2.4 x 30 metre vision splays.

Reason: To ensure that adequate visibility is provided, in the interests of highway safety in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

16. The development shall not be brought into use until space has been laid out within the site for 10 vehicles to be parked 2 per plot in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to development commencing. The spaces shall be retained for the parking of vehicles thereafter unless 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.

17. Prior to the commencement of development, details of traffic management and wheel washing facilities shall be provided on site in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and maintained throughout the construction period unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that mud and debris are not deposited from the

construction site onto the public highway, in the interests of highway safety in accordance with policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

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APPLICATION NO: 13/0402/10 (BJW)
APPLICANT: Mr E & Mrs M Taylor
DEVELOPMENT: Two detached three bedroom houses.
LOCATION: LAND OPPOSITE 4 BUTE PLACE, HIRWAUN,
ABERDARE, CF44 9SH.
DATE REGISTERED: 23/04/2013
ELECTORAL DIVISION: Hirwaun

RECOMMENDATION: Approve

REASONS:

The construction of two dwellings would make a productive use of the site and the amended site levels submitted now overcome previous concerns raised in relation to flooding.

APPLICATION DETAILS

Full planning permission is sought for the erection of a pair of detached dwellings on land opposite 4 Bute Place, Hirwaun, Aberdare, CF44 9SH.

The dwellings would be arranged facing onto Penderyn Road with both properties being set up and back from the highway with a parking area to the side and a turning area directly in front of each house.

Each dwelling would measure 5.1m in width by 8.5m in depth by 5m in height to the eaves and 7.8m in height to the ridge of the roof. The dwellings would consist of a hall; w.c.; living room and kitchen/dining room at ground floor and 3 bedrooms and a bathroom at first floor level. Each property would be finished with a fine down render, pre-cast concrete window cills and grey concrete tiles.

The application is accompanied by a Design and Access Statement (DAS) in support of the proposal. The DAS states that the development would respect the surrounding area in terms of building finish that would allow the dwellings to blend in with the surrounding area; would make best use of the available land and would provide accommodation within an area that has a current shortage.

Amended level details have been supplied by the applicant due to comments made by Natural Resources Wales in relation to flood risk in the area. The amended level details indicate that the finished floor level of the properties would be set at a minimum level as recommended by the Natural Resources Wales' comments.

SITE APPRAISAL

The site is an irregularly shaped piece of land located to the north west of Bute Place on Penderyn Road, Hirwaun.

The ground slopes gently from Penderyn Road in the east towards the north west and west of the site.

The site has well-established ground flora and has a disused and un-maintained garage in the southern corner with access, via an unmade track, onto Penderyn Road. There are two established trees on the site, adjacent to the highway which it is proposed to retain as part of the development.

The surrounding area is characterised by predominantly residential properties with a mix of density, type and style currently present.

PLANNING HISTORY

None.

PUBLICITY

This has included site notices and the direct notification of properties surrounding the site, however, no responses have been received.

CONSULTATION

Transportation Section – no objection, subject to conditions.

Land Reclamation and Engineering (Drainage) – no objection, subject to drainage conditions.

Public Health and Protection – no objection, subject to a condition to restrict the hours of operation during the construction period of the development and the requirement for a report to deal with potentially contaminated previous land uses.

Natural Resources Wales (NRW) – initially objected to the application as the site was within a C2 flood zone and categorised as “highly vulnerable development.” However, following negotiation with the developer and the confirmation of site levels NRW now raises no objection subject to a condition requiring the finished floor level to be set at 191m AOD (Above Ordnance Datum).

Dwr Cymru/Welsh Water – no objection, subject to conditions.

Wales and West Utilities – no response received.

Western Power Distribution – no response received.

South Wales Fire and rescue Service – no response received.

Countryside, Landscape and Ecology – no objection.

Hirwaun Community Council – no response received.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

Policy CS1 - sets out criteria for achieving sustainable growth.

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

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

Policy AW8 - only permits development where it would not cause harm to features of the natural environment.

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

National Guidance

In the determination of planning applications regard should also be given to the requirements of National Planning Policy that 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.

Chapter 2 (Development plans), Chapter 3 (Making and enforcing planning decisions), Chapter 4 (Planning for sustainability), Chapter 9 (Housing) and Planning Policy Wales Technical Advice Note 12 - Design and Technical Advice Note 15 – Development and Flood Risk, sets out the Welsh Government's policy on planning issues relevant to the determination of this planning application.

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 within the settlement boundary and in an area characterised by residential development of various types and designs. The area has a semi-rural appearance but does not have the character of an urban open space due to its overgrown nature and the disused garage currently on the site. Indeed it is considered that apart from the trees, which it is proposed to retain, the site does not have a positive amenity value as an urban open space.

The use of the site would be in keeping with prevailing land use within the area that is predominantly residential, and would make productive use of a redundant site within an urban setting.

It is therefore considered that the principle of the use of the site for residential development is acceptable in terms of the provisions of the Local Development Plan.

Effect on the character and appearance of the area

It is considered that the current appearance of the site is detrimental to the character and appearance of the area being, as it is, overgrown and unkempt due to disuse and neglect.

It is considered that the proposed dwellings would be of an appropriate scale and design that would be sympathetic to and in keeping with existing, modern properties within the area.

The dwellings would provide a development that would be appropriate to its setting and which would positively contribute to the urban setting of the surrounding area.

Consequently, it is considered that the proposal is acceptable in this respect.

Impact on amenities of neighbouring properties

The proposed dwellings would be located adjacent to the corner of 4 Bute Place and at a distance of approximately 19m. It is considered that due to the relationship of the dwellings, their distance from each other and their orientation, that the proposed dwellings would not have a detrimental impact on their privacy or amenity would not be either imposing or overbearing on neighbouring properties.

It is also acknowledged that there have been no objections to the proposed dwellings as part of the consultation exercise undertaken.

Highway safety

The Transportation Section has raised no objection to the application. This view is subject to conditions requiring additional details for submission and approval in relation to the access and turning arrangements and footway to serve the development; the restriction of surface water run off onto the highway and a scheme for traffic management and wheel washing facilities.

It is considered that these conditions would be reasonable and necessary and that the scheme is acceptable in highway safety terms.

Flood risk

The application site was subject to consultation with Natural Resources Wales (NRW) which initially objected to the application because of its location within a C2 Flood Zone. At that time NRW requested that the applicant demonstrate the consequences of flooding could be managed over the lifetime of the development.

In response to these comments, the developer produced a cross section of the site that demonstrated that the site was considerably higher than the un-named watercourse to the south of the site. This information was also confirmed by NRW's Flood Officer who visited the site.

The information also demonstrated that the finished floor levels of the proposed development would be set at 191m Above Ordnance Datum (AOD). Based on the additional information submitted and subject to a condition requiring the indicated floor levels to be created on site, NRW now has no objection to the application.

While it is acknowledged that the raise in levels would increase the height of the development it is considered that the floor level would be set at the current highest levels of the site immediately adjacent to the highway. Additionally, the dwellings would be set back from the highway due to the access and turning arrangements and this would further reduce their height and scale. Consequently, it is considered that the increase in height would not have an adverse impact on the character and appearance of the street scene.

Consequently, it is considered that the development is acceptable in this regard.

Potentially contaminated land

Following a search of records for the site, Public Health and Protection has established that the site is within 250m of a landfill site. Therefore, it is considered that there is potential for contamination to exist on site.

Consequently, Public Health and Protection have recommended conditions be applied requiring the submission of a scheme to identify and deal with any contamination at the site.

It is considered that these conditions would be reasonable and necessary to ensure the health and well being of occupants of the site.

Conclusion

The application is considered to comply with the relevant policies of the Local Development Plan in respect of the issues outlined above (and in accordance with policies AW5, AW6, AW8 and AW10).

RECOMMENDATION: Grant

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

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

2. The development hereby approved shall be carried out in accordance with the amended/revised plan(s) received by the Local Planning Authority on 30/05/13 and 29/10/13.

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

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

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

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

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

5. No development shall take place until there has been submitted to and approved by the Local Planning Authority a comprehensive scheme of landscaping, which shall include indications of all existing trees (including spread and species) and hedgerows on the land and details of any to be retained together with measures for their protection during the course of development.

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

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

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

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

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

8. 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) Not 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 policy AW5 of the Rhondda Cynon Taf Local Development Plan.

9. The ground floor levels of any buildings proposed to be erected on the site shall be at 191m. A.O.D.

Reason: To ensure that the floor levels of any proposed buildings are above the flood level in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

10. 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 found and surface water drainage in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

11. 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.

12. The development hereby permitted shall not begin until a scheme to deal with contamination has been submitted and approved in writing by the Local Planning Authority. The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement specifically and in writing.

1. A desktop study carried out by a competent person to identify and evaluate all potential sources and impacts of contamination relevant to the site. The desktop study should contain a conceptual site model.
2. A site investigation shall be carried out by a competent person to fully and effectively characterise the nature and extent of any contamination and its implications. The site investigation shall not be commenced until a desktop study has been completed satisfying the requirements of paragraph (1) above.
3. A written method statement for the remediation of contamination affecting the site shall be agreed in writing with the Local Planning Authority prior to commencement and all

requirements shall be implemented and completed to the satisfaction of the Local Planning Authority by a competent person. No deviation shall be made from this scheme without the express written agreement of the Local Planning Authority.

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

13. The development hereby permitted shall not be occupied and/or operated until the measures approved in the scheme (referred to in Condition 11) 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.

14. If during development works any contamination should be 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 and approved in writing by the Local Planning Authority prior to the work recommencing.

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.

15. Each dwelling 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.

16. Unless otherwise agreed in writing by the Local Planning Authority, construction of any dwelling 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.

17. Prior to the occupation of each individual dwelling 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.

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| APPLICATION NO: | 13/0532/10 | (LE) |
| APPLICANT: | Mr H Griffiths | |
| DEVELOPMENT: | Construction of one dwelling - (Revised House Design) (Amended Plans Received 20.8.2013, 31.10.2013 and 11/12/2013) | |
| LOCATION: | LAND ADJACENT TO Y-FOR (FORMALLY KNOWN AS 3-4) CASTELL-Y-MWNWS, LLANHARRY, PONTYCLUN, CF72 9DD | |
| DATE REGISTERED: | 11/06/2013 | |
| ELECTORAL DIVISION: | Pontyclun | |

RECOMMENDATION: Approve

REASONS:

The application for a single dwelling is considered to represent an appropriate form of development and would not adversely impact on neighbouring properties. An extant consent, for a comparable scheme also exists on the site.

APPLICATION DETAILS

Full planning permission is sought for the erection of a detached dwelling at land adjacent to Y-For (formally 3-4 Castell-y-Mwnws), Llanharry, Pontyclun.

The proposed two-storey, pitched roof dwelling would have a ridge height of 7.5 metres from ground level falling to 5.0 metres at eaves level. The dwelling would have a broadly rectangular shape with overall length of 16.8 metres and 7.0 metres depth. The design of the dwelling incorporates a single storey annexe to its western side and two-storey annexe to its eastern side with a central, front porch addition. The dwelling would have a mixture of render and stone finish with slate roof and timber sash style windows. The dwelling would accommodate three bedrooms (each with en-suite), a kitchen/dining area, living room, utility room and small study.

The dwelling would be set toward the rear of the plot approximately 21 metres from the highway fronting the site in a slightly elevated position. Its wide, front elevation would follow the building line of the adjacent detached dwelling and face toward the front highway. A vehicle access and associated off-street parking spaces would be created to the front of the building. The access would be shared with the adjacent property. The proposal also includes the provision of a buffer planting area between the rear of 5-7 Castell-y-Mwnws and the proposed front garden area of the new dwelling.

Planning permission was previously granted at the site (ref no: 07/1019) for the erection of one new private dwelling and conversion of the adjacent premises (previously 3 - 4 Castell-y-Mwnws) into one dwelling. Works have effectively begun at the site with the foundations being dug out for the proposed dwelling and the conversion of 3 – 4 Castell-y-Mwnws also being completed; this neighbouring property has also been recently extended. As such, there is an extant consent on the site for the erection of a dwelling with the current proposal effectively seeking amendments to the design of the previously approved development. Key changes between the schemes include an increase in the width of the property through the introduction of the two-storey side annexe (that also results in the re-siting of the main dwelling by 0.5 metres to the west) and an increase in the ridge height of the property by 0.3 metres.

The planning application is accompanied by a Design and Access Statement.

SITE APPRAISAL

The application site is located within the existing hamlet of Castell-y-Mwnws, off Llanharry Road between the settlements of Llanharry and Brynsadler. The hamlet is set back from the main road in a lay-by type configuration. The site lies to the rear of a number of other dwellings within the hamlet which are located close to the road frontage. The adjacent property, to the east, has recently been renovated with the dwelling having a broadly similar appearance to the dwelling now being proposed. A timber fence has been erected between the adjacent dwelling and the application site. The application site itself is an irregular shaped plot measuring approximately 920

square metres that rises steadily from front to rear. Whilst it consists mainly of scrub and unmaintained planting (that was previously part of the garden curtilage of the adjacent plot) the footings for a dwelling have already been dug out at the site.

PLANNING HISTORY (post 1974)

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|---------|---|---|-----------------------|
| 11/1401 | 3-4 Castell-Y-Mwnws, Llanharry Road, Llanharry, Pontyclun. | Variation of condition 1 of application 07/1019 for the erection of one dwelling. | Refused 09/03/12 |
| 11/0023 | 3-4 Castell-Y-Mwnws, Llanharry Road, Llanharry, Pontyclun. | Two storey side extension, front porch and new access and rear conservatory. | Granted 25/02/11 |
| 07/1019 | 3 - 4 Castell -Y- Mwnws, Llanharry, Pontyclun. | Erection of one new private dwelling and conversion of cottages 3 and 4 into one dwelling | Granted 17/08/07 |
| 05/1686 | Land At 3/4 Castell - Y- Mwnws, Llanharry Road, Llanharry, Pontyclun. | In-fill residential development (Outline) | Withdrawn 03/05/06 |

PUBLICITY

The application has been advertised by means of direct neighbour notification and site notice. Representations have been received from the occupiers of two neighbouring residential properties. The concerns raised are summarised as follows:

- The upstairs windows within the proposed dwelling would overlook neighbouring garden areas.
- The design of the dwelling should be maintained as originally approved.
- The proposal would have an overshadowing, loss of light impact and overlooking impact on no. 5 Castell-y-Mwnws, resulting in a serious invasion of privacy.
- The proposed planting area would also overshadow and result in loss of light to number 5 Castell-y-Mwnws that would eventually mean greater energy consumption and an increased carbon footprint for the neighbouring property.
- Should planning permission be granted, the Council should seek to restrict hours of operation during construction to make building works more bearable and control construction traffic.

CONSULTATION

Transportation Section - raise no objections, subject to conditions.

Countryside Landscape, Ecology - raise no objections, with no relevant SewBrec Records of Statutory Protected Species from immediate vicinity

Public Health and Protection - raise no objections, subject to a condition controlling hours of operation during construction.

Dwr Cymru/Welsh Water - raise no objections, subject to drainage conditions.

Land Reclamation and Engineering - raise no objections, subject to drainage conditions.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The site lies outside of any settlement boundary, within a special landscape area, green wedge and limestone mineral resource.

Policy CS2 - emphasises the need for sustainable growth in the Southern Strategy Area that benefits the whole plan area.

Policy AW1 - sets provisions for the creation of new housing throughout Rhondda Cynon Taf between 2006 –2021.

Policy AW2 - supports development proposals in sustainable locations including sites within the defined settlement boundary.

Policy AW5 - sets out criteria for new development.

Policy AW6 - supports development that involves high quality design and makes a positive contribution to place making.

Policy AW14.3 - safeguards resources of limestone from development.

Policy SSA13 - promotes development within settlement boundaries.

Policy SSA22.4 - identifies a Green Wedge between Llanharan, Llanharry and Pontyclun. Development that would prejudice the open nature of the land will not be permitted.

Policy SSA23.1 - requires the highest standard of design for any new development in the Llanharry Surrounds Special Landscape Area.

Planning Policy Wales

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

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 development

Permission is sought for the erection of a detached property within a small hamlet of properties off Llanharry Road, Llanharry. It is acknowledged the application site is situated outside the settlement boundary as defined by the Local Development Plan, although due regard in this instance should be given to the planning history of the site and the status of the previously approved application for the erection of a dwelling at the site (granted in 2007 (ref no. 07/1019)). This approved consent has been partially implemented at the site and is considered extant (footings already being dug for the new dwelling).

It is acknowledged in 2011 a proposal to extend the time period for the commencement of works for the approved 2007 consent was refused by the Council. At that time works had not begun on the development and limited weight was afforded to the planning history of the site. However, following the discharge of appropriate conditions, the developer subsequently commenced works at the site and begun to implement the 2007 consent (within the allotted 5 year time scale). Material weight is therefore now given to the fact works have begun on the site (in relation to approved application ref no. 07/1019) and the proposal under consideration effectively represents changes to the design of an already approved and partially implemented consent at the site. It is therefore considered that the principle of the development has already been established and a residential dwelling is also compatible with the surrounding residential uses.

Impact on the character and appearance of the area

The proposal comprises a detached, two-storey dwelling positioned toward the rear of the existing plot, and would maintain a comparable building line with the immediately adjacent building. The external appearance of the dwelling has been simply designed to suit the traditional local vernacular and is also very similar in appearance to the recently refurbished and upgraded property directly adjacent, to the east. The recessed nature of the building reduces its visual impact and ensures the building sits comfortably within the site.

Although the hamlet does not have a settlement boundary the proposed new dwelling would arguably constitute a form of appropriate in-fill development within a residential cluster, continuing the existing line and form of development adjacent to the rear boundary of the settlement. The recent conversion of the neighbouring cottages from two separate properties into one dwelling also ensures that with the provision of one additional new house, the site remains occupied by two dwellings only. This also somewhat mitigates against the impact of a new dwelling on the countryside in terms of movements and activity. It is further considered that the general openness of the adjacent landscape and wider green wedge would remain relatively unaffected by the proposal. Whilst the ridge height of the dwelling is marginally higher than the approved scheme (ref no. 07/1019) the proposed ridge height would remain below the height of the adjacent property. The introduction of a two-storey annexe of the design proposed would also have no adverse impact on the overall visual appearance of the dwelling. In summary, the scheme is not likely to have a harmful impact on the existing character and appearance of the locality.

Impact on residential amenity and privacy

With regard to the amenity of surrounding residents, it is acknowledged the application site sits in close proximity to existing residential properties, particularly no. 5 Castell-y-Mwnws situated toward the front of the plot. Representations raised by the occupiers of this property highlight concerns with loss of privacy, as earlier detailed. The dwelling has however been designed to ensure that its two-storey element would be clear of the line of the side gable to number 5 Castell-y-Mwnws, and the part of the dwelling that would be located more toward the rear of no. 5 is only of single storey construction.

Following the submission of amended plans, to further safeguard the privacy of the occupiers of no. 5, the first floor front elevation window nearest to the rear of no. 5 Castell-y-Mwnws (serving an en-suite) would be fitted with obscure glazing, and the second closest window would serve the stairway of the property rather than a habitable room. An area of appropriate buffer planting is also proposed between the properties (including no's. 6 and 7 Castell-y-Mwnws) that although the objectors raise concerns with, would also aid the levels of privacy between the properties. Exact details of the nature and level of planting could be appropriately controlled through a recommended landscape condition. An existing timber fence that defines the rear garden of no. 5 also forms a further screening barrier between the sites.

In comparison to the earlier approved scheme the proposed dwelling would be wider in nature given a two-storey side annexe is now proposed to the eastern side of the main dwelling. This would result in the building being closer in proximity to the adjacent dwelling. However, a small offset of approximately 3.0 metres would be retained between the buildings that would also have a comparable building line. Whilst a small window exists within the gable end of the adjacent property (serving an en-suite) the development is unlikely to have any unacceptable overbearing or overlooking impact on the adjacent property. On balance, and with due regard to the

previously approved development, it is not considered the scheme would have such a harmful impact on levels of amenity and privacy currently enjoyed in the locality to warrant refusal of the planning application.

Access and highway safety

In terms of highway safety considerations, the proposal is to provide a shared access (with the adjacent plot) and to provide off street parking areas for the dwellings either side of the access (three spaces for the proposed dwelling). The Council's Transportation Section has raised no objection to the proposed development subject to conditions; ensuring the provision of an adequate tie in with the existing highway, and the appropriate drainage/finishing of the parking/access areas.

Other Issues

Following consultation with the Council's Public Health and Protection Division and The Council's Ecologist no adverse comments have been raised against the scheme.

CONCLUSION

The application is considered to represent an appropriate form of residential development that would be positioned within a small cluster of existing dwellings. An extant consent, for a comparable scheme exists on the site, with the development posing no unacceptable harm to the existing character and appearance of the area or the residential amenity of those living closest to the site. The development is also considered satisfactory in terms of highway safety. Approval of the planning application is recommended.

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. Building operations shall not be commenced until samples/brochure details of the type and colour of render, stone, windows, doors and roof slates 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 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.

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 completion of the development, 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. No development shall take place, until there has been submitted to and approved by the Local Planning Authority a comprehensive scheme for boundary treatments for the development. The approved scheme shall be implemented prior to the first occupation of the dwelling hereby approved.

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

6. 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 drainage of the development and ensure the development does not cause or exacerbate flood risk within the area in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

7. The dwelling shall not be occupied until the drainage works have been completed in accordance with the approved plans.

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

8. The parking areas shall be constructed in permanent materials and retained

for the purposes of parking and turning 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 highway safety in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

9. The internal access, circulation and parking together with the vision splays shall be laid out and constructed as shown on the submitted layout plan, drawing no 12/2012/PL/003B and implemented prior to beneficial occupation of the dwelling hereby permitted. No obstruction or planting when mature, exceeding 0.9 metres in height shall be placed within the required vision splay areas.

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

10. Full engineering design and details of the tie in of the private shared access with Castell-y-Mwnws shall be submitted to and approved in writing by the Local Planning Authority prior to any development commencing on site. The highway works shall be fully implemented in accordance with the approved details prior to the beneficial occupation of the dwelling hereby permitted.

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

11. Notwithstanding the submitted details, the soakaway as shown on the submitted layout drawing 12/2012/PL/003B shall be repositioned at least 3.0 metres from the edge of the adjacent carriageway in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site. The approved details shall be implemented prior to the beneficial occupation of the dwelling hereby permitted.

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

12. The dwelling 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.

13. Unless otherwise agreed in writing by the Local Planning Authority, construction of the dwelling 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.

14. Prior to the occupation of the dwelling 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.

15. The first floor front elevation window on the western side of the dwelling shall be fitted at construction and permanently maintained with obscure glazing, in accordance with a sample that has been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to protect the privacy of neighbouring occupiers in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order), no private car garages, extensions, dormers, garden sheds, gates, fences, walls, other means of enclosure, satellite antennae or structures of any kind (other than any hereby permitted) shall be erected 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 with policies AW5 and AW6 of the Rhondda Cynon Taf Local

Development Plan.

17. Construction works on the development shall not take place other than during the following times:

- Monday to Friday 0800 to 1800 hours
- Saturday 0800 to 1300 hours
- Not 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 policy AW10 of the Rhondda Cynon Taf Local Development Plan.

APPLICATION NO: 13/0803/10 (MJ)
APPLICANT: C/O Agent
DEVELOPMENT: Construction of 13no. social rented dwellings comprising 8no. 1 bed flats, 4no. 2 bed flats and 1no. 2 bed bungalow and associated works (Amended Plans Received 14th January 2014)
LOCATION: LAND IMMEDIATELY SOUTH OF LLANHARAN RUGBY CLUB, OFF DAVID PLACE, BRIDGEND ROAD, LLANHARAN, PONTYCLUN, CF72 9WG
DATE REGISTERED: 09/08/2013
ELECTORAL DIVISION: Llanharan

RECOMMENDATION: Approve subject to Section 106 Agreement

REASONS:

The proposal if allowed would provide much needed social housing provision in a form that is currently under provided for in this locality. The proposal is in keeping with the policies of the Rhondda Cynon Taf Local Development Plan and National Policy in that it is acceptable in terms of scale, layout, design and its impact on the residential amenity of surrounding properties as well as highway safety.

APPLICATION DETAILS

The application seeks full planning permission to erect 13 social rented properties with ancillary car parking, access and landscaping.

The proposal will comprise of three buildings arranged fronting an existing access to a single dwelling to the west of the site. The first building will be a two-bedroom, detached bungalow measuring 9.6m at its deepest point, by 11.7m in width, at a height of 5.5m to the ridge.

The second and third buildings will contain 6, one bedroom flats each and will be of the same design. The proposed buildings will measure 18.4m in width by 7.9m in depth, at a maximum height of 9.55m to the ridge. The building will have a habitable roof space and a three storey projection on the rear of the building to accommodate a staircase.

All buildings will be finished with smooth render and reconstituted stone, and concrete roof tiles.

Parking for each of the properties will be provided by the provision of 18 off-street parking spaces along the access in front of the buildings on the site.

The application is accompanied by:

- Design and Access Statement
- Flood Consequence Assessment (FCA) prepared by Waterman
- Ecological Assessment

SITE APPRAISAL

The application site occupies approximately 0.3 hectares and consists of an overgrown former coal yard accessed from Bridgend Road over land formerly occupied by a petrol station. To the west of the site, a large detached dwelling is currently being developed, and is nearing its completion. To the north of the site lies the Llanharan Rugby Club ground, to the west is the Jubilee Marsh whilst to the south are houses on Bridgend Road. The latter are separated from the site by the Ewenni Fach River, which runs under a former petrol station in a culvert.

The site is located within the settlement boundary of Llanharan and is unallocated. An earlier consent for 7 dwellings has previously been approved on the site and on the land to the west. The latest flood maps from Natural Resources Wales indicate that the site is partially located within zone C2 and the flood map information confirms that the site is partially within the 0.1% (1 in 1000 year) annual probability fluvial flood outline of the Ewenni Fach.

The surrounding area is predominantly residential, being characterised by a mainly traditional terraces with some detached dwellings.

PLANNING HISTORY

Previous relevant planning applications that have been made on the site are as follows:

| | | | |
|---------|--|--|---------------------|
| 08/0837 | Plot 6, Land adjacent to Llanharan Rugby Club, Bridgend Road, Llanharan, Pontyclun | Proposed four bedroom detached house with off road parking (amended plans received 06/08/08) | Conditions 11/09/08 |
| 07/0716 | Land adjacent to Llanharan Rugby Club, Bridgend Road, Llanharan, Pontyclun. | Residential Development - 7 No. plots and associated road infrastructure (Reserved matters application) | Conditions 09/08/07 |
| 06/2273 | Land adjacent to Llanharan Rugby Club Ground, Bridgend Road, Llanharan, Pontyclun | Application to vary condition 1B of planning approval 04/0124 to extend time period for submission of reserved matters for residential development (revised site location plan received 22/01/07). | Conditions 14/05/07 |
| 04/0237 | Land adjacent to Llanharan Rugby Club Ground, Bridgend Road, Llanharan, Pontyclun | Vary condition 1 of outline planning permission 99/2721 (Time limit). | Conditions 30/04/04 |
| 04/0124 | Land adjacent to Llanharan Rugby Club, Bridgend Rd, Llanharan, Pontyclun. | Renewal of planning permission 99/2721 residential development (outline) | Conditions 16/04/04 |
| 99/2721 | Land adjacent to Llanharan Rugby Club Ground, Bridgend Road, Llanharan, Pontyclun | Residential development (outline application). | Conditions 16/02/01 |

PUBLICITY

The application has been advertised by direct neighbour notification letters, site notices were posted in the immediate area and a notice was published in the local press as a major development.

No response had been received at the time of writing the report. Any further correspondence received at a later date will be reported orally to Committee.

CONSULTATION

Transportation Section – no objections subject to conditions. It is also noted that based on the requirements of the Council's Planning Obligations Supplementary Planning Guidance, the development would generate a transport tariff however as the proposal is for affordable housing the tariff will not be required.

Public Health & Protection – no objections subject to conditions and informative notes relating to hours of construction, site investigation, dust suppression measures, disposal of waste, etc.

Land Reclamation & Drainage – consultation with Natural Resources Wales is recommended along with a number of conditions, including the submission of a full drainage scheme to the local planning authority for approval.

Housing Strategy Unit – no objections as the development is for 100% affordable housing.

Countryside, Landscape and Ecology – no SewBrec records of statutory protected species have been found for the immediate vicinity.

Welsh Water – no objections subject to conditions.

Natural Resources Wales (NRW) – no objections subject to condition. The application site lies partially within Zone C2, as defined by the Development Advice Map (DAM) referred to under Technical Advice Note 15: Development and Flood Risk (TAN15) (July 2004). They have advised that the proposal does constitute highly vulnerable development within zone C2 and should be referred to the Welsh Government should the local planning authority be minded to grant permission.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The site is within settlement limits and is unallocated.

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

Policy AW1 - sets out the requirements for new housing development and the methods by which the provision of new housing will be met. AW1.3 refers directly to the development of unallocated land within the defined residential settlement boundaries of principal towns, key settlements and smaller settlements.

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

Policy AW4 – refers to Community Infrastructure & Planning Obligations. It states that planning obligations may be sought where development proposals require the provision of new, improved or rely on existing services, facilities, infrastructure and related works, to make the proposal acceptable in land use planning terms.

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 SSA11 – refers to housing density.

Policy SSA12 – refers to affordable housing.

Policy SSA13 – sets out the criteria for the consideration of development proposals within settlement boundaries.

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 (PPW) Chapter 3 (Making and Enforcing Planning Decisions), Chapter 4 (Planning for Sustainability), Chapter 7 (Economic Development), Chapter 8 (Transport), Chapter 9 (Housing), 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 12: Design;

PPW Technical Advice Note 15: Development and Flood Risk;

PPW Technical Advice Note 18: Transport;

PPW Technical Advice Note 22: Sustainable Buildings.

REASONS FOR REACHING THE RECOMMENDATION

The site is within the settlement boundary of Llanharan and is unallocated, where the principle of residential development is considered acceptable subject to certain criteria. As detailed above, the scheme seeks to develop the site for 13 social rented units.

The key considerations in the determination of this application are whether the principle of residential development upon the site is acceptable, the potential impact of the development upon the privacy and amenity of neighbouring properties, the effect on the character and appearance of the area, the impact of the proposal on highway safety and the impact on ecology and biodiversity.

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

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

Principle of development

The application site consists of a large area of scrubland, forming part of the village and key settlement of Llanharan. Under the provisions of the Local development Plan, the site is within settlement boundaries and is unallocated. In this respect it is considered that the principle of the development of the site for residential purposes is compliant with national and local planning policy objectives, which encourage the re-use of previously developed land. It is also considered that the site is in a sustainable location, within an existing suburban settlement that has good public transport connections.

Overall, it is considered that the development of the site for residential purposes is in accordance with national and local planning policy, in particular, policy CS2, which seeks to promote sustainable growth in the Southern Strategy Area. As such, in policy terms, the proposal is considered acceptable in principle.

Character and Appearance

The proposed scheme is for a total of 13 residential units, arranged around a simple road layout. The scheme takes account of the site's characteristics and context and as a result, the layout is successful in creating frontages along the access road into the site leading to the existing dwelling which is under construction.

Turning to the scale, design and appearance of the development, the proposal is for a mixture of single storey and two and a half storey development. The scheme incorporates a variety of building types, which range from 1 bedroom flats, to a three bedroom bungalow.

The area surrounding the application site is characterised by mainly residential development comprising terraced properties with various finishes. As such, it is considered that the materials proposed as part of the proposal will be in keeping with

the character of the area by reinforcing the more traditional character with the use of reconstituted stone and render.

Overall, it is considered that the layout of the site and scale and appearance of the dwelling/ flats proposed is successful in identifying and responding to the various site constraints and context of the wider area. As such, it is considered that the development would contribute positively to the character and appearance of the area.

The proposal is therefore considered to be in keeping with the character and appearance of the surrounding area in accordance with the provisions of policies SSA1, AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

Residential Amenity

With reference to the impact of the proposal on the residential amenity of surrounding properties, it is considered that the layout of the development is such that it ensures that overlooking between habitable room windows will be kept to a minimum.

Given that the site lies within an established residential area, it is important to consider the potential impacts of the layout upon the levels of amenity and privacy currently enjoyed by the occupiers of neighbouring residential properties. It is considered that the properties closest to the site, on Bridgend Road and the dwelling under construction on David Place to be the properties mainly affected by the development.

The site layout has been designed with a view to limiting the potential impacts. For example, a minimum separation distance of approximately 26m would be achieved between the rear elevation of the existing dwellings of Bridgend Road and the rear elevation of the blocks of flats. It is therefore considered that the development will not result in a loss of privacy to existing surrounding properties nor will there be a loss of light to surrounding properties. Although the proposed flats will utilise the roof space of the proposed building and have windows at second floor level, it is considered that the distance between existing and proposed buildings will be sufficient to ensure that the development will not have an overbearing impact or have a detrimental effect on neighbouring properties.

With regard to the relationship of the proposed flats and the dwelling under construction at the end of the access road, it is considered that the development will have an acceptable impact. There is sufficient distance between the flat and the existing dwelling (approximately 14m) to ensure that the proposal will not have an overbearing impact. No side windows are proposed to the flats which ensures that overlooking is not a concern.

Following consultation with the Council's Public Health and Protection Section, no objections have been raised to the proposal, however a number of conditions are specified. Matters relating to potential for disturbance resulting from construction traffic and general on site activities during the course of the construction of the application have also been raised, as such conditions to restrict the hours during which

construction operations may be undertaken are also suggested. Whilst it is inevitable that any redevelopment of the site would lead to noise and disturbance to adjacent properties during the construction stage, it is considered that such impacts could be minimised by the imposition of appropriate conditions. Overall, it is not considered that the temporary impacts experienced during the period of construction would be so great as to warrant the refusal of the application.

The proposal is therefore considered acceptable in terms of its impact on the amenities of neighbouring residential properties adjacent to the site. The proposal is therefore considered to comply with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Highway Safety

With regard to the impact of the proposal on highways safety, the Council's Transportation Section has raised no objections to the application subject to conditions.

The proposal is for 13 residential units served off a 5.5m carriageway with standard turning area which is considered acceptable. There is an existing dwelling which the developer will be required to continue the 2m footway and provide a vehicular crossover to the existing dwelling. The developer will also be required to provide a 0.5m hard margin strip along the northern boundary of the road to accommodate the overhang of vehicles and therefore a condition has been recommended for full engineering design and detail to be submitted.

There is an existing culvert running along the access road and calculations will be required to confirm its structural integrity and its ability to withstand vehicular loading. This information will also be required through a condition which is recommended below should Members wish to approve the consent.

Having regard to the sustainable location of the proposed development in close proximity to local facilities and transport links, with both bus and rail services in close proximity to the site, the level of off-street parking proposed is considered acceptable.

The proposal is therefore considered acceptable in terms of its impact on highway safety and is in keeping with the requirements of policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Other Issues

With regard to objections raised regarding the location of the site within the floodplain, the application was accompanied by a flood consequences assessment which has been reviewed by Natural Resources Wales. They have confirmed that the flood consequences assessment demonstrates that the existing extant permission if completed would result in increased flood risk elsewhere. However the current

proposal will reduce the increased flood risk elsewhere thus resulting in an overall betterment to the current situation should the implemented planning permission (ref: 07/0716) be completed. The FCA has proposed that building slab levels are set above flood levels to comply with the requirements of TAN15 with allowance for climate change. A condition is recommended below should Members wish to approve the application. The application will need to be referred to the Welsh Government should Members wish to grant permission as the development is classed as 'highly vulnerable' under the Town and Country Planning (Notification)(Wales) Direction 2012.

Conclusion

Taking all of the above considerations into account it is concluded that the proposed development amounts to an acceptable scheme which accords with relevant policies of the Rhondda Cynon Taf Local Development Plan. The application proposal is considered acceptable in terms of its compatibility with the character of the immediate area, its impact upon highway safety and its potential impact upon the privacy and amenity of neighbouring dwellings. Therefore, it is recommended that approval of full planning permission be granted subject to the conditions specified below.

PLANNING OBLIGATIONS

From 6 April 2010 planning obligations should meet all of the following tests in order to comply with the Community Infrastructure Levy legislation:

- (a) necessary to make the development acceptable in planning terms
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development

The developer will be required to enter into a Section 106 agreement to ensure that the development would be secured for affordable housing.

It is considered that this requirement meets all of the above tests and is compliant with the relevant legislation.

RECOMMENDATION: Grant

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

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

2. The development hereby approved shall be carried out in accordance with

the amended/revised received by the Local Planning Authority on 14 and 20 January 2014.

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

3. The development permitted by this planning permission shall be carried out in accordance with the recommendations and mitigation measures in the approved Flood Consequences Assessment (FCA) (produced by Waterman, dated August 2013, Reference 13981/FCA01B).

Reason: To reduce the risk of flooding to the development and future occupiers.

4. Notwithstanding the approved plans, 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.

5. 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.

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

Reason: To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings in the interests of visual amenity in accordance with policies AW5

and AW6 of the Rhondda Cynon Taf Local Development Plan.

7. 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) Not 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 policy AW5 of the Rhondda Cynon Taf Local Development Plan.

8. 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 found and surface water drainage in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

9. 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.

10. Each dwelling 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.

11. Unless otherwise agreed in writing by the Local Planning Authority, construction of any dwelling 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.

12. Prior to the occupation of each individual dwelling 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.

13. Notwithstanding the submitted plans, 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 prior to beneficial occupation.

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.

14. No works shall commence on site until details and design calculations of the culverted watercourses running beneath the access road have been submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the approved details prior to beneficial occupation.

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.

15. The development shall not be brought into use until space has been laid out within the site for 18 vehicles to be parked in accordance with submitted plan 1310_4-4 Rev H approved by the Local Planning Authority. The spaces shall be retained for the parking of vehicles thereafter unless otherwise agreed in writing by the Local Planning Authority.

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

16. Prior to the commencement of development, details of traffic management and wheel washing facilities shall be provided on site in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and maintained throughout the construction period unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that mud and debris are not deposited from the construction site onto the public highway, in the interests of highway safety.

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:

A desk-top study to identify and evaluate all potential sources and impacts of contamination relevant to the site. The desk top study should contain a conceptual site model.

A site investigation shall be carried out to fully and effectively characterise the nature and extent of any contamination and its implications. The site investigation shall not be commenced until a desk-top study has been agreed in writing with the Local Planning Authority.

A written method statement for the remediation of contamination affecting the site.

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

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.

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.

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APPLICATION NO: 13/0912/10 (BJW)
APPLICANT: Mr D James
DEVELOPMENT: Detached dwelling with rear parking.
LOCATION: LAND ADJACENT TO 15 JESTYN STREET, PORTH.
DATE REGISTERED: 05/09/2013
ELECTORAL DIVISION: Porth

RECOMMENDATION: Approve.

REASONS:

The proposal would make productive use of a disused site that would be in keeping with surrounding land uses and of a scale and design that would be sympathetic to the character of the area and not cause harm to the amenities of neighbouring properties.

APPLICATION DETAILS

Full planning permission is sought for a large four bedroom dwelling with a basement granny flat on land adjacent to 15 Jestyn Street, Porth, Rhondda.

The dwelling would be located at the front of the site, set back from the footway of Jestyn Street. The property would consist of a large two storey dwelling with a sub-basement level to the rear and a hard standing area accessed from the rear lane for parking purposes. The remainder of the rear area would form a small garden amenity area.

The property would measure 10.1m in width by 13m in depth by 5.1m in height to the eaves, 8.1m in height to the ridge of the roof as viewed from Jestyn Street and would be finished in fine down render with brick detailing and a reconstituted slate roof.

Accommodation would consist of a hall, lounge, sitting room, W.C., utility room and kitchen at ground floor; 3 bedrooms, 1 with en suite bathroom and a bathroom at first

floor and a living room, kitchen, bathroom and bedroom with a dressing room at sub-basement level. The sub-basement level would serve as a granny flat to the main dwelling.

The application is accompanied by a Design and Access Statement (DAS) in support of the application. The DAS states that the proposal would respect the character and appearance of the area and would complete the street scene of Jestyn Street with a large property of a design that is in keeping with and sympathetic to the character and appearance of the area.

Permission was previously granted for a smaller, detached property at the site, by virtue of application 11/0582/10. The approved dwelling did not include the sub-basement granny flat.

SITE APPRAISAL

The site is a vacant plot of land measuring 0.03 hectares situated to the west of and adjoining no. 15 Jestyn Street. The site is at the end of the street, however to the north-west of the site is a modern, single detached dwelling.

The application site slopes down to a rear lane along its southern boundary and appears to be un-maintained, covered with overgrown grass and ground flora.

The site is bound by the side of no. 15 Jestyn Street (a typical two-storey Valleys terrace) to the east, a rear lane to the south, an informal footpath and the new dwelling to the west and Jestyn Street to the north.

The wider area is dominated by typical, Victorian valleys terraces and the relatively steep hillside this part of Porth occupies. In addition to the terraces there is fairly modern dwelling situated to the west of the site known as Ty Ceiriosen.

PLANNING HISTORY

| | | | |
|----------|--|---|---------------------------------|
| 07/1859: | Land at top of Jestyn Street, Mount Pleasant, Porth | 3 No Detached Houses, site access road and provision of turning facility. | Refused 11/02/08 |
| 11/5050 | Land adj. to 15 Jestyn Street, Mount Pleasant, Porth | Dwelling | Raise Objections 16/02/11 |
| 11/0582 | Land adj. to 15 Jestyn Street, Porth. | Proposed detached Dwelling with rear parking. | Grant 28/07/11 |

PUBLICITY

This has included site notices and the direct notification of properties surrounding the site. Four responses have been received which includes 3 letters from individuals and a petition signed by 48 signatories.

The petition states that complaints are raised by the signatories for the following reasons:

- The proposed property is now higher than the house next door;
- It is considerably larger than the house next door;
- The depth of the building now exceeds the building line of the row of houses;
- There are major concerns over the access to the property which is through a small lane, this lane was never intended to be used as a main access route;
- There are concerns over the surface water drainage and
- There is insufficient information on the documents provided on the planning forms.

The three individual letters raise the following additional issues:

- Concerns over the structural integrity of their property due to the building works as the land has been undisturbed in 50 years.
- Loss of sunlight from the back of my house (15 Jestyn Street). This will also affect my plans to install solar panels.
- Safety during the construction period, particularly from construction traffic.
- The house is out of character with the rest of the street.
- The rear parking is unlikely to be used.
- Our house was designed to maximise solar gain and reduce our carbon footprint. The size and location of this property will interfere with this arrangement.
- The proposal is too large for the site and leaves no room for a garden or landscaping.

CONSULTATION

Transportation Section – no objection, subject to conditions.

Land Reclamation and Engineering – no objection, subject to conditions.

Public Health and Protection – no objection, subject to conditions.

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

POLICY CONTEXT

The site is within the settlement boundary and unallocated.

Rhondda Cynon Taf Local Development Plan

Policy CS1 - sets out criteria for achieving sustainable growth.

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

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

Policy AW8 - only permits development where it would not cause harm to features of the natural environment.

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

National Guidance

In the determination of planning applications regard should also be given to the requirements of National Planning Policy that 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.

Chapter 2 (development plans)

Chapter 3 (making and enforcing planning decisions)

Chapter 4 (planning for sustainability)

Chapter 9 (housing)

Planning Policy Wales Technical Advice Note 12 Design

The above chapters and Technical Advice note set out the Welsh Government's policy on planning issues relevant to the determination of this planning application.

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 development site is within the defined settlement boundary where development is considered to be acceptable subject to compliance with other policies within the Local Development Plan. The site also benefits from consent for a similar, albeit smaller,

single dwelling that did not include the granny flat in the basement level. Consequently, it is considered that the principle of using the site for residential purposes has been established by the previous consent and is acceptable.

It is considered that the dwelling could be accommodated at the site without leading to over development and that the proposal would make a productive use of the land that would be in keeping with surrounding land uses.

Character and Appearance of the area

The area is characterised by traditional terraced housing and the occasional modern, new-build house. It is considered that the site would represent a “rounding-off” opportunity and effectively finish off this end of the street.

It is considered that the design of the property takes its influence from the existing terrace properties within the area in terms of its design. Although the property is large, it is only marginally higher (0.5m) and 2.4m longer than the previously approved dwelling at the site. The ridge height from Jestyn Street is 8.1m and is also shown as only 0.6m higher than the adjacent property No.15 Jestyn Street. It is acknowledged that the proposal also has additional accommodation, by way of a “granny flat” in the basement level, however, it is considered that this has regard to the levels of the site, which are lower at the rear.

It is considered that the property is of an acceptable design and scale in terms of its street frontage and is sympathetic to the character and appearance of the area in this regard.

In terms of the rear, 3-storey aspect, it is considered that this takes account of site conditions and is of a visually acceptable design that is similar to the rear of properties within the area that have all been extended.

Therefore, it is considered that the proposal is respectful, sympathetic and acceptable in terms of the character and appearance of the area.

Impact on amenities of neighbouring properties

The site is represents an infill plot that would have a close relationship with existing neighbouring properties due to the densely built-up urban form of this area.

Having regard to the layout, scale and design of the property and its relationship with surrounding dwellings it is considered that the marginal increase in the height of the property would have little additional impact on neighbouring properties.

In terms of the length of the property, particularly the rear projection, it is considered that the increase of 2.4m in length from the previously approved dwelling would affect only two rear facing windows of the neighbouring property and would not affect the

majority of sunlight due to the orientation of the site (south facing). Consequently, it is considered that this increase in the context of the overall site would not have an unduly adverse impact on the neighbouring property that would warrant refusal of the application.

With regard to the surface water drainage, and indeed all drainage matters, these requirements could be adequately addressed through the imposition of conditions as suggested by the Council's Drainage Section.

It is acknowledged that concerns have been raised regarding the vehicular access to the proposed parking area however, these arrangements are the same as the previously approved scheme and have been assessed by the Council's Transportation Section and are considered to be acceptable, subject to conditions.

It is also considered that there are sufficient details submitted in relation to the application to allow a determination to be made.

Concerns with regard to the structural integrity of the land and the effect on neighbouring properties are noted. It is normal in applications of this nature for a geotechnical report to be required which would investigate the ground conditions and recommend any measures needed to ensure the proposal is safely developed. It is considered that such a condition would address these concerns.

Similarly, in terms of the access for construction traffic it is inevitable that there would be potential difficulties for large vehicles accessing this site due to the surrounding highway network and this requires careful management. This has been recognised by the Council's Transportation Section which has recommended that a traffic management plan with wheel washing facilities be agreed for the development.

With regard to the concerned of loss of solar gain from the new property to the north of the site, Ty Ni, it is considered that this house is located at an elevated position above the proposed dwelling and the small increase in height of 500mm would not have a significant impact in this respect.

Consequently, having regard to the issues above it is considered that the proposal is acceptable.

Highway safety

The Transportation Section has raised no objection to the application. This view is subject to conditions requiring additional details for submission and approval in relation to the access and parking arrangements and footway to serve the development; the restriction of surface water run off onto the highway and a scheme for traffic management and wheel washing facilities.

It is considered that these conditions would be reasonable and necessary and that the scheme is acceptable in highway safety terms.

Other issues

Representations were received that the applicant did not own or control all of the land on which the application was submitted. As Members will be aware, it is possible to apply for permission on land within the ownership of a third party, providing that the necessary declaration is made and the interested parties are notified.

However, the applicant has submitted evidence that they are the sole owner of the land outlined in red in the application details and therefore the application is valid in this respect.

Conclusion

The application represents a modest increase in the size of the previously approved dwelling at the site. It is acknowledged that there is additional accommodation with the basement granny flat but this is considered to take advantage of the sloping nature of the site and would not have an adverse impact on the area.

Consequently, the application is considered to comply with the relevant policies of the Local Development Plan in respect of the issues outlined above (and in accordance with policies AW5, AW6, AW8 and AW10).

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

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

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 or roof lights (other than any hereby permitted) shall be installed above ground floor ceiling height without the prior express permission of the Local Planning Authority.

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

4. The ground floor granny flat hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling hereby approved.

Reason: The site would be unacceptable for an additional independent residential unit due to the lack of sufficient amenity space in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

5. No development shall take place until there has been submitted to and approved by the Local Planning Authority a comprehensive scheme of landscaping, which shall include indications of all existing trees (including spread and species) and hedgerows on the land and details of any to be retained together with measures for their protection during the course of development.

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

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

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

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

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

8. 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) Not 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 policy AW5 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. The dwelling hereby approved 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 policy AW10 of the Rhondda Cynon Taf Local Development Plan.

11. The dwelling 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.

12. Unless otherwise agreed in writing by the Local Planning Authority, construction of the dwelling 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.

13. Prior to the occupation of the dwelling 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.

14. The dwelling shall be occupied until space has been laid out within the site for three cars to be parked in accordance with the submitted plan number hdw/ph/dj.002 and approved by the Local Planning Authority and that area shall not thereafter be used for any other purpose other than the parking of vehicles.

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

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

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

16. Development shall not commence until details of the vehicular access including tie in with adopted rear lane have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented to the satisfaction of the Local Planning Authority prior to beneficial occupation.

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

17. The existing footway fronting Jestyn Street shall be improved and surfaced in full flexible footway construction in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented to the satisfaction of the Local Planning Authority prior to beneficial occupation.

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

18. Prior to the commencement of development, details of traffic management and wheel washing facilities shall be provided on site in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and maintained throughout the construction period unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that mud and debris are not deposited from the construction site onto the public highway, in the interests of highway safety in accordance with policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

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| APPLICATION NO: | 13/0915/10 (MJ) |
| APPLICANT: | Tower Energy Contracting |
| DEVELOPMENT: | Replacement of existing Public House with a development of 12 No one bedroom flats (Amended Plans Received 13th January 2014 and 22nd January 2014) |
| LOCATION: | THE RED COW, 57A HIGH STREET, TREORCHY, CF42 6NY |
| DATE REGISTERED: | 28/10/2013 |
| ELECTORAL DIVISION: | Treorchy |

RECOMMENDATION: Approve subject to Section 106 Agreement

REASONS:

The proposal if allowed would provide much needed social housing provision in a form that is currently under provided for in this locality. The proposal is

in keeping with the policies of the Rhondda Cynon Taf Local Development Plan and National Policy in that it is acceptable in terms of scale, layout, design and its impact on the residential amenity of surrounding properties as well as highway safety.

APPLICATION DETAILS

Full planning permission is sought for the demolition of the existing vacant public house and the erection of 12, 1 bedroom flats on land occupied by The Red Cow, 57a High Street, Treorchy.

The proposed building will be rectangular filling much of the site from High Street to Troedyrhiw Terrace, similar to the existing building. The proposed building will measure 12.32m across its frontage with High Street by 38.89m in depth along its frontage with James Street and New Tynybedw Street. The proposed building will be two storey with the front and rear blocks of the site replicating the design and scale of the front block of the existing building. The front elevation will have an overall height of 9.8m to the highest part of the roof. The side elevation fronting James Street and New Tynybedw Street will be two stories with a height of between approximately 7.9m and 9.5m.

Materials proposed include dark grey roof tiles, render and random coursed re-constituted stone walls.

No off-street parking facilities are proposed for cars, however there will be an undercover bike store housing 12 cycle spaces.

The application is accompanied by:

- A bat and owl survey by Smith Ecology Ltd;
- A design and access statement;
- A flood consequences assessment (FCA).

The plans have been amended to show a greater set back from the frontage with Troedyrhiw Terrace and alterations to the design along the side elevations and roofscape of the building.

SITE APPRAISAL

The site is currently occupied by the Red Cow PH (recently closed) and forms a single block surrounded entirely by public highways. The main building of the Red Cow faces High Street and is a two-storey building finished in local stone with a hipped roof finished in slate. At the rear a variety of extensions and outbuildings dominate the site. These buildings are finished in a mixture of stone and render and all appear to have slate roofs. The majority of the rear is also two-storey and there are windows facing

New Tynybedw Street and James Street. There is no off-street parking available for the pub.

The site is situated on the main street in the town close to the town centre. The surrounding area is dominated by two-storey Victorian dwellings, mostly in the form of small terraces. There is a greater variety of uses and building styles along High Street.

PLANNING HISTORY

Previous relevant planning applications that have been made on this site are as follows:

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|---------|---|-------------------------------|
| 11/0740 | Retention of public house with demolition of rear extension to provide 4 no 2 storey 3 bed terrace houses to the rear of the site | Allowed at Appeal 16/11/12 |
| 00/6006 | New side entrance door and improvements to front entrance steps | Granted 24/03/00 |
| 87/0777 | Advertisement | Granted 25/01/88 |
| 87/0615 | External signage, demolition of rear building and re-build, internal alterations. | Granted 08/12/87 |

PUBLICITY

The application has been advertised by direct neighbour notification letters and site notices. Twelve letters of objection have been received which are summarised as follows:

- Concern regarding the impact of the proposed development on the light reaching existing properties along the streets surrounding the development.
- Concerns has also been raised in relation to overlooking and the development having an overbearing impact on existing surrounding properties.
- Concerns that the porch on the rear elevation fronting Troedyrhiw Terrace will cause an obstruction to the footway.
- Concerns regarding the levels of on-street parking spaces available for residents of surrounding streets and the impact the development would have on them. The congestion that may arise from greater on-street parking demand could have a detrimental impact on vehicular access to James Street.

- The customers of the public house would not have used cars. The objector considers that the erection of 12 new flats will have an increased impact on the availability of on-street parking and a detrimental impact on highway safety.
- Concerns that the proposed development of flats will result in increased noise and disturbance to existing properties.
- Concerns are raised that the proposed development will cause increased rubbish and vermin and potentially have a detrimental impact on security in the area.

Any further responses to the amended plans will be reported verbally to Committee.

CONSULTATION

Transportation Section – no objections subject to conditions.

Public Health & Protection – no objections subject to conditions and informative notes relating to site investigations, hours of construction, dust suppression measures, disposal of waste, etc.

Land Reclamation & Drainage – no objections subject to a number of conditions, including the submission of a full drainage scheme to the local planning authority for approval.

Countryside, Landscape and Ecology – no SewBrec records of statutory protected species have been found for the immediate vicinity. The Council's Ecologist has confirmed that in view of the absence of protected species records from the survey, no mitigation measures will be required.

Natural Resources Wales (NRW) – response awaited at the time of writing the report. Their comments will be reported verbally to Committee.

Welsh Water – no objections subject to conditions.

Housing Strategy – no objections as the scheme is for 100% affordable housing.

Education Section – no objections.

South Wales Fire and Rescue – no objections subject to adequate water supplies being made available and access for emergency vehicles.

POLICY CONTEXT

The principal policies in the consideration of this application are as follows:

Rhondda Cynon Taf Local Development Plan

The application site is identified as within the residential settlement boundary of Treorchy and is unallocated.

Policy CS1 – promotes the building of strong sustainable communities.

Policy CS4 – Housing Requirements.

Policy AW1 – states that provision will be made for the development of new dwellings including, the development of unallocated land within the defined residential 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 NSA2 - sets out criteria for appropriate development in the key settlement of Treorchy.

Planning Policy Wales

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

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

Chapter 4 (Planning for Sustainability),
Chapter 8 (Transport),
Chapter 9 (Housing),

Other relevant policy guidance consulted:

PPW Technical Advice Note 2: Planning and Affordable Housing;
PPW Technical Advice Note 12: Design;
PPW Technical Advice Note 18: Transport;
Manual for Streets

REASONS FOR REACHING THE RECOMMENDATION

The application site lies within settlement limits and in a residential area where the principle of residential development is considered acceptable. The key considerations in this case are whether the proposed redevelopment of the site for residential development will have an acceptable impact on the character and appearance of the

surrounding area, the impact of the development on the residential amenities of neighbouring properties and the impact of the proposal on highway safety.

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

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

Principle of development

The application site consists of a vacant public house which forms part of the town centre of Treorchy. Under the provisions of the Local development Plan, the site is within settlement boundaries and is unallocated. In this respect it is considered that the principle of the development of the site for residential purposes is compliant with national and local planning policy objectives, which encourage the re-use of previously developed land. The site is also well located in terms of its position on the main road through Treorchy town centre where there is a bus and rail service and local shops.

Overall, it is considered that the development of the site for residential purposes is in accordance with national and local planning policy, in particular, policy CS1, which seeks to promote the reuse of previously developed land, and residential development in locations which will support principal towns and key settlements in the Northern Strategy Area. As such, in policy terms, the proposal is considered acceptable in principle.

Character and Appearance of the Area

With regard to the impact of the proposal on the character and appearance of the area; it is considered that the use of the site for residential development will be in keeping with the existing residential character of the area.

The proposed scheme is for a total of 12 one bedroom flats, arranged over two floors in a relatively simply designed building. The scheme takes account of the site's characteristics (including the design of the existing public house) and context and as a result, it is considered that the layout is successful in maintaining a frontage along High Street and following the established building line along James Street and New Tynybedw Street respectively. The materials proposed which include render, natural stone and grey roof covering are also compatible with other development in the area and it is considered that the proposed development will have an acceptable impact within the street scene.

A development of 12 units on this site of approximately 0.05 hectares would result in a density of approximately 239 dwellings per hectare. This is a significantly higher density development than policy NSA10 requires, however, the location of the development in close proximity to the town centre of Treorchy, combined with the tenure of the properties, is considered to lend itself to a high density development.

The proposal is therefore considered to be in keeping with the character and appearance of the surrounding area in accordance with the provisions of policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

Residential Amenity

With regards to the impact on neighbouring residential amenity, concerns have been raised including loss of privacy by overlooking, loss of light and the development having an overbearing impact on neighbouring properties which are in close proximity to the site. Although the proposed building will have a greater overall mass than the existing public house and therefore the impact of the proposal will be greater than the existing situation, it is not considered that this would be to a degree to warrant the refusal of the application.

The site is entirely surrounded by existing streets and that the local area is considered to be dominated by high-density terraced housing. As the proposed building will be two-storey, it is not considered that the development would lead to unacceptable levels of overshadowing, especially compared to the current situation with large buildings on site.

There are properties facing the site from all surrounding streets (particularly James Street and Troedyrhiw Terrace) which will be directly overlooked by the proposed development, however it is not considered that this would be to an unacceptable degree. The distance between the properties is considered to be sufficient to ensure that there is no unacceptable loss of privacy and the relationship is reflective of the terraced streets surrounding the site.

Following consultation with the Council's Public Health and Protection Section, no objections have been raised to the proposal; however a number of conditions are specified. Matters relating to potential for disturbance resulting from construction traffic and general on site activities during the course of the construction of the application have also been raised, as such a condition to restrict the hours during which construction operations may be undertaken is also suggested. Whilst it is inevitable that any redevelopment of the site would lead to noise and disturbance to adjacent properties during the construction stage, it is considered that such impacts could be minimised by the imposition of appropriate conditions. Overall, it is not considered that the temporary impacts experienced during the period of construction would be so great as to warrant the refusal of the application.

Concerns have also been raised regarding the potential for anti-social behaviour as a result of the erection of flats. There is no evidence to suggest that the proposed development would result in a potential for crime and anti-social behaviour in the area and the 'type' of future residents is not a material planning consideration.

The proposal is therefore considered acceptable in terms of its impact on the amenities of neighbouring residential properties in close proximity to the site and it is considered that the development would have an acceptable impact on residential amenity. The proposal is therefore considered to comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Highway Safety

With regard to the impact of the proposal on highways safety and objections raised, Members should first note that the Council's Transportation Section has raised no objections to the application subject to conditions.

In respect of the impact of the development on the highway it is acknowledged that no off-street parking is proposed for the public house or the proposed dwellings. The site is close to the town centre and public transportation options which would encourage the use of the facility by pedestrians. Having regard to the previous appeal decision to allow the erection of four terraced properties to the rear of the existing public house, it is considered that the redevelopment of the entire site for 12 one bedroom flats is comparable to that development. It is considered that the site is in a sustainable location and the need for maximum car parking standards would not apply in this case. It is not considered that there is likely to be a material increase in traffic generated by the proposed development and the impact on highway safety is considered acceptable.

The Transportation Section has recommended a financial contribution to improve bus stops along High Street which the applicant has agreed to pay via a legal agreement.

Having regard to the above, the application is considered to be in keeping with policy AW5 of the Rhondda Cynon Taf Local Development Plan in terms of its impact on highway safety.

Other Issues

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

No SewBrec records of statutory protected species have been found for the area surrounding the site. The Council's Ecologist has reviewed the information submitted with the application and has concluded that there is no evidence of bat activity in the building.

With regard to the awaited comments from NRW, Members are asked for delegated powers to deal with their requirement for an up to date flood consequences assessment. Should the applicant be unable to provide the appropriate evidence, the application would be refused on the basis of a lack of information in relation to flooding or reported back to Committee.

PLANNING OBLIGATIONS

From 6 April 2010 planning obligations should meet all of the following tests in order to comply with the Community Infrastructure Levy legislation:

- (a) necessary to make the development acceptable in planning terms
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development

The developer will be required to enter into a Section 106 agreement to ensure that the development would be secured for affordable housing.

The developer will also be required to enter into a Section 106 agreement to provide a contribution of £5000 towards improving bus stops along High Street.

It is considered that this requirement meets all of the above tests and is compliant with the relevant legislation.

Conclusion

Taking all of the above considerations into account it is concluded that the proposed development of the site for residential purposes is acceptable and is in keeping with the relevant policies of the Rhondda Cynon Taf Local Development Plan. The application proposal is considered acceptable in terms of its compatibility with the character of the immediate area, its impact upon highway safety and its potential impact upon the privacy and amenity of neighbouring dwellings. Therefore, it is recommended that approval of full planning permission be granted subject to the conditions specified below.

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. 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) Not 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 policy AW5 of the Rhondda Cynon Taf Local Development Plan.

3. Prior to works commencing on site, design and detail of the proposed works to the public footway shall be submitted to and approved in writing by the Local planning Authority prior to any development on site commencing.

Reason: In the interests of highway and pedestrian safety.

4. Prior to the commencement of development, details of traffic management shall be provided on site in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and maintained throughout the construction period unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway and pedestrian safety.

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

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

6. No development shall take place until drainage arrangements (including highway surface water drainage) have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the drainage works have been completed in accordance with the approved plans.

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

7. Each dwelling 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.

8. Unless otherwise agreed in writing by the Local Planning Authority, construction of any dwelling 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.

9. Prior to the occupation of each individual dwelling 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.

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| APPLICATION NO: | 13/0941/19 | (HE) |
| APPLICANT: | Mr Stephen Thomas | |
| DEVELOPMENT: | Trim the hedge on our side bordering Waun Hir | |
| LOCATION: | GARTHLYN, HEOL FFRWD PHILIP, EFAIL ISAF, LLANTWIT FARDRE, PONTYPRIDD, CF38 1AR | |
| DATE REGISTERED: | 17/09/2013 | |

ELECTORAL DIVISION: Llantwit Fardre

RECOMMENDATION: Approve

REASONS:

The application proposes routine maintenance works to outgrown hedgerow species which are protected by an Area TPO. The works are considered reasonable and proportionate and will not affect the integrity of the Tree Preservation Order. The nature of the protection afforded by this TPO to hedgerows and trees is such that the work will be carried out in accordance with the relevant standards and conditions applied as detailed below.

APPLICATION DETAILS

This is an application to carry out works to a hedgerow covered by an "Area" Tree Preservation Order at Garthlyn, Efail Isaf.

An "Area" designated Tree Preservation Order is created to protect the collective value of the trees in an identified area at that date in time. These areas are identified to be beneficially retained (normally in terms of the positive contribution that is made to the character of an area) and will include multiple numbers of trees, rather than their individual specimens.

The affected hedgerow trees and the works proposed to each can be summarised as follows:

- The reduction in height to 2 metres from ground level within the garden area of Garthlyn.
- The length of the hedge within the garden of Garthlyn borders the rear gardens of the street named 'Waun Hir'.
- The species of hedgerow plants and trees are as listed in the 'TPO' these being: Hawthorn, Holly, Elder, Hazel, Privet, Goat Willow and Crab Apple.

Following the submission of the application a site visit took place between the owner of the trees and the Council's Landscape/TPO Officer to discuss an acceptable scheme of work and offer advice.

SITE APPRAISAL

The property in which the hedgerow trees are located is a detached property located to the southern edge of the village of Efail Isaf.

The TPO was created in 1982 and given the Title – No.1 -1982, Land between Heol Ffrwd Philip and Ffordd-Y-Capel, Efail Isaf.

This TPO was made to preserve an area of trees and hedgerow at the time when the street named 'Waun Hir' was to be developed.

PLANNING HISTORY

At the time when this TPO was created it was considered to be normal practice to use TPO's to preserve hedgerows and the flora species within. This is no longer the case and there is now separate legislation to protect trees – TPO's, and hedgerows – The Hedgerow Regulations Act. 1997.

PUBLICITY

As part of the application, the following properties were notified of the proposal:

- 15 – 21 Waun Hir
- Nant Y Felin
- Cerrig Llwyd

As a result of this exercise letters of objection were received from the following residents:

- 21 Waun Hir, Mr Gregory – requested information on which hedgerow and TPO were affected by the application.
- 19 Waun Hir, Mrs Huntley – requested information on how much of the hedge is affected and to be trimmed.
- 18 Waun Hir, Dr Element – requested that applicant should reduce and layer the hedge to prevent damage to property from the hedge.
- 16 Waun Hir, Mr Perkins – information requested on extent of works to hedge.

CONSULTATION

Countryside, Landscape and Ecology - no objection to the works being carried out as proposed.

POLICY CONTEXT

Policy AW8 - protects sites of landscape conservation from inappropriate development.

REASONS FOR REACHING THE RECOMMENDATION

The proposal involves carrying out works to trees covered by a Tree Preservation Order (TPO).

The hedgerow trees are protected by an “Area” TPO which means that the amenity value of the trees are found in their collective rather than individual merit.

A TPO protects trees from being felled or lopped or topped in a manner which would cause them harm. It does not prevent appropriate management works being carried out where and when required.

Having met with the Council’s Landscape/TPO Officer a scheme of appropriate works was agreed subject to the formal submission of an application under the appropriate TPO Regulations. As part of this process an objections were received and, as a result, needs to be referred to Committee for determination.

The reasons for objection are set out in the “PUBLICITY” Section above.

The main reasons for objection have been answered, this includes specifying a completed cut height for the hedge in question at 2 metres above ground level from the property Garthlyn and the extent of hedge to be cut, the entire hedge which is in ownership of property Garthlyn.

In respect of the objections, the purpose of imposing a TPO at this location was to ensure the preservation of trees and hedgerow. This along with the general amenity value of the hedge and trees will still be retained, a boundary hedge between the Waun Hir and Garthlyn properties will still exist.

A site visit to Waun Hir to meet residents, listen to their concerns and answer any questions was undertaken by the Council’s Landscape/TPO Officer in October.

Local wildlife will not be affected, there may be some disruption while the works are carried out but the works are being undertaken for specific reasons and will be carried out in accordance with principles of good husbandry that will mean that the trees should continue to thrive and continue to provide a habitat for local wildlife (no evidence has been submitted to suggest that there are any “protected species” that reside in this area). An additional condition and recommendation to ensure wildlife protection will be applied to the decision.

To conclude, while the concerns of the neighbour are, for most part, understandable, all works being carried out are considered necessary as part of a routine schedule of management. This specific hedgerow treatment will need to be carried out on an annual basis and for that reason the review of the TPO will be undertaken to ensure the preservation of warranted and outstanding trees within the TPO and hedgerow will be excluded. This review will take place this year and any modifications undertaken as in line with the TCPA Tree Preservation Orders – 1999 Regs.

Accordingly, the application is recommended for approval.

RECOMMENDATION: Grant

1. All works are to be undertaken in accordance with modern arboricultural practices to BS3998 2010 Recommendations for tree works.

Reason: In the interest of amenity and good arboricultural practice.

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APPLICATION NO: 13/1039/10 (DB)
APPLICANT: Hanson UK
DEVELOPMENT: Improvements of Craig Yr Hesg Quarry entrance to provide two way quarry entrance and exit.
LOCATION: CRAIG YR HESG QUARRY, BERW ROAD, PONTYPRIDD, CF37 3BG
DATE REGISTERED: 18/10/2013
ELECTORAL DIVISION: Glyncoch

RECOMMENDATION: Approve

REASONS:

The principle of the development is considered acceptable and is considered to comply with the relevant policies of the Local Development Plan in respect of its impact on the landscape and the nature conservation interest of the site, residential amenity and highway safety.

APPLICATION DETAILS

Consent is sought for improvements to the existing entrance to Craig Yr Hesg Quarry to provide a two way quarry entrance and exit. The existing quarry exit road would then become redundant other than for emergency use.

The improvements would involve the widening of the existing entrance, to provide a two way, 7.4m wide carriageway, replacing the retaining wall along the western side of the road by constructing a "permacrib" timber retaining wall to an average height of 4m and rising gently to a maximum height of 5.28m, tapering down to ground level at either ends, resurfacing of the entire length of the access road, installing new signage and a speed limit of 10 miles an hour, surface water drainage provision and widening the existing bell mouth entrance, realigning the kerb junction with uncontrolled pedestrian crossing facilities at the site entrance onto the B4273 Ynysybwll Road. The existing safety barrier would be extended and a new 2.0 m high timber acoustic fence installed along the eastern side of the road to the rear of the residential properties in Rogart Terrace, to link into the northern edge of the proposed dry stone wall. Along

the edge of the southern boundary of the new improved road and at either sides of the entrance, there would be a minimum width of crushed stone laid to a width of between 1m to 1.5m.

New signage for the quarry would be recessed into new pennant stone walling to be provided either side of the improved access road, ranging in height from 1.5 to 1.8m.

The scheme incorporates mitigation measures designed to minimise the impact on the two Tree Preservation Orders (TPO), together with replacement planting and woodland management.

The works are proposed to be undertaken in four general phases, with traffic management in place. It is proposed that the works would be undertaken during normal quarry operating hours 07:00 to 19:00 Monday to Friday but during more restricted hours of 08:00 to 17:00 on Saturdays and 09:00 to 16:00 on Sundays. Furthermore, the breaking out of rock would take place between 09:00 to 16:00 Mondays to Fridays and 09:00 to 12:00 on Saturdays.

The application illustrates that the existing quarry exit road is sub-standard in terms of its horizontal and vertical alignment and gradient and vision splay with the B4273 Ynysybwll Road. The exit road is considered to raise health and safety issues for laden heavy goods vehicles leaving the site, a situation which is exacerbated by the use of the exit also by private drivers gaining access to garages at the rear of their residential properties.

The application is accompanied by the following information:-

- Planning Application Statement
- Plans Ref CHY:AR1, 2, 3A, 4B, 5B, 6A, 7,8,9,10B,11,12 and 13
- Bat Roost Assessment,
- Revised Landscaping Scheme,
- Noise Report,
- Permacrib Retaining Wall – Design Calculations

SITE APPRAISAL

The application site relates to the existing quarry entrance road for Craig Yr Hesg Quarry, located some 1km north of the built up area of Pontypridd, off the B4273 Ynysybwll Road. It lies to the south of the processing operations and office facilities of the quarry and immediately adjacent to the rear of numbers 1-6 Rogart Terrace.

The current access arrangement utilises a one way system. The existing quarry exit onto the B4273 lies some 450m to the north of the quarry entrance at a point between the residential property known as “Sharon” and the Diamond Auto Repairs Garage”.

The application site measures 0.369 hectares and incorporates land taken up by the entrance road from the public highway, the B4273 Ynysybwl Road up to the quarry gates and land either side of the road.

The land either side of the entrance road is located within two TPO's, TPO 329 located above the existing retaining wall and TPO 330 located below the road. The site is also located within a Special Landscape Area (SLA) known as Cwm Clydach. In addition, the site abuts a Site of Importance for nature Conservation (SINC 77) as defined in the Rhondda Cynon Taf Local Development Plan.

The nearest residential properties to the site are located at numbers 1-6 Rogart Terrace.

Most Relevant PLANNING HISTORY

| | | | |
|---------|---|---|--------------------------------------|
| 13/0825 | Craig Yr Hesg Quarry, Berw Road, Pontypridd | Erection of an asphalt plant within Class B, Part 19 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995. | Granted 18.11.13 |
| 12/0985 | Craig Yr Hesg Quarry, Berw Road, Pontypridd | Trees and shrubs to be coppiced and pruned to allow site investigation works | Approved with conditions 22/11/12 |
| 12/0372 | Craig Yr Hesg Quarry, Berw Road, Pontypridd | Trees and shrubs (labelled on plan C10-0086) to be felled to ground level, in roughly 5m. Wide strip up through steep wooded bank. | Approved with conditions 13/07/12 |
| 08/1380 | Craig Yr Hesg Quarry, Berw Road, Pontypridd | Application for determination of conditions for mineral site. The Environmental Act 1995 (Section 96 and paragraph 9 of schedule 13). | Approved 24/04/13 |
| 99/2567 | Craig Yr Hesg Quarry, Berw Road, Pontypridd | GPDO - Proposal to replace part of existing dry stone processing plant. | Raise no objection 06/09/99 |

STATUTORY CONSULTATIONS

Transportation Section – raises no highway objection subject to conditions.

Countryside - no relevant Sewbrec records of statutory protected species from immediate vicinity. No objections raised to the proposed tree removal and revised

landscaping scheme, subject to conditions regarding bat avoidance, mitigation and enhancement measures in accordance with the submitted Bat Assessment Report.

Land Reclamation and Engineering - raises no objections and advises of drainage conditions.

Natural Resources Wales – raises no adverse comments .

PUBLICITY

The application has been advertised by site notices and neighbourhood notification. One letter, signed by three residents has been received as a result of this publicity raising the following comments:-

- There is a cheaper and easier engineering option which would be far less disruptive,
- There would be additional heavy traffic using the access and the Darren Park storage area with the recently granted asphalt plant permitted to operate at night time and at weekends,
- Engineering construction inadequate to cater for articulated lorries of up to 45 tonnes in terms of engineering and public safety,
- The construction of the existing crash barrier is considered inadequate,
- Question the suitability of the permacrib retaining wall, its mass concrete foundation, ground profile above and engineering details should be provided.
- Question how bank will be retained prior to backfilling,
- Soil and groundwater conditions not independently determined,
- Consider need for another drainage channel/French drain at front of retaining wall,
- Profile of road is not constant: it is steeper at the top and not an even grade as shown on submitted drawings,
- Question safety of traffic management proposals particularly during phases 2 and 3,
- Consider weekend and out of hours working for rock removal to be unnecessary,
- Storm water drain could be contaminated with dust , grit and bitumen based oil,
- The proposals do not include wheel wash facilities for heavy trucks leaving the site, nor dust controls along the new road,
- Consider works should be independently supervised to ensure the works comply with current construction standards and for the safety of residents,
- Consider that the revised access is proposed in order to cater for the large articulated 45 tonne trucks rather than for health and safety or environmental concerns.

PLANNING POLICY

Rhondda Cynon Taf Local Development Plan (LDP)

The Proposal and Constraint Maps show that the site lies in the countryside, within a Special Landscape Area,(SLA) known as Cwm Clydach, within a Site of Importance for Nature Conservation SINC 77 (Craig Y r Hesg /Lan Wood), within an area identified for sandstone resources and within the 200 metre buffer zone of Craig Yr Hesg Quarry sandstone resource. The site lies adjacent to the Craig Yr Hesg Local Nature Reserve and adjacent to the Glyncoch Quarry Regionally Important Geological Site.

Policy CS2 - seeks to achieve sustainable development within the southern strategy area by a number of means including protecting the natural environment.

Policy AW5 - supports development where amenity criteria are met, including a) the scale, form and design would have no unacceptable effect on the character and appearance of the site and surrounding area, b) existing site features of the built and natural environment would be retained, and c) there would be no significant impact upon the amenities of neighbouring occupiers; and accessibility criteria are met including the development would have safe access to the highway network.

Policy AW6 – supports development with a high standard of design where (2) they are appropriate to the local context, (7) landscaping and planting are integral to the scheme and enhance the site and the wider context, (14) the design protects and enhances the landscape and biodiversity, and (16) the design promotes good water management.

Policy AW8 – only permits development proposals where they would not cause harm to features of a Site of Importance to Nature Conservation, subject to criteria and there would be no unacceptable impact upon features of importance to landscape and the quality of natural resources such as water, soil and the natural drainage of surface water.

Policy AW10 – does not permit development proposals where they would cause or result in a risk of unacceptable harm to health and/or local amenity due to (6) land stability, (7) water pollution, (8) flooding.

Policy AW14 – safeguards sandstone resources from any development which would sterilise or hinder their extraction.

Policy NSA23 – requires development within Special Landscape Areas to conform to the highest standards of design, siting, layout and materials appropriate to the character of the area.

National Guidance

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

Planning Policy Wales Chapter 3 (Making and enforcing Decisions), Chapter 4 (Planning for Sustainability), Chapter 5 (Conserving and Improving Natural Heritage and the Coast), Chapter 7 (Economic Development), 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.

REASONS FOR REACHING THE RECOMMENDATION

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

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

Principle of the proposed development

The application site is located outside the settlement boundary and is located within the area of sandstone resources, as defined in the LDP. The land forming the subject of this application falls either side of the existing entrance road to Craig Yr Hesg Quarry and immediately adjacent to the current mineral permission. The proposed development would provide an improvement to the existing access at the quarry. It is therefore considered that the development is acceptable in principle.

Main Issues:

It is considered that the main considerations in the determination of the application are the impact on the landscape and nature conservation interests, the impact on the amenities of neighbouring residential properties and highway safety.

Landscape

The application site lies within the Cwm Clydach SLA where LDP Policy NSA 23 – requires development to conform to the highest standards of design, siting, layout and materials appropriate to the character of the area. In addition, within the Cwm Clydach SLA one of the key management objectives is to manage and conserve the wooded slopes of the Taff Vale which are considered to be important in views from the A470 corridor, and which form a backdrop above Pontypridd, as well as partially screening the quarry. The proposed works would also be contained within TPO Areas known as No's. 329 and 330 which reinforces the woodlands as having natural heritage value, which contribute to the character and amenity of the locality.

In respect of these matters, it is considered that the proposed works would form a narrow corridor within the substantial area of the SLA designation. The works would be well related to the existing quarry area, distant views of which would be well below the skyline and contained to limited vantage points obscured by vegetation mainly

from across the valley in Pontypridd, Cilfynydd and along the A470 corridor. Closer and lower viewpoints would be available from the B4273 Ynysybwl Road.

Whilst the widening of the site entrance would necessitate the removal of some 21 trees, the majority of which would be sycamore and birch trees and a replacement planting and management scheme is proposed. The large retaining feature, up to 5m in height, would be a wooden crib structure which would allow trailing and climbing plants to develop within the structure. The works also involve the creation of an enhanced quarry entrance feature with the provision of new dry stone walls and new signage recessed into the walls, which is illustrated by a photomontage on Plan Ref CHY/AR12.

Overall, it is considered that the loss of trees has been minimised to enable the highway improvements, and the new features would be sympathetic to the adjoining woodland and the SLA, in terms of their design and external appearance and would be appropriate to the character of the area and would not form a prominent feature within existing views of the quarry. As such it is considered that the proposed works would comply with Policies AW5, AW6 and NSA23 of the LDP.

Nature Conservation

The proposed works would result in the loss of trees but the submitted landscaping scheme includes a replanting scheme which reflects the number, location and existing species within the existing woodland, located within the TPO's and SINC designations and are of a size to allow natural regeneration. The planting of hazel and blackthorn are also proposed in order to continue the development of natural regenerating flora beneath the tree canopy. No additional planting is considered necessary on the steep embankment above Rogart Terrace as re-planting might disturb the area rather than be of benefit.

A bat assessment accompanies the application. It has concluded that none of the trees to be removed have a high potential to support bats, but three trees have a low potential. A number of mitigation measures are proposed including the use of the careful felling of some trees, felling between late October to February in order to also avoid the bird nesting period, and the provision of at least 4 bat boxes installed on retained trees facing in different directions.

The Council's Countryside Section have raised no objections to the proposals subject to the imposition of conditions to ensure that the above measures are implemented as proposed. As such it is considered that the proposed works would comply with Policy AW8 of the LDP.

Residential amenity

As the site is situated in close proximity to a number of residential properties there is the potential for the additional traffic associated with the road improvement proposal

and the construction activities to have an impact on the residential amenity of these properties, in terms of additional noise, dust and disturbance, and concerns have been received from local residents regarding these matters. There is also the potential for the works to have an effect on the enjoyment of users of the nearby local nature reserve.

The proposed operating hours for engineering and construction works are proposed to be the same as the normal quarry operating hours, 7am to 7pm during week day and more restricted hours during the weekend periods. However it is considered that the standard hours of construction (i.e. Mon to Fri 8am to 6pm and 8am to 1pm Sat) should be applied to the proposed works in order to ensure that the noise and disturbance is not a source of nuisance to the nearby residential properties.

An acoustic report accompanies the application. This was requested in order to ensure that the specifications and siting of the proposed 2m high acoustic fence adjacent to the rear of Rogart Terrace would be appropriate to mitigate the noise disturbance from the additional vehicles accessing and exiting the site, along the new road. The acoustic report has concluded that the proposed acoustic fence would provide an attenuation of noise up to 5dB L_{AEQ}, whereas the additional noise expected from doubling the number of heavy good vehicle (hgv) movements along the new road would increase noise levels by 3dB L_{AEQ}. The Report therefore states that the acoustic fence more than off sets the increase in expected noise levels. The Council's Public Health and Protection Division have assessed the report and considered it acceptable subject to conditions to secure the installation of the acoustic fence in accordance with the submitted details and subject to a maintenance condition.

The proposals also have the potential to create additional dust and therefore conditions are recommended to secure a dust minimisation scheme in respect of the construction activities including the use of wheel washing facilities. Furthermore, the new quarry road would necessitate the re-siting of the existing wheel wash, which is currently located along the quarry exit road. It is therefore considered appropriate to impose a pre commencement condition to require the relocation and use of wheel wash facilities prior to beneficial use of the new road.

It is therefore considered that the proposed scheme would comply with national and local planning policies in respect of its impact on the amenities of nearby residents and recreational users.

Highway safety

Highway safety issues would extend to whether the provision of the improved access to the site from the existing highway network and whether the construction operations would be acceptable.

It is recognised that the existing exit from the quarry is severely less than standard in terms of the available vision splays and in terms of its horizontal and vertical alignment. These matters are exacerbated in terms of the slow moving and heavily laden hgv traffic exiting the quarry and the poor road surface conditions especially during periods of inclement weather.

The proposal would provide a new two way access road in the form of a priority junction to enable hgv traffic to enter and leave the site in a forward gear and provides for a vision splay of 120m x 2.4m which would comply with the standard required for the 40mph speed limit of the B4273.

The Council's Transportation Section has advised that the proposal provides for improved access for the site particularly by heavily laden hgv's when compared to the existing sub-standard arrangement. Therefore, on this basis the proposal is considered acceptable subject to the imposition of recommended appropriate conditions in order to secure full engineering designs, permanent retention of the vision splay, surface water drainage details and details of traffic management and wheel washing facilities during the construction period. A condition is also recommended in order to improve the surface course fronting the site access in view of the potential wearing of the highway fronting the site by the heavily laden hgv traffic generated by the quarry activities which would create excessive maintenance liability to the Highway Authority.

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:

Structural stability

Structural design calculations have been submitted in respect of the proposed Permacrib Retaining wall to ensure that it would be constructed in accordance with the relevant standards. The Council's Structural Engineer has considered the report and has advised that it is acceptable. subject to a condition to secure its construction in accordance with the approved details. It is therefore considered that the proposed scheme complies with national and local planning policies in respect of its impact on stability matters.

Surface water drainage and flooding issues

The proposal includes the provision of a surface water drainage system which has been designed in accordance with Design Manual for Roads & Bridges, as modified by the Rhondda Cynon Taf County Borough Council standard requirements. The proposals include a perforated land drain at the top and bottom of the proposed timber crib retaining wall, feeding into the existing surface water drainage system.

The Council's Drainage Officer has considered the proposal and has raised no objections subject to conditions to secure full drainage details, in order to prevent flooding and the pollution of the water environment.

It is therefore considered that, subject to the imposition of conditions as recommended above, the proposed scheme complies with national and local planning policies in respect of its impact on surface water drainage and flooding issues.

Other Matters raised by Members of the public

- The consideration of alternative options for the access to the quarry is not relevant to the planning consideration of the application. The justification for the revised access arrangement is considered acceptable in view of the sub standard nature of the existing exit road,
- The engineering construction of the road, the nature of the crash barrier and traffic management during construction would be subject to the requirements of the details required by the conditions recommended to be imposed by the Transportation Section,
- The independent supervision of the engineering works is not the responsibility of the Local Planning Authority (LPA). The LPA's role is to ensure that the engineering details of the development are acceptable and impose conditions to secure that the development complies with the approved details. It is the applicants' responsibility to ensure that the development is built in accordance with the approved details.

Conclusion

In conclusion, it is considered that the proposed development would be acceptable in principle and comply with the relevant policies of the Local Development Plan in respect of its impact on the landscape character and nature conservation interest of the site, residential amenity and highway safety.

RECOMMENDATION: Grant

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

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

2. The development hereby approved shall be carried out in accordance with the submitted plans nos. CHY:AR1, 2, 3A, 4B, 5B, 6A 7, 8, 9, 10, 11, 12 and 13.

Reason: To ensure compliance with the approved plans and clearly define

the scope of the permission.

3. The permacrib retaining wall and the acoustic fence hereby approved shall be completed prior to beneficial use of the improved road hereby approved and shall be carried out in accordance with the submitted reports and details. The approved acoustic fencing shall thereafter be retained in perpetuity in accordance with the approved details.

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

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 beneficial use 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 during the period of construction works. If any trenches for services are required in the fenced-off areas during construction works they shall be excavated and back-filled by hand and any tree roots encountered with a diameter of 5cms or more shall be left unsevered.

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

6. The development shall be completed in accordance with the details of Bat avoidance mitigation and enhancement measures set out in Sections 4.2 and 4.3 of the submitted Bat Roost Assessment Report dated October 2013. All replacement bat boxes shall be provided prior to the commencement of any tree felling, 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. Building operations shall not be commenced until samples of the materials proposed to be used have been submitted to and approved in writing by the Local Planning Authority and all materials used shall conform to the sample(s) so approved.

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

8. 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) Not 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 policy AW5 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 found and surface water drainage in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

10. The road hereby approved shall be not 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. Notwithstanding the submitted plans, no works shall commence on site until full engineering design and details of the tie in of the proposed means of access together with the improvements to the surface course of the B4273 Ynysybwll Road fronting the site access have been submitted to and approved in writing by the Local Planning Authority. The works shall be

completed in accordance with the approved details prior to beneficial use.

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

12. The vehicular access to the site hereby approved shall be laid out, constructed and retained thereafter with 2.4m x 120 metre vision splays.

Reason: To give better visibility in the interests of road safety to vehicles emerging on to the highway in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

13. No obstruction or planting when mature, exceeding 0.9 metre in height shall be placed within the required vision splay areas.

Reason: To give better visibility in the interests of road safety to vehicles emerging on to the highway in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

14. No development shall take place, 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 materials.
- e) Wheel wash facilities and dust minimisation measures.
- f) The sheeting of lorries leaving the site.

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

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

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|------------------------|---|-------------|
| APPLICATION NO: | 13/1076/10 | (LE) |
| APPLICANT: | Dwr Cymru Welsh Water | |
| DEVELOPMENT: | The proposed works include an improved access to the existing storage chamber and combined sewer overflow in the adjacent field. | |
| LOCATION: | OFF A473 TO THE SOUTH OF BRYNNA AND WEST | |

**OF BRYNCAE, LANDS TO THE EAST OF RHYD
LETHIN, ADJACENT TO AND CROSSING THE NANT
Y GOFER STREAM, SOUTH OF EWENNI FACH
RIVER AND RAILWAY LINE**

DATE REGISTERED: 06/11/2013
ELECTORAL DIVISION: Brynna

RECOMMENDATION: Approve

REASONS:

The proposal would provide an improved access to an existing Welsh Water facility and is considered an appropriately justified and acceptable form of development that would aid with the management of flooding and pollution control facilities for the locality.

APPLICATION DETAILS

Full planning permission is sought for the construction of a new access road to the Brynna Storm Tanks (Welsh Water facilities), Brynna. The access would be created off an unnamed adopted country lane that is sited off the A473 to the south of Brynna and west of Bryncae in a relatively remote countryside location. The new access would extend for approximately 88 metres in length with 3 metres width that widens at its start and end point to form appropriate junction widths off the adopted lane and the existing, internal access track it would link. The proposed access road would cross a small watercourse (Nant-y-Gofer stream) that would be culverted as part of the works (Ordinary Watercourse consent has already been granted by the Council for the culverting works).

The improved access is required to facilitate access by vehicles linked to the periodic maintenance of the existing Welsh Water storage chamber/storm tanks and combined sewer overflow facility situated in the adjacent nearby field; in turn providing continuity of flood protection to the surrounding localities and preventing future pollution issues within the Ewenni Fach River. The proposed route is more direct and avoids a sharp 90 degree bend at the existing site access and would also avoid the trafficking over a small, stone arch bridge where there are unknown strength issues.

The planning application is accompanied by a Design and Access Statement.

SITE APPRAISAL

The application site forms part of an area of open countryside on the western fringes of the village of Bryncae (although the site is situated within the settlement boundary, forming part of the strategic Llanilid site that is allocated for significant residential, employment, retail and recreational purposes). The proposed access road would be

erected across typical, grassed rural fields that are bounded by hedgerows and planting. The fields steadily rise from north to south. A row of planting and trees are situated toward the centre of the application site that generally follow the route of a small water course (Nant y Gofer) that the new road access would cross over. An unmade adopted country lane to the west of the site provides vehicular access from the A473. The existing access road leads to the Welsh Water apparatus via a sharp, 90 degree bend that crosses a stone bridge and is difficult to navigate by larger vehicles. There is a residential dwelling (Rhyd y Gleddyn) further to the west of the access lane. Public Right of Way 21 extends across the northern part of the application site and beyond the north-western boundary of the site there appears an area of invasive species (Japanese Knotweed). Further north of the site is the Ewenni Fach River.

PLANNING HISTORY (post 1974)

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|---------|--|--|-------------------|
| 10/0845 | Land at former open cast coal site and land to the north of the A473, Llanilid | Comprehensive development comprising: residential development of up to 1,850 dwellings; neighbourhood centre to include Class D1 and D2 community/leisure facilities, Class D1 medical centre, Class D1 primary school, Class A1, A2 and A3. | Decision Pending. |
|---------|--|--|-------------------|

PUBLICITY

The application has been advertised by means of direct neighbour notification and site notice. One letter of representation has been received against the application that states:

- The continued use of the adopted access lane to the site by Welsh Water has resulted in severe damage to the surface and grass banks of the lane caused by contractor's vehicles entering and leaving the site. The lane is now severely pot holed that makes vehicle and pedestrian access difficult. If the Council is minded to grant permission then the lane must be brought up to a standard that will allow un-impeded access along the lane.

CONSULTATION

Transportation Section - raise no objections, subject to conditions ensuring an appropriate tie in with the public highway, the provision of wheel washing/traffic

management facilities during construction and the undertaking of an appropriate conditions survey/report for the access lane leading to the site.

Public Health and Protection - raise no objections, subject to a condition limiting hours of operation during the construction phase of the development.

Land Reclamation and Engineering - raise no objections subject to conditions ensuring the submission of detailed drainage arrangements for the development. It is also advised the site is within an area susceptible to surface water flooding and consultation with Natural Resources Wales is recommended.

Natural Resources Wales - raise no objection, although highlight the policy status of the site as detailed within the Local Development Plan and advise the comments of The Councils Ecologist should be sought on the proposal.

Countryside Landscape, Ecology - raise no objections, subject to conditions relating to; the appropriate tree protection of the mature trees adjacent to the removed hedgerow, no removal of nesting bird habitat in the breeding bird season (March 1st – July 31st), a landscape condition ensuring hedgerow removal is kept to a minimum/replaced where appropriate, restoration of the land is undertaken and a method statement is submitted for working in the vicinity of Japanese Knotweed and Himalayan Balsam.

Public Rights of Way Officer - advises there is a Public Right of Way crossing the site and the applicant should be informed appropriately that the development must not obstruct the public right of way until it has been formally stopped-up or diverted.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site is situated within the settlement boundary and within policy SSA – 9: Former open cast coal site.

Policy CS2 - emphasises the need for sustainable growth in the Southern Strategy Area that benefits the whole plan area.

Policy CS3 – Allocates Strategic Sites within the Borough to promote sustainable growth, including the former open cast coal site, Llanilid, Llanharan.

Policy SSA 9 – Former open cast coal site, Llanilid is allocated for the construction of between 1950 – 2100 dwellings, and numerous commercial and community facilities.

Policy AW1 - sets provisions for the creation of new housing throughout Rhondda Cynon Taf.

Policy AW2 - supports development proposals in sustainable locations including sites within the defined settlement boundary.

Policy AW5 - specifies criteria for new development.

Policy AW6 - supports development that involves high quality design and makes a positive contribution to place making.

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

Policy AW10 – seeks to ensure development proposals do not cause risk or unacceptable harm to health and/or local amenity.

Planning Policy Wales

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's 2 (Development Plans), Chapter 3 (Making and Enforcing Planning Decisions), Chapter 4 (Planning for Sustainability) and Chapter 12 Infrastructure and Services set out the Welsh Government's policy on planning issues relevant to the determination of the application.

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 development

Permission is sought for the erection of a new access road to provide improved vehicle access to an existing Welsh Water facility situated on the fringes of Bryncae. The application site, although sited within a relatively remote and isolated location is situated within the settlement boundary, forming part of the strategically allocated former open cast coal site, Llanilid (the indicative concept plan highlighting the application site is situated within an area allocated for low density housing). A proposal of the nature and scale proposed is however unlikely to prejudice the implementation of the allocated policy for the site and has been appropriately justified. Welsh Water have detailed the improved access would aid continued flood protection of the locality and prevent future pollution issues within the Ewenni Fach River. The principle of the development is therefore considered acceptable.

Impact on the character and appearance of the area

In terms of the visual impact of the proposal, the proposed access road would extend from an existing adopted lane, for a length of approximately 88 metres to an existing hard surfaced access track within the boundaries of the Welsh Water site. The new road would have a general width of 3.0 metres, with finishing materials to match the existing vehicle tracks it would adjoin (tarmac) and on balance is considered visually acceptable. The level of the road would generally follow the existing topography of the site with limited excavation and engineering required to accommodate the access (with the exception of the associated culverting and small scale engineering works required to develop the access road over the water course crossing the site). The creation of the access road would require the removal of parts of existing hedgerows, although following pre-application discussions held with the Council the route would avoid the more mature trees at the site with Welsh Water advising the works have been minimised to a level absolutely necessary in order to safely provide access to the site. The Councils Ecologist and Public Rights of Way Officer, subject to conditions to further mitigate and minimise the impact of the works have raised no objections to the scheme. Considering the level of likely future development the wider locality could also experience (given the policy allocation of the site) the scheme is not considered overly harmful to the character and appearance of the locality.

Impact on residential amenity and privacy

Turning to the impact on neighbouring residential amenity, it is not considered the scheme would have an overly adverse impact in this regard. There is one residential property situated toward the west of the proposed access route, with the existing access lane to the site passing directly to the front of this property. The proposed access would therefore be further offset from the residential property than the route that is currently utilised by Welsh Water maintenance vehicles thereby reducing any negative impact of vehicle movements on the residential property. Existing planting and hedgerows would also add a degree of screening to the new access road when viewed from the residential property. Comments have been raised from the occupier of the nearby residential property, in relation to the wider condition of the access lane leading to the site, although given the proposed access would serve an existing facility with the proposal having minimal impact on the level and frequency of maintenance vehicles visiting the site, this is not considered a reason to warrant the refusal of the scheme.

Access and highway safety

In terms of highway safety considerations, the proposal would create an improved access of an existing adopted lane (no-through road) that terminates at the existing site. The improved route seeks to provide a more direct access into the Welsh Water facility and avoid a sharp 90 degree bend at the existing site access and also avoid a stone arch bridge where there are unknown strength issues. The proposal would result in limited periodic trips to and from the site that already take place along the lane that generally has limited traffic movements. The Councils Transportation Section has raised no objections against the scheme subject to conditions. A

recommended condition ensuring wheel washing facilities are introduced at the site during construction is considered reasonable given the characteristics of the site. A suggested condition recommending the undertaking of a before and after conditions survey of the adopted lane leading to the site (to recover the cost of any damage as a result of extraordinary traffic use during the construction phase) is essentially a highways matter, and can be secured more appropriately under Section 59 of the Highways Act 1980. Overall, in terms of highway safety the application is considered acceptable.

Other Issues

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

Drainage

Comments of the relevant drainage bodies in relation to the application have been acknowledged in this instance and subject to the imposition of appropriate conditions it is not considered the scheme raises any adverse issues in this regard. Ordinary Water Course consent has also been granted at the site for the provision of the access culvert.

Public Health

Following consultation with the Council's Public Health and Protection Division no adverse comments have been raised against the scheme.

CONCLUSION

The application is considered to comply with the relevant policies of the Rhondda Cynon Taf Local Development Plan, with the scheme representing an improved and justified access to an existing Welsh Water facility.

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. Notwithstanding the submitted plans, no works whatsoever shall commence on site until full engineering design and details of the tie in with the public highway have been submitted to and approved in writing by the Local Planning Authority. The highway works shall be fully implemented in accordance with the approved engineering to the satisfaction of the Local

Planning Authority.

Reason: To ensure the adequacy of the proposed development, in the interest of highway safety in accordance with policy AW5 of the Local Development Plan.

3. Prior to the commencement of development, details of traffic management and wheel washing facilities shall be provided on site in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and maintained throughout the construction period unless otherwise agreed in writing by the Local Planning Authority.

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

4. 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.

5. No site clearance works shall be undertaken during the nesting bird season (March 1st to July 31st) and should any clearance works be undertaken in that period a method statement detailing how nesting birds would be considered shall first be submitted and approved in writing by the Local Planning Authority. Any clearance activities undertaken during the nesting bird season shall be implemented in accordance with the approved details and timing of the method statement.

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

6. Full details of an invasive species management plan for the control of Japanese Knotweed (*Fallonia japonica*, *Rouse decraene*, *Polygonum cuspidatum*) and Himalayan balsam located within the vicinity of the application site shall be submitted to and approved in writing by the Local

Planning Authority prior to the commencement of work on site. The management plan shall be carried out as approved.

Reason: To ensure compliance with the Wildlife and Countryside Act 1981.

7. A landscape management plan, including habitat restoration details for disturbed areas, details of replacement hedgerows, and management responsibilities and maintenance schedules for the site, shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. The landscape management plan shall be carried out as approved.

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.

8. 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 drainage of the development in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

9. The development shall not be brought into beneficial use until the drainage works have been completed in accordance with the approved plans.

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

10. Construction works on the development shall not take place other than during the following times:

Monday to Friday 0800 to 1800 hours

Saturday 0800 to 1300 hours

Not 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 policy AW10 of the Rhondda Cynon Taf Local Development Plan.

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| APPLICATION NO: | 13/1103/10 | (MJ) |
| APPLICANT: | Rhondda Housing Association | |
| DEVELOPMENT: | Demolition of existing residential dwelling and associated | |

garage and development of 39 no. affordable dwellings and associated works.
LOCATION: LAND OFF CASTELLAU ROAD, BEDDAU, CF38 2RA
DATE REGISTERED: 28/11/2013
ELECTORAL DIVISION: Beddau

RECOMMENDATION: Approve subject to Section 106 agreement.

REASONS

The proposal if allowed would provide much needed social housing provision in a form that is currently under provided for in this locality. The proposal is in keeping with the policies of the Rhondda Cynon Taf Local Development Plan and National Policy in that it is acceptable in terms of scale, layout, design and its impact on the residential amenity of surrounding properties as well as highway safety.

APPLICATION DETAILS

The application seeks full planning permission to provide 39 dwellings with ancillary car parking, open space, access and landscaping on land off Castellau Road, Beddau. The proposal will involve the demolition of the existing dwelling known as Garreg Wen to accommodate the access into the site.

The proposed dwellings will comprise a mixture of detached and semi-detached properties and will be between 1 and 2 storeys high. The scheme includes a range of different house types which comprising the following:

- House Type A – 4 x 2 bedroom houses forming pairs of semi-detached units;
- House Type B – 2 x 3 bedroom houses which also forms a pair of semi-detached units on the site;
- House Type C – 3 x 4 bedroom detached houses;
- House Types D and E – 10 x 2 bedroom bungalows;
- House Types F and G – 18 x 1 bedroom flats;
- House Type H – 2 x 2 bedroom flats.

The properties would all be 1 or 2 storeys in height, with their own private amenity space being provided in the form of an enclosed rear garden. It is proposed that the dwellings be constructed with a range of materials, with a mix of reconstituted stone, facing brick and render. All dwellings would have dark grey finish roof tiles.

The layout has been developed to respond to the existing site features and the context of the immediate area, with several landscaped open areas proposed as well as the

maintenance of the existing tree lined area along the northern and southern boundaries of the site.

The proposal involves the demolition of an existing property (Garreg Wen) to allow for access into the site from Castellau Road. The access will follow the boundary with Beddau Rugby Club and will extend around towards the western area of the site, with the proposed dwellings either side of the access throughout the central section of the site.

Parking for each of the properties would be provided largely within each of the plots by the provision of off-street parking spaces. Further parking will be provided within an area at the end of the access road adjacent to the existing pumping station.

The application is accompanied by:

- Planning Statement
- Design and Access Statement
- Phase 1 habitat survey
- Stage 2 Ecology Survey Report
- Tree Report 2012 and 2013 (inc. Tree constraints plan)
- Tree Shadow Assessment
- Transport Statement
- Drainage Statement
- Preliminary Site Investigation Report.

SITE APPRAISAL

The application site is partly within, although primarily outside, the settlement boundary of the smaller settlement of Beddau, in the Southern Strategy Area. The land within the settlement boundary – an existing residential property – is not allocated for any specific use.

The part of the site outside the settlement boundary is within the Mynydd Glyn and Nant Mychudd Basin Special Landscape Area (SLA), is within a Regionally Important Geological Site (RIGS) designation and is within a Sandstone Safeguarding Area.

The application site comprises an irregular shaped parcel of land comprising two distinct land parcels; the dwelling 'Garreg Wen' and associated garden area, and an undeveloped field parcel which is roughly triangular shaped and was previously used for grazing. The land form of the site slopes from the northeastern corner downwards to the south-western corner.

The area surrounding the site is characterised by residential development to the east, north-east and south whilst to the west, north-west and south-west is open countryside. Adjacent to the north of the site is a large area of mature trees which separate the site from Bryn Celynnog Comprehensive School to the north-east. A

small stream runs along the north-western boundary of the site flowing to the south west. The southern boundary of the site abuts Castellau Road and Holly House, a residential dwelling with associated garden/yard area.

Access to the site will be obtained through the demolition of the existing property known as Garreg Wen. The property is a detached bungalow located within a large linear plot. It is south of the plot near the public footpath of Castellau Road. It is demarcated from Castellau Road by a small wall and hedge. Slightly north of Garreg Wen to the eastern boundary, is a single garage with a metal door and finished in similar materials to the dwelling.

North of the dwelling is the rear garden characterised by well-maintained grassed area. The plot is large and measures approximately 0.30 hectares. Garreg Wen is enclosed to the east and north by a large Leyland Cypress hedge. To the west the garden area is demarcated by a fence. The field parcel measures approximately 1 hectare and was formerly used as a paddock. The northwestern and southern boundaries converge in the south western corner of the site. These boundaries are characterised by thick planting including trees and shrubs. The centre of the site is mainly grassed.

PLANNING HISTORY

Previous relevant planning applications that have been made on the site are as follows:

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| 11/0517/15: | Variation of condition 1b of application reference 05/0333 (previously renewed under reference 08/0684) to extend the time limit for the submission of reserved matters application for the erection of 4 detached dwellings (outline). | Granted 27/09/2011 |
| 10/0130 | Erection of dwelling (application for approval of reserved matters). | Granted 12/04/2010 |
| 08/0684 | Renewal of planning permission 05/0333/13 for the erection of 4 no. detached dwellings (outline). | Granted 03/06/08 |
| 05/0333 | 4 No. detached dwellings (outline) | Granted 08/07/05 |
| 81/1485 | Development of detached/ semi-detached houses | Refused 22/01/82 |
| 77/0115 | Development of detached/ semi-detached houses (outline) | Refused 27/07/77 |

PUBLICITY

The application has been advertised by direct neighbour notification letters, site notices were posted in the immediate area and a notice was published in the local press.

A total of 13 residents (including Ysgol Gynradd Gymraeg Castellau) have sent letters in response to the advertisement of the planning application (in relation to the original plans), these are summarised as follows:

Amenity

- Concerns that the proposed development will result in light and noise pollution to the area.

Character and Appearance

- Concerns have been raised that the proposed development will alter the character of the area from a semi-rural location to an urban area.

Access and Highway Safety

- The objector describes the existing situation in relation to access and parking around the school. They consider that there are already issues of road safety particularly at peak hours when parents pick up and drop off children at the school. A school bus also accesses the school site during the week. They advise that the traffic approaching from the direction of the Common often approaches Beddau at speed with limited visibility.
- Parking in relation to the school is already a problem and it is considered that the parking levels proposed as part of the development is insufficient leading to residents parking on the main road causing concerns for highway safety.
- Objectors are concerned that the proposed development will increase traffic in the area and exacerbate the existing highway safety problems.
- Objectors strongly challenge the assumption that 'the development would have safe access to the highway network and would not cause traffic congestion or exacerbate existing traffic congestion. Several objectors have raised concerns that the development of the site for 39 dwellings would lead to congestion outside the primary school and Bryncelynnog Comprehensive School nearby, a danger to pedestrians.
- It is likely that parents from the site will drive their children to school if they don't attend Ysgol Gynradd Castellau which would lead to many more vehicle movements from the site than predicted and would be of a danger to highway safety.
- The comments from Ysgol Gynradd Castellau state that they have concerns regarding the proposal to remove the existing barrier outside the school to accommodate a pedestrian crossing as this is currently in place to protect the

children and prevent them from running into the road. The removal of the barrier would create pedestrian safety hazards.

- Concerns regarding the impact of the development phase on highway safety.
- The proposed access into the site will cause highway safety hazards and the preference would be to create an access further away from the existing school.
- A resident has suggested that the developer should create a footpath opposite the school so that there is safe pedestrian access.

General

- Express disappointment that there is no mention of the nearby Ysgol Gynradd Castellau in the planning documents submitted with the application.

CONSULTATION

Transportation Section – no objections subject to conditions and a financial contribution.

Public Health & Protection – no objections subject to conditions and informative notes relating to hours of construction, dust suppression measures, disposal of waste, etc.

Land Reclamation & Drainage – no objections are raised subject to conditions. It is also noted that the developer will be required to obtain Ordinary Watercourse Consent from the Council in respect of any outfall structure and works to the existing watercourse.

Housing Strategy Unit – no objections – as the proposed development is for 39 affordable units the department has advised that the scheme will help address the need for additional affordable housing within Beddau and Tynant.

Education – no objections received.

Countryside, Landscape and Ecology – no SewBrec records of statutory protected species have been found for the immediate vicinity. No objections have been raised subject to recommended conditions, including the following requirements:

- Species and Habitat Protection and Mitigation Plan
- Landscape Mitigation Plan
- Tree Management Plan
- Details of measures to reduce the impacts of light fall from site lighting

The Ecology surveys and site visit have confirmed that the site, while below SINC value, supports features of local biodiversity significance. The most important features are considered to be the stream, which borders the sites western boundary and the woodland/hedgerows which run along the western and southern boundary. The main biodiversity features are the tall ivy covered boundary oaks and ash which run along

the western and southern perimeter of the Site, together with associated woodland/hedgerow under-storey.

The Ecology report highlights the potential value of the mature, ivy covered trees as bat roost habitat, and there is an inherent nesting bird potential within the trees, woodland, hedgerows and associated undergrowth. The stream (although severely compromised at its road culvert end) has potential to be used as a wildlife corridor, and may occasionally get used by otters.

The Ecology Report highlights that retention of the mature trees, and wooded stream corridors are important ecological requirements. The Tree Retention Plan indicates that reasonable protection zones may have been provided for most of the mature trees.

The bat surveys employed reasonable bat assessment methods. They identified 4 bat species foraging within the Site, and although no bat roosts were located, the Report concludes that bat roosts occur in the vicinity. The Site contains the Garreg Wen bungalow, which has received a detailed bat investigation. No evidence of bats were recorded by this assessment and it was noted that few opportunities exist for bat access, with a conclusion that it is unlikely to be a regularly utilised bat roost.

Appropriate assessments for Badger, Dormouse, Otter, Birds and Reptiles have been undertaken. Protection of the stream along the sites western boundary is required to protect any potential otter use of that watercourse.

A Section 106 requirement for the full details of the management of Retained Trees, Woodland and Open Space to be submitted to and approved by the Local Planning Authority would also be required.

Wales & West Utilities – no objections raised subject to their standard advice regarding the need for the developer to check on the proximity of live gas mains to the site.

Dwr Cymru/ Welsh Water (DCWW) – no objections subject to conditions. They have advised that the proposed development would overload the existing Waste Water Treatment Works, however, improvements are planned for completion by 31st August 2014. DCWW have advised that a condition should be attached to prevent beneficial occupation of the properties until after 1st September 2014.

Cyfoeth Naturiol Cymru/ Natural Resources Wales (NRW) – no objections subject to conditions.

Glamorgan Gwent Archaeological Trust (GGAT) – no objections. Comment that it is unlikely that significant archaeological remains would be adversely affected by the proposed development. Advise that previously unknown archaeological material may be encountered during the work and the developer should contact GGAT in this event.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The site is outside settlement limits and is within the Mynydd Glyn and Nant Mychudd Basin Special Landscape Area (SLA), is within a Regionally Important Geological Site (RIGS) designation and is within a Sandstone Safeguarding Area.

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

Policy CS4 – defines housing land requirements.

Policy CS5 – requires the provision of affordable housing.

Policy AW1 - sets out the requirements for new housing development and the methods by which the provision of new housing will be met.

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

Policy AW3 – sets out criteria to allow for the exception of affordable housing in the countryside.

Policy AW4 – refers to Community Infrastructure & Planning Obligations.

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

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

Policy AW8 – seeks to protect the natural environment from inappropriate development. AW8.220 in particular identifies the Gelynnog Colliery spoil tip as a Regionally Important Geological Site, which should be protected.

Policy AW14 – safeguards minerals from development that would sterilise them or hinder their extraction.

Policy SSA11 – refers to housing density.

Policy SSA12 – refers to affordable housing.

Policy SSA23 – refers to Special Landscape Areas.

National Guidance

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

Planning Policy Wales (PPW)

Chapter 3 (Making and Enforcing Planning Decisions),

Chapter 4 (Planning for Sustainability),

Chapter 7 (Economic Development),

Chapter 8 (Transport),

Chapter 9 (Housing), 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 12: Design;
PPW Technical Advice Note 18: Transport;
PPW Technical Advice Note 22: Sustainable Buildings.

REASONS FOR REACHING THE RECOMMENDATION

The site is partially within the settlement boundary of Beddau and is within a Special Landscape Area (SLA), is within a Regionally Important Geological Site (RIGS) designation and is within a Sandstone Safeguarding Area. The principle of residential development for affordable housing can be considered acceptable subject to certain criteria in sites outside the settlement limit. As detailed above, the scheme seeks to develop the site for 39 affordable dwellings.

The key considerations in the determination of this application are whether the principle of residential development upon the site is acceptable, the potential impact of the development upon the privacy and amenity of neighbouring properties, the effect on the character and appearance of the area, the impact of the proposal on highway safety and the impact on ecology and biodiversity.

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

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

Principle of development

The application is for the development of 39 affordable residential units with a mix of house types and flats. The site is within close proximity to the centre of Beddau and the facilities there. These include primary and secondary schools, local shops, post office and community facilities.

Approximately a fifth of the application site is an existing property with large grounds that sits within the settlement boundary of Beddau. The existing dwelling is to be

demolished to accommodate the access to the remainder of the site. This consists of a small adjacent field that is outside the settlement boundary.

Policy AW3 of the Local Development Plan allows for the exception of solely affordable housing developments outside settlement boundaries subject to certain criteria. Firstly, it should be evidenced that there are no suitable sites for these affordable dwellings on land within the settlement boundary in the identified area of affordable housing need. Secondly, the development should not be for more than 30 dwellings or on a site greater than 1 hectare. The application site extends to 1.33 hectares, with approximately 1.05 hectares and 30 units outside the settlement boundary. This is considered to be an acceptable scale of development in accordance with policy AW3, particularly given the amount of tree and hedgerow retention included in the scheme. With regard to objections raised on whether the land should be developed as much of it is outside the settlement boundary and is of a rural appearance, whilst the loss of this area of Greenfield land is regrettable, the is considered to be appropriate for development for affordable housing for the aforementioned reasons.

Additionally, the policy does not generally allow for such proposals in a SLAs, however this site is a very small section, and on the edge of, a far larger SLA. The site which is adjacent to the settlement boundary on the one side, is bordered and enclosed by an historic field boundary of mature trees (that are clearly shown to be maintained in the development), on the other. There is also a house and a yard area beyond this outer, countryside boundary. Policy SSA23 of the Local Development Plan allows for development in an SLA, providing that it conforms to the highest standard of design, siting, layout and materials appropriate to the character of the area. It is considered that the proposed development in terms of its design, layout and scale is of a high standard which respects the existing character of the area, and it is considered that on balance, the principle of an affordable housing development in this location in the SLA would be appropriate.

Subsequent to the adoption of the LDP, a study has been undertaken to identify the physical boundaries of the RIGS designations (further to the indicative locations annotated on the proposals map). The Gelynnog Colliery spoil tip (referred to in policy AW8.220), is not within, and is actually somewhat detached from, the application site and it is therefore considered that the proposal will not have a detrimental impact on the features of this geological site.

The mineral safeguarding area that covers part of the application site outside the settlement boundary is already sterilised due to the proximity of the existing residential area and it is therefore considered that the proposed development will not exacerbate the situation or be contrary to the relevant policy.

Under the provisions of the Local Development Plan, the site relates well to the village of Beddau and has good public transport connections, even though it is largely located outside the settlement limit. In this respect it is considered that the principle of the

development of the site for affordable housing purposes is compliant with national and local planning policy objectives.

Overall, it is considered that the development of the site for affordable housing purposes is in accordance with national and local planning policy, in particular, policies AW1 and AW3, which seek to improve the provision of affordable housing in Rhondda Cynon Taf. As such, in policy terms, the proposal is considered acceptable in principle.

Character and Appearance

The proposed scheme is for a total of 39 houses, arranged around a simple road layout. The scheme takes account of the site's characteristics and context and as a result, the layout is successful in creating frontages along the access road and maintaining a large proportion of the site's existing vegetation and open spaces.

It is considered that due to the maintenance of several areas of trees and open spaces within the site, whilst it acknowledged that the character of the site will change as a result of the development, on balance it is not considered that it would be such a detriment to the character of the area to warrant the refusal of the application.

Turning to the scale, design and appearance of the development, the proposal is for traditional one and two storey housing. The scheme incorporates a variety of house types, these range from one bedroom flats to 4 bedroom houses. The area surrounding the application site is characterised by a wide of range of housing types constructed in a variety of materials. These range from traditional stone fronted terraces, to large bay-fronted semi-detached properties and modern detached dwellings to bungalows. As such, it is considered appropriate to utilise a range of finishing materials within the proposed development. Dwellings would be finished in either, facing brickwork or reconstituted stone with render panels, with dark grey tiled roofs. It is considered that the palette of materials presented is appropriate and would create an identifiable character within the site, whilst respecting the character of the surrounding area.

The development of 39 affordable residential units on this 1.33 hectare site would create a housing density of approximately 29 dwellings per hectare (dph). This is below the minimum density of 35 dph required by policy SSA11, although the layout shows that considerable areas of the application site are to remain undeveloped to protect the mature trees on the sites' boundary. In this instance a lower density is considered appropriate, since it is necessary for both ecological and landscape reasons to retain an undeveloped landscape buffer along the northern and southern boundaries of the site. Accordingly, it would appear that the actual area of land to be developed would be at an acceptable density and is in accordance with the requirement of policy SSA11 of the Rhondda Cynon Taf Local Development Plan.

Overall, it is considered that the layout of the site and scale and appearance of the dwellings proposed is successful in identifying and responding to the various site

constraints and context of the wider area. As such, it is considered that the development would contribute positively to the character and appearance of the area.

The proposal is therefore considered to be in keeping with the character and appearance of the surrounding area in accordance with the provisions of policies SSA11, AW3, AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

Residential Amenity

With reference to the impact of the proposal on the residential amenity of surrounding properties, it is considered that the siting and layout of the development is such that it ensures overlooking between habitable room windows will be kept to a minimum.

Given that the site lies adjacent to an established residential area in close proximity to residential dwellings, it is important to consider the potential impacts of the layout upon the levels of amenity and privacy currently enjoyed by the occupiers of neighbouring residential properties. It is considered that the properties closest to the site, along Castellau Road, the main street to be affected by the development. With regard to the impact of the proposal on Holly House, no proposed dwellings will directly overlook the existing property, and in addition, an area of landscaping will be maintained directly to the rear of Holly House. It is considered that this will reduce the impact of the proposal on the property and result in an acceptable relationship between existing and proposed dwellings.

Within the site itself each of the plots benefits from its own private garden area, with the layout ensuring reasonable separation distances are maintained between the proposed dwellings.

With regard to objections raised regarding the impact of the additional traffic on the amenity of existing residential properties, it is acknowledged that the level of vehicular traffic along Castellau Road will increase, however due to the alterations proposed to the access and its location at a distance away from residential properties, it is not considered that any noise and disturbance which may occur would be so detrimental as to warrant the refusal of the application on these grounds.

Following consultation with the Council's Public Health and Protection Section, no objections have been raised to the proposal, however a number of conditions are specified. Matters relating to potential for disturbance resulting from construction traffic and general on site activities during the course of the construction of the application have also been raised by objectors, as such conditions to restrict the hours during which construction operations may be undertaken are also suggested. Whilst it is inevitable that any redevelopment of the site would lead to noise and disturbance to adjacent properties during the construction stage, it is considered that such impacts could be minimised by the imposition of appropriate conditions. Overall, it is not considered that the temporary impacts experienced during the period of construction would be so great as to warrant the refusal of the application.

The proposal is therefore considered acceptable in terms of its impact on the amenities of neighbouring residential properties adjacent to the site. The proposal is therefore considered to comply with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Highway Safety

With regard to the impact of the proposal on highways safety and objections raised, firstly Members will note that the Council's Transportation Section has raised no objections to the application subject to conditions and a financial contribution.

A Transport Statement (TS) has been submitted in support of the application. The TS has been reviewed as part of the assessment which is considered acceptable in terms of clarification and deliverability of the proposed junction and uncontrolled pedestrian crossing points in relation to the proposed access to the site.

The residential property known as Garreg Wen is to be demolished to provide access into the site. This will be in the form of a priority T junction onto Castellau Road. The new access will have a carriageway width of 5.5m with 1.8m wide footways either side with 6m junction radii that will provide for safe and satisfactory access which is considered acceptable.

Having regard to the proposed parking levels on the site and objections raised, having regard to the fact that the scheme is for affordable housing which is located within a sustainable location, within walking distance of local amenities and public transport (bus), on balance, the level of parking provided for the development is considered acceptable.

Castellau Road leading to the site from the direction of Beddau Square provides a link towards Llantrisant and Tonyrefail. It is often used as a short cut to avoid peak traffic on the highway network. Castellau Road lacks a footway along its northern boundary for a greater part of its length which gives cause for concern particularly at this location where there is a mixed use of developments including the local primary school Ysgol Gynradd Gymraeg Castellau. This is also an issue that has been raised by many objectors to the scheme. However, it is proposed to provide an uncontrolled pedestrian crossing point by extending the footway at the site access along Castellau Road a short distance eastwards in the direction of Beddau Square on highway land which is maintainable at public expense which is considered acceptable. The proposal would require the removal of a short section of pedestrian guard rail on the footway abutting the primary school on the opposite side of the carriageway which is also considered acceptable in principle subject to detailed design.

However, there is concern from local residents and the Transportation Section that the formation of an access at this point will create a cross roads with the school access opposite that serves Ysgol Gynradd Gymraeg Castellau which could generate

additional vehicular turning movements to or from the highway at this location with the potential to be detrimental to highway safety.

The proposal would also intensify traffic movements in the vicinity of the school which raises pedestrian safety concerns. It is therefore considered that a traffic management scheme should be submitted to the Local Planning Authority for approval and should be implemented in order to reduce vehicle speeds to below 20mph as well as mitigating the impact of vehicular turning movements at the proposed junction directly opposite the primary school access.

Therefore, the Transportation Section has advised that the developer would be required to make a financial contribution of £20,000 to provide a traffic management scheme to lower the speed of traffic in each direction of the site access as mitigation in the interests of highway and pedestrian safety.

The proposal is therefore considered acceptable in terms of its impact on highway safety and is in keeping with the requirements of policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Ecology and Landscaping

With regard to the impact of the proposal on habitats and biodiversity on the site, the ecological survey/assessment has concluded that site is of relatively low ecological value, with a significant amount of Japanese Knotweed present on the site. Having regard to the ecological work submitted it is considered that the applicant has demonstrated that the site doesn't appear to have any over-riding ecological constraints and that sufficient ecological survey work has been completed.

The application is also accompanied by detailed landscape proposals and tree survey, specification and management plan. This document sets out the design objectives for the internal landscape of the site and the peripheral landscapes on the site boundaries. The scheme is designed in order that following its completion residents will be responsible for their own private gardens and spaces. Public landscape areas will be managed by a suitability-qualified contractor, appointed by the developer, in accordance with the management specification. Following their assessment of the application and landscaping scheme, the Council's Landscape and Ecology section, raise no objections to the development subject to a Section 106 agreement requiring a management plan for trees, woodland and open space to be submitted and implemented for a period of 25 years. Having regard to the above, it is considered that the proposal is in keeping with policy AW8 of the Rhondda Cynon Taf Local Development Plan.

Conclusion

Taking all of the above considerations into account it is concluded that the proposed development amounts to an acceptable scheme which accords with relevant policies

of the Rhondda Cynon Taf Local Development Plan. The application proposal is considered acceptable in terms of its compatibility with the character of the immediate area, its impact upon highway safety and its potential impact upon the privacy and amenity of neighbouring dwellings. Therefore, it is recommended that approval of full planning permission be granted subject to the conditions specified below.

PLANNING OBLIGATIONS

From 6 April 2010 planning obligations should meet all of the following tests in order to comply with the Community Infrastructure Levy legislation:

- (a) necessary to make the development acceptable in planning terms
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development

The developer will be required to enter into a Section 106 agreement to ensure that the development would be secured for affordable housing.

The developer will also be required to enter into a Section 106 agreement to provide a contribution towards the implementation of a traffic management scheme to lower the speed of traffic passing the site and the nearby primary school. In addition, the developer should also enter into a Section 106 agreement to secure the future maintenance and protection of trees, woodland and open space within the application site.

It is considered that this requirement meets all of the above tests and is compliant with the relevant legislation.

RECOMMENDATION: Grant

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

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

2. The development hereby approved shall be carried out in accordance with the amended/revised plan(s) received by the Local Planning Authority on 13/01/2014.

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

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

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

6. 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) Not 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 policy AW5 of the Rhondda Cynon Taf Local Development Plan.

7. 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 found and surface water drainage in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

8. 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.

9. Each dwelling 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.

10. Unless otherwise agreed in writing by the Local Planning Authority, construction of any dwelling 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.

11. Prior to the occupation of each individual dwelling 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.

12. The vehicular access to the site shall be laid out, constructed and retained thereafter with 2.4m x 40m vision splays. No obstruction or planting when mature, exceeding 0.9m in height shall be placed within the required vision splay areas, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To give better visibility in the interests of road safety to vehicles emerging on to the highway.

13. Notwithstanding the submitted plans, no works shall commence on site until full engineering details of the proposed vehicular access to the site together with the extended footway along Castellau Road that incorporates uncontrolled pedestrian crossing facilities either side of Castellau Road have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details to the satisfaction of the Local Planning Authority prior to beneficial occupation of the first dwelling.

Reason: In the interests of highway and pedestrian safety.

14. Notwithstanding the submitted plans, no works shall commence on site until full engineering design and details of the internal road layout (with sections), street lighting, surface water drainage, footways, and associated works have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: In the interests of highway and pedestrian safety.

15. 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.

16. No works, other than the demolition of existing buildings standing on the site, shall commence on site until design calculations duly certified by a professional engineer and constructional details of any retaining wall abutting the highway have been submitted to and approved in writing by the Local Planning Authority. Any retaining wall abutting the highway shall be constructed to the approved details prior to the development being brought into beneficial use.

Reason: For the safety of highway users.

17. No works, other than the demolition of existing buildings standing on the site, shall commence on site until a geotechnical report incorporating any mitigation measures required to deal with ground conditions, mine workings and mine shafts affected by the proposed road layout have been submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the approved details prior to beneficial occupation of the first dwelling.

Reason: In the interests of safety of all highway users.

18. No development shall take place, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority to provide for; the means of access into the site for all construction traffic, the parking of vehicles of site operatives and visitors, the management of vehicular and pedestrian traffic, loading and unloading of plant and materials, wheel wash facilities and the sheeting of lorries leaving the site. The approved Construction Method Statement shall be adhered to throughout the construction process unless agreed otherwise in writing by the Local Planning Authority.

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

19. No HGV deliveries to the site shall take place during the construction period between the hours of 08:30 am to 09:30 am and 15:00 pm to 16:00 pm on weekdays to and from the site.

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

20. No development shall take place until a Species and Habitat Protection and Mitigation Plan for Construction has been submitted and approved in writing by the local planning authority.

The plan shall include:

- a) An appropriate scale plan showing 'Wildlife 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 or reduce impacts during construction;
- c) A timetable to show phasing of construction activities to avoid periods of the year when sensitive wildlife could be harmed (such as nesting bird season, hibernating and breeding amphibians and

- reptiles, etc.);
- d) Details of specific species and habitat mitigation measures;
- e) Persons responsible for:
- Compliance with legal consents relating to nature conservation;
 - Compliance with planning conditions relating to nature conservation;
 - Installation of physical protection measures during construction;
 - Implementation of sensitive working practices during construction;
 - Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction;
 - Specific species and Habitat Mitigation measures
 - Provision of training and information about the importance of the 'Wildlife Protection Zones' to all construction personnel on site.

All construction activities shall be implemented with the approved details and timing of the plan unless otherwise approved in writing by the local planning authority.

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

21. No development shall take place until a Tree Management Plan is submitted to and approved in writing by the local planning authority. This plan shall include detailed provision for protection of retained trees (to accord with BS 5837: Trees in Relation to Construction) and agreed tree works (to accord with BS 3998 Tree Works) for trees identified in the "Tree Retention Plan Jan 2014 (1350401-P-S-002) and details of the personnel responsible for the provision of such measures are identified and agreed. All construction activities shall be implemented with the approved details and timing of the plan unless otherwise approved in writing by the local planning authority.

Reason: To 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.

22. No development shall take place until a precautionary bat sensitive demolition plan for Garreg Wen is submitted to and approved in writing by the local planning authority. Demolition of Garreg Wen shall be

implemented with the approved details and timing of the plan unless otherwise approved in writing by the local planning authority.

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

23. No development shall take place until a detailed plan of bat sensitive lighting is submitted to and approved in writing by the local planning authority. Lighting shall be implemented as the approved details unless otherwise approved 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.

24. Notwithstanding the approved plans, no development shall take place until details of the Landscape Mitigation Plan to be submitted to and approved in writing by the local planning authority.

The Landscape Mitigation Plan shall include details of;

- a) The purpose, aim and objectives of the scheme;
- b) A review of the plans landscape and ecological potential and constraints;
- c) Details of the landscaping schemes, including;
 - species composition,
 - source of material (all native planting to be of certified British provenance),
 - the re-use of grassland and other habitats disturbed by development within landscape and habitat mitigation areas
 - techniques and methods of vegetation establishment,
 - method statements for site preparation and establishment of target habitat features;
 - invasive plant control (in particular Japanese Knotweed and Himalayan Balsam)
 - extent and location of proposed works;
 - aftercare and long term management;
 - personnel responsible for the work;
 - timing of the works;
 - monitoring;
 - disposal of waste arising from the works;

All landscape works shall be carried out in accordance with the approved details, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that the new development will be visually attractive in the interests of amenity in accordance with policies AW5 and AW6 of the

Rhondda Cynon Taf Local Development Plan.

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APPLICATION NO: 13/1192/10 (MJ)
APPLICANT: GMD Developments
DEVELOPMENT: Construction of 19 no. residential units and associated works.
LOCATION: LAND ADJACENT TO DYFFRYN ROAD, RHYDYFELIN, PONTYPRIDD
DATE REGISTERED: 19/11/2013
ELECTORAL DIVISION: Rhydyfelin Central

RECOMMENDATION: Approve subject to a Section 106 Agreement

REASONS:

The proposal if allowed would provide much needed social housing in a form that is currently under provided for in this locality. The proposal is in keeping with the policies of the Rhondda Cynon Taf Local Development Plan and National Policy in that it is acceptable in terms of scale, layout, design and its impact on the residential amenity of surrounding properties as well as highway safety.

APPLICATION DETAILS

The application seeks full planning permission to erect 19 social rented properties with ancillary car parking, access and landscaping.

The proposal comprises 5 dwellings in the form of a pair of semi's and a link of three, 12 flats in the form of 6 pairs of semi detached buildings and two detached dwellings in the form of a two storey dwelling and a bungalow. The dwellings will be arranged in a linear manner along the northern most boundary of the site fronting the proposed access road through the site.

House type A (plots 1 to 5) will measure approximately 5.8m in width by 7.9m in depth at a height of 8m to the ridge. Each unit will have two bedrooms at first floor and a toilet, kitchen and living room on the ground floor.

House type B (plots 6 to 17) will measure approximately 14.8m across the pair of semi detached units by 7.6m in depth, at a height of 7.9m to the ridge. Each semi detached unit will have two, one bedroom flats.

House type C (plot 18) will measure 9.85m in width by 9.8m in depth, at a height of 7.35m to the highest part of the hipped roof. A single storey projection is proposed on the side elevation. The property will have five bedrooms and will be assisted living accommodation.

House type D (plot 19) is an L-shaped bungalow with three bedrooms. The building will measure 17m at its widest point by 11.3m in depth, at a maximum height of 4.8m.

All properties will be finished with smooth render and facing bricks, and dark roof tiles.

Parking for each of the properties will be provided by the provision of 31 off-street parking spaces along the access in front of the buildings on the site and within the curtilage of some of the properties. Access to the site will be obtained via the existing access to the land directly from Dyffryn Road. The application will result in the need for the diversion of Public Right of Way 111 around plot 19.

The application is accompanied by:

- Design and Access Statement
- Code for sustainable homes pre-assessment report
- Drainage Scheme and Drainage Design Statement
- Site Investigation Report
- Transport Statement.

SITE APPRAISAL

The site is unallocated and within the settlement limits of Rhydyfelin. Public Right of Way 111 runs through the application site. The site is rectangular in shape, measuring 200m in length by 25m in depth, forming a long narrow area covering approximately 0.45ha. A steep 4m slope is located along the northern boundary of the site which leads upwards towards the playing fields of Heol y Celyn Primary School. The main body of the site is largely level and forms a cleared plateau.

The site was formerly used as over-spill car parking for the former college site, however the college has closed and the site has become redundant. There are garages located in the eastern part of the site along the northern boundary which are used by existing residents in the vicinity of the site which are to remain.

The rear of the properties of Sycamore Street form the southern boundary to the site and are set at a slightly lower level than the application site.

The surrounding area is a mixture of residential development, being characterised by a mainly semi-detached and detached dwellings, and commercial properties concentrated on Dyffryn Road.

PLANNING HISTORY

Previous relevant planning applications that have been made on the site are as follows:

| | | | |
|---------|--|---------------------------|--------------------------|
| 76/0603 | Land rear of 19-43 Sycamore Street, Rhydyfelin | Council Depot | Approved 21.09.76 |
| 76/0999 | Land adjacent to Sycamore Street, Rhydyfelin | Housing Maintenance Depot | Approved (C) 21.09.76 |

PUBLICITY

The application has been advertised by direct neighbour notification letters, site notices were posted in the immediate area and a notice was published in the local press as a major development.

No response had been received at the time of writing the report. Any further correspondence received at a later date will be reported at Committee.

CONSULTATION

Transportation Section – no objections subject to conditions. It is also noted that based on the requirements of the Council's Planning Obligations SPG, the development would generate a transport tariff however as the proposal is for affordable housing the tariff will not be required.

Public Health & Protection – no objections subject to conditions and informative notes relating to hours of construction, site investigation, dust suppression measures, disposal of waste, etc.

Land Reclamation & Drainage – no objections subject to conditions, including the submission of a full drainage scheme to the local planning authority for approval to assess flood risk management.

The applicant has provided soakaway test results, which confirm the ground's capacity for using infiltration drainage techniques. The department has recommended that the existing groundwater issues should be taken into consideration when designing the proposed surface water drainage system.

Housing Strategy Unit – no objections as the development is for 100% affordable housing.

Countryside, Landscape and Ecology – no SewBrec records of statutory protected species have been found for the immediate vicinity, however suggest that measures

are put in place to protect any wildlife that may be affected by the works to the bank. The Public Rights of Way Officer has also confirmed that a formal diversion of PROW 111 will be required.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The site is within the settlement limits of Rhydyfelin and is unallocated.

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

Policy AW1 - sets out the requirements for new housing development and the methods by which the provision of new housing will be met. AW1.3 refers directly to the development of unallocated land within the defined residential settlement boundaries of principal towns, key settlements and smaller settlements.

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

Policy AW4 – refers to Community Infrastructure & Planning Obligations. It states that planning obligations may be sought where development proposals require the provision of new, improved or rely on existing services, facilities, infrastructure and related works, to make the proposal acceptable in land use planning terms.

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 SSA11 – refers to housing density.

Policy SSA12 – refers to affordable housing.

Policy SSA13 – sets out the criteria for the consideration of development proposals within settlement boundaries.

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 (PPW) Chapter 3 (Making and Enforcing Planning Decisions), Chapter 4 (Planning for Sustainability), Chapter 7 (Economic Development), Chapter 8 (Transport), Chapter 9 (Housing), 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 12: Design;
PPW Technical Advice Note 15: Development and Flood Risk;
PPW Technical Advice Note 18: Transport;
PPW Technical Advice Note 22: Sustainable Buildings.

REASONS FOR REACHING THE RECOMMENDATION

The site is within the settlement boundary of Rhydyfelin and is unallocated, where the principle of residential development is considered acceptable subject to certain criteria. As detailed above, the scheme seeks to develop the site for 19 social rented units.

The key considerations in the determination of this application are whether the principle of residential development upon the site is acceptable, the potential impact of the development upon the privacy and amenity of neighbouring properties, the effect on the character and appearance of the area, the impact of the proposal on highway safety and the impact on ecology and biodiversity.

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

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

Principle of development

The application site consists of a large area of tarmac and scrubland, forming part of the village of Rhydyfelin. Under the provisions of the Local Development Plan, the site is within settlement boundaries and is unallocated. In this respect it is considered that the principle of the development of the site for residential purposes is compliant with national and local planning policy objectives, which encourage the re-use of previously developed land. It is also considered that the site is in a sustainable location, within an existing suburban settlement that has good public transport connections.

Overall, it is considered that the development of the site for residential purposes is in accordance with national and local planning policy, in particular, policy CS2, which seeks to promote sustainable growth in the Southern Strategy Area. As such, in policy terms, the proposal is considered acceptable in principle.

Character and Appearance

The proposed scheme is for a total of 19 residential units, arranged along a linear road layout. The scheme takes account of the site's characteristics and context and as a

result, the layout is successful in creating frontages along the access road into the site, mirroring the layout of Sycamore Street to the south.

Turning to the scale, design and appearance of the development, the proposal is for a mixture of single storey and two storey development. The scheme incorporates a variety of building types, which range from 1 bedroom flats, to three bedroom dwellings and a bungalow, as well as assisted living accommodation.

The area to the south of the application site is characterised by residential development comprising semi-detached and link properties with various finishes. As such, it is considered that the materials proposed as part of the proposal will be in keeping with the character of the area with the use of facing brick and render, and dark roof tiles.

Overall, it is considered that the layout of the site and scale and appearance of the dwelling/flats proposed is successful in identifying and responding to the various site constraints and context of the wider area. As such, it is considered that the development would contribute positively to the character and appearance of the area.

Although the proposed development would involve a cut into the bank along the northern boundary of the site, resulting in large retaining walls to the rear of the proposed dwellings, it is not considered that this aspect of the development would have a detrimental effect on the character and appearance of the area as the retaining walls would be largely hidden by the new dwellings.

The proposal is therefore considered to be in keeping with the character and appearance of the surrounding area in accordance with the provisions of policies SSA1, AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

Residential Amenity

With reference to the impact of the proposal on the residential amenity of surrounding properties, it is considered that the layout of the development is such that ensures that overlooking between habitable room windows will be kept to a minimum.

Given that the site lies within an established residential area, it is important to consider the potential impacts of the layout upon the levels of amenity and privacy currently enjoyed by the occupiers of neighbouring residential properties. It is considered that the properties closest to the site, on Bridgend Road and the dwelling under construction on David Place would be affected by the development.

The site layout has been designed with a view to limiting the potential impacts. For example, a separation distance of approximately 23m would be achieved between the rear elevation of the existing dwellings of Seymour Street and the front elevation of the semi-detached dwellings proposed. It is therefore considered that the development will not result in a loss of privacy to existing surrounding properties nor will there be a loss of light to surrounding properties due to the distances maintained. Although the

distance between the bungalow in plot 19 and the nearest property on Seymour Street is only 13m, no habitable room windows are to be located in the nearest elevation of the bungalow, and the proposed dwelling will be single storey, ensuring that no overbearing impact is experienced.

Following consultation with the Council's Public Health and Protection Section, no objections have been raised to the proposal, however a number of conditions are specified. Matters relating to potential for disturbance resulting from construction traffic and general on site activities during the course of the construction of the application have also been raised, as such conditions to restrict the hours during which construction operations may be undertaken are also suggested. Whilst it is inevitable that any redevelopment of the site would lead to noise and disturbance to adjacent properties during the construction stage, it is considered that such impacts could be minimised by the imposition of appropriate conditions. Overall, it is not considered that the temporary impacts experienced during the period of construction would be so great as to warrant the refusal of the application.

The proposal is therefore considered acceptable in terms of its impact on the amenities of neighbouring residential properties adjacent to the site. The proposal is therefore considered to comply with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Highway Safety

With regard to the impact of the proposal on highways safety, the Council's Transportation Section has raised no objections to the application subject to conditions.

The existing priority junction that served the 54 car parking spaces is to be utilised to serve the proposed development site which is to be improved with an access width of 5.5m which is acceptable in principle to serve the proposed development. The submitted layout plan shows a rumble strip at the site access with a 1.2m wide footway to the south and a 0.5m wide service strip on the opposite side of the access road fronting the lock up garages which is considered acceptable.

In order to guarantee the availability of unobstructed visibility at the proposed junction, it is considered that double yellow lines should be applied to prohibit on-street parking in the vicinity of the junction. Such provision would require a Traffic Regulation Order (TRO) the requirement of which will be secured through condition.

The internal access road and turning facilities provide for safe and satisfactory access and circulation so that all vehicles including delivery, emergency and service vehicles can enter and leave the site in forward gear which is considered acceptable. The Transportation Section have advised that double yellow lines would need to be provided along the opposite side of the road facing the lock up garages to guarantee that vehicles can enter and leave unobstructed. The developer would be responsible

for the TRO and its implementation including its cost which will also be secured by condition.

The pedestrian footway proposed terminates at Plot 18 which is short of providing a safe segregated footway to Plot 19. There is scope to extend the footway towards Plot 19 to facilitate safe pedestrian access. As such, a condition is suggested accordingly, should Members wish to support the application.

Having regard to the sustainable location of the proposed development in close proximity to local facilities and transport links, with both bus and rail services in close proximity to the site, the level of off-street parking proposed is considered acceptable.

Public Right of Way PON/111 crosses through the site and will need to be diverted as part of the proposed development which is considered acceptable, as the route through the site will be maintained.

The proposal is therefore considered acceptable in terms of its impact on highway safety and is in keeping with the requirements of policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Conclusion

Taking all of the above considerations into account it is concluded that the proposed development amounts to an acceptable scheme which accords with relevant policies of the Rhondda Cynon Taf Local Development Plan. The application proposal is considered acceptable in terms of its compatibility with the character of the immediate area, its impact upon highway safety and its potential impact upon the privacy and amenity of neighbouring dwellings. Therefore, it is recommended that approval of full planning permission be granted subject to the conditions specified below.

PLANNING OBLIGATIONS

From 6 April 2010 planning obligations should meet all of the following tests in order to comply with the Community Infrastructure Levy legislation:

- (a) necessary to make the development acceptable in planning terms
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development

The developer will be required to enter into a Section 106 agreement to ensure that the development would be secured for affordable housing.

It is considered that this requirement meets all of the above tests and is compliant with the relevant legislation.

RECOMMENDATION: Grant

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

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

2. The development hereby approved shall be carried out in accordance with the amended/revised plan(s) received by the Local Planning Authority on 13/12/2013 and the 16/01/2014.

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

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

Reason: To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining

buildings in the interests of visual amenity in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

6. 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) Not 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 policy AW5 of the Rhondda Cynon Taf Local Development Plan.

7. 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 found and surface water drainage in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

8. 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.

9. Each dwelling 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.

10. Unless otherwise agreed in writing by the Local Planning Authority, construction of any dwelling 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.

11. Prior to the occupation of each individual dwelling 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.

12. 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.

13. No dwelling, hereby permitted, shall not be occupied until the measures approved in the scheme (referred to in Condition12) 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.

14. 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.

15. No works whatsoever shall commence on site until full engineering design and details of the improvements at the site access onto Dyffryn Road incorporating junction buildouts and uncontrolled pedestrian crossing facilities have been submitted to and approved in writing by the Local Planning Authority. The highway works shall be fully implemented in accordance with the approved details to the satisfaction of the Local Planning Authority prior to beneficial occupation.

Reason: In the interests of highway and pedestrian safety.

16. Notwithstanding the submitted plans, development shall not commence until full engineering design and details of the internal road layout incorporating footways including a footway extension towards Plot 19, margin strips, traffic calming features, street lighting, drainage, highway structures, including longitudinal and cross sections 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.

17. 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.

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

Reason: In the interests of highway safety.

19. 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,
- 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.

20. No development shall commence on site until the Traffic Regulation Order, requiring the provision of double yellow lines to the junction to the site and along the access road opposite the existing garages, has been appropriately approved and implemented at the site.

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

21. No development shall take place until a Wildlife Protection Plan for Construction has been submitted to and approved in writing by the local planning authority. The plan shall include:

- a. An appropriate scale plan showing 'Wildlife Protection Zones' where construction activities are restricted and where protective measures will be installed or implemented;
- b. Details of protective measures (both physical measures and sensitive working practices) to avoid impacts during construction;
- c. A timetable to show phasing of construction activities to avoid periods of the year when sensitive wildlife could be harmed (such as nesting bird season).
- d. Persons responsible for:

- i) Compliance with legal consents relating to nature conservation;
- ii) Compliance with planning conditions relating to nature conservation;
- iii) Installation of physical protection measures during construction;
- iv) Implementation of sensitive working practices during construction;
- v) Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction;
- vi) Provision of training and information about the importance of the 'Wildlife Protection Zones' to all construction personnel on site.

All construction activities shall be implemented with the approved details and timing of the plan unless otherwise approved in writing by the local planning authority'.

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

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|----------------------------|--|-------------|
| APPLICATION NO: | 13/1193/10 | (EL) |
| APPLICANT: | Mr M Lloyd | |
| DEVELOPMENT: | Change of use from nursing home to guest house (supporting statement received 09/01/14). | |
| LOCATION: | ABBEYFIELD SOCIETY, 115 HIGH STREET, MOUNTAIN ASH, CF45 3LN | |
| DATE REGISTERED: | 18/11/2013 | |
| ELECTORAL DIVISION: | Mountain Ash West | |

RECOMMENDATION: Approve subject to conditions

REASONS:

The proposal is in keeping with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan and National Policy in that, the use is compatible with the area and would not result in an adverse impact upon on residential amenity, the character of the area or highway safety.

APPLICATION DETAILS

Full planning permission is sought for the change of use of Abbeyfield Society, 115 High Street, Mountain Ash from a care home, which provided supported living to the elderly Class C2 to a guest house Class C1.

The application does not propose any external alterations to the building, similarly, the existing internal configuration would also be retained, since it lends itself to the proposed use. The accommodation is arranged over three floors, with 4 bedrooms and a conservatory on the lower ground floor. A further 4 bedrooms, laundry room, kitchen and dining/ living room are located on the ground floor. A self-contained 2 bedroom residential unit is located at first floor level.

The property is located within a curtilage of approximately 580m², with a garden to the south side of the property and a parking area to the rear. The parking area is accessed off Darran Road, which bounds the north of the plot.

SITE APPRAISAL

The application site consists of a substantial building, located within a curtilage of approximately 580m². The building occupies a position on the junction of High Street and Darran Road. The original front element of the building has a cross gable roof construction, with feature two storey bay; however to the rear, the property has been extended by the construction of a substantial two storey – two and a half storey addition. The property most recently operated as a care home, providing supported living accommodation to the elderly. The property benefits from 8 no. bedrooms, with a kitchen and laundry room, and communal dining and lounge room. At first floor level is a self-contained two-bedroom residential unit, although this is accessed through the main house. The primary pedestrian access is to the front elevation, from High street, with a secondary access located at the rear of the property from the car park. To the south side elevation is a lawned garden area, with a parking area being located to the rear. Vehicular access to the parking area is gained off Darran Road, which bounds the north (side) of the site. The property is located within a predominantly residential area, with a mix of housing styles being visible in the immediate vicinity of the site.

PLANNING HISTORY

There is no recent planning history on the site in question.

PUBLICITY

The application was advertised by direct neighbour notification and site notices. Three letters of representation have been received and a petition which is signed by 11 residents. The points raised are summarised as follows:

- Questions are raised with regard to the number of residents that have been directly consulted on the planning application.
- Questions are raised with regard to the local councillors views on the proposed development.
- It is suggested that the application should be determined at a Planning Committee.

- Concerns are expressed that the application may be an attempt to secure a consent to operate an unregistered and unregulated homeless or bail hostel in the guise of a guest house.
- Concerns are expressed with regard to the type of people who may reside at the property, potentially those with drink or drug addictions.
- It is commented that the property is located in a residential area and lies in close proximity to a junior and infants school.
- It is commented that if the application property is to be used as a homeless or bail hostel then this would have the potential of being severely dangerous to local residents and their property and especially the children who attend the nearby school.
- Clarification is sought as to whether the Council currently use properties provided by the applicant or his registered company to provide homeless or other temporary accommodation. Clarification is sought as to whether any discussions, between the Council and the applicant, of this nature have taken place.
- Clarification is sought as to whether the Council is looking to provide any homeless or other temporary accommodation in the Mountain Ash area (in addition to those already available at the Mountain Ash YMCA).
- It is commented that the site does not have sufficient parking available.
- The additional vehicles and traffic would add to the existing parking problems in the area.
- It is commented that junction of High Street and Darran Road is busy and vehicles already have difficulty manoeuvring from this junction.
- It is suggested that the use of 'residents permit parking' may benefit existing residents.

CONSULTATION

Transportation Section – no objections raised.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

Indicates that the site is within the defined settlement limits.

Policy AW2 - promotes development in sustainable locations.

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

Policy AW6 - sets out the criteria for new development in terms of design and place-making.

Policy NSA12 - sets out the criteria for development in the Northern Strategy Area.

National Guidance

Planning Policy Wales Chapter 3 (Making and Enforcing Planning Decisions), Chapter 7 (Economic Development) and Chapter 8 (Transport), set out the Welsh Government's policy on planning issues relevant to the determination of the application.

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.

The application property lies within settlement limits and within an established residential area. The proposal seeks to bring back into use a vacant building and site through the provision of a new use as a residential guest house. As such, the key issues in determining the application are considered to be:

- The impact of the proposed change of use upon the residential amenities of neighbouring properties.
- The impact of the development upon the character and appearance of the surrounding area
- The impact of the proposal on highway safety.

Residential amenity

The property is a substantial building, with the area that immediately adjoins it being predominantly residential in character. As such, it is important to consider the potential impacts of the proposal upon the levels of amenity that neighbouring occupiers currently enjoy and the compatibility of the proposed use.

As set out above, the property previously operated as a care home, providing supported living accommodation for the elderly. The current application proposes to retain the existing layout, changing the use to that of a guest house. Following the advertisement of the planning application, a number of letters of representation were received from neighbouring residents expressing some concern with regard to the use and potential future occupiers of the property, should it begin to operate as a hostel.

In response to the concerns raised, it is firstly important to note that although there may be some similarities between a guest house and a hostel, each falls within a different use class. Under the Use Classes Order, a guest house is categorised as Class C1, however, a hostel is categorised as sui generis (in a Use Class of its own).

As such, there would be no permitted change from a guest house to a hostel, without the submission of a further planning application.

Case law has identified a number of key features, which may be used to distinguish between the two uses and identify whether a premises functions as a hostel. Amongst others these include, the use of the premises in accommodating specific categories of people, eg. the young, or homeless and whether payment (for residents) is made by the local authority or other official organisation.

In order to respond to the points raised by residents and to clarify the nature of the use, which is proposed, a number of clarifications were sought from the applicant. These were based on the above points and related to the way in which the proposed business would operate. In their clarification statement they confirm that their intention is to provide a guest house establishment under Class C1. With a view to clarifying the current situation, they confirm that they do not intend to operate the business as a hostel and would not seek to provide accommodation to specific groups such as the homeless. The applicant comments that the business would function on a bed and breakfast basis and would be operated as a family enterprise, with the owners being resident in the self-contained unit within the property.

In assessing the proposal as a guest house, which provides bed & breakfast accommodation to residents, it is considered that this use would be compatible with neighbouring uses, as the property is situated within a predominantly residential area. Furthermore, given the scale and character of the business proposed it is not considered that the use would generate a level of activity, noise or disturbance that would impact upon the residential amenity of those living closest to such a degree that would warrant the refusal of the application.

Occupancy

The public safety concerns and the perception of danger, resulting from residents concerns with reference to potential future occupiers are acknowledged, and it is noted that such matters do form material planning considerations that may be taken into account when determining the application. However, consideration must be given as to whether or not these perceived fears carry sufficient weight to justify refusal of the scheme, given the facts of the application.

In this case, given the scale of the development and the statements of clarification provided by the applicant, it is considered that the actual, as well of the perceived risk to public safety is considered to be of a low order and of insufficient weight to warrant the refusal of planning permission. It is again noted however, that any future potential change of use from a guest house to a hostel would require planning permission, the merits of which would be assessed through the course of any subsequent planning application.

Character and appearance

As set out above, having formerly been in use as a care facility, the layout of the building lends itself well to the proposed conversion to a guest house. The building layout provides 8 no. bedrooms, each with their own w.c. facilities, as well as a number of communal areas (lounge and dining) and a staff kitchen. In addition to this an independent unit of accommodation is located on the first floor of the property, which would be occupied by those operating the guest house. As such, the property lends itself to the proposed use without the need for any modifications to the building. With no physical alterations to the exterior of the property, the character and appearance of the building and the setting of the site would be largely unaffected by the proposal. Therefore, it is not considered that the proposal would adversely impact upon the established character of the streetscene.

Highway Safety

In order to aid in the assessment of the proposal upon highway safety, consultation has been undertaken with the Council's Transportation Section. Their response comments that the site is situated in a sustainable location, being within walking distance of public transport services and local amenities. However, it is acknowledged that given the topography of the streets leading to the site, less able-bodied guests would more likely travel by private motor vehicle.

In terms of the site's setting, the property is located on the junction of High Street and Darran Road. It is noted that Darran Road has a carriageway width of 6.0 metres with 1.4 - 1.5 metre footways and High Street has a carriageway width of 6.6 metres with footways of between 1.8 and 2.8 metres. It is also commented that Traffic Regulation Orders are in place preventing on-street car parking on both carriageway lanes on Darran Road and on the development side (east) of High Street. Both streets also have a 20mph speed limit.

It is acknowledged that the proposed use as a guest house, would generate a greater parking requirement than the former use as a care home. However, it is noted that the layout plans, which accompany the application, illustrate that it is possible to provide off-street parking for 4.no vehicles within the curtilage of the site. The response from the Transportation Section also comments that there is scope for this parking area to be extended (onto the lawn area) in future, should the need arise.

Overall, their assessment concludes that given the sustainable location of the property, the fact that existing Traffic Regulation Orders prevent parking in the vicinity of the road junction and the fact that off-street parking is available, the proposal is considered acceptable in highway safety terms.

Conclusion

Having taken account of all of the issues outlined above, the application proposal is considered acceptable in terms of its impact upon the character and appearance of

the area, compatibility with existing uses and its potential impact upon highway safety. Therefore the proposal is recommended for approval, subject to the conditions specified below.

RECOMMENDATION: Grant

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

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

2. The premises shall be used as a guest house under Class C1 only and for no other purpose (including its use as a hostel and any other purpose in Class C1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: In the interests of the residential amenity and to define the extent of the permission granted in accordance with policies AW5 of the Rhondda Cynon Taf Local Development Plan.

3. The parking area shall be retained in accordance with drawing no. hdw/ph/ml.001 and used only for the parking of vehicles.

Reason: In the interests of highway safety.

4. 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) Not 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 policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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APPLICATION NO: 13/1251/10 (MJ)
APPLICANT: Mr A Khehra
DEVELOPMENT: The conversion of building E2 of Coed-Y-Lan

LOCATION: Comprehensive School to a domestic dwelling.
**BUILDING E2, COED Y LAN COMPREHENSIVE
LOWER SCHOOL, TYFICA ROAD, PONTYPRIDD,
CF37 2DF**

DATE REGISTERED: 10/12/2013

ELECTORAL DIVISION: Town (Pontypridd)

RECOMMENDATION: Approve

REASONS

The proposed development is considered acceptable and in keeping with the relevant policies of the Local Development Plan and national guidance with regard to the impact on the character and appearance of the area and the setting of the listed buildings on the site. The scheme is also considered to be a positive contribution to the area by bringing this vacant, and damaged Listed building back into use, securing its future in the long term. As a result, the application is recommended for approval.

APPLICATION DETAILS

Full Planning Permission is sought for the conversion of block E2 on the site of the Former Coed y Lan Lower Comprehensive School at Tyfica Road, Pontypridd for residential use to accommodate one, three bedroom dwelling.

The conversion will utilise the existing layout on the ground floor with a new mezzanine floor to provide a bathroom above the kitchen. The existing open plan area on the first floor will be subdivided to accommodate the proposed bedrooms.

The application is also for the replacement of the roof tiles with natural welsh slate and the replacement (or refurbishment where possible) of the windows in all elevations of the building with softwood box sash windows.

No off-street car parking is proposed as part of the proposal.

The application is accompanied by the following:

- Design and Access Statement

The building is attached to another building on the Coed-y-Lan School site which is currently under a separate ownership.

SITE APPRAISAL

The site is within the settlement boundary of Pontypridd and is unallocated. The site forms a prominent feature in the landscape of Pontypridd and can be seen from a distance from the lower levels of the valley. The site is bounded to the west by the existing primary school and to the east by the vacant school buildings and the housing along Tyfica Road. Above and to the north of the school buildings site is a wooded area. Vehicular access to the site is obtained from Lanpark Road, via Tyfica Road.

The application site forms part of land that is the curtilage of the former school. The site is currently laid out in a series of plateaux of various shapes and sizes with steep rises in levels usually supported by retaining walls in between. The site rises generally to the North West. The site can be generally subdivided into two distinct areas, where the upper flat plateau comprising the old playground areas and car parking forms one; and a heavily sloping lower area which contains the existing school buildings. The areas are divided by a strong tree belt slope that forms a visual and physical barrier between the two areas. Block E2 is part of a larger building which commands a prominent position on the front of the site along Tyfica Road.

The lower parts of the site are occupied by the institutional buildings that formed the school which consists of 8 buildings of which several are listed including Block E2. The main school building is finished in local stone and has a slate roof. Large parts of the roof are missing slate/tiles and the building has suffered damage from water penetration.

The school was built in 1893-4 by Arthur O Evans, architect of Pontypridd and opened in 1896 as the County School. It was designed for both boys and girls, who had separate entrances. Additions were made to the school almost as soon as it was open, of which the present science block and gymnasium were built in 1910. It became the Intermediate School in 1911 and in 1913 the girls left for a separate school at Glyntaff (also by A O Evans). After 1945 it was the Pontypridd Boys Grammar School, until 1973 when it became a comprehensive school. The buildings have been listed as an early County school retaining considerable architectural character in a prominent position.

PLANNING HISTORY

Previous relevant planning applications that have been made on the site are as follows:

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| 13/1129 | 43 Lanpark Road | Refurbishment | Under consideration |
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| 13/0990 | Blocks A and B Coed y Lan Comprehensive School, Tyfica Road, Graigwen, Pontypridd | Change of Use and conversion of Block A and Block B, and part of Block D, into 17 Self Contained Units comprising internal and external alterations, and associated works (Full PP) | Under consideration |
| 13/0991 | Blocks A and B Coed y Lan Comprehensive School, Tyfica Road, Graigwen, Pontypridd | Change of Use and conversion of Block A and Block B, and part of Block D, into 17 Self Contained Units comprising internal and external alterations, and associated works (listed building consent) | Under consideration |
| 12/1317 | Block D, Coed-Y- Lan Comprehensive School, Graigwen, Pontypridd | Change of Use and conversion of former school building into 22 Self Contained Units comprising internal and external alterations, and associated works. | Granted 05/09/13 |
| 12/1316 | Block D, Coed-Y- Lan Comprehensive School, Graigwen, Pontypridd | Change of Use and conversion of former school building into 22 Self Contained Units comprising internal and external alterations, and associated works. | Granted (listed building consent) 05/09/13 |
| 10/1294 | Coedylan Comprehensive Lower School, Tyfica Road, Pontypridd | Redevelopment for housing, comprising the alteration and conversion of existing listed buildings and the erection of a new building. (Listed Building Consent) | Withdrawn 29/06/12 |
| 10/1253 | Coedylan Comprehensive Lower School, Tyfica Road, Pontypridd | Redevelopment for housing, comprising the alteration and conversion of existing listed buildings and the erection of a new building (reserved matters application). | Withdrawn 29/06/12 |
| 06/2157 | Coedylan Comprehensive Lower School, Tyfica Road, | Redevelopment for housing, comprising the alteration and conversion of existing listed buildings and the erection of new | Approved with Conditions 09/12/10 |

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| | Pontypridd | building. | |
| 00/2774 | P.A.C.E. Building, Coedylan, Tyfica Road, Pontypridd | Roof and rainwater goods alterations. | Approved with Conditions 15/12/00 |
| 94/0275 | Coedylan Comprehensive (Lower School) Tyfica Road, Pontypridd | Additional car parking area. | Approved with Conditions 14/12/94 |

CONSULTATIONS

Transportation Section – no objections.

Public Health & Protection Section - raise no objections subject to conditions.

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

Land Reclamation & Engineering Section – no objections subject to recommended drainage conditions.

PUBLICITY

The application has been advertised by direct neighbour notification, site notices and a press notice. No response has been received.

POLICY CONTEXT

The principal policies in the consideration of this application are as follows:

Rhondda Cynon Taf Local Development Plan

The application site lies within defined settlement limits and is not allocated for any specific use.

Policy CS2 – Development in the South – emphasises sustainable growth that promotes residential development with a sense of place, respects character and context, protects culture and identity.

Policy AW1 – Supply of New Housing.

Policy AW2 – states that development will only be permitted in sustainable locations.

Policy AW4 – Community infrastructure and planning obligations.

Policy AW5 – New Development – 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 – Protection and enhancement of the built environment – development will only be permitted where it can be demonstrated that the proposal will preserve or enhance the character and appearance of the site.

Policy SSA1 – Development in the Principal Town of Pontypridd – Proposals that reinforce the role of Pontypridd as a principal town, respects culture and heritage, is of a high design standard, integrates positively and promotes sustainable transport modes will be permitted.

Policy SSA13 – Housing development within settlement boundaries.

Planning Policy Wales

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

The following chapters set out the Welsh Government's policy on planning issues relevant to the determination of the application:

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)

Other relevant policy guidance consulted:

PPW Technical Advice Note 2: Planning and Affordable Housing;

PPW Technical Advice Note 5: Nature Conservation and Planning;

PPW Technical Advice Note 12: Design;

PPW Technical Advice Note 18: Transport;

PPW Technical Advice Note 22: Sustainable Buildings;

Manual for Streets

REASONS FOR REACHING THE RECOMMENDATION

The key considerations in this case are whether the proposed development will have an acceptable impact on the character and appearance of the surrounding area, the character and setting of the listed buildings on the site, residential amenity, and highway safety.

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.

The application for the conversion of the building is considered to be in keeping with national guidance which encourages the preservation of listed buildings. It is considered that bringing the building back into use will have a positive impact on the surrounding school site which will encourage the further redevelopment of the site as well as bringing community benefits as a key site of regeneration in the Pontypridd area offering good quality residential development. The existing buildings on the site have deteriorated rapidly in recent years and it is considered that the proposed development will be of benefit to the further development of the wider site and the prevention of further deterioration to these prominent listed buildings.

Character and Appearance of the Area

In terms of the principle of the proposed development and its impact on the character and appearance of the area, residential development has been established as an appropriate use for the site through the approval of outline consent on the 9th December 2010 (ref: 06/2157) and a more recent consent for the conversion of Block D to 22 residential units (ref: 12/1316 and 12/1317). The site is located within a predominantly residential area, therefore residential development on the site is considered to be in keeping with the character of the surrounding area.

Block E2 is considered to be an appropriate size to accommodate a three bedroom dwelling without having a detrimental impact on the character of the wider school site and surrounding area in terms of density and appearance.

The proposed conversion of block E2 is considered to represent a sympathetic and attractive layout which makes the most of the existing features of the buildings without damaging the character or setting of the listed buildings or the wider site.

In respect of the design of the conversion, the external works to the building are fairly minimal and are considered acceptable. Where windows need replacing the plans have indicated the material as softwood.

The proposal represents a positive opportunity to improve the appearance of existing buildings within the site as well as bringing the buildings back into beneficial use without having a detrimental effect on the character or appearance of the area. It is also considered that the regeneration of Block E2 has the potential to encourage the

development of the remainder of the site, particularly having regard to the fact that Block D is currently being renovated.

The proposal is therefore considered to be in keeping with the character and appearance of the surrounding area in accordance with the provisions of policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

Impact on listed buildings and their setting

The proposed conversion and alterations to the building are considered acceptable in that minimal changes are proposed to the exteriors of the building. As with any residential conversion of buildings such as these, internal divisions on a large scale are to be expected. The proposed conversion of the building makes effective use of existing openings within each building with the exception of a small alteration in the side elevation.

Finishing materials proposed will match the existing traditional materials on the site and are therefore considered acceptable. Conditions are recommended below to ensure that samples are submitted to the Council for approval.

The proposed development seeks to preserve the school building on the site through its conversion. The proposal allows the building to be repaired and improved where necessary and also ensures its long-term viability. It is also considered that given that the site is now privately owned by several different individuals, and is therefore being developed piecemeal, the current proposal represents a positive step towards enabling the redevelopment of the wider site. It is considered that the general character of the site will be preserved and enhanced as a result of the proposal. This will ensure that the layout of the educational buildings on the site can be preserved and the architectural history of the site can be understood in the future.

It is considered that the proposed development will preserve and enhance the existing character and appearance of the site and is acceptable in accordance with policy AW7 of the Rhondda Cynon Taf Local Development Plan.

Residential Amenity

In terms of the impact of the proposed development on the residential amenity of nearby properties, it is considered that due to the enclosed nature and steep topography of the site, the impact will be kept to a minimum.

No alterations are proposed to the footprint of the building that would significantly increase its impact in terms of scale. It is therefore considered that the scale of the proposed development will not have a detrimental impact on the levels of amenity currently enjoyed by surrounding residential properties. The distances between the building and existing properties along Tyfica Road far exceed 21m which is

considered to be sufficient distance to ensure that overlooking is not to such a degree that is harmful to the amenity of neighbouring residential properties.

It is not considered that the location of the building to be converted in close proximity to the existing primary school will lead to any issues of conflict between the uses due to the daytime use of the school.

The proposed development is therefore considered to be in keeping with the provisions of policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan in terms of the effect on residential amenity.

Highway Safety

TAN 18 Transportation in advising on accessible housing development promotes housing development at locations with good access to physical and social infrastructure including public transport, that development should achieve higher densities in places with good public transport, accessibility and capacity. Given the location of the application site and the fact that it is to be redeveloped it would satisfy these key transportation policy objectives even though the proposed development does not have any off-street parking facilities of its own.

In respect of the impact of the proposal on the highway network, it is considered that the development will have an acceptable impact on highway safety. It is noted that the site was previously used as a school and it is considered that at peak times the impact on the highway network is likely to have been worse in respect of congestion than what is likely to be the result of this application for a single dwelling. It is therefore considered that the application is acceptable in this respect and it is not considered that the impact of the application on the highway is so detrimental to highway safety that it would warrant a refusal of the application.

It is acknowledged that there could be a shortfall in the future of off-street parking that could be provided for the remainder of the Coed y Lan School site (excluding Blocks E2, A, B and D) due to the fact that the site has been sold off in a piecemeal manner. However, any future applications will be assessed on their own merits and the level of parking considered depending on what is being proposed. The applications for blocks A, B and D do provide some excess off-street parking spaces which could be made available for the development of block E2.

The proposal is, on balance, therefore considered to be in keeping with policy AW2 and AW5 of the Rhondda Cynon Taf Local Development Plan in that it is not considered that the development will have a detrimental effect on highway safety and the site is situated within a sustainable location.

Conclusion

In summary, and notwithstanding the objections that have been received, the proposed development is considered acceptable and in keeping with the relevant policies of the Local Development Plan and national guidance. As a result, the application is recommended for approval subject to the following conditions.

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. 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) Not 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 policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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

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

4. 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 is occupied. Development shall be carried out in accordance with the approved details.

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

5. 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 found and surface water drainage in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

6. 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.

APPLICATION NO: 13/1252/12 (MJ)
APPLICANT: Mr A Khehra
DEVELOPMENT: The Conversion of building E2 of Coed-Y-Lan Comprehensive School to a domestic dwelling.
LOCATION: **BUILDING E2, COED Y LAN COMPREHENSIVE LOWER SCHOOL, TYFICA ROAD, PONTYPRIDD, CF37 2DF**
DATE REGISTERED: 13/12/2013
ELECTORAL DIVISION: Town (Pontypridd)

RECOMMENDATION: Approve

REASONS

The proposed development is considered acceptable and in keeping with the relevant policies of the Local Development Plan and national guidance with regard to the impact on the character and appearance of the area and the setting of the listed buildings on the site. The scheme is also considered to be a positive contribution to the area by bringing this vacant, and damaged Listed building back into use, securing its future in the long term. As a result, the application is recommended for approval.

APPLICATION DETAILS

Listed Building Consent is sought for the conversion of Block E2 on the site of the Former Coed y Lan Lower Comprehensive School to a single residential dwelling with three bedrooms.

The conversion will utilise the existing layout on the ground floor with a new mezzanine floor to provide a bathroom above the kitchen. The existing open plan area on the first floor will be subdivided to accommodate the proposed bedrooms.

The application is also for the replacement of the roof tiles with natural welsh slate and the replacement (or refurbishment where possible) of the windows in all elevations of the building with softwood box sash windows.

No off-street car parking is proposed as part of the proposal.

The application is accompanied by the following:

- Design and Access Statement

The building is attached to another building on the Coed-y-Lan School site which is currently under a separate ownership.

SITE APPRAISAL

The site is within the settlement boundary of Pontypridd and is unallocated. The site forms a prominent feature in the landscape of Pontypridd and can be seen from a distance from the lower levels of the valley. The site is bounded to the west by the existing primary school and to the east by the vacant school buildings and the housing along Tyfica Road. Above and to the north of the school buildings site is a wooded area. Vehicular access to the site is obtained from Lanpark Road, via Tyfica Road.

The application site forms part of land that is the curtilage of the former school. The site is currently laid out in a series of plateaux of various shapes and sizes with steep rises in levels usually supported by retaining walls in between. The site rises generally to the North West. The site can be generally subdivided into two distinct areas, where the upper flat plateau comprising the old playground areas and car parking forms one; and a heavily sloping lower area which contains the existing school buildings. The areas are divided by a strong tree belt slope that forms a visual and physical barrier between the two areas. Block E2 is part of a larger building which commands a prominent position on the front of the site along Tyfica Road.

The lower parts of the site are occupied by the institutional buildings that formed the school which consists of 8 buildings of which several are listed including Blocks A and B. The main school building is finished in local stone and has a slate roof. Parts of the roof are missing slate/tiles and the building has suffered some damage from water penetration.

The school was built in 1893-4 by Arthur O Evans, architect of Pontypridd and opened in 1896 as the County School. It was designed for both boys and girls, who had separate entrances. Additions were made to the school almost as soon as it was open, of which the present science block and gymnasium were built in 1910. It

became the Intermediate School in 1911 and in 1913 the girls left for a separate school at Glyntaff (also by A O Evans). After 1945 it was the Pontypridd Boys Grammar School, until 1973 when it became a comprehensive school. The buildings have been listed as an early County school retaining considerable architectural character in a prominent position.

PLANNING HISTORY

Previous relevant planning applications that have been made on the site are as follows:

| | | | |
|---------|--|---|--|
| 13/1129 | 43 Lanpark Road | Refurbishment | Under consideration |
| 13/0990 | Blocks A and B Coedy Lan Comprehensive School, Tyfica Road, Graigwen, Pontypridd | Change of Use and conversion of Block A and Block B, and part of Block D, into 17 Self Contained Units comprising internal and external alterations, and associated works (Full PP) | Under consideration |
| 13/0991 | Blocks A and B Coedy Lan Comprehensive School, Tyfica Road, Graigwen, Pontypridd | Change of Use and conversion of Block A and Block B, and part of Block D, into 17 Self Contained Units comprising internal and external alterations, and associated works (listed building consent) | Under consideration |
| 12/1317 | Block D, Coed-Y-Lan Comprehensive School, Graigwen, Pontypridd | Change of Use and conversion of former school building into 22 Self Contained Units comprising internal and external alterations, and associated works. | Granted 05/09/13 |
| 12/1316 | Block D, Coed-Y-Lan Comprehensive School, Graigwen, Pontypridd | Change of Use and conversion of former school building into 22 Self Contained Units comprising internal and external alterations, and associated works. | Granted (listed building consent) 05/09/13 |
| 10/1294 | Coedylan Comprehensive Lower School, Tyfica Road, Pontypridd | Redevelopment for housing, comprising the alteration and conversion of existing listed buildings and the erection of a new building. (Listed Building Consent) | Withdrawn 29/06/12 |
| 10/1253 | Coedylan Comprehensive Lower | Redevelopment for housing, comprising the alteration and | Withdrawn 29/06/12 |

| | | | |
|---------|--|--|---|
| | School, Tyfica Road, Pontypridd | conversion of existing listed buildings and the erection of a new building (reserved matters application). | |
| 06/2157 | Coedylan Comprehensive Lower School, Tyfica Road, Pontypridd | Redevelopment for housing, comprising the alteration and conversion of existing listed buildings and the erection of new building. | Approved with Conditions 09/12/10 |
| 00/2774 | P.A.C.E. Building, Coedylan, Tyfica Road, Pontypridd | Roof and rainwater goods alterations. | Approved with Conditions 15/12/00 |
| 94/0275 | Coedylan Comprehensive (Lower School) Tyfica Road, Pontypridd | Additional car parking area. | Approved with Conditions 14/12/94 |

CONSULTATIONS

The Glamorgan Gwent Archaeological Trust – no archaeological objection to the application.

Royal Commission on the Ancient and Historical Monuments of Wales – the proposal to sympathetically convert the building are welcomed in principle.

PUBLICITY

The application has been advertised by direct neighbour notification, site notices and a press notice. No response has been received.

POLICY CONTEXT

The principal policies in the consideration of this application are as follows:

Rhondda Cynon Taf Local Development Plan

The application site lies within defined settlement limits and is not allocated for any specific use.

Policy AW2 – states that development will only be permitted in sustainable locations.

Policy AW5 – New Development – 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 – Protection and enhancement of the built environment – development will only be permitted where it can be demonstrated that the proposal will preserve or enhance the character and appearance of the site.

Policy SSA1 – Development in the Principal Town of Pontypridd – Proposals that reinforce the role of Pontypridd as a principal town, respects culture and heritage, is of a high design standard, integrates positively and promotes sustainable transport modes will be permitted.

Policy SSA13 – Housing development within settlement boundaries.

Planning Policy Wales

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

The following chapters set out the Welsh Government's policy on planning issues relevant to the determination of the application:

Chapter 5 (Conserving and Improving Natural Heritage and the Coast)

Chapter 6 (Conserving the Historic Environment)

Other relevant policy guidance consulted:

PPW Technical Advice Note 5: Nature Conservation and Planning;

PPW Technical Advice Note 12: Design;

Welsh Office Circular 61/96: Planning and the Historic Environment: Historic Buildings and Conservation Areas

Section 12 of the Circular states that new uses may be key to the preservation of a building and controls over land use, density, plot ratio, day lighting and other planning matters should be exercised sympathetically where this would enable an historic building to be given a new lease of life.

Section 68 of the Circular states that the starting point for the exercise of listed building control is the statutory requirement on local planning authorities to have 'special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

Section 70 highlights the issues generally relevant to the consideration of all listed building consent applications which include, the importance of the building; the physical features of the building; the building's setting and contribution to the local scene and the extent to which the proposed works would bring substantial benefits for

the community, in particular by contributing to the economic regeneration of the area of the enhancement of its environment (including other listed buildings).

REASONS FOR REACHING THE RECOMMENDATION

The key considerations in this case are whether the proposed development will have an acceptable impact on the character and appearance of the surrounding area and the impact of the proposal on the character and setting of the listed buildings on the site.

The application for the conversion and renovation of the existing building is considered to be in keeping with national guidance which encourages the preservation of listed buildings. It is considered that bringing the building back into use will have a positive impact on the surrounding school site which will encourage the further redevelopment of the site as well as bringing community benefits as a key site of regeneration in the Pontypridd area offering good quality residential development. The existing buildings on the site have deteriorated rapidly in recent years and it is considered that the proposed development will be of benefit to the further development of the wider site and the prevention of further deterioration to these prominent listed buildings.

Character and Appearance of the Area

In terms of the principle of the proposed development and its impact on the character and appearance of the area, residential development has been established as an appropriate use for the site through the approval of outline consent on the 9th December 2010 (ref: 06/2157) and a more recent consent for the conversion of Block D to 22 residential units (ref: 12/1316 and 12/1317). The site is located within a predominantly residential area, therefore residential development on the site is considered to be in keeping with the character of the surrounding area.

Block E2 is considered to be an appropriate size to accommodate a three bedroom dwelling without having a detrimental impact on the character of the wider school site and surrounding area in terms of density and appearance.

The proposed conversion of block E2 is considered to represent a sympathetic and attractive layout which makes the most of the existing features of the buildings without damaging the character or setting of the listed buildings or the wider site.

In respect of the design of the conversion, the external works to the building are fairly minimal and are considered acceptable. Where windows need replacing the plans have indicated the material as softwood.

The proposal represents a positive opportunity to improve the appearance of existing buildings within the site as well as bringing the buildings back into beneficial use without having a detrimental effect on the character or appearance of the area. It is also considered that the regeneration of Block E2 has the potential to encourage the

development of the remainder of the site, particularly having regard to the fact that Block D is currently being renovated.

The proposal is therefore considered to be in keeping with the character and appearance of the surrounding area in accordance with the provisions of policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

Impact on listed buildings and their setting

The proposed conversion and alterations to the building are considered acceptable in that minimal changes are proposed to the exterior of the building. As with any residential conversion of buildings such as these, internal divisions on a large scale are to be expected. The proposed conversion of the building makes effective use of existing openings within each building with the exception of a small alteration in the side elevation.

Finishing materials proposed will match the existing traditional materials on the site and are therefore considered acceptable. Conditions are recommended below to ensure that samples are submitted to the Council for approval.

The proposed development seeks to preserve the school building on the site through its conversion. The proposal allows the building to be repaired and improved where necessary and also ensures its long-term viability. It is also considered that given that the site is now privately owned by several different individuals, and is therefore being developed piecemeal, the current proposal represents a positive step towards enabling the redevelopment of the wider site. It is considered that the general character of the site will be preserved and enhanced as a result of the proposal. This will ensure that the layout of the educational buildings on the site can be preserved and the architectural history of the site can be understood in the future.

It is considered that the proposed development will preserve and enhance the existing character and appearance of the site and is acceptable in accordance with policy AW7 of the Rhondda Cynon Taf Local Development Plan.

Conclusion

In summary, the proposed development is considered acceptable and in keeping with the relevant policies of the Local Development Plan and national guidance. As a result, the application is recommended for approval subject to the following conditions.

RECOMMENDATION: Grant

1. The development hereby granted consent shall be begun not later than the expiration of five years beginning with the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Area) Act 1990.

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

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

3. Notwithstanding the approved plans, all external timber including windows and doors shall be painted in a colour to be first approved in writing by the Local Planning Authority and shall thereafter be maintained in the approved colour unless an alternative is approved in writing by the Local Planning Authority.

Reason: To ensure that the appearance of the proposed works will be in keeping with the special architectural and historic character of the listed building in accordance with policy AW7 of the Rhondda Cynon Taf Local Development Plan.

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

- (a) flue pipe(s);
- (b) eaves treatments;
- (c) boarded screens;
- (d) door openings;
- (e) cill and head treatments;
- (f) soffitts
- (g) reveal depths;
- (h) ridges.

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 special architectural and historic character of the listed building in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

5. The windows including the openings and glazing shall be constructed in accordance with drawing G.2013-LPS-067 03.

Reason: To ensure that the appearance of the proposed works will be in keeping with the special architectural and historic character of the listed building in accordance with policy AW7 of the Rhondda Cynon Taf Local Development Plan.

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|----------------------------|--|-------------|
| APPLICATION NO: | 13/1261/08 | (MF) |
| APPLICANT: | Rhondda Cynon Taf CBC | |
| DEVELOPMENT: | The undertaking of all necessary remedial works in order to change the use of land from 'waste ground' to a surfaced off road parking area with vehicular crossover. | |
| LOCATION: | LAND BETWEEN 102 & 104 PENRHIWCEIBER ROAD, PENRHIWCEIBER, MOUNTAIN ASH. | |
| DATE REGISTERED: | 29/11/2013 | |
| ELECTORAL DIVISION: | Penrhiwceiber | |

RECOMMENDATION: Approve

REASONS:

The proposed use of this vacant site as a surfaced, off-road for use by local residents is considered acceptable in terms of its impact on visual amenity, privacy of neighbours and highway safety.

APPLICATION DETAILS

Full planning permission is sought for the creation of a public car park on the area of land between 102 and 104 Penrhiwceiber Road, Penrhiwceiber.

The proposal involves the resurfacing of the land and the formation of 11 vehicle spaces arranged at either side of the site. An associated vehicle crossover would be sited to the front of the site to allow for access/egress to and from Penrhiwceiber Road. There will be no substantive change in ground levels at the site and the existing boundary walls to the rear and either side will remain as existing.

The proposal would form a Council owned and maintained public car park for local residents in order to reduce the amount of vehicles parked on the highway in the locality.

This application has been reported to the Development Control Committee as the application has been submitted by the Council and affects land owned by the Council.

The application is accompanied by an Access Statement.

SITE APPRAISAL

The application site comprises a rectangular area of land amounting to approximately 336m² off the main highway through Penrhiwceiber. The site is bounded by residential properties to both sides and the rear with Penrhiwceiber Road located to the front. At present the land is waste ground enclosed with stone boundary walls to both sides and the rear, however, the applicant has stated that a chapel previously existed at the site that was demolished some decades ago. Two steel storage containers currently located on the site would be removed.

PLANNING HISTORY

No previous planning applications have been submitted at the application site within the last 10 years.

PUBLICITY

The application has been advertised by means of direct neighbour notification and a site notice. No representations have been received.

CONSULTATION

Transportation Section – no objection, subject to conditions.

Land Reclamation and Engineering – no objection, subject to conditions.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies within the settlement boundary for Penrhiwceiber, but is not allocated for any specific purpose.

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 - requires development to avoid causing unacceptable risk of flooding.

National Guidance

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

Planning Policy Wales Chapter 3 (Making and Enforcing Planning Decisions), Chapter 4 (Planning for Sustainability), and Chapter 8 (Transport) set out the Welsh Government's policy on planning issues relevant to the determination of the application.

Other relevant policy guidance consulted:

PPW Technical Advice Note 12: Design.

PPW Technical Advice Note 18: Transport

REASONS FOR REACHING THE RECOMMENDATION

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

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

Principle of the Proposed Development

Full planning permission is sought for the creation of a public car park on the area of land between 102 and 104 Penrhiwceiber Road. The application essentially seeks consent for the resurfacing of the plot of land and the construction of a vehicular crossover for access/ egress.

The principle of the development is acceptable. It is considered that the use of the land as a car park would be suitable taking into account the location of the site on the main highway through Penrhiwceiber where on-street car parking is a problem and the fact that national guidance encourages the re-use of brown field land for sustainable uses.

As such, the key considerations in the determination of this application are the potential impact of the development upon the character and appearance of the area, its impact upon the amenity and privacy of the neighbouring properties, and upon highway safety.

Visual Impact

The development would be sited on the main highway through the village where it would form a visible feature in the street scene. However, the materials proposed (i.e. tarmac and dropped kerbs) are commonplace in the surrounding area and are typical of such developments. Furthermore, the existing ground levels and boundary walls at

the site would not be altered in any way. Therefore, it is not considered the proposal would significantly alter the existing character and appearance of the area and would actually improve the current visual impact of the waste ground. Consequently, the application is considered acceptable in this regard.

Residential Amenity

A large chapel formerly occupied the plot which would have extended over much of the site at two storey level. That development would have had an overbearing impact on neighbouring residential properties due to the height and scale of the chapel. It is considered that on balance, taking into consideration the scale and height of the chapel as well as the previous use on site, the proposed use of the site as a car park will be less intensive and have a lesser detrimental impact on the amenity of neighbouring residential properties.

In terms of the effect of vehicular movements and any potential nuisance and disturbance caused by the proposal, no windows are present in the side elevations of adjacent neighbouring properties. Additionally it is not considered that the noise caused by the proposed car park would be so detrimental as to warrant the refusal of the application, in particular taking into account the location of the properties on the main road through Penrhiwceiber.

It is also noted that no objections have been raised following the neighbour consultation process. It is therefore considered the development would not be unduly harmful to the occupants of the neighbouring properties and is acceptable in this regard.

Highway Safety

Following consultation with the Council's Transportation Section, no objections have been raised with regards to vehicle and pedestrian safety. It is noted that there is some concern regarding the sub-standard visibility from the site which is caused by the high demand for on street parking in the locality. However, given that all vehicles can access/egress the new car park in forward gear and the fact that the proposal would remove 11 on-street parking spaces from the heavily congested street, the new car park would improve highway safety along Penrhiwceiber Road and maximise road space. The proposal is therefore acceptable in this regard.

Other Issues

It is noted that consultation has been undertaken with the Council's Land Reclamation and Engineering Section with a view to assessing any potential impacts upon drainage and flooding. Their response has raised no objection to the scheme subject to a condition being added to any consent requiring a feasibility report which demonstrates that the use of soakaways will not adversely affect the surrounding properties prior to any works being undertaken at site.

Conclusion

It is not considered the proposal would have a significant impact on the character and appearance of the locality, the residential amenity of the surrounding neighbouring properties, or upon highway safety. As such, the application is considered to comply with the relevant policies of the Local Development Plan (Policies AW5 and AW6).

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. No development shall commence until all relevant matters outlined on the attached Planning Requirements Relating to Flood Risk Management including full drainage details have been approved in writing by the Planning Authority. These details shall indicate how the development is to comply with the requirements of Section 8.3 of Technical Advice Note 15.

Reason: To ensure that drainage from the proposed development does not cause or exacerbate any adverse condition on the development site, adjoining properties, environment and existing infrastructure arising from inadequate drainage in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

3. No development whatsoever shall be allowed to commence until ground conditions on the development site have been proven (in accordance with the procedure outlined in BRE 365) capable of supporting infiltration methods of drainage and that the groundwater level will not encroach within 1 metre of the underside of such infiltration drainage structures.

Reason: To ensure that drainage from the proposed development does not cause or exacerbate any adverse condition on the development site, adjoining properties, environment and existing infrastructure with regard to flood risk in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

4. Before the development is brought into use, the means of access, together with the parking and turning facilities, shall be laid out and constructed in accordance with submitted plans dated 13th December 2013 and approved in writing by the Local Planning Authority. The approved details shall be implemented with the approved details prior to beneficial use.

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

5. 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 and potential flooding in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

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APPLICATION NO: 13/1284/10 (KL)
APPLICANT: Mrs E Stephenson
DEVELOPMENT: Two storey rear extension.
LOCATION: 20 RHONDDA ROAD, FERNDALE, CF43 4LR
DATE REGISTERED: 17/12/2013
ELECTORAL DIVISION: Ferndale

RECOMMENDATION: Approve

REASONS:

Although one objection has been received, the visual impact of the proposed extension and its impact on the amenity and privacy of the neighbouring property is not considered sufficiently harmful to warrant its refusal.

APPLICATION DETAILS

Full planning permission is sought for the construction of a two storey extension to the rear of 20 Rhondda Road, Ferndale.

The proposed extension would be sited on the south-western facing rear elevation, alongside an existing three-storey rear projection. The extension would measure 2.5 metres in width by a maximum of 3.9 metres in depth and would incorporate a mono-pitched roof design measuring a maximum of 5.5 metres in height from ground level sloping to 4.7 metres at its eaves. The extension would be stepped back by 1.6 metres at first floor level, projecting 2.25 metres from the existing rear elevation. The proposed extension would be finished with render, concrete roof tiles and white uPVC windows and doors to match the existing dwelling.

SITE APPRAISAL

The application site is a semi-detached property situated within a residential area of Ferndale. External materials are of render, concrete roof tiles and white uPVC windows and doors. Due to the sloping ground levels at the site, the property appears as a two-storey dwelling from the front and three-storey from the rear. There is a small garden area to the front with a large enclosed garden to the rear which is bound by open countryside. The property has an existing three storey projection to the rear with a two-storey addition to the gable. Neighbouring properties are of a similar scale and there are numerous examples of extensions within the vicinity. The adjoining neighbour (No. 21), is at a comparable level to the application site, however, No. 19 Rhondda Road is at a lower level and is separated from the application site by the side accesses for both properties.

PLANNING HISTORY

No previous planning applications have been submitted at the application site within the last 10 years.

PUBLICITY

The application has been advertised by means of direct neighbour notification. One letter of objection has been received from the occupiers of no. 19 Rhondda Road and is summarised as follows:

- The proposed extension would have an overbearing impact on No. 19 as the application site is at a much higher level (approximately 3-4 ft).
- The design of the roof slopes towards no. 19 and there is significant concern that overflow water during heavy rainfall would overflow on to the patio or against the walls of the objector's house.
- The window proposed in the side elevation of the lower ground floor would be in close proximity to the boundary and would overlook the patio area at no. 19.

CONSULTATION

None undertaken.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies within the settlement boundary for Ferndale, but is not allocated for any specific purpose.

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.

National Guidance

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

Planning Policy Wales Chapter 4 (Planning for Sustainability), sets out the Welsh Government's policy on planning issues relevant to the determination of the application.

Other relevant policy guidance consulted:

PPW Technical Advice Note 12: Design.

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 Principle of the Proposed Development

The application relates to the extension of an existing residential property and the principle of development is therefore acceptable subject to the criteria set out below.

Visual Impact

The proposed extension is considered to be acceptable in terms of its scale, design and overall visual appearance. It would not extend beyond the existing projections and is considered to be a sympathetic and subservient addition to the property. As such, it is not considered that the proposed extension would have a significant impact on the character and appearance of the existing property or wider area and the use of appropriate matching materials would further ensure that the extension is not an overly prominent feature from the rear.

Residential Amenity

It is not considered that the proposed extension would have a significant impact upon the residential amenity and privacy of neighbouring properties. It is acknowledged that there is a difference in ground level between the application site and no. 19 Rhondda Road and that the proposed extension would have some impact on this property, however, the extension does not extend beyond the side of the existing dwelling and this impact is therefore not considered to be significant enough to warrant the refusal of the application. The extension would be sited on the south-western facing rear elevation and would not cause any overshadowing on no. 19. There is a ground floor window proposed in the side elevation of the extension, however, it has been agreed with the applicant that this window would be of obscure glass and a condition will be added to the consent to ensure that this remains as such. Therefore, it is not considered that the level of overlooking would be increased over that which already occurs.

Conclusion

It is not considered the proposal would have a significant impact on the character and appearance of the locality or upon the residential amenity of the surrounding neighbouring properties. As such, the application is considered to comply with the relevant policies of the Local Development Plan (policies AW5 and AW6).

RECOMMENDATION: Grant

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

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

2. The external materials of the proposed extension shall match as near as possible the materials of the original dwelling house.

Reason: To ensure that the extension is in keeping with the existing building in the interests of visual amenity in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

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 or roof lights (other than any hereby permitted) shall be installed on the side elevation without the prior express permission of the Local Planning Authority.

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

4. Prior to the extension, hereby permitted, being brought into use, the lower ground floor window within the side elevation shall be glazed with obscured glass, details of which shall first be submitted to and agreed in writing by the Local Planning Authority. The windows shall be retained as such thereafter, unless otherwise agreed in writing by the Local Planning Authority.

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

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APPLICATION NO: 13/1321/10 (RC)
APPLICANT: Mrs Dawn Maria Evans
DEVELOPMENT: Garage conversion, porch extension and hardstand
LOCATION: 1 Ffordd Catraeth, Cilfynydd, Pontypridd, CF37 4JD
DATE REGISTERED: 13/12/2013
ELECTORAL DIVISION: Cilfynydd

RECOMMENDATION: Approve

REASONS:

The application is considered to comply with the relevant policies of the Local Development Plan in respect of its visual impact and the impact it has upon the amenity and privacy of the neighbouring residential properties.

APPLICATION DETAILS

Planning permission is sought for the extension of an existing dwelling house, consisting of a porch to the front of the existing front door and the conversion of the existing integral garage to living accommodation. The grassed area to the left of the front door will be converted to hardstanding, providing an additional car parking space.

The porch measures 2.7m in width and extends 0.9m forward from the house, and has a height of 2.5m to the eaves and 3m to the ridge of a mono-pitch roof.

The existing garage opening would be replaced with a window and brickwork matching the elevational treatment of the front of the house.

SITE APPRAISAL

The application property is a modern brick fronted semi-detached house, which has been extended to the right-hand side with residential accommodation above the garage.

The property is set back from the street by approximately 4.5m, providing space in front of the house / garage for two parked cars and a small area of soft landscaping. The house is located on the corner between Ffordd Catraeth and Batten Way.

The porch extension, hardstanding and alterations to the garage are located at the front of the property and are visible from the street.

PLANNING HISTORY

05/0554 Proposed Two Storey Extension Approved

PUBLICITY

The application has been advertised by means of direct neighbour notification. One letter of objection or have been received, noting the following issues:

- There are existing car parking problems in the area and the new parking arrangements would exacerbate this.
- The proposed gravel hardstanding would result in gravel migrating into street.

CONSULTATION

None undertaken.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies within the settlement boundary for Pontypridd, but is not allocated for any specific purpose.

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.

National Guidance

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

Planning Policy Wales Chapter 4 (Planning for Sustainability), sets out the Welsh Government's policy on planning issues relevant to the determination of the application.

Other relevant policy guidance consulted:

PPW Technical Advice Note 12: Design.

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:

- **Visual impact;**
- **Car parking**

Visual Impact

The proposed porch is within the dimensions permitted without the need for planning permission and could therefore be constructed without approval being sought from the Council. The materials are in keeping with the building and there would not be any significant impact on the character of the house or streetscene.

The alterations to the front of the garage are in keeping with the character of the property and would not normally require planning permission.

The proposed hardstanding replaces an existing landscaped area, and the use of compacted gravel would somewhat detract from the contribution made to the streetscene by the current front garden. Provision of a more attractive surface, which should also be permeable to reduce surface water run-off into the street (such as permeable block paving), should be agreed by condition. It should be noted that the hardstanding would require planning permission under the new permitted development rules, which restricts new non-permeable surfaces in front gardens to 5sq m in any 6 month period.

Car Parking

The loss of the garage would result in a change to the car parking arrangements on the site. It should be noted that this would not normally require planning permission, but permission is required in this case due to a condition on the original planning consent (ref 96/2003) for the house removing permitted development rights for conversion of the garage.

The proposed hardstanding would result in 3 off street spaces being provided for the property, which is the same number as are presently available. In addition, the new space would be more easily accessed than the garage, increasing the likelihood of it being used by residents and reducing the likelihood of residents parking on the street, and therefore it is not considered that there would be an unacceptable impact on car parking in the area.

Conclusion

The proposed alterations to the house do not have any significant impact on the character of the surrounding area and are of a type and scale that would normally be considered permitted development.

The proposed replacement of the garage car parking with proposed hardstanding would not result any adverse impact on car parking arrangements in the surrounding area. The visual impact and loss of permeable surface resulting from the hardstanding can be controlled by a condition requiring a visually appropriate and permeable surface (for example permeable paving) to be used.

RECOMMENDATION: Grant

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

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

2. The external materials of the proposed extension shall match as near as possible the materials of the original dwelling house.

Reason: To ensure that the extension is in keeping with the existing building in the interests of visual amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

3. The hard standing shall be constructed from a permeable material, details of which shall be submitted to and agreed by the Local Planning Authority prior to the commencement of development. The hard standing shall be completed in accordance with the approved details.

Reason: To avoid increasing surface water run-off onto the public highway

and to ensure an appropriate visual finish in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

APPLICATION NO: 13/1328/10 (MF)
APPLICANT: Mr M Moses
DEVELOPMENT: Block of 3 No. garages/stores.
LOCATION: LAND AT REAR OF ARGYLE STREET, ABERCYNON, CF45 4TY.
DATE REGISTERED: 17/12/2013
ELECTORAL DIVISION: Abercynon

RECOMMENDATION: Approve

REASONS:

The proposed garages are considered acceptable as they do not give rise to significant issues in respect of their impact upon visual and residential amenity, and upon highway safety.

APPLICATION DETAILS

Full planning permission is sought for the construction of a garage block on an area of land to the rear of Argyle Street, Abercynon.

The proposed garage block would be sited at the southern boundary of the application site on a level parcel of land. It would be accessed via an existing unmade service lane to the rear of Argyle Street. The garage block would measure 12.4 metres in width by 6.3 metres in depth and would have a mono-pitched roof 3.5 metres at its highest point, sloping to 3.3 metres at the rear. The structure would accommodate 3 separate garages that would each be accessed independently. The garages would incorporate roller shutter doors to the front elevation. It is proposed the structure be finished in cement render and a fibreglass roof.

The applicant has stated that the garages are proposed to improve the current lack of off-street parking in the locality and will be used for domestic storage only and at no time will they be used in connection with any business purposes.

The application is accompanied by the following:

- Design and Access Statement.

SITE APPRAISAL

The application site is located on a service lane to the rear of Argyle Street. The lane is unmade and is characterised by a number established domestic garages and rear accesses to the properties on Argyle Street. The existing garages vary in age, scale, design and external finishes with a large modern block of 3 garages being sited immediately to the north. Argyle Street falls from north to south, however, the application site itself is level and therefore is at the lane level to the north but is approximately 2 metres above the lane level to the south. A steel storage container is currently located on the site but would be removed as part of the scheme. A children's play area is located to the east of the site with an area of overgrown waste land to the south.

PLANNING HISTORY

Planning applications submitted within the last 10 years include:

| | | | |
|---------|--|---------------|---------------------|
| 09/0719 | Land to the rear of Argyle Street, Abercynon | Double garage | Granted 26/08/09 |
| 07/2214 | | Double garage | Granted 27/02/08 |

PUBLICITY

The application has been advertised by means of direct neighbour notification and site notices. Two letters of objection and a petition signed by 10 people have been received from surrounding local residents making the following comments (summarised):

- Concerns that the garages would not be used for domestic purposes but would instead be used commercially which may introduce nuisance such as noise and light pollution.
- The garages would overlook the rear of the properties on Argyle Street.
- The garages would overshadow the properties on Argyle Street.
- The garages would increase the amount of surface water running through the lane which already affects the rear gardens of the properties on Argyle Street.
- The increased vehicle movements in the lane may be a danger to pedestrians in the locality.

CONSULTATION

Transportation Section – no objection, subject to conditions.

Land Reclamation and Engineering – no objection, subject to conditions.

Public Health and Protection – no objection, subject to conditions.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies within the settlement boundary for Abercynon, but is not allocated for any specific purpose.

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.

National Guidance

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

Planning Policy Wales Chapter 3 (Making and Enforcing Planning Decisions), Chapter 4 (Planning for Sustainability), and Chapter 8 (Transport) set out the Welsh Government's policy on planning issues relevant to the determination of the application.

Other relevant policy guidance consulted:

PPW Technical Advice Note 12: Design.

PPW Technical Advice Note 18: Transport

REASONS FOR REACHING THE RECOMMENDATION

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

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

Principle of the Proposed Development

Full planning permission is sought for the construction of a block of 3 no. domestic garages on an open area of land to the rear of Argyle Street, Abercynon. The site is situated within settlement boundary as identified in the Rhondda Cynon Taf Local Development Plan and is not allocated for any specific purpose. The lane is characterised by a series of domestic garages of varying design and scale and a number similar developments have been recently approved nearby. Therefore, the principle of the development is acceptable subject to the criteria identified below.

Visual Impact

It is acknowledged that the properties on Argyle Street are sited at a lower level than the application site and that the scheme would introduce a visible feature from the rear of these properties. However, the lane is characterised by a series of domestic garages that have been constructed in a variety of scales, designs and external finishes including a recently constructed block of garages immediately to the north of the application site which are of a significantly larger scale to that proposed. Therefore, with the proposed garage block being of a domestic scale and design that is similar to that of the existing structures in the locality and with the use of appropriate external materials, it is not considered the proposal would have a significant impact upon the visual amenity standards currently enjoyed by the surrounding residents. The site is currently used for the storage for a variety of items including the siting of a steel storage container and it is considered the removal of these items in order to allow for the proposed development would actually improve the current visual amenity of the area. As such, it is not considered that the addition of the proposed garage block would appear as an overly prominent feature that would be out of keeping with or detrimental to the setting of the surrounding locality.

Residential Amenity

In terms of residential amenity, the main issue is the proposed use of the garages. The objectors have noted that other garages in the lane may be being used for commercial purposes and that they are concerned that the proposal may introduce the opportunity for similar uses to be operated at the site. The site and access is in close proximity to the residential dwellings on Argyle Street and is not suitable for a commercial use. This is acknowledged by the applicant who has detailed that the units would be rented out to local residents and would be used solely for domestic use. Therefore, given that the lane is currently occupied by a number of similar domestic garages, it is not considered the proposal to erect 3 additional domestic garages would significantly impact upon the residential amenity standards currently enjoyed by the surrounding neighbours. It is however considered a condition requiring the garages to be used only for domestic purposes in future should be added to any consent to safeguard the amenity of the local residents.

With regard to the further points raised by the objectors relating to overlooking and overshadowing of the rear of the properties on Argyle Street, it is acknowledged that the development would be sited at a higher ground level than the adjacent properties and that a degree of overlooking would occur. However, the site is currently used for storage and has been historically, therefore, a degree of overlooking currently exists and it is not considered the amount of overlooking from the erection of 3 domestic garages would significantly increase the existing impact to a degree that would warrant the refusal of the application. Furthermore, given the proposed developments scale and siting over 10 metres from the nearest residential property, it is not considered that there would be any undue overshadowing impact.

Highway Safety

Following consultation with the Council's Transportation Section, it was noted that the lane is sub-standard in width for safe two-way vehicular movement and that visibility at the junction with Argyle Street is restricted due to high boundary walls. However, given the fact that a number of similar garages exist within the lane and that the proposed garages would be used for social and domestic use with no business or trade, the development is considered acceptable in terms of its impact upon highway safety and no objections have been raised in this regard.

Flood Risk and Drainage

The objectors have raised concerns relating to drainage at the site and excess surface water running down the lane. The applicant has stated that all surface water will drain within the site through the use of existing soakaways and rainwater butts that will be installed at the garage block to collect water from the roof of the structure. Consultation has been undertaken with the Council's Land Reclamation and Engineering Section with a view to assessing any potential impacts upon drainage and flooding. Their response raised no objection to the scheme subject to a condition being added to any consent requiring a feasibility report which demonstrates that the use of the existing soakaways will not adversely affect the surrounding properties prior to any works being undertaken at site. Consequently, the application is acceptable in this regard.

Other Issues

Whilst the comments raised by the Public Health and Protection Division are acknowledged, due to the nature and scale of the proposal, it is not considered that the construction activities would have an undue adverse impact on local residents. Consequently, it is considered the recommended condition relating to hours of operation is not warranted. It is also considered noise, dust and waste matters can be more efficiently controlled by other legislation and an appropriate note can be added to any permission concerning these issues.

Conclusion

It is not considered the proposal would have a significant impact on the character and appearance of the locality, the residential amenity of the surrounding neighbouring properties, or upon highway safety. As such, the application is considered to comply with the relevant policies of the Local Development Plan (policies AW5 and AW6).

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. No development shall commence until all relevant matters outlined on the attached Planning Requirements Relating to Flood Risk Management including full drainage details have been approved in writing by the Planning Authority. These details shall indicate how the development is to comply with the requirements of Section 8.3 of Technical Advice Note 15.

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

3. No development whatsoever shall be allowed to commence until ground conditions on the development site have been proven (in accordance with the procedure outlined in BRE 365) capable of supporting infiltration methods of drainage and that the groundwater level will not encroach within 1 metre of the underside of such infiltration drainage structures.

Reason: To ensure that drainage from the proposed development does not cause or exacerbate any adverse condition on the development site, adjoining properties, environment and existing infrastructure with regard to flood risk.

4. The use of the garages hereby approved, shall at all times be restricted to purposes normally associated with a domestic use and no trade or business shall be carried out therein.

Reason: For the avoidance of doubt as to the extent of this consent, to protect the residential amenity of the neighbouring properties in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan, and in the interests of highway safety.

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LOCAL GOVERNMENT ACT 1972

as amended by

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

LIST OF BACKGROUND PAPERS

DEVELOPMENT CONTROL COMMITTEE

6 FEBRUARY 2014

REPORT OF: SERVICE DIRECTOR PLANNING

REPORT

**APPLICATIONS RECOMMENDED
FOR APPROVAL**

OFFICER TO CONTACT

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

See Relevant Application File