

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**DEVELOPMENT CONTROL  
COMMITTEE  
2 OCTOBER 2014**

**REPORT OF: SERVICE  
DIRECTOR PLANNING**

	<b>Agenda Item No. 4</b>
<b>APPLICATIONS RECOMMENDED FOR APPROVAL</b>	

**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: 14/0404 - Construction of 40 dwellings, car parking, highway improvement works (including the diversion of a footpath), landscaping and associated works (Amended plans received 27/06/2014), Land off Ty Gwyn Road, Church Village.
2. Application No: 14/0620 - Redevelopment of the site to provide 70 dwellings with ancillary car parking, open space, access arrangements and landscaping, land off Cardiff Road, Rhydyfelin, Pontypridd.
3. Application No: 14/0734 - Two storey, five classroom extension connected to existing Junior building and dining block via link corridors (Revised bat report received 19/08/14), Treorchy Primary School, Glyncoli Road, Treorchy.
4. Application No: 14/0918 - Detached house and garage (Amended plans received 14/08/14 and 28/08/14 that include the resiting of garage building), Site of Former 7 - 9 Cambrian Terrace, Tonypany.
5. Application No: 14/1104 – One detached dwelling, land at Wind Street, Blaenllechau.

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## **APPLICATIONS RECOMMENDED FOR APPROVAL**

**APPLICATION NO:** 14/0404/10 (GD)  
**APPLICANT:** RCT Homes  
**DEVELOPMENT:** Construction of 40 dwellings, car parking, highway improvement works (including the diversion of a footpath), landscaping and associated works (Amended plans received 27/06/2014)  
**LOCATION:** LAND OFF TY GWYN ROAD, CHURCH VILLAGE  
**DATE REGISTERED:** 27/06/2014  
**ELECTORAL DIVISION:** Church Village

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**RECOMMENDATION:** Approve

**REASONS:**

**The principle of the proposed development is acceptable in planning policy terms and the proposal if allowed will deliver much needed affordable housing to the area with a strong mixture of house types.**

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### **APPLICATION DETAILS**

The application seeks consent for the demolition of the remaining eighteen flats at Springfield and its replacement with 40 no dwellings across a wider area. The mix of dwelling types across the site will be as follows –

- 16no. 1 bedroom walk up flats.
- 12no. 2 bedroom houses.
- 8no. 3 bedroom houses, and;
- 4no. 4 bedroom houses.

The development will form in terraced blocks around the site roads with a consistent building line. The exception to this approach will be at the southern end of the proposed development where there will be three pairs of semi detached properties with a staggered building line as a result of the need to accommodate a turning head. The properties will be of traditional two storey construction with the exception of the four bedroom units which will be slightly higher with rooms worked into the roof space. The walls will be finished in combinations of brindle brick, contrasting shades of buff through colour render, and wood fibre plank cladding; whilst the roofs will be in a concrete roof tile. Windows and doors will be in white uPVC. Boundary treatments will be in combinations of close boarded fencing and brick walls of varying height. Window arrangement will be conventional front and back though the end of terrace and semi detached properties will also have non habitable room windows worked into their gable elevations

The site will have road access from Manor Court to the north where the existing roundabout will be removed, a rumble strip will cross the road at the site entrance to reduce traffic speeds. The main access road will then turn to run parallel with the eastern boundary of the site. The streets will then form around two cul de sacs which run broadly from east to west across the site. Both cul de sacs have their own turning head and each dwelling is provided with an appropriate amount of off street car parking space. A registered public footpath currently runs adjacent to the eastern boundary of the site and will need to be re routed to better serve the proposed layout of the development.

The application is accompanied by the following:

- Planning Statement.
- Design and Access Statement.
- A Public Consultation Report.
- A Tree Survey & Arboricultural Constraints Report
- A Drainage Strategy.
- A Preliminary ecological assessment, and;
- A Code for Sustainable Homes Pre-assessment Report.

## **SITE APPRAISAL**

The application site is a roughly triangular area of land of some 0.95 hectares which is largely enclosed by Manor Court, Tygwyn Road and St Illtyds Road. The southern part of the site is occupied by 18 no flats with communal access areas in three blocks of six, each block formed in a two storey “T” shape, whilst the northern part of the site is now a cleared grassed area having previously been the location of 24 maisonettes. The overall topography of the site falls from north to south with a secondary cross fall from west to east. The enclosed nature of the site means that for the most part its boundaries are defined by the established curtilage boundaries of other residential properties or by the hedgerow that defines the extent of the public footpath.

Access to the site would historically have been derived from Manor Court to the north though there are also clear pedestrian links with Tygwyn Road. Additionally, a concrete public footpath runs along the western boundary of the site connecting Cae Fardre in the north with St Illtyd’s road in the south.

The wider area is predominantly residential in character though school and sporting facilities also lie nearby as do a small number of shops and other businesses. The houses are of varying age comprising a mix of traditional stone terraces inter war and post war detached and link houses along with a small amount of relatively new dwellings on infill plots. Traditional and more modern linked houses predominate overall with smaller numbers of semi detached and detached properties also

present. The area is also mixed in terms of the balance of private and social housing.

## **PLANNING HISTORY**

14/4042	Prior notification of proposed demolition of three blocks of flats	Prior approval is not required 1/05/14
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## **PUBLICITY**

The proposed development was initially advertised by means of press notice, site notices and neighbour notification letters and this resulted in the submission of 12 letters of objection/concerns 2 of which are accompanied by short petitions that have raised the following issues –

- There is objection to any vehicular access to the site being established from Tygwyn Road as it is steep, narrow and prone to congestion as well as icing up in cold weather all of which makes it unsuitable to serve as the principal means of access to a further 40 dwellings.
- Ty Gwyn Road is frequently parked up both sides which would obstruct vehicles aiming to access the new development. This would also include emergency vehicles if the site were to be developed with this access. This as a means of access would also be particularly unsuitable for large lorries that would deliver to the site during the construction phase of development.
- Manor Court historically was the access for this site and it should serve any new cycle of development as well.
- The wider Cae Fardre area also suffers congestion and buses often have difficulty running through the site.
- There is a historic problem with drug use and anti-social behaviour associated with the application site in particular.
- The footpath link is currently dimly lit and poorly maintained.
- Historically the sewers in the area have been prone to blockages causing inconvenience to existing residents.
- There is some concern that one of the proposed house types is three storey and that this would cause some residents problems with regard to light and potential overlooking from side windows.
- Since the demolition works in 2006 water from the site has caused adjacent gardens to become sodden and any redevelopment of the site should deal with this problem.
- The property at no.9 Tygwyn Road has a long standing vehicular access from the site and this would need to be retained and maintained.
- There is a suggestion from some residents of Tygwyn Road that the site should be entirely fenced in and there should be no link at all between it and the site.

Having made residents concerns and objections clear to the applicants they made the decision to revise the scheme with the access to the site being moved from Tygwyn Road to Manor Court. This fundamental change in the layout was advertised in the same way as the initial submission and has generated two further objections one citing the same objections as outlined above in respect of highway related matters, and the other expressing continued concern in relation to the embankment between the site and Tygwyn Road remaining open and that this might allow the creation of a rat run for motorbikes or quad bikes without appropriate boundary treatment.

The concerns of residents/objectors have been addressed within the text of the "Reasons For Reaching the Recommendation" Section.

## **CONSULTATION**

Transportation Section – no objections subject to conditions.

Land Reclamation & Engineering Manager – no objections subject to conditions.

Public Health & Protection – no objections subject to conditions.

Education & Children's Services – although there are only 24 qualifying dwellings, this development is in an area where English medium primary school places are at a premium. We have asked for contributions from several other developments proposed in this area, the large development off Station Road being the most recent.

24 houses will generate approx 8 pupils of Primary school age. Using the calculation in the Supplementary Planning Guidance, this gives an S106 requirement of £98,056.

Natural Resources Wales – advise that they have no adverse comments to make in respect of the proposed development subject to the applicant agreeing a method statement with the Local Planning Authority to deal with the favourable conservation status of bats through the course of works. They also advise that before works begin the developer will need to obtain a European Protected Species licence from them.

Dwr Cymru Welsh Water – no objections subject to conditions.

Western Power Distribution – no observations received.

Wales & West Utilities – raise no objection to the proposal and advise in respect of the location of their apparatus in the area of the application site and safe working practices to be adopted when working in the vicinity of it.

South Wales Fire & Rescue Service – no observations received.

Countryside Section – no objections subject to conditions.

Housing Strategy – the unit mix and tenure proposed are in accord with the Local Housing Market Assessment – no objections.

Llantwit Fardre Community Council – object to the proposed development on the basis that it would lead to excessive highway issues in an already built up area.

## **POLICY CONTEXT**

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

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

**Policy CS4** – defines the requirement for housing land, to be met in sustainable locations.

**Policy AW1** – Defines the housing land supply, to be met, in part, by development on unallocated land within smaller settlements.

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

**Policy AW4** – Lists community infrastructure and planning obligations which the Council may seek in respect of new developments.

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

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

**Policy AW7** – Protects open spaces and rights of way from loss unless they are in surplus, replaced or improved.

**Policy AW8** – aims to protect natural heritage assets from inappropriate development.

**Policy SSA11** – Seeks a minimum housing density of 35 dwellings per hectare unless site specific criteria dictate otherwise.

**Policy SSA12** – Requires the provision of 20% affordable housing on residential developments of 5 dwellings or more.

**Policy SSA13** – Sets general criteria for the consideration of housing developments 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**

## Chapter 2 (Development Plans)

Paragraph 2.1.2. Indicates that Local Development Plan's should provide a firm basis for rational and consistent decisions on planning applications and appeals, they are fundamental to planning for sustainable development. 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 circumstances dictate otherwise. Conversely applications which are not in accordance with the relevant policies in the plan should not be allowed unless material considerations dictate otherwise.

## Chapter 3 (Making and Enforcing Planning Decisions)

Paragraph 3.1.2. States that planning applications should be determined in accordance with the Local Development Plan unless material circumstances dictate otherwise.

Paragraph 3.1.3. Factors to be taken into account in making planning decisions (material considerations), must be planning matters, that is, they must be relevant to the regulation of development and the use of land in the public interest towards the goal of sustainability.

Paragraph 3.1.8. Indicates that while the substance of local views must be considered, the duty is to decide each case on its planning merits.

## Chapter 4 (Planning for Sustainability)

Paragraph 4.7.4 Local planning Authorities should assess the extent to which new development is consistent with minimising the need to travel and increase accessibility by modes of transport other than the private car.

Paragraph 4.9.1 advocates the re use of previously developed land.

Paragraph 4.11.7. Promotes mixed use developments.

Paragraph 4.11.8. Promotes good design in high density developments.

## Chapter 8 (Transport)

Paragraph 8.7.1 Indicates that when determining a planning application that has transport implications, Local Planning Authorities should take into account:

- The impacts of the proposed development on travel demand.
- The level and nature of public transport provision.
- Accessibility by a range of different transport modes.



- The willingness of a developer to promote travel by public transport, walking or cycling, or to provide infrastructure or measures to manage traffic to overcome transport objections to the development.
- The environmental impact of both the transport infrastructure and the traffic generated, and;
- The effects on the safety and convenience of other users of the transport network.

## Chapter 9 (Housing)

Paragraph 9.1.2 Advocates residential development that is easily accessible by public transport, cycling and walking and making the most efficient use of land.

Paragraph 9.2.3. States that a five year supply of housing land should be available.

Paragraph 9.2.6. Favours the reuse of previously developed land for housing ahead of Greenfield sites.

Paragraph 9.2.14 (and TAN 2) State that a community's need for affordable housing is a material planning consideration.

Paragraph 9.3.1. States that new housing development should be well integrated and connected with the existing pattern of settlements.

Paragraph's 9.3.3. & 9.3.4. State that residential developments, including conversion and adaptations, should not be allowed to damage an areas character or amenity.

## Chapter 12 (Infrastructure and Services)

Paragraph 12.1.6. States that the capacity of existing infrastructure and the need for additional facilities should be taken into account in the preparation of development plans and the consideration of planning applications. In general Local Planning Authorities should seek to maximise the use of existing infrastructure and should consider how the provision of different types of infrastructure can be coordinated.

## Chapter 13 (Minimising and Managing Environmental Risks and Pollution)

Section 13.9 Confirms that planning decisions need to take full account of any hazards that might result from land instability.

Section 13.12 Confirms that the potential for pollution affecting the use of land will be a material consideration in deciding whether to grant planning permission.

It is considered that the above elements set out the Welsh Government's policy on planning issues are those most relevant to the determination of this application.

Other relevant policy guidance consulted:

PPW Technical Advice Note 2: Planning and Affordable Housing;  
PPW Technical Advice Note 5: Nature Conservation and Planning;  
PPW Technical Advice Note 12: Design;  
PPW Technical Advice Note 18: Transport;  
PPW Technical Advice Note 22: Sustainable Buildings;  
Manual for Streets

## **REASONS FOR REACHING THE RECOMMENDATION**

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

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

In the case of this particular planning application the key considerations in the determination of the case are considered to be the principle of the proposed development in terms of compliance with planning policy, the effect of the proposed development on the character and appearance of the area, the impact on residential amenity and issues relating to access and highway safety relating to the proposed development. These issues are dealt with in turn below.

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

The site does contain an element of open space that would be lost to development if this application is consented to. However what open space there is, is a temporary construction that has resulted from the demolition of the maisonettes that formerly occupied the site. As it was never intended to form an area of formal or informal public open space it would be unreasonable to consider it protected under the umbrella of Local Development Plan Policy AW7. Consequently, residential development of the site can be considered acceptable in principle on the basis that the site is both previously developed and underused land, lies within the defined settlement boundary and has good access to local facilities.

In terms of other policy related considerations, the development will make a net contribution to the housing land supply of 22 units and the density of development is clearly compliant with the requirement for 35 dwellings per hectare. In that the scheme will be 100% affordable housing policy requirements in that regard are also more than met.

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

The proposed development comprises new residential development within an established residential area. Consequently there can be no conflict with existing arrangements in terms of the use proposed. The development site would provide a mix of dwelling types ranging from one bedroom apartments to four bedroom houses and this also is reflective of the mix within the wider locality; as is the mixture of combinations of relatively short terraces and semi detached dwellings. The overall design approach adopted is conventional in that the vast majority of the properties proposed are of conventional two storey construction which is reflective of the wider area. The exception to this will be the 4no. four bedroom units where in addition to ground and first floor accommodation a second floor is being worked into the roof space with dormer windows to the front and rear. However this is not considered out of character in an area that is populated with a wide variety of residential accommodation some of which is already three storey in height and some of which also already has dormer rooms worked in to the roof space. In terms of materials, the use of brick, render and concrete roof tile is broadly reflective of the area whilst the occasional use of weatherboarding would add an element of distinctiveness to the site itself especially as it is only being used sparingly in a manner that adds definition to key features. Consequently the current proposals are considered compliant with planning policy and particularly Local Development Plan Policy AW6.

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

The site is intended to be developed at a relatively high density of 42 dwellings per hectare, this is higher than the density of the property that surrounds the site. Within itself it maintains good distances between the windows of habitable rooms where the distance never falls lower than 17m. In relation to properties that exist outside of the site the layout has been devised in a manner that maximizes the amount of gable elevations facing these properties which reduces the potential for overlooking to a minimum. Where the end of terrace and semi detached properties have windows in their gable elevations they are to non habitable areas such as bathrooms, hallways and landing areas. Hence despite the high density the site as proposed demonstrates more than sufficient respect for privacy in terms of itself and its impact on the wider area, and addresses some of the concerns raised by residents on this issue.

In terms of the impact of the proposed development on amenity the outcomes are entirely positive. Each new dwelling will have its own private amenity space. The exception to this will be the one bedroom walk up flats to be located centrally within the development which will have a shared communal area to the rear. In terms of the impact of the proposed development on established residential property the proposals are greatly helped by the layout currently being promoted. As mentioned above the site is largely developed gable end on to existing development and generally good distances are maintained between the proposals and established built development. The development is at its closest to established properties at the northern extent of the site where plots 38 – 40 meet the blank gable wall of 21 Manor

Court at an angle and at a minimum distance of 5m. and at the southern end of the site where plot 6 - a four bedroom dwelling – is only 10.5m from the gable wall of 3 St Illtyd's Court. This remains acceptable in terms of the impact on amenity, indeed the distances involved might even be considered generous in comparison to some private sector developments that are currently under construction and this is considered acceptable and the arrangement adequately addresses the remaining concerns expressed by residents in respect of privacy and amenity. One resident has raised the issue of the impact of the proposed development on light. Whilst this remains a fundamentally private issue in the wider context of amenity, the proposal, remains acceptable, in fact given the position of the concerned residents house in relation to the site any impact would be minimal.

In light of the above and the fact that the proposed development would remove problem housing and bring an area of underused semi derelict vacant land back into beneficial use the impact on privacy and amenity is positive and the proposals are considered compliant with Local Development Plan Policies AW5 and AW6 insofar as they relate to this issue.

### **Access and highway safety**

Members should first note that in considering the revised proposals the Transportation Section have subject to conditions raised no objections to the proposed development. Site access is to be via Manor Court, which links with the wider Cae Fardre development and it has good carriageway width, a suitable footway and is traffic calmed. This change in the access arrangement adequately addresses the initial concerns raised by residents of Tygwyn Road. Visibility where the site would link with Manor Court is acceptable and the site itself has a road layout of appropriate width and turning facilities and more than adequate footway provision. The development will also be traffic calmed with raised tables provided where the road bends. The site will provide a total of 60 car parking spaces and considering that the proposal is 100% social housing which historically generates lower levels of car ownership, the proximity of the site to local facilities and public transport provision, this is regarded as acceptable. In light of the above the proposal is considered acceptable. In light of the above the proposal is considered acceptable in access and highway safety terms and compliant with Local Development Plan Policy AW5.

### **Other Issues:**

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

Members should first note that subject to conditions, there is no objection from consultees in respect of the means of foul and surface water drainage proposed. One resident has raised the issue that adjacent gardens had developed problems

with saturation and water logging since the maisonettes that previously occupied the site were demolished, however, in that the proposals will be removing water from the site this situation will in all likelihood improve.

In terms of the ecology of the site Members should note that the applicants have provided ecology appraisals along with a tree survey and arboricultural constraints report. These have been subject to scrutiny by the relevant consultees who have indicated that the findings are acceptable subject to a condition requiring the agreement of a method statement to deal with a bat issue at the site

The concerns raised by residents are largely dealt with in the assessment above, particularly those dealing with highways and access. However the following points still need to be addressed.

The site has become associated with a level of anti social behaviour, this is a product of the current situation being a combination of poor housing and unsupervised ground which is not overlooked. The redevelopment of the site will address this and given that the new development is social housing that would have to meet secured by design standards this situation should greatly improve.

The resident of 9 Tygwyn Road does have off road parking that is accessed through the site. The applicants have acknowledged this and have indicated that they will work with the resident to ensure continuity. However this remains a private matter that cannot influence a decision on this planning application.

Finally some residents have expressed concern that the embankment between the site and Tygwyn Road will remain open and invite inappropriate use by people and off road vehicles. Whilst in the view of officers this is an unlikely eventuality once the site is redeveloped clearly it has been a problem in the past. As such, if Members are of a mind to support the proposal then an appropriate condition is included to require the applicant to provide an appropriate boundary treatment at this location.

## **Section 106 Contributions / Planning Obligations**

Section 106 of the Town and Country Planning Act (as amended) enables local planning authorities and developers to agree to planning obligations to require operations or activities to be carried out on land (in-kind obligations) or require payments to be made (financial contributions), to mitigate any unacceptable impacts of development proposals.

The Community Infrastructure Levy (CIL) Regulations 2010, with effect from 6 April 2010, state that a planning obligation (under S.106) may only legally constitute a reason for granting planning permission if it is:

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

3. fairly and reasonably related in scale and kind to the development.

Planning Policy Wales (Chapter 3) advises that contributions from developers may be used to offset negative consequences of development, to help meet local needs, or to secure benefits which will make development more sustainable. Further guidance regarding what types of obligations developers may be expected to contribute towards is also contained within Policy AW4 of the Local Development Plan and the Council's SPG on Planning Obligations, however it is made clear that this is intended to form the basis of negotiations between all parties.

### **The Section 106 requirements in this case**

In this instance the determination of the application makes certain concessions, such as the waiving of the transport tariff requirement bus stop contribution and Education contribution, due to the fact that the development is social housing; as such it is also necessary to ensure that the development remains affordable housing. This position has been adopted as it is considered that the benefits of allowing the development without contributions outweighs the financial considerations, additionally the applicants have also indicated that they would lead to a loss of funding that would prevent the development taking place. Consequently it is considered appropriate for the Section 106 agreement to contain the following heads of terms:-

- That the site remains affordable/social housing in perpetuity.

### **Conclusion**

The application is considered to comply with the relevant policies of the Local Development Plan in respect of the principle of the development and the details of the proposals are considered acceptable, subject in certain areas to the application of suitable conditions, in terms of its character and appearance, and its impact on privacy, amenity, access 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. 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 fences, gates or walls shall be erected within the curtilage of any dwelling house forward of any wall of that dwelling house which fronts onto a road, footway or footpath without the prior express permission of the Local Planning Authority.

Reason: To preserve the open plan character of the housing layout in the interests of visual amenity in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf 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 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.

5. 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.

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

7. 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.

8. 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.

9. No dwelling, hereby permitted, shall be occupied until the measures approved in the scheme (referred to in Condition 8) 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.



10. 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.

11. Prior to commencement of works on site, details of boundary treatments to be installed between the development site and Tygwyn Road shall be submitted to and agreed in writing with the Local Planning Authority. Such detail as may be agreed shall be fully implemented prior to the first occupation of any dwelling on the site.

Reason: In the interests of general amenity and in accordance with the requirements of policies AW5 and AW6 of the Rhondda Cynon Taf Local development Plan.

12. Notwithstanding the approved plans, development shall not commence until full engineering design and details of the internal road layout, together with its tie in with Manor Court including details relating to longitudinal and cross sections, street lighting, highway structures, raised tables, footpaths and surface water drainage 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: In the interests of highway safety.

13. 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.

14. Surface water run off from the proposed development shall not discharge on to the public highway or be 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 and to prevent overcapacity of the existing highway drainage system and potential

flooding.

15. No development shall take place, including any works of site clearance, until a construction method statement has been submitted to and approved in writing by the Local Planning Authority to provide for;

- 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
- the loading and unloading of plant and materials
- the storage of plant and materials used in building the development
- wheel cleansing facilities, and;
- the sheeting of lorries leaving the site.

The approved construction method statement shall be adhered to throughout the development process unless otherwise agreed in writing by the Local Planning Authority.

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

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

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

17. No development shall take place until a wildlife plan for construction has been submitted to and approved in writing by the Local Planning Authority. The plan shall include:

- an appropriate scale plan showing habitat protection zones where construction activities are restricted and where protective measures will be installed or implemented to protect retained adjacent habitats.
- details of protective measures (both physical measures and sensitive working practices) to avoid those impacts during construction.
- a timetable to show the phasing of construction activities to avoid periods of the year when sensitive wildlife could be harmed.
- details of the implementation of specific species mitigation measures to include a reptile method statement.
- persons responsible for:-
  - a) compliance with legal consents relating to nature conservation.
  - b) compliance with planning conditions relating to nature conservation.
  - c) installation of physical protection measures during construction.
  - d) implementation of sensitive working practices during construction.
  - e) regular inspection of maintenance of physical protection measures

- and monitoring of working practices during construction.
- f) provision of training and information about the importance of the habitat 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: In the interests of maintaining biodiversity in accordance with policy AW8 of the Rhondda Cynon Taf Local Development Plan.

18. A tree management plan shall be submitted to and approved by the local planning authority prior to the occupation of the development. The plan shall include:
- i) Description and evaluation of the trees to be managed;
  - ii) Aims and objectives of management;
  - iii) Appropriate management options for achieving aims and objectives;
  - iv) Prescriptions for management actions;
  - v) Preparation of a work schedule (including a 5yr project register, an annual work plan, and the means by which the plan will be rolled forward annually);
  - vi) Personnel responsible for implementation of the plan;
  - vii) Monitoring and remedial/contingencies measures triggered by monitoring;

Reason: In the interests of maintaining biodiversity in accordance with policy AW8 of the Rhondda Cynon Taf Local Development Plan.

19. In this condition retained trees means any existing trees which are to be retained in accordance with the approved plans and particulars;
- a) No retained tree shall be cut down, up-rooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard BS 3996 Tree works.
  - b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such a size, and shall be planted at such time, as may be specified in writing by the local planning authority.
  - c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with BS 5837 'Trees in Relation to Construction'. Protections measures will be installed before any equipment, machinery or materials are brought on to the site for the purpose of the development, and shall be maintained until all

equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

No works or development shall take place until full details of all proposed tree planting and proposed times of planting, have been approved in writing by the local planning authority, and all tree planting shall be carried out in accordance with those details and at those times.

If within a period of 5 years from the date of the planting of any tree, that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation.

Reason: In the interests of maintaining biodiversity in accordance with policy AW8 of the Rhondda Cynon Taf Local Development Plan.

20. No development, including any works of demolition shall take place until a method statement which ensures the protection of bats has been submitted to and approved in writing by the Local Planning Authority. The Method statement shall include, but should not be limited to the timing of the works, measures to avoid killing and injuring bats during works, use of materials, dimensions and positioning/locations of roosting areas and access points, vegetation retention/management and proposals for lighting as appropriate.

Reason: In the interests of maintaining biodiversity in accordance with policy AW8 of the Rhondda Cynon Taf Local Development Plan.

21. Prior to the commencement of works on site details of existing and proposed levels on the site in relation to plots 5 & 6 and the existing properties at 14 & 16 St Illtyd's Road and no.3 St Illtyd's Court shall be submitted to and agreed in writing by the Local Planning Authority. Such details as may be agreed shall be implemented through the course of development.

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

22. Notwithstanding the submitted plans no works shall commence on site until full engineering design and details of traffic calming on Manor Court from its junction with Cae Fardre towards the proposed development site have been submitted to and approved in writing by the Local Planning Authority. The

approved scheme shall be fully implemented prior to the first occupation of any dwelling hereby approved

Reason: In the interests of highway and pedestrian safety.

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**APPLICATION NO:** 14/0620/10 (GD)  
**APPLICANT:** Persimmon Homes East Wales  
**DEVELOPMENT:** Redevelopment of the site to provide 70 dwellings with ancillary car parking, open space, access arrangements and landscaping  
**LOCATION:** LAND OFF CARDIFF ROAD, RHYDYFELIN, PONTYPRIDD, CF37 5LG  
**DATE REGISTERED:** 22/05/2014  
**ELECTORAL DIVISION:** Hawthorn

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**RECOMMENDATION:** Approve

**REASONS:**

The proposal will provide much needed new housing including affordable housing and is in keeping with policies SSA1, AW5 and AW6 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.

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**APPLICATION DETAILS**

The application seeks full planning permission to redevelop land off Cardiff Road, to the rear of the properties of St Luke's Avenue, to provide 70 dwellings with ancillary car parking, open space, access and landscaping.

The proposed dwellings will comprise a mixture of detached, semi-detached and linked/ terraced properties and will be between 2 and 2.5 storeys high. The proposal includes the provision of 14 affordable units as well as a large area of open space along the river frontage.

The site will comprise 56 homes of private housing and 14 affordable housing units. The affordable housing comprises 8no two bedroom units for low cost home ownership along with 4no. apartments and 2no. 2 bedroom houses for housing association occupation.

The scheme overall includes a range of different house types, including 4no. 1 bedroom apartments, 21no. two bedroom houses, 25no. three bedroom houses and 20 no. four bedroom houses. The housing will comprise a mixture of linked, semi detached and detached properties along with the four flats located in the western corner of the site.

The properties would all be 2 – 2.5 storeys in height, each 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 substitute stone facing brick and cream/ ivory render. All dwellings would have smooth grey finish roof tiles with either grey or terracotta ridge tiles.

The layout has been developed to respond to the existing site features and the context of the immediate area, with the principal form being linear and largely parallel to St Luke's Avenue, up to its north western boundary where it turn 90 degrees to back on to Nant Y Dall Avenue. Secondary to that are two secondary roads perpendicular to the main spine that afford access to a series of private drives which allow development to front the river along the south western boundary of the site.

Access to the site will be derived from the larger development currently under construction at the former Alexon Factory site, with the main access to the site and general highway arrangement as described above. There is a clear highway hierarchy of primary secondary and private roads, defined by variation in finish surfaces and size. Key junctions within the site are defined by raised tables which also act as a traffic calming measure. All dwellings will have off street parking provision in a combination of side or frontage parking and integral or detached garages. The flats will benefit from a small parking court immediately adjacent to them.

The development will also involve the creation of a substantial landscaped buffer along its south western boundary (along the river bank) which will be accessible to all with a footpath link through it linking with the adjacent site and the road network.

The application is accompanied by the following:

- Planning Statement;
- Design and Access Statement:
- Application forms and certificates.
- Code for sustainable homes pre assessment.
- Flood consequences assessment.
- Transport statement.
- A phase 1 habitat survey.
- A bat activity survey, and;
- A tree survey.

## **SITE APPRAISAL**

The application site is a broadly rectangular parcel of land, measuring approximately 1.87ha in area. The site is currently vacant and adjoining the site of Alexon House, a former clothing factory site currently being redeveloped for new housing. The site predominantly comprises scrubland and contained a number of derelict buildings which have recently been removed.

The latest flood maps from Natural Resources Wales indicate that the site is located within zone A (i.e. at no risk of main river fluvial or tidal flooding) with small areas of the south of the site located within the fringes of zone C2.

To the north the site is bounded by the rear of properties of St Luke's Avenue off Cardiff Road, the main road through the village of Hawthorn. Vehicular access is currently located toward the western extent of the site directly off Cardiff Road along a lane to the rear of the properties of Nant y Dall Avenue. The far south of the site remains undeveloped and is covered by a range of vegetation and a number of mature trees. The site is predominantly level, particularly along the northern and central sections, at the far south of the site, the land falls toward the level of the River Taff, which bounds the site.

The surrounding area is predominantly residential, being characterised by a variety of different building styles. Properties which front Cardiff Road vary between large bay fronted detached properties and smaller traditional terraces, whilst there are also a number of modern bungalows in the area.

## PLANNING HISTORY

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

13/ 0721	Land off Cardiff Road Hawthorn	Residential Development 53 Dwellings	Conditions 04/03/14
12/0984	Glan Afon, land east of Nant-Y-Dall Avenue, Rhydyfelin, Pontypridd	3 Detached Dwellings including new vehicular access and demolition of existing dwelling.	Conditions 20/12/12
12/0314	Plot 1, Glan Afon, land rear of St Luke's Church, Rhydyfelin, Pontypridd.	Plot 1 - 1 Detached Dwelling (application amended to full planning application and amended plans received on 25/04/12)	Withdrawn 30/08/12
12/0006	Land adjacent to	One detached dwelling (approval of	Conditions

	'Silverdale', End of Nant-Y-Dall Avenue, Rhydyfelin, Pontypridd	reserved matters - outline application reference 11/0027/15).	01/03/12
11/1470	Plot 3, Glan Afon, rear of St Luke's Church, Rhydyfelin, Pontypridd	Detached dwelling (Reserved Matters Application in relation to application 11/0412) (amended location plan received 21/06/12 including turning area).	Conditions 26/07/12
11/0412	Glan Afon, rear of St Luke's Church, Rhydyfelin, Pontypridd.	3 detached dwellings with detached garages including amended vehicular access to site.	Conditions 30/06/11
11/0027	Land south of Nant-Y-Dall Avenue, Rhydyfelin, Pontypridd	Variation of Condition 1(c) by renewing expiration of 3 years from the date of approval of planning permission 07/1332/13, Granted on 26/02/08.	Conditions 23/03/11
07/1332	Land South of Nant-Y-Dall Avenue, Rhydyfelin, Pontypridd.	One detached dwelling. (Outline) (Amended location plan received 11/01/08)	Conditions 26/02/08
05/0208	Land south of Nant Y Dall Avenue, Rhydyfelin, Pontypridd.	Proposed one detached dwelling (Outline)	Refused 01/04/05
05/0112	Land rear of Nant Y Dall Avenue, Rhydyfelin, Pontypridd.	Proposed residential development (outline)	Withdrawn 07/03/05
93/0854	Off Cardiff Rd, Hawthorn, Pontypridd	71 No. dwelling units.	Withdrawn 23/09/97
93/0733	Land adjacent to Alexon House,	Residential Development (outline application)	Conditions 20/12/93



Hawthorn,  
Pontypridd

75/708	Land adjacent to 39 Nantydall Avenue, Rhydyfelin, Pontypridd	Proposed access to public open space	Conditions 30/07/75
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## **PUBLICITY**

The application has been advertised by means of site notices press notice and neighbour notification letters. The publicity exercise has generated two responses which raise the following issues.

- The proposal now involves the construction of 70no. dwellings on the site which represents a substantial increase from the previously approved scheme.
- Plots 40 and 41 are three storey and will directly overlook the established homes on Nant Y Dall Avenue.
- Long established views will be adversely affected.
- The developer will need to act considerately towards the flora and fauna of the site to ensure that it benefits from adequate protection now and in the future. and;
- It is noted from the plans that the existing rear lane to Nant Y Dall Avenues is closed off and it is questioned that this is permissible.

## **CONSULTATION**

Transportation Section – no objections subject to conditions and the developer making the relevant Section 106 transport tariff contribution.

Land Reclamation & Engineering Manager – no objections subject to conditions.

Public Health & Protection Section – no objections subject to conditions.

Education & Learning – have confirmed that the local school is near capacity and that a financial contribution will be required to address that issue should the proposals proceed.

Parks Section – require financial contributions for off site play facilities and future maintenance obligations to be submitted upon completion of 50% of the development.

Natural Resources Wales – no objections subject to conditions, including the imposition of a condition relating to minimum floor levels and they also advise that

the Council should be satisfied that the development meets the requirements of Technical Advice Note (TAN) 15 Development and Flood Risk

Urban Design – while a number of issues raised with the applicant remain unaddressed the proposal is acceptable in urban design terms.

Housing Strategy – advise with regard to the provision of social housing that the development should make and confirm that the applicants offer meets this demand.

Dwr Cymru Welsh Water – no observations received though no objection was raised to the earlier proposals for the redevelopment of this site.

Western Power Distribution – have not responded within the statutory consultation period.

Wales & West Utilities – raise no objection to the current proposal and advise with regard to the location of their apparatus in the vicinity of the application site and the safe working practices to be adopted when working in proximity to it.

South Wales Fire & Rescue Service – have not commented with regard to the current application however they raised no objection to the earlier application.

Glamorgan Gwent Archaeological Trust – as archaeological advisors to your Members we have no objection to the positive determination of this application.

Countryside Section – SEWBREC records indicate no records of any protected species and recommend the use of appropriate wildlife protection and ecology related conditions be attached to any consent issued along with a bat advisory note.

## **POLICY CONTEXT**

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

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

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

**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**

Chapter 2 (Development Plans),  
Chapter 3 (Making and Enforcing Planning Decisions),  
Chapter 4 (Planning for Sustainability),  
Chapter 7 (Economic Development),  
Chapter 8 (Transport),  
Chapter 9 (Housing),  
Chapter 13 (Minimising and Managing Environmental Risks and Pollution)

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

Other relevant policy guidance consulted:

PPW Technical Advice Note 2: Planning and Affordable Housing;  
PPW Technical Advice Note 5: Nature Conservation and Planning;  
PPW Technical Advice Note 12: Design;  
PPW Technical Advice Note 15: Development and Flood Risk;  
PPW Technical Advice Note 16: Sport Recreation and Open Space;  
PPW Technical Advice Note 18: Transport;  
Manual for Streets

### **REASONS FOR REACHING THE RECOMMENDATION**

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

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

The site is within the settlement boundary of Hawthorn and 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 a total of 70 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.

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

Local Development Plan, the site relates well to the principal town of Pontypridd, 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 or under used land. It is also considered that the site is in a sustainable location, within existing settlement limits and that it has good public transport connections.

One of the objectors points out that the current proposal represents a substantial increase in dwelling numbers over the previously approved scheme. Whilst the increase from 53 to 70 proposed homes is substantial it is not considered to affect the principle that the site is suitable for development in planning terms. This point is further addressed below in the elements of the report addressing character, appearance, amenity and privacy.

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.

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

The proposed scheme is for a total of 70 dwellings, 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 River Taff landscape area to the south whilst also respecting the existing pattern of development along St Luke's Avenue and Nant y Dall Avenue. The southwestern extent of the site is defined by a landscape buffer, which adjoins the River Taff. This feature follows on from and links with the landscape buffer that was approved as part of the housing

scheme for the adjoining site previously occupied by Alexon House and now being redeveloped for housing by the applicant for the current scheme.

The proposed layout incorporates a protection zone to create an attractive landscape area along the southern proportion of the site. Houses within the southwestern area of the layout have then been orientated in order that they overlook this area. Elsewhere within the site, the layout provides an internal network of connected streets and footpaths, which are overlooked by surrounding houses. Taken together with the larger site under construction to the south west of the application site, it is considered that the configuration of roads and footpaths provide direct and legible routes between Cardiff Road and the riverfront, for both vehicles and pedestrians, as well as between the two adjoining housing sites.

Turning to the scale, design and appearance of the development, the proposal is for traditional two and two and a half storey housing (accommodation within the roof space), with integral and single storey detached garages often accompanied by frontage parking. The scheme incorporates a variety of house types, these range from one bedroom apartments and 2 bedroom houses, to large four bedroom properties.

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 blocks of flats. As such, it is considered appropriate to utilise a range of finishing materials within the proposed development. Dwellings would be finished in either, substitute stone, facing brickwork or coloured render, with grey tiled roofs. It is considered that the palette of materials presented is appropriate and helps to create identifiable character areas and a distinct hierarchy within the site, whilst respecting the character of the surrounding area.

As noted above, the layout proposes 70 dwellings, which equates to a density of approximately 37 dwellings per hectare. This clearly complies with the standard set out in SSA11, and has been achieved within the building envelope established for the site by the earlier consent.

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, successfully incorporating the increase in density proposed.

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.

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

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 St Luke's Avenue and Nant y Dall Avenue are the main streets to be affected by the development. The proposed dwellings to the rear of St Luke's Avenue share boundaries and sit back to back with each other, however, a minimum distance of 23m will be maintained between built development and this is considered more than acceptable. In the case of Nant Y Dall Avenue the rear of the properties would face the rear elevations of the new development with the rear lane running between them. The distances between established and proposed built development will be well in excess of 25m and this is considered more than acceptable in the context of maintaining distance between the windows of habitable rooms in this case.

One resident of Nant Y Dall Avenue has objected on the basis that the proposed Leicester House types that back on to their property would create an unacceptable level of overlooking because of the bedroom worked into its roof space. However the rear roof slope of the property is entirely conventional and would only contain roof lights at a level that would not readily facilitate overlooking in any meaningful way and in any event, the distances between the two houses would be considered more than adequate if such a circumstance did arise.

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. The relationship with the residential scheme currently under construction adjacent to the site does not present any issues in respect of privacy or amenity as the current proposal has been designed to integrate with it.

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.

### **Access and highway safety**

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

In this regard, it is proposed that the development would be served by the single point of access from Cardiff Road that currently serves the site under construction and then via the proposed estate road network. Within the site there is a clear and distinctive road hierarchy defined by its width, finishing materials and to some extent by the finishes to the houses themselves. This is supplemented by raised tables as traffic calming safety features at key junctions within the site itself.

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 & Landscape Impacts**

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, dominated by Balsam (with some Japanese Knotweed). The site isn't in a Site of Important Nature Conservation (SINC) however, the adjacent River Taff is part of SINC 142 and 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.

One of the conclusions of this assessment was that the detailed scheme should incorporate a protection zone along the River Taff. This is detailed within the current submission and landscape plans.

The application is also accompanied by detailed landscape proposals, tree survey and a landscape design statement, 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.

It is clear from the above that the applicants have had due regard to the flora and fauna on the site and the designation of the banks of the River Taff as a Site of Interest for nature Conservation. 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 and it is considered that the proposal is in keeping with policy AW8 of the Rhondda Cynon Taf Local Development Plan.

### **Flood Risk**

The latest flood maps from Natural Resources Wales indicate that the site is located within Zone A (i.e. at no risk of main river fluvial or tidal flooding) with small areas of the south of the site located within the fringes of Zone C2.

The flood consequences assessment submitted in support of the application indicates that the site does not flood in the 1 in 100 year plus an allowance for climate change event. The study also demonstrates that in the extreme 1 in 1000 year flood event the site would flood to a depth of 240mm, - this is within the tolerable limits set out in TAN 15 Further, the FCA proposes that finished floor levels

for the site will be set above the level of flooding for the 1 in 1000 year event with compensatory flood storage provided by the creation of a swale.

The proposed swale is provided on the basis that the creation of impermeable surfaces on the site will need to be compensated for. The depth of flooding proposed in the extreme flood event is such that the houses would remain dry and the flooding would be confined to the road to the depth stated. The reconfiguration of the access through the adjacent site creates a flow path for the water that would mean it would pass-through the site and residents would still be able to access/egress the site in the extreme flood event scenario. As such the proposals are considered acceptable in terms of the requirements of TAN 15 Development & Flood Risk.

### **Other Issues:**

It is considered that most of the issues raised by residents have been addressed in the above text. However, one resident did raise the issue of the loss of view and as Members will be aware this is not a legitimate planning consideration and cannot have any bearing on the consideration of the planning application.

### **Section 106 Contributions / Planning Obligations**

Section 106 of the Town and Country Planning Act (as amended) enables local planning authorities and developers to agree to planning obligations to require operations or activities to be carried out on land (in-kind obligations) or require payments to be made (financial contributions), to mitigate any unacceptable impacts of development proposals.

The Community Infrastructure Levy (CIL) Regulations 2010, with effect from 6 April 2010, state that a planning obligation (under S.106) may only legally constitute a reason for granting planning permission if it is:

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

Planning Policy Wales (Chapter 3) advises that contributions from developers may be used to offset negative consequences of development, to help meet local needs, or to secure benefits which will make development more sustainable. Further guidance regarding what types of obligations developers may be expected to contribute towards is also contained within Policy AW4 of the Local Development Plan and the Council's SPG on Planning Obligations, however it is made clear that this is intended to form the basis of negotiations between all parties.

### **The Section 106 requirements in this case**



It is noted that through the course of the application, consultation with a number of statutory consultees has generated requests for the applicant to enter into a Section 106 agreement. It is suggested that the financial contributions requested would potentially enhance the quality of the development and off set any potential detrimental impact upon local facilities and the environment. Following lengthy discussions with the agent agreement has been reached on the terms of the agreement and the commuted sums required, which are set out below.

1. Education - a contribution of £257,397 for primary school spaces on the basis of 66 eligible dwellings.
2. Transport - a contribution of £191,760 as a Transport Tariff in accordance with the Supplementary Planning Guidance.
3. Countryside & Leisure (Parks) - a contribution of £90,475 toward play/recreational facilities in the local area based on the need for a complete local equipped area for play (LEAP) and a commuted sum of £15,000 for future maintenance payable on completion of 50% of the dwellings
4. Provision of 14 affordable housing units on the site as shown on the layout plan.
5. That the applicant undertakes to pay all reasonable costs associated with the preparation of the legal agreement.

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

## **Conclusion**

The application is considered to comply with the relevant policies of the Local Development Plan in principle and satisfies planning policy in key areas. The site will be developed having regard to the relative sensitivity of the area in terms of amenity aesthetics and ecology and as a result the proposal is recommended positively.

## **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 approved plans, no development shall take place on site until protection measures for all trees identified to be retained have been put in place. Otherwise, no development shall take place (other than demolition), until there has been submitted to and approved by the Local Planning Authority a comprehensive scheme of landscaping. The development shall be carried out in accordance with the approved details.

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

3. 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.

4. 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.

5. 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 AW5 of the Rhondda Cynon Taf Local Development Plan.

6. No development shall take place (other than demolition) 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.

7. 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.

8. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Consequences Assessment (FCA) submitted by FMW Consulting for Hawthorn, Rhydyfelin dated May 2014, and the following mitigation measures detailed within the FCA;

Provision of compensatory flood storage on the site to a 1 in 1000 year standard as stated on page 17 paragraph 14.4 and figure SW 1 of the FCA produced by FMW consulting for Hawthorn Rhydyfelin dated May 2014

Reason: To prevent flooding by ensuring the satisfactory storage of fluvial flood waters.

9. No construction works shall take place (other than any works of site clearance, decontamination and remediation) until a method statement has been submitted to and approved in writing by the Local Planning Authority. This shall deal with the treatment of any environmentally sensitive areas, (including the river Taff), their aftercare and maintenance as well as a plan detailing the works to be carried out showing how the environment will be protected during the works. Such a plan shall include details of but not be confined to the following:

- The timing of the works.
- The measures to be used during the construction in order to minimise environmental impact of the works (considering both potential disturbance and pollution).
- Construction methods.
- Any necessary pollution protection measures.
- Information on the persons/bodies responsible for particular activities associated with the method statement that demonstrates they are qualified for the activity they are undertaking.
- The protection of any connections to onward surface waters which may be affected during works to remove or update existing drains.

The works shall be carried out in accordance with the approved method statement.

Reason: Due to the close proximity of the River Taff there are concerns over water quality and pollution risks during construction.

10. Notwithstanding the submitted plans, development shall not commence (other than demolition) until full engineering design and details of the internal road layout incorporating traffic calming features, street lighting, signage, 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.

11. 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.

12. 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.

13. 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.

14. 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.

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.

15. No development shall take place until details of measures to reduce the impacts of light fall from site lighting onto adjacent SINC (and other) habitats and the green corridors for bats, has been submitted to and approved in writing by the local planning authority. All lighting works shall be carried out in accordance with the approved details, 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.

16. A landscape management and mitigation plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved in writing by the local planning authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. 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.

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<b>APPLICATION NO:</b>	<b>14/0734/08 (SF)</b>
<b>APPLICANT:</b>	<b>Director of Education, RCTCBC</b>
<b>DEVELOPMENT:</b>	Two storey, five classroom extension connected to existing Junior building and dining block via link corridors (Revised bat report received 19/08/14)
<b>LOCATION:</b>	<b>TREORCHY PRIMARY SCHOOL, GLYNCOLI ROAD, TREORCHY, CF42 6SA</b>
<b>DATE REGISTERED:</b>	<b>17/06/2014</b>
<b>ELECTORAL DIVISION:</b>	<b>Treorchy</b>

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**RECOMMENDATION: Approve subject to conditions.**

**REASONS:**

**The principle of extending the existing school within the settlement boundary is acceptable. The proposed location of the extension and its design are considered to be acceptable and the increase in activity which will be generated by the additional accommodation is not considered to have an adverse impact on surrounding properties or highway safety.**

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**APPLICATION DETAILS**

Full planning permission is sought for the construction of a two storey extension to the existing primary school. The proposal will incorporate five new classrooms, together with toilet facilities and a new lift, which will provide access between the 2 floors and internal access to the old junior block 1 via a high level link corridor.

The proposed extension will be located to the south-east of the main junior block 1, to which it is linked at first floor level and immediately to the south-west of the dining block 2, to which it is linked on the ground floor. It would consist of a rectangular block measuring approximately 14m in width at the widest (north-west) end and 39m in length with a link of 3.7m by 4.4m to the dining block at ground floor. It has a mixture of flat and mono-pitched roofs ranging from a height of 3.3m to a maximum height of 9.5m. Three new classrooms will be provided on the ground floor (including the relocation of an existing class from the main block 1) and two classrooms at the first. The proposal will provide a new internal courtyard / garden area located between the new extension and existing dining block 2 and will also accommodate a new water sprinkler storage tank and pump house. A new covered external play area will be provided along the north-west and south-west sides of the building and a secure cycle parking area in the area between the new extension and dining block 2.

The extension has a modern design incorporating white and grey rendered panels with red cedar timber panels on the south-west elevation, fronting properties in New Chapel Street. The roof will be made of a metal standing seam system, with light grey powder coated aluminium and round eaves. The external finish will incorporate a red brickwork damp proof course to match the brickwork on the existing school, graphite grey aluminium doors and windows and a timber rain screen above the external play area.

Whilst not forming part of the current application, the junior block is also intended to be refurbished and remodelled, which will include the relocation of the reception and Head Teacher's room to the front of the school to improve public contact and

security. The work will also include the remodelling of the toilets and improvements to cloakroom areas and a new library area and staff room.

The existing pedestrian and vehicular access into the site from Glyncoli Road will be retained and the existing vehicular access from Prospect Place, which is used for deliveries to the school kitchen / dining area, will remain unaltered. The existing staff and visitor car park which is accessed from Glyncoli Road will be extended from 11 spaces to 16, with 6 additional parking spaces including 1 disabled space being provided inside the Prospect Place access, providing a total of 22.

The application is accompanied by the following:

- Design and Access Statement (DAS)
- Transport Statement including Safe Routes to School Assessment (April 2014)
- Bat Survey Reports (October 2013, July & August 2014)
- Geotechnical and Geo-Environmental Assessment

The DAS confirms that the proposed extension has been designed to accommodate Treorchy Primary School, which will be amalgamated with Pentre Primary School, when this closes in 2015. The schools will be brought together in the remodelled school and extended junior block and will include service alterations which will present an opportunity at a later date, to demolish the dining block 2 and redesign this part of the site. The existing school was built circa 1900 and is well placed for access to other local amenities, transport networks and the school catchment area. The works are intended to be undertaken during the summer holiday period of 2015, when the remodelling works to block 1 are also scheduled and are necessary for the general running and performance of the school. The ridge line of the proposed two storey extension will be lower than that of the main school building and the contemporary design and scale is in keeping with other new schools being built in the area and seeks to minimise its impact on the surrounding neighbourhood.

The Transport Statement (TS) confirms that as a result of the proposed relocation of 88 pupils from Pentre Primary School to Treorchy Primary School, this will generate additional vehicular and pedestrian movements and a greater demand for parental parking. The TS therefore provides an assessment of these issues and identifies a number of mitigation measures required. It is acknowledged that a School Travel Plan will need to be developed prior to the completion of the new block in order to reduce car use and encourage more sustainable modes of transport. Furthermore, as children will also be using a new and extended route, it is also advised that a Safe Routes to School Assessment (SRTS) has been necessary. As a result of this assessment, it is suggested that a number of mitigation measures are put in place to maintain pupil and staff safety in the vicinity of the school including:

- Provision of dropped kerbs and tactile paving at various locations;
- Waiting shelter for parents (to encourage walking during wet weather);

- The removal of a pedestrian guardrail from Upper Alma Terrace;
- Disconnection and removal of flashing amber units;
- The replacement of missing 20mph zone gateway signs;
- The refurbishment of red surface treatment and roundels at each 20mph gateway;
- To investigate, design and implement an appropriate scheme at the junction of the A4058 High Street with the unnamed road leading to Troedyrhiw Terrace;
- Review the one-way-system on Gethin Road to the rear of Treorchy Primary School;
- Introduce a Traffic Regulation Order for the 'School Keep Clear' (SKC) markings on Prospect Place and Tynybedw Street and associated signage for the 'SKC' markings on Glyncoli Road;
- Provision of cycle parking within the school.

It is confirmed that these measures will be prepared in detail and can be submitted as part of a planning condition attached to any forthcoming consent.

The Geotechnical and Geo-Environmental Survey has been submitted to enable any potential ground hazards to be identified. This confirms that no specific contamination risk to long term site users or controlled waters was identified, although made ground was confirmed across the site. Whilst the risk from underground mine workings is considered low, various recommendations with regard to foundation design and construction methods have been put forward.

## **SITE APPRAISAL**

Treorchy Primary School is sited within the built up area of Treorchy, and provides infant and junior facilities to the surrounding community. The school occupies a site of approximately 0.52 hectares and comprises traditional Victorian stone faced single storey pitched roof buildings, which are located on the sloping yards between Glyncoli Road at the upper level and Tynybedw Street at the lower level. The lower yard and buildings fronting Tynybedw Street accommodate the infant / nursery departments and access between the 2 buildings is across the existing extensive tarmac playground/yard.

The main junior building (block 1) comprises semi-dressed stone external walls with brick quoins, a slate roof covering, white aluminium windows and timber fascias. The building has been extended in the past to improve toilet facilities and whilst the majority of the building is single storey, a further storey is located on the southern lower side of the building which accommodates the boiler room. A set of steps leads down from the main school at the southern end to the yard from where access to the dining block 2 is provided. This building, which is constructed from block and brick elevations and a slate roof, is completely detached from block 1 and accommodates a family room, kitchen and dining area.



The school site is currently accessed to the north-west by Glyncoli Road and to the south east via Tynybedw Street, with access for service and deliveries to block 2 via the lane leading from Prospect Place. High stone walls and metal fencing enclose the majority of the school site, which is adjoined, in the main, by residential properties.

## PLANNING HISTORY

11/0717	Retention of 2 no external yard shelters (existing yard shelter to rear of 23 Glyncoli Road to be re-sited alongside school building).	Granted 04/08/11
10/1256	Erection of 2 no. freestanding flagpoles and flags (Amended plans received 07/03/11).	Granted 29/03/11
10/1254	Provision of 2 no. external yard shelters.	Withdrawn 25/05/11

## PUBLICITY

The application has been advertised by way of direct neighbour notification and site notices. In response, two letters of objection have been received from residents.

The first letter, from a resident in Prospect Place constitutes the resubmission of a letter sent to the Director of Education regarding the closure of Ynyswern Infants and Pentre Primary Schools, however it is considered that the majority of the issues raised are relevant to the determination of this application:

- This will have an impact upon the environment, the health and safety of the pupils, their parents and carers as well as the amenity of residents who live in the near vicinity of the school;
- Traffic flow on the side streets has increased over the years due to new housing, traffic bypassing Treorchy Square and an increase in vehicle ownership;
- The side streets were not built for modern day traffic and this has been exasperated by an increase in double parking. This has resulted from more residents, school employees unable to park on school premises, visitors to the town, increased car ownership, greater occupancy of dwellings, parents and carers taking children to school and employees of the Post Office;
- There has been inconsiderate and unlawful parking including vehicles parking on or too near junctions, on double yellow lines or the School Keep Clear zigzag lines;

- The one way system in Prospect Place and Glyncoli Road caused problems as vehicles can only travel east and results in vehicles carrying out three point turns by the school gates or reversing down Prospect Place;
- The area is not fit for purpose for a Victorian school in the 21<sup>st</sup> Century and a serious accident is waiting to happen;
- Queries are also raised regarding the risk assessments carried out which have sanctioned increasing pupil numbers at Treorchy Primary School and the status of any travel plan currently being implemented by the school and measures which are in place to reduce car dependency;
- The expansion of the school would result in the need to demonstrate sufficient weight that the pressure on the education service outweighed the impact of intensifying the existing use, particularly with regard to transport and the environment including, carbon use, air quality and noise.

The second letter, from a resident in Gethin Road raises the following concerns:

- There is already a problem with increased traffic in Prospect Place and Gethin Road during school hours and this will be further exacerbated by the increased travel flow when Pentre Primary School children move to Treorchy School;
- Whilst the Local Authority has advised that no pupil of Pentre School would need to travel more than 1.5 miles, concerns are raised regarding the feasibility of this journey in inclement weather, the ability to cross the main road and the cost of public transport fares for parents with more than one child. This which would result in those parents with vehicles, using them to take children to school and increase the existing traffic congestion problems in Prospect Place and Gethin Road at the start and end of the school day.

## **CONSULTATION**

Transportation Section – the objective of the Transport Assessment is to identify the changes to the existing situation as a result of the proposed school amalgamation to 438 pupils from 351 pupils and the impact this is likely to have on the surrounding highway network. This indicates that the majority of pupils live within a 1½ mile radius of the school and would therefore walk or be transported by private motor vehicle.

It is noted that many of the surrounding streets have reduced carriageway width and due to the high demand for on street car parking, yellow lines, permit parking and School Keep Clear Markings, this reduces running width in many cases to single file traffic. The highway authority therefore has concerns that any significant increase with regards on-street car parking on the above residential streets would lead to increased potential accidents to the detriment of safety to all highway users.

The proposed extension would require 10 spaces and 13 are provided, which is considered acceptable and an improvement on the existing provision. There is concern with regard to the existing high demand for on-street car parking space within the surrounding streets however, as the proposal provides in excess of the required off-street car parking, on balance it is considered acceptable.

The required cycle provision for the proposed 438 pupil school is 34 cycle stands. Whilst the proposed school provides for 16 cycle stands leaving a shortfall of 18 stands, on balance the proposal is acceptable as no children currently cycle to school.

The Safe Routes in the Communities Assessment has identified a number of key routes from residential areas to the proposed school site which are conveniently located but also have important safety features (free from traffic, good footway provision and street lighting). A series of improvement measures are also proposed that would encourage walking as an alternative sustainable mode of travel by pupils which are considered acceptable and would also need to be secured by condition.

It is noted that at present only 2% of children travel to school by service bus, 57% currently walk, 29% travel by car and 23% of children indicated that they would like to travel by cycle. There are in the region of 40 staff working at the school with the majority travelling by car.

There is concern expressed with regard to additional traffic generated within residential streets at picking up and dropping off times. However, given that the school operates a breakfast club and staggers the leaving times of the infant and juniors, on balance the proposal is acceptable.

Accident data for the period 2008 – 2013 has revealed no reported accidents in the residential streets surrounding Treorchy Primary School.

In relation to existing Traffic Regulation Orders (TROs) whilst there are currently 3 Keep Clear School markings on the highway surrounding the school, one set are supported by a (TRO) but are not supported by signage and cannot be enforced. It has been observed that parents park on the Keep Clear marking to pick up and drop off children as the markings are not supported with a TRO and a condition has therefore been suggested to implement the TRO and provide required signage on all 3 sets of markings. The TRO to the front of Pentre Primary School will also require removal.

The surrounding residential streets around the school have had a 20Mph speed limit applied with traffic calming measures which is considered to be satisfactory for safe vehicular and pedestrian access.

In conclusion, the mitigation measures submitted by the applicant in order to limit the impact of the proposed on the surrounding highway network are considered to be satisfactory and there is therefore no significant impact on the surrounding highway network to warrant a highway objection, subject to the inclusion of a number of conditions to require the implementation of the Safe Routes to School Pedestrian improvements, on-site parking provision, the implementation of Traffic Regulation Orders around the school, a construction method statement and a restriction on HGV deliveries.

Countryside, Landscape and Ecology – the Council's Ecologist has advised that following the submission of the initial Bat Survey Report, further information had been obtained from the applicant's commissioned ecologist to suggest that the dining block 2 which was found to previously have a bat roost was no longer having any works done to the loft space being used by the bats and that some additional bat work had been carried out in the main block 1 however, no bats were found. He therefore requested that the Bat Survey Report be updated to clarify these issues and how construction works to the bat roost building (block 2) would not impact on any roosting bats.

In response to the revised Bat Report (August 2014), it is advised that the commissioned ecologist's proposal to carry out more emergence survey work is justified and the works to building 2 were likely to require a European Protected Species licence. He has also confirmed that comments from NRW are required and an appropriate condition imposed on any consent granted to require the submission of a Bat Protection Plan.

Natural Resources Wales – in response to the initial Bat Survey Report an objection was raised due to insufficient information regarding the impact of the proposed development on European Protected Species. It was advised that the application could not be decided until detail of the works have been finalised and the applicant's ecologists have put forward a work methodology together with details of recommended mitigation.

In response to the submission of a revised Bat Survey Report in August 2014, NRW has been reconsulted. At the time of writing this report no comments had been received however, it is anticipated that these will be available and able to be reported orally at the meeting.

Public Health and Protection – has raised standard comments in relation to demolition, hours of operation, noise, dust and waste. The Contaminated Land Officer has also advised that due to elevated levels of polyaromatic hydrocarbon (PAH) compounds, being found within the made ground on site, any consent should be subject to contaminated land conditions.

Land Reclamation & Engineering – has advised that the submitted scheme indicates storm / surface water is to be discharged to a culverted watercourse and the

applicant must therefore obtain separate ordinary watercourse consent. The application contains insufficient information to enable assessment of the potential impact in respect of flood risk and surface water drainage matters and conditions are therefore recommended to require the submission of appropriate details. Consultation with Welsh Water is also recommended.

South Wales Police - the Crime Prevention Design Advisor has confirmed that South Wales Police has been in pre-application discussions with the applicant and have provided advice in relation to improving security at the site. It has also been advised that South Wales Police has no concerns over the proposed development and are confident that the incorporation of their recommendations will result in the school site being a lower crime risk and thereby contribute to the long term sustainability of the site. It has been confirmed by the applicant that these recommendations will be included in the proposal.

Dwr Cymru / Welsh Water – has raised no objection subject to standard conditions and advisory notes. It is noted however that the site is crossed by a public sewer and no part of the building will be permitted within 3 metres of the centreline.

Wales & West Utilities - has raised no objection, but has identified the presence of their infrastructure in the vicinity of the application site and requested the applicant to contact them directly to discuss their requirements in detail and advised that any diversion works will be fully chargeable.

Structural Engineer - has advised that the development should be subject to a condition requiring a piled solution for the foundation, as set out in the submitted Geotechnical and Geo-Environmental Assessment.

## **POLICY CONTEXT**

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

The site is identified as being inside the settlement boundary NSA12 and is unallocated.

**Policy CS1** – advises that in the North Strategy Area, emphasis will be given to building strong, sustainable communities and one of the ways this will be achieved is by promoting the re-use of under used and previously developed land and buildings and promoting sustainable forms of travel.

**Policy AW2** - advises that development proposals on non-allocated sites will only be supported in sustainable locations which would not unacceptably conflict with surrounding uses and has good access to key services and facilities.

**Policy AW5** - sets out criteria for new development in relation to amenity and accessibility and requires the development to have no unacceptable effect on the character and appearance of the site or surrounding area, no significant impact on the amenities of neighbouring occupiers and is accessible to the local and wider

community by sustainable modes of transport and not exacerbate existing traffic congestion.

**Policy AW6** - requires development to involve a high quality design and to make a positive contribution to placemaking including, that extensions reflect, complement or enhance the details and character of the original building and the design protects and enhances the landscape and biodiversity.

**Policy AW8** - permits development only where it would not cause harm to locally designated sites or features of importance to landscape and nature conservation and that proposals demonstrate measures for the mitigation and compensation of potential impacts.

**Policy AW10** – advises that development will not be permitted where it would cause a risk of unacceptable harm to health or local amenity due to various risks including instability, noise or flooding.

**SPG** – Nature Conservation

**SPG** – Design and Placemaking

**SPG** – Delivering Design and Placemaking: Access, Circulation & Parking Requirements.

### **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), Chapter 5 (Conserving and Improving Natural Heritage and the Coast) 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 5: Nature Conservation and Planning;

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.

In considering this application, Members will be aware of the circumstances which have required the existing Treorchy Primary School to be extended and hence the submission of this application. Whilst the application details explain that the proposed extension is to accommodate Pentre Primary School following its intended closure and it is apparent from the publicity exercise that nearby residents have previously objected to the closure of Pentre School, the reason for its submission is not a material consideration in its determination. The current planning application must therefore be considered on its own merits.

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

The application site is located within the settlement boundary, where new development is subject to assessment against a number of policy constraints. Both local and national planning policy support a presumption in favour of sustainable development and see the planning system as the key to providing for society's future needs. In identifying sites in sustainable locations, Policy AW2 sets out a number of criteria to be taken in account including supporting locations that are within the settlement boundary, have good accessibility by a range of sustainable transport options and have good access to key services and facilities. In this case, the application constitutes the extension of an existing educational facility that is located within the settlement boundary and centrally within the Key Settlement of Treorchy, which offers good access to key services and facilities and is also accessible by foot and public transport. The proposed extension of the existing school is considered to fulfil a number of the policy criteria required for a sustainable location and it is therefore considered that the development is acceptable in principle, subject to the other policy criteria identified below.

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

The proposed extension to the school constitutes a relatively large addition located to the rear of the main school building however, it is not considered that the building or its modern design will detract from the existing school or character of the area. The main visual impact resulting from the current application will be from the main entrance at the front of the site. The extension will be set back over 40 metres from the main entrance and will not therefore be seen as a prominent addition from Glyncoli Road and views of the building will be partially screened by the existing building.

Due to the change in levels within the site, the height of the extension will not exceed that of the main school block 1 and from views into the site from the south-east (Prospect Place), will be seen set against the existing school buildings. Similarly from the north-east (Gethin Road), the new extension will be largely obscured by the

existing dining building block 2. It is acknowledged that from properties in New Chapel Street to the south-west, the extension will be readily visible and constitute a significant change in relation to views into the site however, it is considered that its design and the incorporation of pitched roofs will minimise its impact on the surrounding neighbourhood.

The use of modern materials, whilst representing a contrast to the traditional materials used for the main school is also considered acceptable. It is noted that the proposed colour scheme of grey and white with red facing brick to the plinth has also been designed to reflect the main school buildings and these can be controlled by condition. Therefore, whilst the proposed extension provides an additional footprint of 544 sqm, it is considered that this development will complement and possibly from some aspects, enhance the character of the area.

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

In relation to the loss of amenity and privacy resulting from the physical presence of the extension, as acknowledged above, the building will have the greatest impact on the properties in New Chapel Street, which back onto and have views directly into the site. The building is however located centrally within the site and this will allow a distance of approximately 10m between the new building and the rear boundaries. Furthermore, the gardens of these properties are at least 15 metres in length, resulting in most cases, in a distance of at least 25m between the new building and the backs of these properties. It is not therefore considered that the building will be seen as overbearing or that residents will suffer any loss of amenity or privacy through overlooking. Existing residents in New Chapel Street already have views of the dining block 2 and it is considered that the new modern addition will improve views into the site. It should also be noted that no comments or objections have been received from residents which raise such concerns.

The main impact on residential amenity resulting from the extension is the impact that this will have in relation to vehicular activity in the surrounding streets during dropping off and picking up times and parents parking in nearby residential streets. It is clear from the comments received from nearby residential properties that during the start and end of the school day, problems with access and parking are already experienced by residents including parking on existing yellow lines, School Keep Clear markings and resident's private land and this is exacerbated by the narrowness of the surrounding streets and demand for on street parking.

Whilst it is acknowledged that as a result of the increase in pupils numbers being accommodated at the site, the existing difficulties experienced by residents may increase, it is considered that the proposed measures which have been put forward through the application including, the provision of additional on-site parking and other measures to control parking in the surrounding streets, may improve the current situation. Having considered these measures and the fact that the difficulties experienced by residents are for a limited duration at the start and end of the school



day, it is not considered on balance that their existing amenities will be affected to such an extent that would be considered contrary to Policy AW5 of the Local Development Plan.

### **Access and highway safety**

With regard to highway safety and parking issues, it is evident that the provision of the extension and accommodation of an additional 88 pupils at the school are likely to have implications on the existing access arrangements and highway safety in the area and local residents have confirmed that a number of problems with access and parking already exist.

The current application is accompanied by a Transport Statement (TS) which advises that its purpose is to assess the additional vehicular and pedestrian movements and greater demand for parental parking that will be generated as a result of the relocation of 88 pupils from Pentre Primary School to Treorchy Primary School and to identify any mitigation measures that are required. As identified earlier, whilst the relocation in itself is not a matter that can be taken into account in determining the application, the provision of additional accommodation and the resulting implications on access and highway safety that are identified in the TS, are relevant in its determination.

In terms of pedestrian access, the two existing pedestrian gates on Glyncoli Road and Tynybedw Street will continue to be used for access to both the junior and infant blocks and no issues have been identified in relation to continuing with these arrangements. As part of the TS and to take account of the fact that access to the school will be required from areas that are further away from the school, a 'Safe Routes to School Assessment has been undertaken. This identifies a number of items which are considered to represent a potential obstacle to enable pupils to walk to and from school and proposes a series of mitigation measures to overcome these. Whilst it is acknowledged that arrangements for transporting pupils to school are a matter for parental choice, it is considered appropriate that these measures are facilitated through the current application, to take account of the new access routes that will be used by pupils who will be accommodated within the new extension.

In relation to vehicular access, the existing points of access are intended to be retained and additional on-site parking accommodated adjacent to the main school building by extending the existing staff parking area and also providing additional spaces adjacent to the second access point off Prospect Road. The present details indicate an additional 11 spaces would be provided taking the total number to 22. It has been confirmed by the Transportation Section that this level of parking is acceptable and will help reduce the impact of on-street parking for local residents. There is sufficient space on site to accommodate the additional spaces required, although it is acknowledged that this will result in the loss of an additional section of the yard / playground area.

In considering the issue of additional vehicular movements that will be generated around the school resulting from the attendance by additional pupils, the TS also seeks to address the main changes to parking behaviour as a result of these additional movements. A number of mitigation measures have been put forward in order to maintain pupil and staff safety which include the introduction of Traffic Regulation Orders (TROs) for existing School Keep Clear markings with appropriate signage and a review of the one-way system on Gethin Road to the rear of the school.

Information accompanying the current application clearly acknowledges the existing problems which exist in and around the school and the Council's Transportation Section has also highlighted concerns with the existing high demand for on-street spaces by staff and visitors. Whilst it is likely that there will be an increased demand for on-street parking as a result of the proposed extension, it is acknowledged that it would be difficult to prevent parents from parking in nearby residential streets and the current difficulties experienced will not be made more harmful as a result of the measures that are proposed to be put in place. On balance therefore, the proposed scheme is acceptable in terms of highway safety and is considered to comply with Policy AW5 of the Local Development Plan.

## **Ecology**

In relation to ecology issues, the main impact that has been identified resulting from the proposed development is the effect that the formation of the link between the new extension and existing dining room block 2 could have on any bats which are roosting within or using spaces within the existing building.

The initial Bat Survey Report (October 2013) advised that a small number of bat droppings were found in the main school building (block 1), but no bats found emerging or re-entering and further surveys were therefore recommended during the autumn / winter of 2013, to determine the presence of roosting / hibernating bats. A bat roost was however found in the dining block 2 and it was advised that the need for a bat licence was therefore dependent on the nature and timing of the works.

The most recently submitted Bat Survey Report (August 2014) advises that surveys carried out in the summer and also October / November 2013 confirmed that no roosting bats were found to be using the main building block 1. A further internal assessment of the building was undertaken in June 2014 and no new evidence of bats in the loft space was identified. It was however recommended that a licensed bat worker carried out a further inspection immediately prior to the refurbishment works on block 1 and be present on site to oversee various activities, mainly involving the removal of existing materials as a precautionary measure.

In relation to building 2, to which the proposed extension is intended to link, it is advised that this was being used by a single Common Pipistrelle bat in 2013 and further evidence of a second entry point into the roof identified in June 2014. The

report identifies that it is likely that bats are utilising the loft space at the southern extent of building 2 and may potentially also be roosting either behind the fascia boards or within the cavity walling areas around the building. Based on the survey information and scope of the proposed works, it is recommended that a European Protected Species (EPS) Licence be obtained from NRW, prior to work commencing and that further re-entry surveys be carried out in August and September. The report also identifies a number of mitigation approaches that will need to be included within the EPS licence method statement including, the presence of a licensed bat worker at certain times, the use of low impact techniques and approval of appropriate materials.

Whilst it would appear from the submitted details that the works that need to be carried out to the dining block 2 will be restricted to the removal of an area of walling below the eaves of the existing building in order to construct the link to the new extension, it is clear that these works could potentially have an impact on any bats using the building. The applicant's ecologist has confirmed that the proposed works to the building would need to be the subject of an EPS Licence however, the Council's Ecologist also considers it appropriate that any consent should be subject to the requirement for a Bat Protection Plan to be submitted to the Authority for approval.

At the time of preparing this report, the formal views of NRW on the revised bat information had not been received however, it is anticipated that their comments will be available and reported verbally at the meeting. In the event however that their formal comments have not been received at the time this application is considered by Committee, then it is requested that the decision is delegated to the Service Director Planning on the understanding that if NRW remain concerned, the application will be reported back to Committee for Members to reconsider the matter further.

## **Other Issues**

In terms of Geotechnical and Geo - Environmental Assessment carried out, in light of the acknowledgement within the report of a veneer of made ground across the site and elevated levels of PAH, it has been suggested by the Contaminated Land Officer, that any permission is accompanied by appropriate land contamination conditions and these have therefore been incorporated below.

In relation to the construction details, the assessment also suggests a piled solution for the building foundations and for a retaining wall that forms a boundary to part of the site. The Council's Structural Engineer has advised that further clarification should be provided on the type of piling to be used and that any consent given is therefore subject to a condition relating to a piled solution, based on the recommendations in the report.

Whilst the application is accompanied by limited information in relation to flood risk and surface water drainage, the Council's Land Reclamation and Engineering Section has not identified any specific issue that would prevent the satisfactory drainage of the site, and has recommended conditions to require the submission of appropriate details, which are included below.

## **Conclusion**

Having taken into account all of the issues identified above, it is considered that the proposed extension incorporating 5 new classrooms together with the associated improvement of facilities for pupils at the school is acceptable, will not detract from the character or visual amenities of the area and complies with relevant policies of the Local Development Plan.

## **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 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. Prior to the commencement of development, details of the foundation and retaining wall design and construction that are in accordance with the Geotechnical and Geo-Environmental Assessment (September 2013), shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that no issues relating to land stability arise as a result of the development, in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

4. 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.

5. The development hereby permitted, shall not be occupied until the measures approved in the scheme (referred to in Condition 4) 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.

6. 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.

7. No development shall take place until a Bat Protection Plan, which is in compliance with details contained in the reports titled 'Treorchy Primary School – Bat Survey Report – Final (August 2014) has been submitted and approved in writing by the Local Planning Authority. The plan shall include:

- a) An appropriate scale plan showing Zones where construction activities are restricted or special working procedures are required, and where protective measures will be installed or implemented;
- b) Details of protective measures (both physical measures and sensitive working practices including a bat sensitive site clearance and demolition methodology) to avoid impacts during construction;
- c) A timetable to show phasing of construction activities to avoid particularly sensitive periods of the year when bats could be harmed.
- d) Details of bat mitigation provisions, including alternative roosting sites.
- 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;
  - Provision of training and information about the importance of the Bat Protection Plan 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 species in accordance with policy AW8 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 proposed extension 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. No development should be allowed to commence until the Planning Authority has received and approved in writing, including proposed mitigation, design details and a development program with respect to:

- a) Protection of open and culverted sections of the existing watercourse during and after construction.
- b) Protection of properties downstream of the development from increased flood risk during and after construction owing to the development.
- c) Protection of properties within the development from flood risk.

Reason: To ensure that the proposed development does not cause or exacerbate any adverse condition on the development site, adjoining properties and environment with respect to flood risk in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

12. Before the development hereby approved is beneficially occupied, parking facilities for 22 vehicles shall be laid out in accordance with submitted plan 5213/2172/B08 and those areas shall not thereafter be used for any purpose other than the parking of vehicles.

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

13. Notwithstanding the submitted plans, the Safe Routes to School Pedestrian improvements shall be laid out and constructed in accordance with design and 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 unless otherwise agreed in writing.

Reason: To ensure that adequate Safe Routes to School Pedestrian facilities are provided leading to the school together with encouraging walking as an alternative sustainable mode of travel, in the interests of

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

14. 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 washing 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 highway safety and free flow of traffic in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

15. All HGV deliveries to and from the site during the construction period shall take place only between the hours of 09:00 and 15:00 Mondays to Fridays.

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

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<b>APPLICATION NO:</b>	<b>14/0918/10</b>	<b>(LE)</b>
<b>APPLICANT:</b>	<b>Mr L Emery</b>	
<b>DEVELOPMENT:</b>	Detached house and garage (Amended plans received 14/08/14 and 28/08/14 that include the resiting of garage building)	
<b>LOCATION:</b>	<b>SITE OF FORMER 7 - 9 CAMBRIAN TERRACE, TONYPANDY, CF40 2HN.</b>	
<b>DATE REGISTERED:</b>	<b>18/07/2014</b>	
<b>ELECTORAL DIVISION:</b>	<b>Llwynypia</b>	

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**RECOMMENDATION: Approve**

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## **REASONS:**

**The application represents an appropriate form of residential infill development within the settlement limits; planning permission has also been recently granted at the site for the erection of two dwellings (ref no:13/1267).**

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## **APPLICATION DETAILS**

Full planning permission is sought for the erection of a single detached dwelling on an infill site at land between no.'s 6 and 10 Cambrian Terrace, Llwynypia. The site was formerly occupied by three dwellings and following their demolition a landscaped area was created at the site by the Council. The site is now privately owned.

The proposed dwelling would have a typical two-storey design measuring 10.2 metres in width by 10.27 metres in depth. The sloping topography of the street would give the dwelling a maximum height of 8.2 metres from ground level to its northern side and 7.2 metres to its southern side. The dwelling would be finished in a cement render with slate tiled roof. The layout of the dwelling would comprise a ground floor living room, kitchen/dining area, study room and small utility. At first floor level the dwelling would accommodate four bedrooms (one en-suite) and a bathroom.

As part of the proposal a single storey, pitched roof garage would be created to the northern side of the dwelling. The garage would be set back behind the building line of the main property by a distance of 6.35 metres. The garage structure would measure 4.95 metres in width (maximum) by 6.6 metres in depth, with a maximum height of 4.2 metres falling to 2.2 metres at eaves level. Access to the garage would be via a single garage door positioned within the front elevation, measuring 2.3 metres in width. A driveway area would be created to the front of the garage alongside the existing hard standing positioned to the side of no.10 Cambrian Terrace.

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

## **SITE APPRAISAL**

The application site comprises a vacant, infill site within the built up area of Llwynypia. The site is positioned immediately to the east of the vehicular highway of Cambrian Terrace, between two existing end of terrace properties. Vehicular hard standings offset the front of the plot from the side elevations of the adjoining dwelling buildings. The broadly rectangular shaped plot covers an area of approximately 500 square metres falling gradually from south to north. The rear of the plot falls sharply toward Glamorgan Terrace that abuts the east of the site. The front of the plot hosts

a number of small trees and low level planting although the rear of the site appears overgrown and unmaintained.

## **PLANNING HISTORY (post 1974)**

13/1267	Erection of two dwellings .	Grant 09/04/14
071261	Erection of two semi-detached dwellings. (Amended plans received 31 July 2008)	Grant 30/10/08
00/6045	Informal Enquiry for residential development	Permission required 04/02/00
96/115	New footpaths, paved surfacing, seating, tree planting & shrubs	Grant 30/03/96

## **PUBLICITY**

The application has been advertised by means of direct neighbour notification and site notice. One individual letter of objection from the occupier of no. 9 Glamorgan Terrace and a petition signed by the occupiers of no's. 6, 10, 11 and 12 Cambrian Terrace has been received against the scheme. One anonymous letter of objection has also been received against the planning application. The objections raised are summarised below:

- The proposed 'modern' build house is not in keeping with the 1900's miners cottages that characterise the area.
- The dimensions of the dwelling are excessively large and not in keeping with the neighbouring terraced houses.
- The size and scale of the building is overly large, it would block all sunlight and overshadow other properties in the street and those behind the site.
- The proposal would have an immediate impact on no. 10 Cambrian Terrace, overshadowing the rear conservatory and garden area.
- A side window would be positioned within the building overlooking no. 10 Cambrian Terrace.
- People living in the new house would directly overlook the front windows of properties sited to the rear of the site.
- Access via the parking areas/space to the front of Glamorgan Terrace for the construction phase would not be allowed as the space is in constant use.
- Cambrian Terrace has difficult access points particularly during icy conditions. Therefore the turning area/passing bay opposite the site is essential for vehicles needing to pass/manoeuvre within the street.

- An existing bollard close to no. 10 on several occasions has prevented serious damage to no. 10 as a result of vehicles moving as handbrakes fail on parked cars, given the sloping nature of the street.
- Such a large house will bring more vehicles to the street and cause more parking problems. Additional vehicles pushing into other people's parking spaces will cause havoc and unrest amongst residents, who voluntarily offered up land to aid the street widening programme previously undertaken along Cambrian Terrace.
- The proposal would result in significant disruption and disturbance as a result of construction traffic.
- The proposal should not affect other garden boundary walls that are already unsafe.
- Japanese knotweed is a problem in the area and will need to be carefully treated.
- The new development would add further strain to the existing drainage system in the area that already experiences problems in periods of heavy rainfall.
- The rear garden of the new house would slope toward Glamorgan Terrace placing additional drainage problems on this street and neighbouring gardens.

## **CONSULTATION**

Transportation Section - raise no objection subject to conditions.

Land Reclamation and Engineering - raise no objection subject to conditions.

Public Health and Protection - raise no objection subject to conditions.

Natural Resources Wales - raise no objection.

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

Wales and West Utilities - raise no objection.

Countryside Landscape, Ecology - raise no objection with no relevant Sewbrec Records of Statutory Protected Species from immediate vicinity. A condition is advised to ensure appropriate measures are undertaken to control Japanese Knotweed on the site.

## **POLICY CONTEXT**

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

The application site is situated within the settlement boundary and is unallocated.

**Policy CS1** - emphasises the need to build strong and sustainable communities in the Northern Strategy 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 AW8** - sets out criteria for the protection and enhancement of the natural environment.

**Policy NSA10** - sets housing density requirements for the Northern Strategy Area.

**Policy NSA12** - supports housing development within and adjacent to 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.

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 the existing built up area of Llwynypia. The application site is situated between existing residential properties on an 'in-fill' plot that is situated within the settlement boundary. Furthermore, the planning history of the site reveals planning permission was previously granted for the erection of two dwellings at the site in 2008 and again in

April 2014. The site was previously occupied by residential properties with a single dwelling considered an appropriate use of the site.

In summary, the principle of the development is established on the site and in accordance with the provisions of the local development plan that aims to focus new development within defined settlement boundaries.

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

With regard to the character and appearance of the area, the application site comprises a gap in the street scene of terraced properties. The proposal is to erect a single, relatively simply designed dwelling house that aims to respect the layout and general appearance of existing dwellings in the street. Whilst acknowledging the proposal has a relatively large footprint, the overall dimensions of the building are very similar to the scheme earlier approved at the site for the erection of two dwellings, ref no: 13/1267. The width of the main building facing the front is identical to the earlier approved scheme for the two dwellings although the depth of the proposed dwelling building is 27cm more than the earlier approved scheme (10.27m depth compared to the 10.0 metres depth previously approved). The height of the proposed dwelling at its maximum point is 0.7 metres higher than the building previously approved under ref no: 13/1267. The applicant originally proposed to develop a slightly larger dwelling on the site, although following consideration of the building dimensions of the previously approved scheme to develop two dwellings on the site, has amended the plans to better reflect the dimensions of the approved scheme.

It is acknowledged a garage structure is proposed to the side of the dwelling, although given this has a recessed nature that is set back from the main front elevation of the building, it would not appear as an overly obtrusive or prominent addition to the street scene. Whilst having regard to the comments raised by local residents in relation to the design and scale of the dwelling, it is not unusual to find larger detached properties set alongside or between more traditional terraced properties, indeed between no's. 14 and 17 Cambrian Terrace two larger, more modern semi-detached properties have been developed between the more traditional, terraced properties and are not considered to significantly detract from the character of the area.

Overall, given the appropriate amendments undertaken to the scheme to reduce the mass and bulk of the proposed building, the planning history of the site and the acceptable and relatively simple appearance of the dwelling including the key front elevation of the building, on balance, it is considered the dwelling would visually integrate into the existing street scene. It is also acknowledged the approved consent to develop two dwellings on the site could be implemented and at a later date the two dwellings could potentially be converted to a single dwelling without the need for planning permission. Inevitably the new dwelling would result in the loss of the existing vacant, relatively green space at the site, although the site has a

neglected and unmaintained appearance and currently offers limited opportunities for use as a formal recreation space especially given the site is within private ownership. The presence of Japanese Knotweed on the site has been noted (and acknowledged by the applicant) and the Council's Landscape Officer has advised a standard condition to ensure this matter is appropriately addressed by the applicant, should planning permission be granted.

In conclusion, it is considered the development would not have a significant adverse impact on the character or appearance of the surrounding locality.

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

Representation raised by neighbouring residents, as earlier detailed, raise concerns about the scale of the dwelling and likely overshadowing and overbearing impact it is likely to have on adjacent properties and the likely overlooking impact of such a scheme.

The dwelling, in the main, would be sited between the blank gable ends of two existing terraced properties and offset from the neighbouring buildings by existing and proposed vehicular hard standings. Given the depth of the proposed building is larger than the neighbouring properties the rear aspect of the property would extend beyond the main rear elevations of the flanking properties. However, the proposed two-storey element of the building would be sited over six metres from the flanking properties (no's. 6 & 10 Cambrian Terrace). The single storey garage to the northern side of the dwelling would be set 1.5 metres from the garden boundary with number 10 Glamorgan Terrace and is unlikely to cause any adverse overbearing or overshadowing impact given the single storey nature of such a structure. The rear aspect of the proposed dwelling would be visible from neighbouring garden areas and would change the outlook currently enjoyed whereby residents would have been accustomed to viewing the undeveloped green area flanking their properties. Nevertheless, it is not considered the scheme would give rise to such a harmful level of overshadowing or overbearing impact that would warrant a recommendation to refuse the scheme.

The windows being proposed within the side elevations of the dwelling serve the stairway and kitchen area of the dwelling and would generally face toward the blank side elevations and side parking areas associated with the neighbouring properties. Boundary fencing is likely to further screen the side windows particularly the ground floor kitchen window facing toward no. 6 Cambrian Terrace. Residential properties to the rear of the site would also have an offset from the rear of the main dwelling building by a distance of approximately 21 metres. The rear garden area of the proposed dwelling, whilst slightly elevated in comparison to the rear garden area of no. 10 Cambrian Terrace and properties to the rear, would also incorporate boundary treatments to further limit any overlooking impact. It is also noted the site was historically occupied by three terraced properties and again the similarities of the application under consideration and the proposal to develop the site under the

extant planning permission ref no: 13/1267 should be considered when assessing the impact of the scheme on residential amenity and privacy.

On balance, it is therefore considered the proposed development would not result in a significant detrimental impact to the residential amenity and privacy of surrounding residential properties.

### **Access and highway safety**

The proposal would create an access to the property from the highway fronting the site with off street parking areas and a vehicular garage being created alongside the main dwelling building. The Council's Transportation Section has considered the proposal and has raised no objection. It is commented that two off street car parking spaces are proposed within the site and a condition has been suggested to re-instate block paving over the tree planting area opposite the site to further increase the availability of on-street parking in the area. There is some concern with regards the sub-standard carriageway width of Cambrian Terrace and visibility at the junction with Hillside Terrace. However, given the increase in vehicular movement associated with the proposed dwelling will be minimal and considering the proposal is located on land which previously accommodated three dwellings, no highway objection is raised.

General concerns raised by residents in relation to the disruption and disturbance likely to arise during the construction phase, particularly as a result of construction traffic are also acknowledged, although not considered a material reason to warrant the refusal of the planning application. Inevitably, like most development projects a degree of disturbance to residents and users of the street is likely during the construction phase of the development, although this is normally only of a temporary nature. Controlling the hours of operation during the construction phase of the development and limiting the delivery times of HGV's would help safeguard levels of residential amenity enjoyed within the area. Any potential property damage experienced by neighbouring properties as a result of the development/construction process is not considered a material reason to warrant the refusal of such a planning application.

### **Other Issues**

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

### **Public Health**

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

## **Drainage**

Comments of the relevant drainage bodies raise no objection against the proposal subject to the imposition of standard drainage conditions. Although comments have been raised in relation to drainage issues in the area by local residents, it is not considered a single dwelling house on an infill plot would have a significant impact in this regard and the recommended conditions would appropriately control the drainage arrangements for the development.

## **CONCLUSION**

The application is considered to comply with the relevant policies of the Rhondda Cynon Taf Local Development Plan, representing an appropriate form of infill development within an existing built up area. Approval of the planning application is therefore 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 external finishes 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. Notwithstanding the submitted details, 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 (detailing heights, finishing materials and exact positions). 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 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.

8. Prior to the commencement of development details of the existing and proposed profiles of the land to the rear of the site shall be submitted to and approved by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

9. Before the development is brought into use the means of access, together

with the parking facilities for 2 vehicles (drive and garage), shall be laid out and constructed in accordance with the submitted site layout plan (plan 03 dated 28/08/2014). The area shall not thereafter be used for any other purpose other than the parking of vehicles.

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

10. 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 policy AW5 of the Rhondda Cynon Taf Local Development Plan.

11. The steel street bollard affected by the proposed parking area shall be relocated in a position to be first agreed in writing by the Local Planning Authority prior to any works commencing on site.

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

12. HGV's used as part of the development (during the construction phase) shall be restricted to 09:30am to 15:00pm weekdays, with no deliveries on Weekends and Bank Holidays unless otherwise agreed in writing with the Local Planning Authority.

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

13. Notwithstanding the submitted plans, prior to the development being brought into use, the reinstatement of the tree planting area/tree pit fronting the site shall be carried out in block paving to match the existing, in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and improved on-street parking in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

14. Full details of a scheme for the eradication and/or control of Japanese

Knotweed (*Fallonia japonica*, *Rouse decraene*, *Polygonum cuspidatum*) shall be submitted to and approved by the Local Planning Authority prior to the commencement of work on site. The approved scheme shall be implemented prior to the occupation of any dwelling/building.

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

15. The development, hereby approved, shall be carried out in accordance with the amended/revised plans received by the Local Planning Authority on 28/08/2014.

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

16. 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:** 14/1104/10 (LE)  
**APPLICANT:** Mr Carl Smith  
**DEVELOPMENT:** One detached dwelling  
**LOCATION:** LAND AT WIND STREET, BLAENLLECHAU  
**DATE REGISTERED:** 13/08/2014  
**ELECTORAL DIVISION:** Ferndale

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**RECOMMENDATION:** Approve

**REASONS:**

The application is considered to represent an appropriate form of residential development within the settlement limits of Blaenllechau. Concerns raised by local residents in relation to construction disturbance and access are not considered a justified reason to refuse such a planning application.

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## **APPLICATION DETAILS**

Full planning permission is sought for the erection of a detached dwelling at land to the south of no. 1 Wind Street, Blaenllechau, Ferndale.

The proposed dwelling would have a split level design, appearing two-storey facing front (adjacent to the vehicular highway) and three-storey to the rear. The pitched roof dwelling would measure 8.7 metres in width by 7.5 metres in depth with a maximum height, facing the front, of approximately 8.7 metres from ground level. It is proposed the dwelling be finished with predominantly cement rendered elevations and a slate tiled roof. Areas of the rear elevation of the building would incorporate timber cladding.

The dwelling would have three bedrooms, a bathroom and shower room located at first floor level. A play room would be created within the roof space of the dwelling. A living/dining room, small utility room and study would be created at ground floor level. The basement level of the dwelling would accommodate a kitchen/family room and utility room. A narrow external balcony area would be created to the rear of the building and accessed via the ground floor level of the building. It would project approximately 1.4 metres with a 5.7 metres width and be enclosed by a glass balustrade. The submitted details indicate a vehicle parking area with associated retaining structures created to the side of the dwelling to accommodate two off-street car parking spaces accessed via Wind Street. It is detailed 1.5 metres high timber fencing would define the north and west boundary of the site with planting being retained along the southern boundary of the site. The dwelling would be slightly set back from the highway fronting the site.

The planning history of the site highlights planning permission was granted for the erection of a similar, split-level detached dwelling at the site in October 2013 (ref no: 13/446). Key differences between the approved scheme and the current submission include an increase in the height of the dwelling by 1.0 metre (accommodating a higher roof pitch) and an increase in the depth of the dwelling by 1.5 metres. The fenestration and finish of the rear elevation of the building has also been amended to allow the creation of the rear balcony.

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

## **SITE APPRAISAL**

The application site forms a vacant, steeply sloping plot positioned toward the south of the end of terrace property known as 1 Wind Street, Blaenllechau. The site has been recently cleared of planting and bushes, and significantly falls from the level of the narrow vehicular highway fronting the site down toward the rear of the site. The site comprises an area of approximately 0.03 hectares. The rear of the site is flanked by pedestrian steps that continue along the northern boundary of the site and

provide pedestrian access between Wind Street and George Street. The pedestrian steps also separate the application site from the side garden area associated with no. 1 Wind Street.

No. 1 Wind Street is a double fronted, split level property set within a row of similar terraced properties. The properties have a three-storey design to their rear elevation which is reflective of the general housing design of properties within Blaenllechau given the sloping topography of the village. There are open, sloping green areas positioned directly opposite, to the rear and to the southern side of the application site. Further to the south of the site is a small row of properties known as Danygraig Place/Terrace.

### **PLANNING HISTORY (post 1974)**

13/0446	Land at Wind Street, Blaenllechau	One detached dwelling	Granted 10/10/13
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### **PUBLICITY**

The planning application has been advertised by means of direct neighbour notification and site notice, one individual letter of objection (from no. 4 Wind Street) and a petition signed by the residents of no's. 1, 3, 4, 5, 7, & 8 Wind Street and no's. 1, 2 and 3 Danygraig Terrace has been received against the planning application. The concerns raised are summarised as follows:

- Residents will be unable to park and access the street while the work is in progress as there are usually problems with parking and deliveries in the area.
- Heavy machinery and large vehicles will not be able to access the site as Wind Street is barely wide enough for refuse lorries to pass.
- Delivery vehicles would block the street and make residents unable to pass causing an obstruction.
- Streets are already in a poor condition and have only been repaired in a temporary fashion by the Council. Further vehicle use would exacerbate the road conditions.
- Access to a turning area completed by residents of the street could be blocked and residents would then have to reverse out of the street.

### **CONSULTATION**

Transportation Section - raise no objection to the scheme, subject to conditions.

Land Reclamation and Engineering - raise no objection to the scheme, conditions are suggested in relation to the drainage of the development.

Welsh Water - raise no objection to the scheme, subject to conditions in relation to the drainage of the development.

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

Structural Engineer - advises the use of a condition requiring the submission of retaining wall designs/structural calculations for the development.

Countryside Landscape, Ecology - no records of statutory protected species from immediate vicinity according to SewBrec data.

## **POLICY CONTEXT**

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

The application site is situated within the settlement boundary and is unallocated.

**Policy CS1** - emphasises the need to build strong and sustainable communities in the Northern Strategy Area.

**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 NSA 10** - sets housing density requirements for the Northern Strategy Area

**Policy NSA 12** - supports housing development within and adjacent to 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.

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.

### **Principle of the development**

Permission is sought for the erection of a detached property within the existing built up area of Blaenllechau. The application site is situated alongside an existing terraced street and is within the settlement boundary. Planning permission for the erection of a detached property on the site was granted in 2013 with residential development not considered to conflict with the existing, predominantly residential nature of the locality. The principle of the development is therefore supported and in accordance with the provisions of the local development plan that aims to focus new development within defined settlement boundaries.

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

It is acknowledged the application site occupies a steeply sloping site that would require the provision of significant engineering works and associated retaining structures to allow the creation of the proposed dwelling and car parking spaces, although on balance, it is considered the proposal can be appropriately accommodated on the site without significantly harming the existing visual amenity of the area. It is acknowledged the dwelling is larger in scale than the previously approved scheme at the site (ref no: 13/446), being 1.5 metres deeper and approximately 1.0 metre higher than the dimensions permitted for the earlier dwelling. However, such small scale increases in the depth and height of the building (with the width remaining identical to the earlier approved scheme) would not have a significant impact on the overall appearance of the building or significantly alter the prominence or appearance of such a dwelling building when viewed in relation to the wider street scene.

The proposed dwelling, although detached, would have a similar layout and building pattern to the nearby terraced row, being orientated toward the highway fronting the site with an apex, pitched roof and split level design. Although the mass and bulk of the rear elevation of the dwelling and associated retaining walls would be significant, the three-storey design responds to the topography of the site and is reflective of the rear elevations of nearby properties and other properties within the village of Blaenllechau; large and significantly high rear elevations being a feature of the hillside village. It is also indicated sympathetic finishing materials and an appropriate fenestration arrangement would be utilised for the key front elevation of the building and the design of the rear elevation of the building raises no significant visual

concerns. The development of the site would result in the loss of the open space the application site occupies (including a metal bench), although the site currently offers limited opportunity for use given its steeply sloping nature. The site also falls within private ownership and the loss of the existing space is not considered a sufficient reason to warrant refusal of the scheme.

In summary, it is considered the dwelling is of an acceptable design and scale, and capable of being accommodated upon the site without having a detrimental impact on the character or appearance of the area.

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

With regard to the impact of the proposal on the residential amenity of surrounding properties, it is considered that the development would have an acceptable impact. The representation received by residents against the scheme, as detailed earlier, primarily raise concern with the likely disruption and disturbance that would arise as a result of the construction works associated with such a development, including highway disruption and access issues for larger vehicles. No concerns are raised in relation to direct loss of privacy or amenity as a result of the scheme, and whilst accepting the construction works could result in disruption and disturbance to nearby residents, this is not considered a justified reason to warrant refusal of such a planning application. Alike most development projects a degree of disturbance to residents and users of the street is likely during the construction phase of the development, although this is normally only of a temporary nature. Controlling the hours of operation during the construction phase of the development and limiting the delivery times of HGV's would help safeguard levels of residential amenity enjoyed within the area.

In terms of general amenity impact as a result of the development, the detached dwelling would be sited a distance of approximately 21 metres from the side elevation of the existing end of terrace property, no.1 Wind Street, which is the residential property sited in closest proximity to the application site. This neighbouring property only has one small window positioned within its side elevation and only two small windows, both non-habitable and serving a water closet and access stairwell are proposed within the side (north facing) elevation of the new dwelling. Boundary treatments would further screen the side window positioned within the basement level of the development proposal. There is an elevated balcony proposed to the rear of the dwelling, although the site has a degree of offset from the nearest residential properties and a recommended condition, should Members be minded to approve the scheme, would ensure appropriate side screens are incorporated into the design of such a structure, to prevent any direct overlooking of the neighbouring properties. As such, the proposal would have no direct overlooking or harmful overbearing impact. The side garden area of the neighbouring property (no.1 Wind Street) would experience a level of overshadowing as a result of the new building although given the dwelling would be sited toward the centre of the plot away from the northern boundary of the site, with a set of



pedestrian steps also offsetting the site from the neighbouring side garden, the degree of overshadowing would not be so significant to warrant a recommendation to refuse the planning application.

Overall, the proposal is considered to be in keeping with the requirements of Policy AW5 of the Rhondda Cynon Taf Local Development Plan in terms of the impact on privacy and amenity.

### **Access and highway safety**

Turning to the impact of such a proposal on highway safety and whilst acknowledging the comments raised by residents as earlier detailed, the Council's Transportation Section have raised no objections against the proposal.

The dwelling would be accessed off the narrow Wind Street that is sub-standard in terms of carriageway width for safe 2 way vehicular movement and has limited turning facilities. Nevertheless, the applicant has highlighted the width of the carriageway fronting the application site would be widened to 5.0 metres, which would allow a vehicle to pass should visitors or delivery vehicles park on the highway fronting the site, which is considered satisfactory. The submitted information highlights the proposed off-street car parking area would accommodate 2 off-street car parking spaces, although the relocation of the proposed waste storage area would allow 3 off-street car parking spaces to be created. Given the substandard nature of Wind Street a condition is suggested accordingly to ensure an appropriate level of off-street car parking is created at the site.

Again the general concerns raised in relation to the disruption and likely damage to road infrastructure as a result of the development, including construction traffic are also acknowledged, although this is not considered a material reason to warrant the refusal of the planning application.

### **Other Issues**

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

#### **Drainage**

The Council's Land Reclamation and Engineering Section and Welsh Water have raised no objection against the scheme subject to appropriate conditions.

#### **Ecology**

The Council's Ecologist has raised no adverse comments against the scheme with no records of statutory protected species from immediate vicinity according to SewBrec data.

## **CONCLUSION**

The application is considered to comply with the relevant policies of the Rhondda Cynon Taf Local Development Plan. The development of a single dwelling on the site would pose 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 implications. Approval of the planning application is therefore 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, timber cladding, windows, doors and roof tiles 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 (indicating heights, finishing materials and exact positions). 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 AW 10 of the Rhondda Cynon Taf Local Development Plan.

8. Notwithstanding the submitted information, prior to the commencement of development, details of 1.8m high privacy screens to be erected to the side elevations of the rear balcony shall be submitted to, and approved in writing by the Local Planning Authority. The privacy screens shall be installed prior to the occupation of the development and shall thereafter be retained in the approved form unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of residential amenity in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

9. Prior to the commencement of development, full details and design calculations of the proposed retaining walls shall be submitted to and approved in writing by the Local Planning Authority. The development,

hereby permitted, shall be carried out in accordance with the approved details.

To ensure the stability of the development in the interests of public health and safety in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

10. Notwithstanding the submitted plans, development shall not commence until full engineering design and details of the road widening to 5.0m along Wind Street together with sections and surface-water drainage details have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details 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.

11. Notwithstanding the details shown on the submitted plans, development shall not commence until details of the car parking area widened to a minimum of 7.2m to provide 3 off-street car parking spaces have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the beneficial occupation of the dwelling and retained thereafter for the parking of vehicles only.

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

12. 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 Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

13. HGV's used as part of the development (during the construction phase) shall be restricted to 09:30 am to 15:30pm weekdays, with no deliveries on weekends and Bank Holidays unless otherwise agreed in writing with the Local Planning Authority.

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

14. 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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**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**

**2 OCTOBER 2014**

**REPORT OF: SERVICE DIRECTOR PLANNING**

**REPORT**

**APPLICATIONS RECOMMENDED  
FOR APPROVAL**

**OFFICER TO CONTACT**

**MR J BAILEY  
(Tel: 01443 425004)**

**See Relevant Application File**