

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2014-2015

**DEVELOPMENT CONTROL
COMMITTEE
19 FEBRUARY 2015**

**REPORT OF: SERVICE
DIRECTOR PLANNING**

	Agenda Item No.5
APPLICATIONS RECOMMENDED FOR APPROVAL	

1. PURPOSE OF THE REPORT

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

2. RECOMMENDATION

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

1. Application No: 14/1092 - Conversion of commercial premises to 7No. flats (B1 to C3), 5 Cemetery Road, Porth.
2. Application No: 14/1205 - Re-plan of phase 2 of planning permission 12/1313 to include residential development (213 houses) along with associated open space, landscaping, access (vehicle, cycle and pedestrian), drainage and highways works (Amended plans received 15/01/15 (site layout) 27/10/14 (Landscaping); 29/10/14 and 15/01/15 (house type details), Duffryn Bach Farm, Station Road, Church Village, Pontypridd
3. Application No: 14/1265 - Retention and sub-division of ground floor retail units with new shop fronts and the conversion of the upper two floors into residential accommodation for 11 flats with associated works, 56-58 Taff Street, Pontypridd.
4. Application No: 14/1383 - Change of use of existing office space for use of Flying Start (infant day care) facilities, Unit 6, Maritime Offices, Woodland Terrace, Maesycloed, Pontypridd.
5. Application No: 14/1504 - New school building and associated external works, demolition of the existing main school building and removal of temporary classrooms, Y Pant Comprehensive School, Cowbridge Road, Talbot Green, Pontyclun.
6. Application No: 14/1585 - Detached dwelling, Land Adjacent To Mount Stuart, Hurford Street, Maesycloed, Pontypridd.

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APPLICATIONS RECOMMENDED FOR APPROVAL

APPLICATION NO: 14/1092/10 (HL)
APPLICANT: Mr & Mrs M & L Hamed
DEVELOPMENT: Conversion of commercial premises to 7No. flats (B1 to C3)
LOCATION: 5 CEMETERY ROAD, PORTH, CF39 0LG
DATE REGISTERED: 26/08/2014
ELECTORAL DIVISION: Porth

RECOMMENDATION: Approve.

REASONS:

The proposal is considered acceptable in principle and would bring a prominent vacant building back into beneficial use. The application is located within the settlement development limits of Porth and is in keeping with the relevant policies of the Rhondda Cynon Taf Local Development Plan and National Policy in that it is acceptable in terms of layout, design and its impact on residential amenity and highway safety.

APPLICATION DETAILS

The application seeks full planning permission for the conversion of 5 Cemetery Road, Porth to seven self contained apartments.

The development would consist of seven, two bedroom flats. Unit 1 would occupy the lower ground floor of the building; unit 2 would comprise split level accommodation arranged over the lower ground floor and ground floor of the building with its own front door in the southern (rear) elevation; unit 3 would be positioned on the ground floor; Units 4 and 5 would be arranged over the first floor with units 6 and 7 positioned on the second floor. Units 1,3-7 would be accessed either via the main front door in the northern (front) elevation, or a secondary means of access via the lower ground floor level leading through a yard area, adjacent to the rear (southern) elevation, and on to the rear lane.

Bin storage and an external drying area would be provided within the proposed rear yard. The lower ground floor level would also contain a communal laundry and storage area.

No extensions to the building or off street parking provision are proposed as part of the application.

The application is accompanied by the following:

- Design and Access Statement;

SITE APPRAISAL

The existing building comprises a substantial, mid terrace, double fronted, four storey building, positioned on the southern side of Cemetery Road. Externally the northern (front) elevation is finished with red clay bricks, bathstone features and a semi-circular pediment feature to the roof. The original windows have previously been replaced with white upvc double glazing.

The property is street fronted with the principle access set 5 steps up from the pavement level. As specified above the building also benefits from an existing pedestrian access to the rear positioned between the buildings on Cemetery Road and the Pont Newydd Medical Centre. The site slopes from north to south thereby allowing for the creation of a sub-basement level.

The property has previously benefited from a large four storey, full width, rendered flat roofed, rear extension.

Whilst visually prominent in the street scene, the building is not listed. The buildings either side are predominantly three storeys tall, with a render elevations. The surrounding properties are of mixed use with shops, cafes and offices etc at ground floor level and residential accommodation above.

Bus stops are located directly outside the site and Porth railway station is located approximately 500m to the south-east.

PLANNING HISTORY

Despite having been previously extended there is no planning history for the site.

PUBLICITY

The application has been advertised by direct neighbour notification and the erection of site notices. No objections or representations have been received.

CONSULTATION

Transportation Section – no objections subject to the provision of a financial contribution towards sustainable mode of travel (Bus stops) on Cemetery Road and a transport tariff.

Public Health and Protection Section - no objections subject to conditions including hours of working during construction.

Land Reclamation and Engineering - no objections subject to conditions relating to the submission of full drainage detail and flood risk management.

Countryside, Landscape and Ecology – no SewBrec records of statutory protected species were found in the immediate vicinity. Advisory note relating to bats recommended.

Natural Resources Wales - the application site lies entirely within Zone B, as defined by the Development Advice Map (DAM) referred to under Technical Advice Note 15: Development and Flood Risk (TAN15) (July 2004).

Affordable Housing Officer - no objections. Whilst an element of affordable housing would be welcome in this area to meet local housing need, provision is not required to satisfy the requirements of policy NSA11 as the proposal is for 7 residential units.

Dwr Cymru/ Welsh Water - no objections subject to conditions relating to the disposal of foul and surface water from the site.

POLICY CONTEXT

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

Rhondda Cynon Taf Local Development Plan

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

Policy CS1 – Development in the North.

Policy AW1 – states that provision will be made for the development of new dwellings including, the conversion of suitable structures to provide housing.

Policy AW2 – requires new development to be in a sustainable location.

Policy AW4 - identifies that planning obligations will be sought where development proposals require the provision of new, improved or rely on existing facilities to make the proposal acceptable.

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

Policy AW6 – outlines types of development criteria that will be supported, including the following:

- A high standard of design;
- Design appropriate to the local context;
- An integrated mixture of uses appropriate to the scale of the development;
- and

- An efficient use of land.

Policy NSA2 - promotes development in key settlements subject to criteria.

Policy NSA12 - advocates the development within the defined settlement boundaries of the northern strategy area subject to criteria.

Policy NSA13 - provides guidance on the rehabilitation and conversion of large buildings

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 (Edition 7 July 2014) Chapter 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.

Other relevant policy guidance consulted:

PPW Technical Advice Note 12: Design;

PPW Technical Advice Note 18: Transport;

PPW Technical Advice Note 22: Sustainable Buildings;

Manual for Streets

REASONS FOR REACHING THE RECOMMENDATION

The principle of the proposed 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 considerations indicate otherwise.

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

The application site lies within settlement limits and in an area of mixed uses containing both residential and commercial properties. As such the principle of using the building for residential purposes is considered acceptable. The key considerations with regards to the application are considered to be the impact of the development on the character and appearance of the area, the residential amenities of those living closest to the site and highway safety.

Character and Appearance of the Area

As specified above, the application site comprises a visually prominent building, positioned on the southern side of Cemetery Road, Porth. Although no marketing information has been provided as part of the application, Officers are aware that the building has been under utilised and then vacant for a period of time. Although Cemetery Road is located outside of the defined retail area, the street does contain a variety of residential and commercial uses.

The plans submitted indicate the blocking up of one doorway in the northern (front) elevation; alterations to the window arrangement in the southern rear elevation; and the provision of two new windows in the eastern elevation at second floor level, no further extension to the building is proposed. As such the works of conversion would largely take place within the fabric of the existing building.

Being mindful of the mixed use of the area and the period of time for which the property has been under utilised, it is considered that the application submitted proposes a use, density of development and design that would be complimentary to the surrounding properties. It is considered that the development proposed would bring a building of some architectural standing back into active use, to the benefit to the overall vitality and viability of the area and would provide a valuable contribution to the townscape of this part of the settlement.

On the basis of the above the application is considered in keeping with the character and appearance of the surrounding area and in accordance with the provisions of policies AW5, AW6 and NSA13 of the Rhondda Cynon Taf Local Development Plan.

Residential Amenity

As specified above, the application proposes the conversion of the existing building to provide seven, 2 bedroom flats. Whilst the street does contain a variety of uses at ground floor level, there are numerous residential properties in the immediate vicinity. The plans submitted, indicate alterations to the windows in the southern (rear) elevation and the insertion of two new windows in the eastern (side) elevation at second floor level to serve the bedrooms of flat 6. Due to the height of the application site, the new windows would overlook the roofs of the adjacent buildings.

Being mindful that the application does not propose any new extensions and that the principle outlook from the new units would be north over Cemetery Road and south over the Medical Centre, railway and river, it is considered that the development proposed would not generate any increased overshadowing, loss of light, overlooking or infringement of privacy significantly detrimental to the residential amenity of those living closest to the site.

With regard to the construction phase of the development and any disturbance this may cause, the Public Health and Protection Section have recommended that construction work be carried out between certain hours only, which will minimise the effects on the amenity of neighbouring residential properties. Such a condition could be added to a grant of planning permission.

In light of the above, the proposal is considered acceptable in terms of its impact on the amenities of neighbouring residential properties adjacent to the site and is considered compliant with the relevant requirements of Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Highway Safety

The building does not currently benefit from any off street parking, nor is there the potential to provide any. Although there is a small yard area proposed to the rear of the building, access to this space involves crossing land in third party ownership, over which the applicant only benefits from a pedestrian access.

Following consultation the Authority's Transportation department have provided the following response:

"The proposed is served off Cemetery Road (B4278) which is a classified road carrying a substantial amount of vehicular and pedestrian traffic. Cemetery Road is also a bus route. To the front of the proposed there are traffic regulation orders preventing on-street parking to maximise the running width for vehicles due to the existing high demand....

The previous use as office space requires approximately 15 spaces...The proposed use requires up-to a maximum of 14 off street spaces for residents and 2 for visitors. There is no off street car-parking available for the existing or proposed development.

There is a concern with regards to the lack of off-street car parking, coupled with the existing parking restrictions preventing on-street parking. Residents would be forced to park some distance away in other resident's spaces or park indiscriminately along Cemetery Road affecting free flow of traffic on a classified road to the detriment of safety to all highway users.

The proposed is within walking distance of Porth Town Centre which offers a variety of services with both bus and rails stops in close proximity which is acceptable.

There is concern that the proposed development does not provide for any off-street car parking. There are two bus stops located on Cemetery Road in need of upgrading to provide for raised boarder kerbing, shelter and flag pole which will help promote sustainable mode of travel and place less dependence on private motor vehicles. As such it is requested that the applicant provide a financial contribution of £10,000 to improve the two bus stops and a transport tariff of £7,896."

As specified above the property does not currently benefit from any off street parking, nor is there the potential to provide any within the boundaries of the site or in the general vicinity. Although there are parking restrictions along Cemetery Road adjacent to the northern (front) elevation of the building, the property is sited in close proximity to two bus stops and is within walking distance of Porth train station and town centre. It is also noted that the majority of residential properties along this part of Cemetery Road do not benefit from any off street parking. Therefore, on balance it is considered that the active re-use of the building and the positive contribution it would provide to the area would outweigh concerns in relation to the lack of parking provision.

Whilst the Transportation department have requested a Transport Tariff such requests have been superseded by the implementation of the Community Infrastructure Levy and will not be taken forward. Furthermore it is considered that the request for a contribution towards upgrading the bus stops outside the site is not necessary to make this development acceptable in planning terms and as such should not form part of any Section 106 agreement for the site.

Flooding

As specified above the site slopes from north to south with the Rhondda River located approximately 36m to the south of the building. Whilst the site is beyond the C2 flood zone, it does lie entirely within Zone B, as defined by the Development Advice Map (DAM) referred to under Technical Advice Note 15: Development and Flood Risk (TAN15) (July 2004). Residential accommodation is classified as being highly vulnerable development. Following consultation Natural Resources Wales and the Authority's Flood Risk Management Team have raised no objection to the positive determination of the application, subject to the imposition of conditions which could be added to any grant of consent.

It is therefore considered that the application is compliant with the requirements of Policy AW2 of the Rhondda Cynon Taf Local Development Plan.

Community Infrastructure Levy (CIL)

The Community Infrastructure Levy (CIL) was introduced in Rhondda Cynon Taf from 31 December 2014.

The application is for development of a kind that is liable for a charge under the CIL Regulations 2010 as amended however, the application lies within Zone 1 of Rhondda Cynon Taf's Residential Charging Zones, where a nil charge is applicable and therefore no CIL is payable.

Conclusion

The application is considered to comply with the relevant national and local development plan policies in respect of the principle of development, impact on the character and appearance of the area, impact on residential amenity and privacy, highway safety and flood risk. As such the application is recommended for approval subject to the following conditions.

RECOMMENDATION: Grant

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

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

2. The development hereby approved shall be carried out in accordance with the approved site location plan and design and access statement received on the 11th August 2014 and plan(s) no(s) 848/01, 02, 03, 04, 05, 06, 07, 08 received by the Local Planning Authority on 10th October 2014 unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

3. 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.

4. 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.

5. 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.

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APPLICATION NO: 14/1205/10 (GD)
APPLICANT: Persimmon Homes East Wales
DEVELOPMENT: Re-plan of phase 2 of planning permission 12/1313 to include residential development (213 houses) along with associated open space, landscaping, access (vehicle, cycle and pedestrian), drainage and highways works (Amended plans received 15/01/15 (site layout) 27/10/14 (Landscaping); 29/10/14 and 15/01/15 (house type details))
LOCATION: DUFFRYN BACH FARM, STATION ROAD, CHURCH VILLAGE, PONTYPRIDD, CF38 1AH
DATE REGISTERED: 18/09/2014
ELECTORAL DIVISION: Church Village

RECOMMENDATION: Approve subject to a Section 106

REASONS:

The site forms part of a housing allocation within the adopted Local Development Plan therefore the principle of housing is acceptable. Furthermore the granting of planning application 12/1313/10 for residential development (276 houses) along with associated open space, landscaping, access (vehicle, cycle and pedestrian), drainage and highways works) on 21st February 2014 has established the residential use of the site.

The application is located within the settlement development limits of Church Village and is in keeping with the requirements of the policies of the Rhondda Cynon Taf Local Development Plan and National Policy in that it is acceptable in terms of layout, design, and density its impact on residential amenity, highway safety impact on trees and ecology and drainage.

APPLICATION DETAILS

The site was previously granted planning permission via application 12/1313/10 for the development of 276 houses. The development was split over two parts: Area 1 to the south, adjacent to Station Road comprising 108 dwellings, on which work has commenced and Area 2 to the north, to the rear of the properties in The Ridings which contained 168 dwellings, connected to area one by a short link road in the middle.

The current application seeks full planning permission to re-plan Area 2 to provide 213 houses along with revised areas of open space, landscaping, access (vehicle, cycle and pedestrian), drainage and highways works. The application proposes to increase the number of 1 bedroom flats, 2 and 3 bedroom houses, provide fewer 4 bedroom houses and remove all 5 bedroom houses from this part of the wider site. If granted consent this application would be independent of the previous approval.

The development of Area 1 by virtue of application 12/1313 would provide 108 units. The development of Area 2 in line with the current application would provide 213 giving a cumulative figure of 321 dwellings.

Like Area 1 and approved scheme 12/1313 the buildings would be largely two storey, with some two and half storey dwellings also proposed. Externally the dwellings would be finished with a mix of brick, render and reconstituted stone and would have concrete tile roofs. 42 of the units would be affordable homes, with a mix of social rented houses and houses and flats for low cost ownership.

Vehicular access would be as originally proposed: by a single point of access from Station Road, to the south of Duffryn Bach Farmhouse, leading through Area 1. A second access, for pedestrian, cyclist and emergency vehicular use only via Meadow Brook and a Locally Equipped Area of Play (LEAP) (approved as part of application 12/1313/10 and within the boundaries of Area 1) would remain unaffected by the current proposal. It is also proposed to enhance an existing Public Right of Way that passes through the site from The Ridings, to provide a pedestrian and cyclist access to the Church Village Bypass Community Route to the south.

The documents submitted in support of the application provide the following information:

“Following approval of planning permission 12/1313/10 it has become apparent that the development of Phase 2 would be problematic to implement due to constraints associated with site levels. Furthermore it has also become apparent that there is a lack of demand for large 4 and 5 bed units within the location area...The current proposal seeks to respond to existing site levels by minimising cut and fill / earth work operations and minimise the level of engineered retaining structures required throughout the site.”

The application is accompanied by:

- An Environmental Statement, which comprises a number of studies including Ecology, Landscape and Visual Impact, Hydrology, Air quality, Noise and Mitigation etc;
- A Planning Statement;
- Transport Assessment Addendum Note and “Highways Brochure”;
- A Design and Access Statement.

SITE APPRAISAL

The site comprises an irregularly shaped parcel of land measuring 6.07 ha in area. The topography of site is undulating in nature and is currently greenfield land divided by hedgerows of varying maturity and quality. Woodland is located adjacent to the north-eastern boundary. Power-lines, supported by a pylon, run through the site from south-west east to north-east. As specified above, there is also an existing Public Right of Way passing through the site, connecting The Ridings in the north to the Church Village Bypass Community Route in the south.

To the south and east of the site is the Tonteg Marsh Site of Importance for Nature Conservation (SINC). This is characterised as a complex mosaic of wet and drier grasslands, wet scrub and species-rich woodland. Marshy grassland is a major habitat feature of the SINC. The SINC has a very high potential for invertebrates, including Marsh Fritillary Butterfly. The development does encompass part of the SINC at the point where the access road crosses from one parcel of land to the other.

The site is also bound by Station Road and the Meadow Brook housing development to the west; the remainder of the land forming part of the housing allocation in the Local Development Plan to the north-west; and the residential area: The Ridings, a residential street with houses backing onto the site, lies to the north.

PLANNING HISTORY

The relevant planning history in respect of this site is as follows:

14/0290/15	Variation of Conditions 3, 5, 16, 18, 19, 26, 27, 30, 31, 35, and 42 of planning approval; 12/1313/10 to allow for a phased development of the site (Residential Development of 276 houses) (Amended description 02/04/2014 to accommodate additional conditions 3 (landscaping details), 30 (boundary treatment) and 31 (external materials)	Granted 11/08/14
12/1313/10	Residential development (276 houses) along with associated open space, landscaping, access (vehicle, cycle and pedestrian), drainage and highways works	Granted 21/02/14
94/0843	Residential development at Tyn Y Waun (Outline)	Withdrawn 17/03/95
92/0837	Provision of 4 sports pitches with ancillary changing facilities, car parking, roundabout and access roads (full)	Refused 19/04/93

91/0479	Golf course, sports pitch, tennis courts, bowling green, public open spaces, residential development at Tyn y Waun	Refused 15/10/91
91/0210	Residential development (outline) proposed golf course (full) at Tyn y Waun	Refused 24/06/91

PUBLICITY

The application has been advertised by direct neighbour notification, the erection of site notices and publication of a press notice.

24 letters of objection have been received In addition, one Community Councillor has raised a separate objection. The concerns are summarised as follows:

Highways/Traffic

- The development will increase already substantial traffic flows and congestion along Station Road and on the new bypass;
- Concerns with regards to increased number of vehicle movements onto Station Road with no traffic control measures causing highway safety issues and lengthy delays;
- At peak times local roads including Station Road, Main Road and St Illtyd's Road become grid locked;
- Request a deferral until such time that a Traffic Impact survey has been carried out;
- The bypass will be completely ineffective following the Council's decision to allow this and other developments along the route. In 10 years the congestion will be as bad if not worse than before;
- A complete review of the highway network needs to be undertaken;
- The development will result in traffic moving back towards levels seen in Church Village prior to the bypass being built and would exacerbate existing problems;
- The development will cause an increase in traffic and will cause extra noise, disturbance and pollution in the area.

Residential Amenity

- Concern that the layout plan is inaccurate as it does not accurately show the boundaries of gardens in The Ridings, many of which extend to the boundary of the site preventing the provision of a green buffer;
- The former railway corridor does not provide a green edge to the boundary. There is no railway corridor and some of the photographic evidence included in the application is at least 10 years old and does not reflect the current position;
- The gardens of The Ridings will be 'divorced' by a wooden fence;
- The scale and form of the development will have a major effect on the surrounding areas. The photographs and statements provided are

misrepresentative, misleading and do not reflect the true impact to the local area;

- Concerns that the significant re-profiling of the land on the northern boundary, in association with the design of the dwellings proposed (particularly the 2 & 1/2 storey units) will result in the development having a greater ridge height than the existing houses in The Ridings and will appear out of scale with the existing dwellings;
- The current working practices of the site contractors and the frequency of the various delivery vehicles already cause a nuisance and disturbance and at regular intervals have blocked the highway whilst awaiting access to the site. Site workers also park in limited spaces that should only be made available for resident's parking;
- The contractors regularly flout hours of operation, starting before 7am in the mornings and on weekends;
- The development works have created significant dust issues for residents which will only be made worse;
- The houses and garages to the rear of The Ridings will cause loss of light and overshadowing to gardens, and development will cause loss of light to the area in general;
- The development would impact on privacy of local residents, including in The Ridings, due to houses looking directly into existing properties;
- The development will increase noise levels in the area due to the loss of the fields to development, increased people and traffic, and will destroy the tranquillity of the area.

Wildlife/ Ecology/ Trees

- There would be detrimental impacts on wildlife;
- Trees would need to be cut down;
- The development would take away countryside widely used by local people that is of outstanding natural beauty.

Education Places

- Class sizes have increased owing to extra demand and several local schools have had to introduce mobile classrooms. Research shows such arrangements are detrimental to the life chances of pupils. The compensatory sums offered to address this problem are inadequate;
- Most schools in the area are full, so there are no places for children from this development;
- An email from the Head of School Organisation Planning and Governance dated 7th February 2013 states: *"This development sits in an area where there is very little surplus capacity in either the English or Welsh Medium Primary school sectors and limited scope to extend some of the existing schools...My main concern would be whether the 282 houses planned (reference to application 12/1312) is just the first phase of a much larger scheme, if this is the case the requirements would be for a new school to*

serve the whole site, which would be a dual-language provision (the LDP suggests the site could accommodate 500+ houses.”

- A new school should be provided on the site, and this is suggested by the Local Development Plan.

Other

- The Council should mandate a significant amount of social and affordable housing, and open spaces, be included in the development to encourage families from modest backgrounds to settle there and make the area more diverse.
- Residents currently experience long waits to see a GP, which will only get worse with the provision of more housing.
- Community health care services are stretched to maximum.
- A&E services at Glamorgan Hospital are due to close.
- Existing infrastructure and local services cannot cope with the increased demand resulting from excessive house building in the Llantwit Fardre area.
- There is insufficient amenity provision in the area with the impending closure of Llantwit Fardre Sports Centre
- Concerns regarding the accuracy of documents submitted in support of the application and discrepancies within.
- The original planning report acknowledged that the Local Equipped Area of Play (LEAP) provision did not meet the Supplementary Planning Guidance (SPG) requirements and only provided for 55% of the requirement. Given that the requirement for a LEAP is based on occupancy levels of household types and then area per person. Information as to how this re-plans affects this percentage and failure to comply with the SPG requirements is requested.
- The infrastructure of the area is not designed for such a big increase in people and vehicles.
- Church Village has been swamped with new housing developments and this will exacerbate existing problems caused by this.
- Concerns regarding noise, disturbance, debris and mess caused by construction.
- Health and safety concerns relating to the power lines crossing the site, especially with informal public open space and parking be provided underneath the cables

Non-planning related concerns

- Loss of views;
- Concerns that flats on the site may be occupied by some antisocial tenants
- Devaluation of existing properties.

CONSULTATION

Transportation – no objections subject to conditions. Recommended the provision of a Transportation Tariff of £501,548 be paid via a Section 106 Agreement.

Land Reclamation and Engineering –raise no objections subject to conditions.

Countryside - are unsure of how the management of the SINC and Public Open Space will be implemented and have concerns that the loss of boundary trees will be greater than suggested by the plans. In respect of drainage, measures to try and mimic existing hydrological inputs to the SINC are an important mitigation issue, but again there is concern about the level of drainage detail submitted.

Public Rights of Way Officer - a Diversion and an Extinguishment Order will be required for the Public Right of Way running through the site, and that if opposed it may be difficult arguing that this is necessary.

Public Health and Protection – have requested conditions in respect of restricting hours of construction and a site investigation, and suggested that proposals for the minimisation of dust and noise should be submitted.

Strategic Housing - the provision of 42 units of affordable housing, comprising both houses for social rent and houses for low cost home ownership meets the requirements of policy SSA12 of the LDP. The amendments received on the 15th January 2015 overcome the previous concerns raised with regards to tenure and compliance with Welsh Government's Design Quality Requirements and Welsh Housing Quality Standards. However concerns remain with regard to the equity split offered with regards to the Low Cost Home Ownership Products.

Education and Children's Services - require a contribution of £1,262,471 for the provision of additional school places at local primary schools.

Natural Resources Wales – no objections subject to conditions with regard to biodiversity, drainage and preventing pollution of the water environment.

Dwr Cymru Welsh Water – no comments received during the Statutory Consultation Period.

South Wales Police – no comments received during the Statutory Consultation Period.

South Wales Fire and Rescue Service – no comments received during the Statutory Consultation Period.

Western Power Distribution – no comments received during the Statutory Consultation Period.

National Grid - no comments received during the Statutory Consultation Period.

Glamorgan Ramblers – raise no objection but suggest that footpath Llantwit Fardre 48 be the subject of a part extinguishment order. Suggest that part of the path south of the estate be given a hard surface.

Open Spaces Society – no comments received during the Statutory Consultation Period.

Wales and West Utilities – raise no objections but highlight that apparatus may be at risk during construction work.

Welsh Government Economy Science and Transport – raise no objections. There is no direct access to the trunk road network. The County Roads will continue to operate within operational capacity.

Llantwit Fardre Community Council – no comments received during the Statutory Consultation Period.

Glamorgan Gwent Archaeological Trust - there are no archaeological sites within the proposed development area. At the time of the previous application, it was our opinion that the developer may wish to undertake an archaeological desk-based assessment, this remains unchanged.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The site is within the Southern Strategy Area, within the settlement boundary and is allocated for residential development by Policy SSA 10.18 of the Local Development Plan.

A large area of the allocated site is a designated Site of Importance for Nature Conservation (SINC).

The relevant policies in the Local Development Plan are as follows:

Policy CS2 - sets out criteria for achieving sustainable growth including, promoting and enhancing transport infrastructure services promoting residential development with a sense of place and focusing development within defined settlement boundaries.

Policy AW1 defines the housing land supply, to be met partly by development of unallocated land in Key Settlements.

Policy AW2 promotes development in sustainable locations, which includes site within settlements boundaries, benefiting from existing services and sites that support the roles and functions of Key Settlements. The locations should not unacceptably conflict with surrounding uses.

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

Policy AW5 lists amenity and accessibility criteria that will be supported in new development proposals.

Policy AW6 outlines design and placemaking criteria that will be supported in new development proposals

Policy AW8 seeks to ensure that the area's distinctive natural heritage will be preserved and enhanced by protecting it from inappropriate development.

Policy AW10 seeks to ensure that development proposals will not be permitted where they would result in a risk of unacceptable harm to heath or local amenity

Policy SSA5 specifies that land will be made available within allocated site as defined by SSA10 for the provision of new educational facilities.

Policy SSA10 allocates land south of The Ridings, Tonteg and east of Station Road, Church Village for the provision of 500 dwellings.

Policy SSA11 seeks a minimum housing density of 35 dwelling per Hectare and gives criteria for accepting lower densities.

Policy SSA12 seeks the provision of 20% affordable housing on residential development of 5 dwellings or more.

Policy SSA13 gives further criteria for suitable housing development within settlement boundaries.

The following SPG is also relevant to this proposal:

- Design and Placemaking;
- Affordable Housing;
- Planning Obligations;
- Nature Conservation;
- 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 (Edition 7 July 2014), Chapter 2 (Development Plans), Chapter 3 (Making and Enforcing Planning Decisions) Chapter 4 (Planning for Sustainability) Chapters 5 (Conserving and Improving Natural Heritage and the Coast), 8 (Transport) and 9 (Housing) 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 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.

Therefore, in considering and determining applications of this nature, the key considerations are considered to be:

- Local Development Plan Housing Allocation
- Impact on highway safety;
- Impact on neighbour amenity;
- Housing numbers;
- Site layout and design;
- Impact on trees and ecology;
- Provision of suitable drainage arrangements.

These matters are addressed in turn below:

Local Development Plan Housing Allocation

The site forms part of the allocated housing site SSA 10.18 within the adopted Local Development Plan. Therefore the principle of housing on this site is considered acceptable. Furthermore the granting of planning permission 12/1313 for the development of 276 units has established and confirmed the residential use of the site as acceptable.

Impact on Highway Safety

As specified above, access to the site would remain via the existing access, through Area 1 and onto Station Road. No new or additional accesses, relative to those approved as part of application 12/1313 are proposed as part of the application.

Following consultation, the Transportation Section has provided the following response:

"It is proposed to increase the number of dwellings in Area 2...by 45 dwellings to 213. This results in the total number of dwellings within the site increasing to 321. The previous Transport Assessment (TA) submitted in December 2012 considered the effect of 300 dwellings on the local and strategic highway network. Based on the previously agreed trip rates used in the TA (for 300 units)... an additional 22 units at the site would result in an additional 15 two-way traffic movements in the AM peak

period (08:00-09:00 hours) and an additional 16 two way vehicles movements in the PM peak period (17:00-18:00 hours). This would equate to an additional vehicle every 4 minutes in both the AM and PM peak periods. The Trip Rate Information Computer System (TRICS) which is a database of trip rates for developments used in the UK for transport planning purposes has been tested for an additional No. of 22 dwellings at the site and confirms that the trip generation figures provided are reasonable and therefore acceptable.

With regard to the TA submitted in December 2012, the effect of the proposed development was assessed at the following junctions:

- *St Illtyds Road/ B4595 Main Road/ Station Road;*
- *Station Road/ Coed Dowlais; and*
- *Station Road/ A473 Church Village Bypass*

The results of the assessment showed that there is sufficient capacity at each junction in the 2022 Design Year + with Development Flow scenarios to accommodate the original (12/1313/10) proposal. The Transport Assessment Addendum Note submitted in support of the current application states that the additional vehicle movements associated with an additional 22 dwellings will have a negligible effect on the capacity at these junctions and on the maximum Ratio of Flow to Capacity at the site access junction.

However, there is concern that the proposal will have a detrimental impact on highway safety along the B4595 where the Council is currently considering traffic management to maintain lower vehicles speed and improve highway safety. Therefore, it is on this basis that a financial contribution of £12,000 from the developer is required for a Traffic Management Feasibility Study."

With regards to the internal road layout the principle of the layout and provision indicated of the primary, secondary, tertiary and shared surface roads is deemed acceptable in principle subject to detailed design and layout. Concerns are raised in relation to the lack of deliniation and limited turning facilities. As a result the Transportation Section have advised that the design and construction of the private shared accesses would not be to adoptable standard and these accesses will remain private in perpetuity.

With regards to parking the following comments have been provided:

"Although there is a concern that a reduced level of parking is provided, this on its own does not warrant a highway objection to the proposal. Considering that the proposal incorporated future public transport and is within walking distance to existing public transport and local amenities, on balance, the proposal is considered acceptable."

In conclusion the Highways Officer advises:

"The increase in the number of residential units by 45 from the previous approval has a negligible impact on the local highway network capacity. However, it will exacerbate highway safety along the B4595 due to higher speeds along this road. The Council is considering a traffic management feasibility study with a view to reduce vehicles speeds and therefore, a financial contribution of £12,000 would be required to mitigate the impact of this development. Furthermore in line with the SPG a Transport Tariff contribution of £501,584 would be required to mitigate the impact of the proposed development on the strategic highway network.

The proposal provides for satisfactory access and circulation. The parking provided is less than the maximum required in accordance with the Council's adopted SPG. However considering that the site has public transport provision and is within walking distance to existing public transport facilities, on balance it is considered that the proposal is acceptable subject to conditions."

Whilst the objectors have requested enhanced traffic assessment of the wider network area, no concerns with regards to the details submitted have been raised by Transportation Section. In respect of whether there is a need for a Transport Assessment covering the whole of the Bypass route and a complete review of the transport network, the capacity of the highway network, including the Bypass, was considered when sites were allocated during the production of the Local Development Plan. Therefore, it is considered that no further assessment should be requested in this respect.

Although the Highways Department have requested a £12,000 contribution towards a traffic management feasibility study and a Transport Tariff contribution of £501,584 to mitigate the impact of the proposed development on the strategic highway network, these requests have been superseded by the implementation of the Community Infrastructure Levy and will not be taken forward as part of the Section 106 agreement for the site.

On the basis of the above, subject to conditions it is considered that the development proposed would not have a significantly detrimental impact on the highway safety or free flow of traffic and the application is considered compliant with the requirements of the relevant policies of the Rhondda Cynon Taff Local Development Plan.

Impact on Neighbour Amenity

It is considered the development is acceptable in terms of its impact on existing neighbours, with distances between the rear of existing houses and the proposed houses being sufficient not to unacceptably impact on privacy, light or be significantly overbearing.

It is acknowledged that most of the existing properties within The Ridings do adjoin the development site as gardens have been extended through purchase of the

former railway route. The proposed site layout plan indicates that the dwellings along the northern boundary of the site would predominantly be two storey in design and would be 'back to back' with the dwellings in The Ridings. A minimum garden length of 9m would be maintained between the proposed dwellings and the boundary of the site, with a minimum distance of 29m being maintained between the elevations of the existing and proposed dwellings. Whilst the topography of the site does undulate it is considered that the layout proposed and distances maintained would prevent the proposal from having a significantly detrimental impact on the residential amenity of those living closest to the site as a result of increased overlooking, loss of privacy, loss of light or overshadowing.

In respect of the concerns regarding the height of proposed dwellings and ground level of the houses to the rear of The Ridings, being mindful of the distances to be maintained between the proposed dwellings and existing houses in The Ridings it is not anticipated that ground levels will cause a significant issue in terms of neighbour amenity.

In respect of landscaping, the current layout offers little opportunity for a landscape buffer between the new houses and The Ridings. While it is acknowledged that the site will significantly alter the outlook of residents within The Ridings, it is considered the distances between new and proposed houses are sufficient to prevent unacceptable impacts on neighbours without such planting.

The use of the site for residential purposes in comparison to the existing fields, will obviously generate some increased level of noise disruption and disturbance not currently experienced by existing residents. However, notwithstanding the construction phase, it is considered that such increased disruption would not be so significant to warrant refusal of the application.

On the basis of the above, whilst the development proposed would significantly alter the outlook of residents within The Ridings, it is considered that the layout and house types proposed, in association with the distance maintained would not have a significantly detrimental impact on the residential amenity of those living closest to the site. In light of the above the application is considered compliant with the relevant policies of the Rhondda Cynon Taff Local Development Plan.

Housing Numbers

This site and the land to the north west are allocated for 500 houses in total by policy SSA 10.18 of the Local Development Plan. However, due to the constraints on the site, mainly the power lines and the trees surrounding and on the site, it is estimated that the whole allocated site will yield 480 dwellings.

Policy SSA 11 requires a minimum density of 35 dwellings per hectare unless it can be demonstrated that a reduction in density can be justified. The number of dwellings proposed on the application site is 213, and the area of the application site

is 6.07 ha, which provides an overall density of 35 dwellings per hectare. As such the application is considered compliant with the requirements of the policy SSA11 of the Rhondda Cynon Taff Local Development Plan.

Site Layout and Design

The layout and design proposed has been the subject of negotiations between the Council's Urban Designer and the applicants and is now considered acceptable. The key changes to the proposed layout in respect of Urban Design are detailed below.

The general aspects of the layout are similar to the approved scheme in Urban Design terms and reflects the principles set out in the Design Brief, in particular in terms of retaining a sense of legibility through the route of the mains and secondary streets, retaining the tree belt, the Public Right of Way as a green corridor and maintaining a sense of permeability through the layout of other residential streets. The layout retains a similar sense of connection to the neighbouring residential areas to the north and to the Church Village community route to the south, and retains future connection to the remaining allocated land to the west.

In a number of instances, buildings on corners have been rearranged or altered to avoid the dominance of blank gable walls in prominent or highly visible locations. This has included inserting gable windows into some buildings to ensure that buildings turn corners well and provide a sense of natural surveillance over surrounding streets. In some cases, houses have been reoriented or the house type changed in order to ensure that long vistas are closed in an appropriate manner.

The street hierarchy and design of streets has been refined to create a balance between highway movement and place creation.

As part of the original application the Parks Section indicated that they were satisfied with the play space proposed although the amount of equipped play space proposed fell short of the standard set out in the Planning Obligations SPG. The SPG requires that the site should provide 2,247.5 square metres of equipped play space, but the LEAP is approximately 1,226 square metres of such space.

No new or additional areas of formal play space are proposed as part of the current application. Given the above, the amount of informal open space on the site, including the pathway along the power line corridor and alongside the Public Right Way, and access to the open space within the adjacent SINC from the site, the amount of equipped play space provided is considered acceptable. In addition, it is noted there is a children's play facility in close proximity in The Ridings.

At this time no comments have been received from the Parks Sections with regards to the new application. Any update or observations will be provided orally.

Impact on Trees and Ecology

Within the boundary of the Local Development Plan residential allocation there is a large Site of Importance for Nature Conservation (SINC). The intention for this SINC has always been to protect it and it was specifically included in the allocation boundary to allow for its effective management and enhancement as part of the residential development. This is recommended to be secured via a Section 106 Agreement.

In order to facilitate the development including the provision of the access point to Area 1 and the principle highway network beyond, the applicants propose to develop designated SINC land within the site boundary, as described above.

As part of the 2012 application the Council's Ecologist agreed to allow these areas to be developed subject to the appropriate mitigation being secured, however it is recognised that in line with policy AW8 of the Local Development Plan, this loss of SINC requires robust mitigation to off-set drainage impacts, tree and hedgerow loss, light pollution, physical disturbance and the urban edge impacts which will be associated with the proposed development. Whilst the current application does not propose to include any more of the SINC than that indicated as part of the 2012 application, being mindful that the granting of this development would approve a new independent consent, securing the management of the rest of the SINC and mitigation for the SINC land lost and associated impacts of development is of vital importance if the planning application is to satisfy policy AW8. It is proposed the mechanism for management will be addressed via the Section 106 Agreement. The Council's Countryside Section is keen to ensure that the establishment and management of all parts of the SINC are delivered to a recognised and appropriate standard which can illustrate through Local Development Plan monitoring that the SINC and other features have not deteriorated through the granting of planning permission, the Maintenance Companies employed are of a competence and capability to undertake the different management functions, that sufficient funding is available, and that if works are not satisfactory, the Council is able to ensure compliance with the S106 agreement. As recognition of their ecological, landscape and amenity importance, the SINC and compensation area are proposed to become a Nature Reserve. Because these details have not yet been established or agreed as part of the current or previous consent, these matters will be addressed via clauses in the section 106 Agreement. There is therefore a very important requirement for robust and controllable mechanisms to be delivered through the S106 negotiating process.

As specified above, there are numerous trees and hedgerows across the site. These are distinctive elements of the site and form the traditional field boundaries, which play an important role in the wider landscape. These trees and hedgerow are not subject to any Tree Preservation Orders (TPOs), however, they are considered to be ecologically important and form important landscape features. Their protection, where practically possible, is considered to be a key element of the design and layout of the proposed development.

Although it is accepted that trees will be lost, negotiations have taken place with the applicants to ensure that as many trees as possible are retained. However, Countryside Section have raised concerns that more mature trees are likely to be lost than shown when the scheme is built and as such have requested conditions with regards to landscaping, tree management and protection measures at the site. It is considered that these conditions, in association with ecological management plan will provide some mitigation against further tree loss than is shown by the plans and allow for additional vegetation planting.

While such potential tree loss is regrettable, it is considered this should be weighed against the allocation for residential development in the Local Development Plan and that due to site constraints the number of houses delivered on the allocated site is already likely to be marginally less than the site is allocated for in the Local Development Plan. Therefore, on balance, the risk of this additional tree loss is accepted, and conditions will be used to try and mitigate this as far as is possible.

Concerns are also raised by the Countryside Section regarding the landscaping plan, but it is considered these can be addressed through conditions.

In respect of bat survey work, the applicants have stated that all trees within the survey boundary were subject to ground-based bat inspections, including all trees identified as being retained. This is considered satisfactory.

Following consultation the Council's Ecologist is of the view that sufficient ecological survey work has been done. A condition is recommended for the protection of wildlife during construction will require a method statement to be submitted in respect of working practices to ensure the protection of any protected species should they be found on site, including dormice.

It is noted that Natural Resources Wales have requested a condition for the provision of compensatory habitat given that the development does encroach on to the designated Tonteg Marsh SINC. However, being mindful of the extent of the encroachment, it is considered that this matter is most appropriately dealt with through the Ecological Management Plan recommended as part of the Section 106 Agreement.

Provision of Suitable Drainage Arrangements

The proposed development area is largely set on higher ground relative to the SINC and as such will have an impact on the hydrology of the SINC. Following negotiations with the Council's Drainage Engineers, as part of the original 2012 application, drainage proposals were put forward to try and replicate as far as possible the existing pattern of water discharging into the SINC. As part of the current application, the Council's Drainage Team have raised no objection to the application subject to the imposition of conditions.

Part of the LDP residential allocation falls within the C2 flood risk zone, although this is within the area of SINC land and does not include the land proposed for development. Land Reclamation and Engineering have not objected in respect of flood risk more generally on the site subject to conditions being imposed, which have been recommended below.

In respect of the potential impact on the hydrology of the SINC, Countryside have raised concerns that the level of information submitted in respect of drainage is not enough to understand how the drainage will function, particularly in respect of its impact on the SINC. The concerns relate to:

- The construction and maintenance of drainage features;
- That the drainage features may lead to further loss of trees;
- Being unsure of how successful the drainage solutions will prove in mimicking the existing hydrological conditions of the SINC, resulting in a need for strict conditioning and long- term provision for after care in the S106 Management Plan.

It is therefore suggested that conditions and a Management Plan be imposed to address the above concerns.

OTHER ISSUES

Policy SSA5 in the Local Development Plan indicates new educational facilities will be provided on this site, i.e. a new primary school. However, this is based on the provision of 500 houses on the whole of the allocated site. Due to site constraints, it is unlikely that these two principal sites and the land to the north west, which is also allocated for housing in the Local Development Plan, would provide enough units to justify requesting the provision of a school on the site.

Following consultation the Education Department have provided the following information:

“The land available for development appears to be substantial, and the new development could very well increase in size in the future. The need for a new school will only become necessary if the adjacent land is developed as well. A new school for a development under 500 houses in total would not be financially or educationally viable.

This is an area where both English and Welsh Medium school places are at a premium and where additional school places would have to be provided to cater for a development of this site. There is no requirement to provide any Secondary School places.

A cumulative provision of 321 houses would potentially generate 103 children of Primary age. This figure will reduce if any of the properties are 1 bed. Using the

calculation in the SPG, the S106 requirement for this site is £1,262,471 (103 x £12,257). This money would be used to construct an extension to an existing school in the catchment area and to remodel existing provision to create additional teaching accommodation.”

Whilst the development of the land to the north-west of the current site could take the site as a whole very close to its allocation figure (the developer has previously inferred that the remaining land could accommodate 159 units, yielding a total of 480), at this time and as specified above the Council's Education Section have advised the provision of a new school is not justified in this case, and an appropriate financial contribution will allow for the educational need arising from the proposal to be met. However, as in the case of the Transport Tariff and contributions towards off site traffic management studies, the request for a financial contribution towards education provision has been superseded by the implementation of the Community Infrastructure Levy and will not be taken forward as part of the Section 106 agreement for the site.

Due to there being a policy in the Local Development Plan for the provision of a school on the site, the application is considered a departure to the Development Plan as one is not being provided, even though this is not requested by Education. However, following discussions with representatives in the Welsh Government, it has been confirmed that as the whole site was previously considered as part of application 12/1313/10, there is no need to resubmit the current application for consideration.

There are overhead power lines and associated pylons running across the site, and a 20 metre buffer zone has been allowed for in the layout. Although Western Power Distribution have not responded to the current application at the time of the 2012 application they indicated that the layout proposed was acceptable. Being mindful that the layout plan proposed broadly reflects that of the approved scheme it is considered unlikely that Western Power Distribution will raise an objection to the application. Moving the power lines away from the application site was considered, as part of the original application but discounted due to the likelihood that they would have to be diverted via the SINC, which would not be considered acceptable on ecological grounds.

In respect of the visual impact of the development, the Landscape and Visual Impact Assessment compiled for the original 2012 application concluded that there would be significant impacts from some public viewpoints, including Dryscoed, Efail Isaf; Heol y Parc, Efail Isaf; The Church Village Bypass Community Route; Station Road; and from the Public Right of Way within the site itself. It is considered that this is to be expected due to the changing character of the site from agricultural fields to a housing development. In respect of the closest of those viewpoints, i.e. Station Road and the Public Right of Way, it is considered that landscaping will reduce the visual impact as it matures. Although the current proposal involves an increased number of dwellings, the boundary of the site is the same as that approved for area 2

of application 12/1313 and as such it considered that the visual impact would be no greater than that associated with application 12/1313.

In respect of the concerns raised by the Council's Public Rights of Way Officer, a Diversion Order is required in the north of the site for the Public Right of Way as its route will be altered. An Extinguishment Order is required through the rest of the site as the Public Right of Way will effectively become part of the Highway. The Public Rights of Way Officer is concerned that if these orders are opposed it may be difficult to argue that they are necessary as the site could be designed around keeping the Public Right of Way on its existing route with a more "green" setting. However, this would potentially reduce the number of houses provided further which would be unacceptable in terms of meeting the Council's targets for provision of houses.

Given this, and that it is unknown if the orders will be opposed, it is considered that this matter can be dealt with at a later date by the separate procedures outlined above. It is noted that the Glamorgan Ramblers have not objected.

The Local Development Plan requires that all residential developments of 5 units and over in the Southern Strategy Area provide a minimum of 20% affordable housing units. The application proposes that 42 of the units in the development be will be affordable, which meets the requirement of the Plan. However, the Authority's Housing Officer and representative Housing Association raised concerns and objections with regards to the type and size of the properties proposed in association with the tenure mix, in comparison to those to dwellings provided as part of the scheme approved under application 12/1313/10. Following negotiations the Developer has replaced a number of the proposed affordable units with an alternative property type and revised the tenure mix proposed. This in turn has resulted in the Housing Officer and Housing Association removing their objection in part.

Following discussions the Housing Officer has provided the following information:

"The new Local Housing Market Assessment 2014/15 - 2019/20 which analysed the incomes and house prices to determine affordability in the area specifies:

"a large proportion of households would need a 60% of market value Low Cost Home Ownership (LCHO) product. It is thus recommended that, depending on sale price, any LCHO products secured in South Taf be made available from 60% of market value to ensure the product remains affordable to the client group."

I do have some concerns with regards to the price points associated with this development. The three bed properties proposed for affordable housing as part of this development would be in the region of £120,000 even after the 30% discount. This would price a large proportion of our client group out of the market. Having a number of LCHO properties with a 60:40 equity split would enhance the range of

affordable options on-site and allow us to allocate the less expensive properties to those on the margins".

As part of the original application and Section 106 for the site, the Authority agreed an ownership equity split of 70:30 on the LCHO properties. However, in light of the evidence provided as part of the recently approved Local Housing Market Assessment report it is considered necessary to request a 60:40 split in order to make the units affordable and policy compliant. For reference and comparative purposes a number of 2 bedroom LCHO properties were recently secured on a development in Church Village with a equity split of 65:35. It is considered reasonable that the larger and more expensive properties proposed as part of this application be secured with a 60:40 equity split.

Turning to other concerns raised by neighbours not addressed above, it is considered concerns regarding the impact of construction on neighbours can be addressed through conditions. Public Health and Protection have recommended that a Remedial Method Statement be sought via condition to provide for the removal of the old coal gas main.

It is acknowledged there have been some inaccuracies in the submitted documents, but these have been assessed by the relevant officers who will have highlighted where errors are considered to be pertinent to the decision on the submitted scheme.

COMMUNITY INFRASTRUCTURE LEVY (CIL) LIABILITY

The Community Infrastructure Levy (CIL) was introduced in Rhondda Cynon Taf from 31 December 2014.

The application is for development of a kind that is liable for a charge under the CIL Regulations 2010 as amended. The application lies within Zone 3 of Rhondda Cynon Taf's Residential Charging Zones, where there is a liability of £85 / sqm for residential development (including extensions to dwellings over 100 sqm).

The CIL charge (including indexation) for this development is expected to be £1,637,817.84. However, social housing relief may be claimed on the social housing element of the development.

PLANNING OBLIGATIONS

Irrespective of the CIL liability referred to above, 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, on site, 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:

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

In this case the developer will be required to enter into a Section 106 agreement to

1. Provide an ecological management plan to ensure appropriate long term management of the Tonteg Marsh Site of Importance for Nature Conservation and the provision of compensatory habitat, the details of which shall be submitted to and approved in writing by the Local Planning Authority; and
2. To secure the provision of 42 affordable houses on-site in accordance with the agreed schedule.

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

CONCLUSION

In conclusion the development of this site for a residential scheme is considered acceptable. The site is allocated in the Local Development Plan, is within the settlement boundary and will contribute to the Council's overall housing provision. It is considered that the other matters above have been addressed to a satisfactory extent for approval to be recommended.

On the basis of the above the application is recommended for approval. Therefore planning permission is recommended.

RECOMMENDATION: Approve subject to:

- 1. The Section 106 Agreement as detailed above; and**
- 2. The conditions below**

RECOMMENDATION: Grant

1. The development hereby permitted shall be begun before the expiration of

five years from the date of this permission.

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

2. The development hereby approved shall be carried out in accordance with the following plans(s):

- Site location plan drawing number: SL-01.
- Site layout plan drawing number: SP-01 Rev H.
- Street scene plan drawing number: SS-01 Rev A.
- The one bed flat (2.1.1) drawing number: 2.1.1-WD10.
- The two bed house (4.2.1) drawing number: 421DQR-WD10.
- The two bed house (Clwyd) drawing number: 2BH-WD10 Rev A.
- The Ainwick house type drawing numbers: AN-WD10 Rev C and AN-WD11 Rev C.
- The Chedworth house type drawing numbers: CD-WD10 Rev L and CD-WD12 Rev L.
- The Clayton house type drawing numbers: CA-WD10 Rev B; CA-WD16 Rev B; CA-WD15 Rev B and CA-WD11 Rev B.
- The Clayton Corner house type drawing numbers: CCA-WD10 Rev E; CCA-WD16 Rev E; CCA-WD13 Rev E; and CCA-WD14 Rev F.
- The Clayton V1 Stone house type drawing: CA-WD14 Rev B.
- The Hanbury house type drawing numbers: HB-WD10 Rev M; HB-WD15 Rev M; HB-WD11 Rev M and HB-WD12 Rev M.
- The Hatfield house type drawing numbers: HT-WD10 Rev K; HT-WD15 Rev K; HT-WD11 Rev K; and HT-WD12 Rev K.
- The Hatfield V1 house type drawing number HTV1-WD10 Rev K; HTV1-WD16 Rev K; HTV1-WD15 Rev K; and HTV1-WD13 Rev K
- The Leicester house type drawing numbers: LR-WD10 Rev A; LR-WD15 Rev A; LR-WD11 Rev A; and LR-WD12 Rev A.
- The Longthorpe house type drawing number: LG-WD10.
- The Rufford house type drawing numbers: RF-WD10 Rev M; and RD-WD11 Rev M.
- The Souter house type drawing numbers: SU-WD10 Rev M; SU-WD15 Rev M; SU-WD12 Rev M; and SU-WD14 Rev M.
- The single garage –SG-Go1 drawing number: RSG-GO1.
- The double garage/ semi-DG-G02- shared owners drawing number: RSG-G02.
- The 700mm /900mm/1100mm Ball Top Railings drawing number: D06 Rev A.
- The 1.8m close board fences and gate drawing numbers: D02 Rev A; D17 Rev A; D24 Rev A and D07.
- The Retaining Walls with Railings drawing number: D28
- The 1.2m Timber post and two rail fence drawing number: D32.

- The 0.9m timber post and 2 wire fence drawing number: D12 Rev A
- The 0.45/0.6m Timber Knee Rail drawing number: D13.

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

3. Notwithstanding the submitted details, no development shall take place until a landscaping scheme and management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme and management plan shall be carried out as approved and any subsequent variations shall be approved in writing by the Local Planning Authority. The scheme and management plan shall include the following elements:

- A review of the plans landscape and ecological potential and constraints;
- Species composition;
- 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 (employing BS: 5837 'Trees in Relation to Construction');
- Pre-construction tree and hedgerow works;
- Detail, extent and type of new planting;
- Method statements for site preparation and establishment of target habitat features;
- Techniques and methods of vegetation establishment;
- Personnel responsible for the work;
- Timing of the works;
- Disposal of waste arising from the works;
- Details of maintenance and monitoring regimes;
- Details of any new habitat created on site;
- Details of treatment of site boundaries and/ or buffers around water bodies;
- Details of management responsibilities and provision of appropriate funding.

Reason: To ensure that the new development will be visually attractive in the interests of amenity, to ensure the protection of wildlife and the habitat which supports it and secure opportunities for the enhancement of the nature conservation value of the site, in accordance with policies AW5, AW6 and AW8 of the Rhondda Cynon Taf Local Development Plan.

4. All planting, seeding or turfing in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building(s) or completion of the development, whichever

is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

5. Prior to their use on site, details of the surfacing material proposed to be used on any roadway, footpath, car park, lay-by, play areas or other paved or metalled areas shall be submitted to and approved, in writing, by the Local Planning Authority and the part of the development served by that area shall not be occupied until the works have been completed in accordance with the approved details.

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

6. No development shall take place until a Wildlife Protection Plan for Construction has been submitted to and approved in writing by the local planning authority. The plan shall include:
 - a. An appropriate scale plan showing 'Wildlife Protection Zones' where construction activities are restricted and where protective measures will be installed or implemented;
 - b. Details of protective measures (both physical measures and sensitive working practices) to avoid impacts during construction;
 - c. A timetable to show phasing of construction activities to avoid where possible periods of the year when sensitive wildlife could be harmed (such as nesting bird season, hibernating and breeding amphibians and reptiles etc), along with measures to avoid impacts where this is not possible;
 - d. Details of specific species and habitat mitigation measures (including nesting birds, reptiles and amphibians);
 - e. Persons responsible for:
 - i) Compliance with legal consents relating to nature conservation;
 - ii) Compliance with planning conditions relating to nature conservation;
 - iii) Installation of physical protection measures during construction;
 - iv) Implementation of sensitive working practices during construction;
 - v) Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction;
 - vi) Specific Species and Habitat Mitigation Measures;

- vii) Provision of training and information about the importance of the 'Wildlife Protection Zones' to all construction personnel on site.

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

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

- 7. No development shall take place until a detailed method statement for removing or the long-term management / control of Himalayan Balsam on the site has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include proposed measures to prevent the spread of Himalayan Balsam during any operations such as mowing, strimming, or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds/ root/ stem of any invasive plant covered under the Wildlife and Countryside Act 1981. Development shall proceed in accordance with the approved method statement.

Reason: To prevent the spread of Himalayan Balsam and avoid harm occurring to the environment, in accordance with policies AW8 and AW10 of the Rhondda Cynon Taf Local Development Plan.

- 8. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund. The above details shall be complied with, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent pollution of the water environment, in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

- 9. 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.

10. No development shall commence until a method statement addressing how noise and dust will be minimised on site during construction has been submitted to and approved in writing by the Local Planning Authority. This shall include a programme for construction and the name of the person who will be responsible for dealing with environmental issues. The development shall be carried out in accordance with the approved details.

Reason: To minimise the impact of construction on local residents, in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

11. Notwithstanding the submitted details, the development hereby permitted shall not begin until a scheme to deal with contamination has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include all of the following measures unless otherwise agreed in writing by the Local Planning Authority:

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

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

12. No dwelling, hereby permitted, shall be occupied until the measures approved in the scheme (referred to in Condition 11) for the relevant area of

development 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.

13. 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.

14. No development shall commence until all relevant matters outlined on the Planning Requirements Relating to Flood Risk Management have submitted to and approved in writing by the Local Planning Authority. Specifically the details will include the requirement for surface water regimes to mirror pre-development water quality and greenfield conditions, at the previously agreed storm durations. The details shall indicate how the development is to comply with the requirements of Section 8.3 of Technical Advice Note 15.

Reason: To ensure that drainage from the proposed development does not cause or exacerbate any adverse condition on the development site and maintain representative flows to the SINC. The storm periods previously agreed are QBAR, Q5, Q10, Q30, Q50 and Q100 within 30% climate change for the assessment of the developed site.

15. No development shall commence until measures to control groundwater issues from retaining walls have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that groundwater issues associated with the retaining wall cut features do not cause or exacerbate any adverse condition on the development site, adjoining properties, environment and existing infrastructure with regard to flood risk.

16. No development shall commence until the Planning Authority has received and approved in writing a Hydrological Impact Assessment including

proposed mitigation, design details and a development programme 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.

17. No dwelling shall be occupied until the drainage works relating to that dwelling 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.

18. No development shall commence until an approved method statement for excavation, installation and restoration of drain runs through the Site of Importance for Nature Conservation has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason: To minimise adverse impacts to the Site of Importance for Nature Conservation, ensure sympathetic working practices, restoration and monitoring of the site, in accordance with policy AW8 of the Rhondda Cynon Taf Local Development Plan.

19. Prior to the commencement of development details of the construction and surfacing of the shared footway and cycleway along the route of the existing Public Right of Way crossing the site and that passing between numbers 33 and 52 The Ridings and a timetable for carrying out and completing such works, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the construction is satisfactory to serve this purpose, in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

20. Notwithstanding the submitted plans, infrastructure work shall not commence until full engineering design and details of the internal road layout including sections, street lighting, surface water drainage, highway structures, traffic management measures including junction plateaus,

turning facilities, shared pedestrian cycle facilities, public transport infrastructure, footways, link footpaths, hard margin strips and associated works 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 the safety of all highway users, in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

21. Notwithstanding the submitted plans, the private shared accesses including turning facilities shall be laid out, constructed and drained in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site. The development shall be undertaken in accordance with the approved details.

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

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

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

23. 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,
- loading and unloading of plant and materials,
- storage of plant and materials used in constructing the development,
- wheel cleansing facilities,
- 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, in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

24. 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.

25. No works shall commence on site until a geotechnical report incorporating any mitigation measures required to be deal with ground conditions, mine workings and mine shafts have been submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the approved details prior to any building works commencing on site.

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

26. Notwithstanding the submitted details, prior to any dwelling or garage hereby approved being construction, samples of all the external finishing materials, including colour, to be used on houses and garages shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

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

27. Notwithstanding the details of the approved plans, details of the boundary finishes of plots 186 and 199 shall be submitted to and approved in writing. The boundaries shall be completed in accordance with the approved details prior to the occupation of the relevant dwellings and shall be maintained as such thereafter.

Reason: In the interests of the residential amenity of the dwellings.

28. Notwithstanding the submitted details, no development shall take place until a plan showing retained trees has been submitted to and approved in writing by the Local Planning Authority. This plan shall form part of a Tree Management Plan in which provision for protection of retained trees during construction (to accord with BS 5837: Trees in Relation to Construction) and agreed tree works (to accord with BS 3998: Tree Works) is provided and details of the personnel responsible for the provision of such measures are identified and agreed. All construction activities shall be implemented with the approved details and timing of the plan unless otherwise approved in writing by the Local Planning Authority'.

Reason: To ensure that the new development will be visually attractive in the interests of amenity, to ensure the protection of wildlife and the habitat which supports it and secure opportunities for the enhancement of the

nature conservation value of the site, in accordance with policies AW5, AW6 and AW8 of the Rhondda Cynon Taf Local Development Plan.

29. No development shall take place until details of a Construction Environmental Management Plan (in conjunction with Condition 23) have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved plan.

Reason: To ensure the protection of wildlife and the habitat which supports it and secure opportunities for the enhancement of the nature conservation value of the site, in accordance with policy AW8 of the Rhondda Cynon Taf Local Development Plan.

30. No development shall take place until details of site lighting mitigation to minimise light fall impacts on adjacent SINC habitat and flight lines/foraging areas, have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason: To ensure the protection of wildlife and the habitat which supports it and secure opportunities for the enhancement of the nature conservation value of the site, in accordance with policy AW8 of the Rhondda Cynon Taf Local Development Plan.

31. Development shall not commence until a scheme for providing bat roosting features is submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in accordance with the approved details.

Reason: To secure opportunities for the enhancement of the nature conservation value of the site, in accordance with policy AW8 of the Rhondda Cynon Taf Local Development Plan.

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APPLICATION NO: 14/1265/10 (GD)
APPLICANT: Edwards Investments
DEVELOPMENT: Retention and sub-division of ground floor retail units with new shop fronts and the conversion of the upper two floors into residential accommodation for 11 flats with associated works
LOCATION: 56-58 TAFF STREET, PONTYPRIDD, CF37 4TD
DATE REGISTERED: 08/10/2014
ELECTORAL DIVISION: Town (Pontypridd)

RECOMMENDATION: Approve

REASONS:

The principle of the proposed development is considered acceptable in planning policy terms and the proposal represents an opportunity to bring unused floorspace back into beneficial use adding to the vibrancy of Pontypridd town centre.

APPLICATION DETAILS

This is a full planning application that aims to fully renovate the retail premises located at 56 – 58 Taff Street Pontypridd. The intention of the current proposal is to revitalise the building and introduce new residential uses into the currently unused first and second floors.

The basement level at the rear of the building will be refurbished to provide shop storage, refuse bin storage, toilet and utility areas along with a bicycle storage room to serve the proposed residents of the flats.

The proposed ground floor will be renovated to provide two distinct shop units accessed from the Taff Street frontage, (previously the shops were linked). This element of the proposed development will represent the greatest change to the appearance of the new development with the removal of the existing shop fronts and their replacement with new. The new shop fronts will be fully glazed with centrally located double door entrances. The northern corner of the Taff Street frontage will also provide the principal access to the 11 flats to be created above the shops.

The first and second floors will be renovated to provide a total of 11no. Flats comprising –

- 1no. three bedroom unit.
- 4no. two bedroom units, and
- 6no one bedroom units.

All of the flats will be accessed through the Taff Street entrance up to first floor level. At first floor level access to the flats at that level will be via a walkway that will be created around the centrally located light well of the building, this pattern of access is repeated at second floor level.

Externally, the brick and stonework of the existing building will be repaired or replaced as necessary and this approach to renovation will also be applied to the windows roof and rainwater goods. The bay windows above the shopfronts will be

retained and/or replaced and all other windows of the key front and rear elevations will be replaced in sliding sash Douglas Fir.

The application is accompanied by the following:

- Design and Access Statement.

SITE APPRAISAL

The application property is located towards the northern end of Taff Street on its eastern side. The principal frontage of the property is on to Taff Street while the rear of the building faces the Gas Road car park, River Taff and Ynysangharad park. The property is a substantial building and presents a dominant appearance on this part of Taff Street, it is three storey with prominent bay windows on its front elevation and four storeys at its rear. Above ground floor level the building has a centrally located light well which draws natural light down into the centre of the building. The building is built in stone with some brick detailing and has a slate roof. The retail units at ground floor are vacant and the upper floors and basement are unoccupied. Generally the building presents a shabby and run down appearance on its principal elevations with windows often broken or missing and masonry and the roof clearly in need of repair. The building also demonstrates dilapidation internally with clear evidence of water penetration, infestation and rot.

In terms of the wider locality the property is situated within the principal shopping area of the town and it also lies within the town centre conservation area and is opposite Ynysangharad park which is on the CADW/ICOMOS register of historic parks gardens and landscapes in Wales.

PLANNING HISTORY

14/0922	Retention of ground floor retail units and new shop front, and the conversion of the two upper floors of the building to new student accommodation and associated works	Withdrawn 19/09/14
12/1278	Internal and external alterations to create a single A1 retail unit	Approved 07/02/13
97/2910	New shop front	Approved 15/12/97
97/2909	Change of shop front	Withdrawn 10/12/97
56/79/0596	Fire escape	Approved 05/06/79

PUBLICITY

The planning application has been advertised by means of press notice, site notices and neighbour notification letters and no objections or comments have been received as a result of the publicity exercise.

CONSULTATION

Highways & Transportation – no objections.

Public Health & Protection – no objections subject to conditions.

Natural Resources Wales – comment at length in respect of flooding and protected species issues and raise no objection to the proposals subject to appropriate conditioning.

Dwr Cymru Welsh Water – no objections subject to conditions.

Countryside Section – advise that there are no records of statutory protected species in the immediate vicinity of the site. Some concern was initially expressed regarding bats but this has been resolved.

Conservation Officer – the proposed shop front is an innovative use of a striking material in a high quality contemporary design. A design that is of benefit to the wider conservation area whilst respecting the rhythm and arrangement of the original architecture. No objections subject to conditions.

Housing Strategy – no objections subject to the applicants making an appropriate contribution towards the provision of affordable housing.

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 CS5 - sets an expectation for the provision of affordable housing.

Policy AW1 – sets a target for the provision of new housing including amongst other things, through the conversion of suitable existing buildings.

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

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

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

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

Policy SSA1 – offers support for proposals that reinforce the role of Pontypridd as a principal town.

Policy SSA12 – advocates the provision of 20% affordable housing.

Policy SSA17 – promotes retail development and improvements within principal towns in the southern strategy area

National Guidance

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

Planning Policy Wales

The Welsh Government's policy on planning issues relevant to the determination of the application is set out as follows:-

Chapter 2 (Development Plans)

Paragraph 2.1.2 states that the determination of planning applications must be made in accordance with the development plan unless material considerations indicate otherwise.

Chapter 3 (Making and Enforcing Planning Decisions),

Paragraph 3.1.2. In line with the principles of sustainable development planning decisions should be made in accordance with the policies of the local development plan unless material circumstances dictate otherwise

Paragraph 3.1.5. Local Planning Authorities should have good reason if it approves a development which is a departure from the approved or adopted development plan.

Chapter 4 (Planning for Sustainability),

Paragraph 4.11.2. States that good design can protect and enhance environmental quality, consider the impact of climate change on generations to come, help attract business and investment, promote social inclusion and improve the quality of life.

Chapter 6 (Conserving the Historic Environment),

Paragraph 6.5.17. States that should any proposed development conflict with the objective of preserving or enhancing the character and appearance of a conservation

area, or its setting, there will be a strong presumption against the grant of planning permission.

Paragraph 6.5.18. The general presumption should be in favour of retaining buildings that make a positive contribution to the character and appearance of conservation areas.

Chapter 7 (Economic Development),

Paragraph 7.1.2. states that it is essential that the planning system considers, and makes provision for the entire economy.

Paragraph 7.1.3. states that the planning system should support economic and employment growth alongside social and environmental considerations within the context of sustainable development.

Paragraph 7.6.3 states that employment and residential uses can be compatible and local planning authorities should have regard to the proximity and compatibility of proposed residential development adjacent to industrial and commercial uses to ensure that both amenity and economic development opportunities are not compromised.

Chapter 8 (Transport),

Paragraph 8.7.1. 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 transport modes
- The willingness of developers to promote modes of transport other than the private car.
- The environmental impact of both transport infrastructure and the traffic generated
- 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 9.2.14 and TAN2 state that a community's need for affordable housing is a material consideration.

Paragraph 9.3.1 states that new housing developments should be well integrated and connected to the existing pattern of settlements.

Paragraphs 9.3.3 & 9.3.4 state that residential developments, including conversions and adaptations, should not be allowed to damage an area's character or amenity.

Chapter 10 (Planning for Retail and Town Centres),

Paragraph 10.1.1. Indicates that the Welsh Governments objectives for retailing and town centres are to –

- Secure accessible, efficient, competitive and innovative retail provision for all the communities of Wales in both urban and rural areas;
- Promote established town, district, local and village centres as the most appropriate locations for retailing, leisure and other complimentary functions.
- Enhance the vitality attractiveness and viability of town, district local and village centres ; and to
- Promote access to these centres by public transport walking and cycling.

Paragraph 10.3.5. To maximise the opportunities for new development in centres, developers and retailers will need to be more flexible and innovative about the format design and scale of new development and the amount of car parking, tailoring these to meet local circumstances.

Other relevant policy guidance consulted:

PPW Technical Advice Note 2: Planning and Affordable Housing;

PPW Technical Advice Note 4: Retailing and Town Centres;

PPW Technical Advice Note 12: Design;

PPW Technical Advice Note 15: Development and Flood Risk;

PPW Technical Advice Note 18: Transport;

PPW Technical Advice Note 23: Economic Development Manual for Streets

REASONS FOR REACHING THE RECOMMENDATION

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

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

In this instance the application relates to a property that lies within defined settlement limits and is also locked within the retail centre of Pontypridd and the Town Centre Conservation Area. As such the key determinants in the case are considered to be

the principle of the proposed development, the impact of the proposal on the character and appearance of the area, the impacts on amenity, access and highway safety and flooding. These issues are addressed in turn below.

Principle of the proposed development

The nature and location of the proposed development means that it is affected by several layers of planning policy that relate to retailing, town centre vitality and conservation. In this instance the proposed arrangement is such that the proposals satisfy the demands of planning policy. An active street front retailing presence is maintained with the refurbishment of the retail units at ground level on Taff Street; the building will be renovated to a high standard in a manner that is sympathetic to its Conservation Area status and the introduction of flats on the upper floors will also help to maintain a round the clock presence in the town centre adding to its vibrancy and vitality. The net result of the proposed development in planning policy terms is that all key areas are satisfied by the current proposal.

Impact on the character and appearance of the area

The application property is a substantial and visually prominent building located on the eastern side of Taff Street towards its northern end and at the northern end of the conservation area. The building is now vacant with the last use of the retail units having ceased approximately two years ago. The upper floors have clearly been vacant for some time.

The submitted plans are clear that all of the works to take place will do so within the building itself or as renovation to the building envelope. The proposal will bring new shopfronts which will provide a more coherent appearance at Taff Street Level. Elsewhere the bay windows above the shopfronts will be renovated or if necessary replaced on a like for like basis. All other windows on the front and rear elevations will be of sliding sash wood in Douglas Fir. The roof will also be repaired with an appropriate slate or slate substitute.

There is no doubt that the building as it is, has been underused in the past or that as it currently stands, its appearance is having a negative effect on the wider area. The current proposal takes a balanced restorative approach towards bringing the building back up to a standard that reflects the aspirations of the retail centre and conservation area in a manner that reflects the traditional character and appearance of the building and wider locality.

Consequently the proposed development is considered to make a positive contribution to the character and appearance of the locality and are considered compliant with the requirements of Local Development Plan policies AW5, AW6 and SSA 1 insofar as they relate to this issue.

Impact on residential amenity and privacy

As specified earlier the proposal relates to the refurbishment of the property with the Taff Street level remaining in retail use with flats created on the two floors above, the basement would be put to uses ancillary to these functions. The site is located within the shopping centre of Pontypridd and there is though the possibility that some of the buildings opposite on Taff Street being occupied, at least in part, for residential purposes. The potential consequence of allowing such an arrangement is that habitable rooms could have facing windows at a distance of as little as 11metres apart. However this is considered acceptable on the basis that this is a town centre where in practice lower levels of privacy for residential units should be expected and in any event the distances involved are similar to the arrangements in many of the residential streets around the town centre. Elsewhere full use is made of existing windows and none facilitate a level of overlooking that would generate any concern with the side elevations facing adjacent properties that are not in residential use and the rear overlooking the public car park with the park beyond the river.

In light of the fact that the current proposal does not involve the building of any new extensions it is considered that there would be no additional impact beyond what currently exists in the issues of overshadowing or loss of light.

Given the above, the proposals are considered satisfactory in the context of their impact on any residential property around the application site and therefore compliant with the requirements of Local Development Plan policies AW5 and AW6 insofar as they relate to this issue.

Access and highway safety

The building does not currently benefit from any car parking provision nor is there the capacity for it to provide any. However the Highways and transportation Section have provided the following comments in respect of this issue –

“In accordance with the Council’s SPG the parking requirement for the 12 self contained apartments is 12 spaces with none provided.

The existing parking requirement is 1 space per 40m² taking the total required up-to a maximum of 29 spaces for the three floors with none provided.

Therefore the current parking requirement is in excess of the proposed development. The proposal also provides for 8 cycle spaces which is in excess of the cycle parking standards as set out in the SPG and is therefore acceptable. It is on this basis as well as well as the sustainable location of the site that on balance the lack of off-street car parking provision is acceptable. “

The proposal does not raise any highway safety issues and access to the site is the shop units and flats is the best achievable given the constraints imposed by the split

level town centre site. In light of this the proposal is considered compliant with the requirements of Local Development Plan policies AW5, AW6, SSA 1 and SSA13.

Flooding

The application property occupies a split level site approximately 75m west of the River Taff. The property lies within zones B and C1 of the Natural Resources Wales flood advice maps. Natural resources Wales advise that the site benefits from flood defences and that access/egress to the property could be affected if the defences are overtopped. However, given that only the first and second floors would form residential accommodation and that the ground floor is raised well above the car parking area to the rear of the property, and with no increase in the overall footprint of the building it would be considered unreasonable to withhold consent on this basis

In light of the above the proposal is considered to comply with policies AW2 and AW10 of the Rhondda Cynon Taf Local Development Plan insofar as they relate to the issue of flooding.

Ecology

The site is located in the town centre of Pontypridd at a location that would not normally raise any issues of concern for ecology. However in this instance Members should first note that the River Taff Corridor is a well used foraging location for many species of bat and that the level of neglect that the building has been previously subject to concern that it might also provide roosting opportunities. This in turn has lead to a series of reports and surveys being undertaken to support the proposals. These have been the subject of consultation and discussion with the Council Ecologist and Natural Resources Wales who have both now concluded that subject to condition requiring the development to be undertaken in compliance with report findings that the proposed development is acceptable.

Viability

Initially the applicant was uncertain as to whether the scheme should remain a private development or if it would have been more appropriate to work with a registered social landlord. The applicants have since decided that they would prefer the development to remain private. The affordable housing officer has indicated that in the first instance on site provision of affordable housing would be preferable but has also indicated that a commuted sum equivalent to the value of onsite provision would also be acceptable to satisfy the requirements of policy SSA12. The applicant considers that it would not be appropriate to make any contribution towards affordable housing as the requirement would make the entire proposal unviable. To this end they have produced a viability report that demonstrates a level of acceptable profit in the site which can only be achieved if the entire development remains private. In addition they also point out that more recent assessment work has revealed the need for a new roof which will in itself require crane hire, that the

building will require a degree of stabilization and that dry rot is now a significant issue in the refurbishment of the building. They also point out that licensing for works in the town centre is also more expensive than elsewhere. In light of the additional detail provided by the applicants relating to the abnormal costs associated with the scheme, in this instance it is considered equitable to forego the requirement for any affordable housing provision.

The Section 106 requirements in this case

There are no Section 106 requirements in this particular case.

Community Infrastructure Levy

The Community Infrastructure Levy (CIL) was introduced in Rhondda Cynon Taf from 31 December 2014.

The application is for development of a kind that is liable for a charge under the CIL Regulations 2010 as amended. The application lies within Zone 2 of Rhondda Cynon Taff's Residential Charging Zones, where there is a liability of £40 / sqm for residential development.

However as in this case the floorspace is in lawful use the CIL charge (including indexation) for this development is £nil.

Conclusion

The application is considered to comply with the relevant policies of the Local Development Plan in respect of retail centres and conservation areas. Moreover the proposed development represents an opportunity to bring a near derelict building that is need of a considerable amount of work back into beneficial use not just by the provision of shops but also through the provision of new residential accommodation which will of itself bring greater vitality back into the town centre.

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 all external finish 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. 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.

4. The property shall be developed in accordance with the precautionary measures contained in Section 6.1 of the bat survey report prepared by Acer Ecology dated November 2014.

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

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APPLICATION NO: 14/1383/08 (MF)
APPLICANT: RCT (Flying Start)
DEVELOPMENT: Change of use of existing office space for use of Flying Start (infant day care) facilities.
LOCATION: UNIT 6, MARITIME OFFICES, WOODLAND TERRACE, MAESYCOED, PONTYPRIDD, CF37 1DZ
DATE REGISTERED: 09/01/2015
ELECTORAL DIVISION: Rhondda

RECOMMENDATION: Refuse

REASONS:

The principle of the change of use is acceptable and it would bring a much needed use and employment to this unit. It is not considered that the proposal would have a significant impact upon the amenity and privacy of the neighbouring residential properties or upon highway safety.

APPLICATION DETAILS

Full planning permission is sought for the change of use of Unit 6, Maritime Offices, Pontypridd from an office (B1) to a children's day care nursery (D1).

A number of internal alterations would be undertaken within the unit to accommodate the new use. The only external alterations proposed are the creation of an enclosed play area to the eastern side of the building and an associated access ramp to provide safe access to it. The play area would be enclosed with 1.8m high palisade fencing.

The nursery would provide full and part time day care for up to 30 children under the age of eight. It is proposed that the business employ 7 full time and 4 part time members of staff being open between the hours of 07:30am to 18:00pm Mondays to Fridays but not at all on weekends or Bank Holidays.

The application is reported to Committee as it has been submitted by the Council and relates to a use that would be operated by the Council.

The application is accompanied by the following:

- Design and Access Statement;
- Flood Consequence Assessment.

SITE APPRAISAL

The application property is an office unit that forms part of a larger block of units at the Maritime Office complex, Pontypridd. The building is enclosed to the south and west by other similar units with a car park sited to the north and a grassed area to the east. The unit is constructed of face brick with uPVC clad elements and has windows throughout. The property was last used by the National Union for Miners which ceased in February 2012. The wider site is enclosed with 1.8m high palisade fencing and is bounded by the residential street Woodland Terrace to the west, a clinic to the south and woodland to the east. The surrounding uses within the complex comprise a variety of B1 offices.

PLANNING HISTORY

Planning applications submitted within the last 10 years include:

11/0673	Maritime Offices, Woodland Terrace, Pontypridd	New entrance to site off Woodland Terrace and block off existing entrance	GTD 07/12/11
06/1012		Construction of toilet facilities	GTD 01/08/06

05/0380

New access and car
parking

REF
13/04/06

PUBLICITY

The application has been advertised by means of direct neighbour notification and site notices. No representations have been received.

CONSULTATION

Spatial Planning – no objection.

Transportation Section – no objection.

Public Health and Protection – no objection.

Natural Resources Wales – no objection.

Early Years and Family Support Services – no objection.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies within the settlement boundary for Pontypridd, but is not allocated for any specific purpose.

Policy CS2 – outlines how the emphasis on building strong, sustainable communities will be achieved in the Southern Strategy Area.

Policy AW2 – supports development in sustainable locations and includes sites that are accessible by a range of sustainable transport modes and would not unacceptably conflict with surrounding uses. Developments should support the role and function of small settlements.

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 – does not permit proposals where they would cause or result in a risk of unacceptable harm to health and/or local amenity.

Policy AW11 – stipulates that alternative uses for existing employment units need to be evidenced by way of marketing for a minimum of twelve months.

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), and Chapter 8 (Transport) set out the Welsh Government's policy on planning issues relevant to the determination of the application.

Other relevant policy guidance consulted:

PPW Technical Advice Note 12: Design;

PPW Technical Advice Note 15: Development and Flood Risk;

PPW Technical Advice Note 18: Transport.

REASONS FOR REACHING THE RECOMMENDATION

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

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

Principle of the Proposed Development

The application seeks the change of use of a former NUM office building (B1) to an RCT Flying Start day care nursery facility (D1).

Policy AW11 seeks to protect existing employment sites for employment purposes, however, the Maritime Office complex has not been identified in the Council's employment land bank and consequently is not offered the same level of protection as sites that are included. As such, in this instance, evidence of a twelve month (minimum) marketing period is not required. Additionally criterion 3 of the policy allows for the redevelopment of derelict, unsightly or underused premises for alternative uses where they will have significant regeneration benefits. Given that the application property has stood vacant for some time and has deteriorated quite significantly, particularly internally, it is considered that the proposed change of use would meet the requirements of criterion 3 and be beneficial in the interest of the regeneration benefits it would provide.

Additionally, the property is conveniently located on the fringes of Pontypridd town centre and would therefore provide an excellent facility for the community in a sustainable location. The unit lies inside the defined settlement boundary and boasts excellent access to a range of sustainable transport options. It is easily accessible on foot as well as via train and bus services; all of which are located in the vicinity of the application site. The applicant further states that there is ample off-street parking for private cars, however, it is considered highly likely that many individuals from the local community will likely walk to the centre, or indeed utilise public transport. As such, it is considered that the proposed use would not unacceptably conflict with the surrounding uses or pose any significant constraint to the area.

Consequently the change of use is considered acceptable in principle, subject to an assessment of the following criteria.

Visual Impact

Minor alterations to the internal layout of the building are proposed in order accommodate the change of use, however, no significant structural works would be required.

Externally it is proposed that a grassed area to the rear of the property be enclosed with 1.8m high palisade fencing to create an outdoor play area. An associated ramp would be installed here to allow for safe access to it. Whilst these additions would obviously alter the appearance of the existing building and surrounding site, the scale of the new opening and ramp are considered to be in keeping with the general proportions of the rear elevation and are relatively minor in nature. Furthermore, the wider site is already enclosed with 1.8m high palisade fencing so it is not considered that the enclosure of the play area would introduce an alien feature to the site. It is also noted that the additions would be undertaken to the rear of the building and would not be visible from anywhere other than within the site itself. As such, it is not considered that the alterations would be detrimental to the appearance of the building or wider complex as a whole and the application is acceptable in this regard.

Residential Amenity

It is acknowledged that the proposed change of use of the building from an office to a children's day nursery could potentially result in an intensification of its use and that this may impact upon the amenity of the surrounding residents through additional noise and disturbance. However, given that the external space proposed would be sited over 60 metres from the nearest residential properties along Woodland Terrace, and the fact that a large office block sits between the application building and those dwellings, it is not considered that there would be any significant impact upon these properties. Additionally, a large number of commercial uses have historically operated from the wider site where there would have been potential for a significant number of people to be using it and coming and going at any one time.

These uses would have generated some noise and disturbance not dissimilar to that which would be created by the proposed use. As such, it is not considered that the general use of the building operating as a children's nursery during the day time would result in significantly more disturbance than that which would have previously occurred.

It is also noted that following the advertisement of the application, no representations have been received from surrounding residents.

As such, whilst it is acknowledged that there will inevitably be some impact upon the amenity of surrounding residents, it is not considered the proposed change of use would result in a significant enough impact upon the amenity of the nearby residents to warrant refusal of the application. However, should Members be minded to approve the application, it is suggested that a condition be added to any consent in order to limit the hours of operation to minimise any potential impact the proposed use may have.

Highway Safety

Following consultation with the Council's Transportation Section, no objections have been raised or conditions suggested. It is commented that whilst the traffic generation for the dropping off and picking up of children at the nursery may be greater than that of the previous office use, this concern is not so significant as to warrant the raising of highway objections. Furthermore, the proposal provides for safe and satisfactory access, circulation and parking and would not have an adverse impact on highway safety or its operation in the vicinity of the site. As such, the application is acceptable in this regard.

Flood Risk

The application site is located entirely within Flood Zone C2, as defined by the Development Advice Map referred to under Technical Advice Note: 15 Development and Flood Risk (2004). Natural Resources Wales have confirmed that the site is within the 1% (1 in 100 year) and the 0.1% (1 in 1000 year) annual probability fluvial flood outlines of the Nant Gelliwion and as such a Flood Consequent Assessment (FCA) was necessary to assess the development in respect of flood risk.

The applicant subsequently submitted an FCA that demonstrated, via a topographical survey, that the site is located on a valley hillside approximately 4 metres above the bank of the river and as such, it is likely that any flood flows would convey towards Sardis Road car park away from the application site. The report therefore concluded that it is unlikely that the flow path indicated on the flood map would occur. The report also detailed an evacuation plan should a general flood alert be issued for the area.

Taking the above into consideration, NRW raise no objection to the scheme and the application is therefore acceptable in this regard.

Community Infrastructure Levy Liability

The Community Infrastructure Levy (CIL) was introduced in Rhondda Cynon Taf from 31st December 2014.

This application relates to the change of use of an office (B1) to a children's day nursery (D1). The application is for development of a kind that is not CIL liable under the CIL Regulations 2010 (as amended).

Conclusion

The application represents an appropriate change of use of a vacant and disused building within an area where there is a lack of investment. It is not considered the proposal would have a significant impact upon the residential amenity of the surrounding neighbouring properties or upon highway safety. Furthermore, the development is acceptable in respect of flood risk. As such, the application is considered to comply with the relevant policies of the Local Development Plan (Policies CS2, AW2, AW5, AW6, AW10 and AW11) and is recommended for approval subject to conditions detailed below.

RECOMMENDATION: Grant

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

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

2. The development hereby approved shall be carried out in accordance with the approved plans ref. T0001-2203-PL1, T0001-2203-PL2, T0001-2203-01, T0001-2203-02, T0001-2203-03, T0001-2203-04A, T0001-2203-04B, T0001-2203-12, T0001-2203-14, T0001-2203-15, T0001-2203-16 and documents received by the Local Planning Authority on 22/10/14, unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

3. The premises shall be used as a Children's Day Nursery only and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or any provision equivalent to that Class in any statutory instrument revoking and re-

enacting that Order with or without modification).

Reason: To define the extent of the consent granted and to safeguard the amenity of surrounding residents in accordance with policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

4. The proposed children's day nursery use shall not be permitted to open outside the following hours:

- 07:30 to 18:00 Mondays to Friday
- Not at all on Saturdays, Sundays and Bank Holidays

Reason: To safeguard the amenities of occupiers of surrounding properties in accordance with policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

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APPLICATION NO: 14/1504/08 (CHJ)
APPLICANT: Rhondda Cynon Taf CBC
DEVELOPMENT: New school building and associated external works, demolition of the existing main school building and removal of temporary classrooms.
LOCATION: Y PANT COMPREHENSIVE SCHOOL, COWBRIDGE ROAD, TALBOT GREEN, PONTYCLUN, CF72 8YQ
DATE REGISTERED: 18/11/2014
ELECTORAL DIVISION: Talbot Green

RECOMMENDATION: Approval subject to Conditions

REASONS:

The application involves the substantial replacement of existing school buildings of various ages and architectural styles with buildings of a modern construction and appearance.

The proposal represents a significant investment in the education facilities in this area and will result in an improved learning environment. All of the technical aspects of the development are considered acceptable, either as submitted or through the imposition of appropriate conditions.

APPLICATION DETAILS

This is a detailed application for the construction of new (replacement) school buildings and associated infrastructure on the site of Y Pant School in Pontyclun.

The application is accompanied by a / an;

- Design and Access Statement (DAS);
- Flood Consequence Assessment;
- Drainage Strategy;
- Geotechnical Investigative Report;
- Arboriculture Report;
- Ecology Statement and Habitat Assessment;
- Transport Statement;
- Noise Assessment.

The project proposes to:

- Construct a new teaching block of approximately 8750 sq.m. to accommodate the current school capacity;
- Remodel / refurbish the existing drama block and sports hall
- Demolish the 1950's block, the temporary classrooms and the "CLASP" buildings
- Improve pedestrian and vehicular movement and segregation within the site
- Make allowance for the potential future expansion to 1600 pupils
- Remodel the external play spaces to cater for the increase in pupil capacity along with the parking and the main entrance.

A plan showing the "existing" and "proposed" layouts will be included in the Committee presentation for Members' ease of reference.

It is estimated that the project will be completed in early 2018. It is proposed that the school will remain in operation during the construction period.

SITE APPRAISAL

The application site comprises the existing grounds and buildings of Y Pant School. The site is set between the village of Pontyclun and the retail areas of Talbot Green. The areas around the site are a mix of residential, retail, commercial and green open spaces / woodlands.

The areas to the east and the south of the site are mainly light and dense woodland. To the west and further south are large residential areas. Directly to the south of the site is the River Clun (Afon Clun). Land to the north of the site is occupied by the retail units (and associated service areas) of Leekes, as well as light industrial units.

The existing vehicular access to the school is off the main A422 Cowbridge Road. Car and coach parking is currently provided near the entrance and some considerable distance from the school buildings. The principal access is linked to the school buildings by an extended driveway which loops around the site in a “one way” manner.

The site itself is relatively flat with the existing school being slightly elevated to the east of the site. The site is prone to flooding, particularly to the east and south (exacerbated by the river to the south).

The site is mainly exposed characterised by large areas of open playing fields with some limited protection afforded by the trees to the west. The light tree planting within the site itself offers little protection.

To the west of the school buildings are the existing running track and sports pitches. The tennis courts are located to the north west of the school.

The main buildings to the east of the site take the form of the original 1950’s block in the centre with the more recently added drama and sport hall located to the north and west and the demountable units to the east.

The areas around the building are mainly tarmac with some parking facilities.

There are two pedestrian routes into the site, one from the north onto Cowbridge Road which enters the site in the north west corner. The other route enters the site at the main west pedestrian and vehicular entrance. These pedestrian access points are some considerable distance from the main school buildings.

PLANNING HISTORY

14/0617/08	Y Pant Comprehensive School,	Temporary demountable building	GTD 15/07/14
14/0411/08	Y Pant Comprehensive School,	Installation of pre-fabricated food cube in the school grounds	GTD 24/06/14
11/0735	Y Pant Comprehensive School,	To provide an additional temporary demountable classroom.	GTD 07/07/11

11/0429	Y Pant Comprehensive School,	The proposal is to provide a temporary demountable classroom building, with two classrooms, two store rooms and a lobby area.	GTD 08/06/11
10/0052	Y Pant Comprehensive School	Proposed extension to existing sports changing room facilities.	GTD 26/03/10
08/1428	Y Pant Comprehensive School	6kw wind turbine consisting of 15m tower and blades of 5.5m diameter. Total height to blade tip of 17.75m.	GTD 17/11/08
06/2069	Y Pant Comprehensive School	Siting of 3 No. modular buildings	GTD 27/11/06
06/1720	Y Pant Comprehensive School	Siting of singular modular classroom building	GTD 01/11/06
05/1281	Y Pant Comprehensive School	New extension to form a store between the sports hall & changing rooms	GTD 27/09/05
01/2762	Y Pant Comprehensive School, Cowbridge Road, Talbot Green, Pontyclun	Proposed two storey detached teaching block, comprising 8 no. classrooms, 2 no. music rooms, drama room, drama classroom and all associated toilet provisions and circulation areas	GTD 08/10/01
99/2500	Y Pant Comprehensive,	Relocation and erection of 18m x 7.2m cabin to provide accommodation.	GTD 19/08/99
94/0033	Y Pant Comprehensive School	Erection of new multi-purpose sports hall with single storey entrance foyer and equipment store (observations requested by Mid Glamorgan County Council)	RNO 25/02/94
86/0729	Y Pant Comprehensive School	Double science lab, double classroom unit, single classroom unit, small office unit.	RNO 31/07/86
86/0417	Y Pant Comprehensive School.	3 no. Single mobile classroom units.	RNO 29/05/86

76/0906	Bryn Celynnog Lower Comprehensive School, Y Pant, Talbot Green	Extension	GTD (C) 16/12/76
75/0722		Major Extension	GTD (C) 30/07/75

PUBLICITY

As part of the application process a total of 21 individual properties were notified of the application as well as 5 notices being placed on and around the site. As a result of this exercise, one letter of comment was received.

The author of the letter supported the proposed school redevelopment but it is considered that the documentation accompanying the application has inadequately considered cycling as a transportation option for pupils.

In response to these comments, Committee is advised that these are material planning considerations in themselves, however the application itself is effectively seeking to rebuild an existing school complex rather than to construct a new school on a different site and the existing mechanisms for transporting the pupils to and from school is unlikely to change as a result of this application.

Cycling is a traditional means of getting to school and there are a number of health benefits associated with this form of transport (as well as a number of safety and security concerns) however most of the specific comments raised concern land outside of the application site and may be more appropriately considered by the Education Section (in association with the Transportation Section) as part of a wider strategy for home to school transportation.

CONSULTATION

The following were consulted as part of this application. A brief précis of replies have been included for Committee's information:

Transportation Section – no objection subject to conditions.

Drainage Section – no objections subject to conditions.

Public Health & Protection Section – some initial concerns expressed over the potential increase in levels of noise from part of a development consented on an adjoining site but are satisfied that measures could be taken to mitigate any adverse impacts should that part of the development be constructed.

Natural Resources Wales – no objections subject to conditions.

Countryside / Ecology Section – no objections subject to conditions.

PROW Section – A PROW runs to the south of the site and runs in an east to west direction. It is not affected by the construction of the new buildings.

Gas / Electricity Statutory Undertakers – advise on the location of apparatus in that area.

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

POLICY CONTEXT

Proposals Map

The majority of the site is within the C2 flood risk zone

The majority of the site is within the settlement boundary however there is an area in the application site boundary which falls outside.

There is a SINC on the site (AW8.102)

There is an SLA within the boundary (AW 23.4)

Part of the site falls within the coal resources safeguarding area.

Core Policies

Policy CS2- Development in the South identifies the strategy for the southern area of the County Borough. The strategy emphasis is on sustainable growth which will be achieved by focusing development within settlement boundaries, promoting the re-use or underused and previously developed land and buildings and realising the importance of the Principal Town of Llantrisant/Talbot Green as an area of social and economic growth.

Area Wide Policies

Policy AW2 - Sustainable Locations supports proposals that are development in sustainable locations. These include within the settlement boundary, those that are acceptable by a range of transport methods and those that are not in the flood zone.

Policy AW5 - New Development sets out the appropriate amenity and accessibility criteria for new developments.

Policy AW6 - Design and Place-making seeks to raise the standard of design in Rhondda Cynon Taf.

Policy AW8- Protection and enhancement of the natural environment seeks to protect the County Borough's environmental designations such as SINC sites.

Policy AW14.4 - Safeguarding of minerals, seeks to protect mineral reserves and prevent sterilisation, including of the coal resource.

Policy AW10 – Environmental protection and public health does not support proposals where they would cause or result in unacceptable harm to health and/or public safety.

Strategy Area

Policy SSA3 - Development in the Principal Town of Llantrisant /Talbot Green supports proposals for residential and commercial development in the Principal Town of Llantrisant/ Talbot Green.

Policy SSA23 – Special Landscape Areas identifies locations of special landscape areas of the County Borough.

REASONS FOR REACHING THE DECISION

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 under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

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

The application seeks the (partial) redevelopment and re-plan of an existing school. As such the principle of land use has already been established and requires little in the way of further policy justification. While part of the site lies outside of settlement limits the site, for the purposes of Planning, remains the same therefore it is not considered that the proposal is out of accord with the LDP. Similarly, the area is one within which there is a policy requirement not to sterilize coal reserves but as the development seeks to redevelop an existing facility in largely the same arrangement that currently exists it is considered that there would be little or no additional land-take that would, in principle, sterilize any coal reserves although, given the location of the development and its proximity to existing retail (both existing and consented), commercial and residential uses, it is unlikely that any application that could be made for the extraction of these reserves would be successful.

In light of the above comments, it is therefore considered that the principal issues in the determination of this application include the design and appearance of the new buildings, highway safety considerations (including access and parking), the potential of the site to flood (including more general drainage issues), ecology and noise.

In respect of the design and external appearance, the new school buildings are of a modern design. They are predominantly two storeys with elements of the building being single storey. It has a “flat” roof (typical of most school buildings) punctuated with elements of plant, parapet walls and raised glazed areas swerving the classroom facilities below. The materials proposed include facing brickwork, rain-

screen cladding, curtain wall glazing, aluminium windows, louvered panels and timber cladding (although the precise details will be the subject of a condition requiring the submission of sample panels before construction). Members are advised that plans showing the principal elevations of the buildings will be included on the Committee presentation to assist in the consideration of the application.

While the new building will be moving closer (westerly) to Cowbridge Road, they are still some considerable distance from it so as not to be overtly visible however the approval of the new Town Centre application on the adjacent site will mean that the site will be very visible to users of the new retail centre.

The new buildings are considered to be of high quality materials and design. The proposed condition regarding the agreement of the precise final materials should ensure that the relationship between the existing sports and drama halls with the new buildings are respected so as to appear as a single harmonious development. When combined with appropriate hard and soft landscaping, the development will represent an attractive feature within this area as well as a valuable modern education facility.

In terms of highway safety considerations, the existing vehicular access to the site is directly off the A422 (Cowbridge Road) that forms a single point of access for two way traffic movements. Car and coach parking is currently provided near the entrance some distance from the main school entrance and buildings. The submitted plan shows a new access arrangement off the A4222 which consists of the following:

- A new gated vehicle entrance for one-way traffic to the north of the existing access;
- A new site exit in the form of the existing access being widened to cater for left and right turning movements (one way out traffic); and
- The creation of a right turn holding lane on the A4222 between the two access points.

The Transportation Section have considered that these access arrangements are acceptable subject to the new gated access for in-bound one way traffic being set back at least 15 metres from the edge of the carriageway to prevent the overhang of large vehicles (coaches) onto the A4222 in the event that the gates are closed.

As a result of the realignment of the kerb line to provide for an improved access to serve the new school, the existing bus stop will be repositioned a short distance further south where the footway has been widened to 3 metres to accommodate public transport infrastructure (such as a bus shelter) which, through the imposition of a condition, will need to be provided as part of the development to encourage greater use of more sustainable forms of travel. In addition, the repositioning of the bus stop would impact on the existing speed camera which will need to be

repositioned further south at a point between the junctions of the school exit and Pant Y Dderwen.

With regard to parking provision, the Council's adopted SPG indicates that a maximum of up to 129 on site parking spaces need to be provided. The proposed scheme shows that:

- 137 car parking spaces (including 9 spaces for disabled persons)
- 40 spaces for parent drop of / pick up
- 10 coach spaces; and
- 90 cycle spaces will be provided.

The letter of concern regarding the provision of measures to encourage cycling to school has been addressed earlier in this report but Committee is advised that a copy of it will be forwarded onto the Director of Education for consideration.

During the application process some concern was expressed by the Council's Public Health and Protection Section in respect of the potential for the new (approved) Town Centre development to impinge upon the school – specifically the new access road through the site. Members may recall that the Town Centre development was approved in "outline" with the access road itself a being "full / detailed" part of that consent. At this time none of the "reserved matters" have been submitted and discussions have been ongoing with the developers in terms of making some revisions (through the submission of a new application). The principle cause for concern is the proximity of parts of the development (incl. access road) to the new school buildings and the possible need to incorporate construction measures within the school to mitigate any noise. The problem (for the Council as applicants) is that these works are expensive and possibly unnecessary if further revisions are made to the Town Centre scheme that would mean that the road was not constructed in its current approved location. The need to avoid expensive and unnecessary work is fully appreciated and a meeting was held with all relevant parties to discuss a possible solution. As a result it was concluded that there would be a number of alternative mitigation measures available to the applicant that could be "retro-fitted" either to the school buildings itself or outside of the school buildings (such as an acoustic fence). Clearly the Council (as applicant) needs to be mindful of the fact that there may be an additional cost to the development at a later stage but it would seem to be a matter of common practicality to accept the possibility of a deferred cost rather than to commit to spending this money upfront on works that may never be needed. Discussions have been held with the Director of Education who agrees that this approach seems the most pragmatic option. Accordingly the Council's Public Health and Protection Section have not objected to the proposal.

Issues of noise and amenity relating to construction activity are often dealt with through the planning system however these issues can also be dealt with through Environmental Health legislation. While there are few residential properties within the

proximity of the site the scale of the development is such that it may give rise to possible causes of nuisance, especially if parts of the process require continuous construction processes (such as the provision of power floated floors) which may mean that activities may carry on outside of “normal” hours of operation.

As part of the application process, discussions were held with colleagues in the Council’s Public Health and Protection Section and the applicants where it was agreed that a submission would be made under Section 61 of the Control of Pollution Act 1974. This enables the Council to have greater regard to both the commercial / technical requirements of the construction process as well as the need to protect standards of amenity in nearby residential properties. Committee may be aware that there can be some “lead-in” delays to the submission of Breach of Condition (and other Enforcement) Notices and subsequent compliance or prosecution. Section 61 enables a far quicker resolution to any problems while also enabling certain activities to be undertaken outside of “normal” hours where the nature of such work is either not noisy or such that it is being carried out within a “sealed” building which would act to suppress any noise. Accordingly it is considered that the issue of noise and disturbance has been addressed by the applicant / contractor entering into a Section 61 agreement and it is not therefore proposed to duplicate such protection through the imposition of conditions.

NRW have advised that the site lies within Zone C2 of the Development Advice Maps (DAM’s). Their records confirm that the site is within both the 1 in 100 year and 1 in 1000 year annual probability fluvial flood outlines of the River Clun, which is a designated main river. Their advice is that the applicant needs to demonstrate that the consequences of flooding can be managed over the lifetime of the development. In order to meet this requirement a Flood Consequence Assessment (FCA) was undertaken by OPUS on behalf of the Council in November 2014.

The findings of this report are:

- The proposed new school buildings are predicted to be flood free for the 1000 year fluvial flood event and is therefore compliant with the relevant sections of TAN 15. However this is based on mitigation in the form of land raising to 46.4 metres AOD (which is above the modelled 1000 flood level)
- The existing sports hall and drama block will remain and could become flooded by events exceeding the 100 year fluvial flood event.
- The model results show that flooding of the lower lying parts of the development (sports and playing fields) which are located in the area vacated by the demolished school buildings can be expected to occur for the 10 year event.

NRW advise that TAN 15 requires that all new developments are flood free for the 100 + Climate Change fluvial event. This is achieved for the main part of the development (with mitigation) but is not met for the new sports and play facilities.

The main access to the new school buildings is flood free. However, the existing highway (Cowbridge Road) is predicted to be affected by both the 100 and 1000

year extreme event, although NRW accept that this is beyond the applicant's control. The entrance into the school is within the 1000 year fluvial event but within the school grounds, the entrance road along the northern boundary is flood free. The exit road along the south boundary would flood during both the 100 and 1000 year flood event. Pedestrian access is provided from all the proposed new buildings to the raised development area. However, it should be noted that flooding to the local area can be expected when the school experiences flooding in particularly the A4222 Cowbridge Road, the area to which any users of the site will have to evacuate through. The FCA proposes that a site emergency plan will be implemented and the school should sign up to NRW's flood warning system. However, NRW point out that the Local Planning Authority, in conjunction with emergency planners and the emergency services, must be satisfied that any emergency/ management plans are appropriate.

The impact of the proposed development on flooding in the vicinity of the site has also been assessed, the FCA has stated that compensation will be provided for raising all new buildings by lowering the area following demolition of the existing school buildings to ensure there is no net increase in the overall fill present on the site in any level stage. New buildings for the development are to be sited on land above 1% flood contour and will only displace water during the most extreme events. Compensatory excavation is proposed in areas where buildings are to be demolished so that in all floods up to the 1000 year event, there will be no net increase in volume of water displaced by the development.

In light of the comments above NRW conclude that they have no objection to the development subject to the inclusion of appropriate conditions in any planning permission.

With specific regard to the comments in respect of the Council being satisfied that an emergency plan will be implemented, Committee may recall that the Planning Service has worked closely with colleagues in the Council's Emergency Planning Section on other developments (such as the new school at the Michael Sobell Centre in Aberdare and the Lido scheme in Pontypridd) where there is a known risk of flooding to ensure that such a plan is in force before the first beneficial occupation of these facilities. A similar condition is therefore proposed as part of this development to ensure that any risks are fully understood and minimised.

In terms of the ecological value of the site itself, the Council's Ecologist has advised that it is very low but it sits within a wider area of high nature conservation value and it is advised that care is taken during the construction period to avoid any impacts to these areas. It is recommended that a Wildlife and Habitat Protection Plan is secured through the use of a condition.

There is an identified impact on bats as part of the development and mitigation has been proposed through the submitted Bat Survey Report which is welcomed by NRW (subject to a condition). NRW and the Council's Ecologist have advised that a

Licence is required ahead of the demolition of the existing school buildings, the need for which is also noted in the Bat Survey Report.

The Ecologist has suggested some specific details in respect of the type of soft landscaping to be provided. These details will be passed onto the applicant / agent to ensure that regard is had in the submission of details to discharge the landscaping condition that is proposed to accommodate these suggestions.

Community Infrastructure Levy (CIL) Liability

The Community Infrastructure Levy (CIL) was introduced in Rhondda Cynon Taf from 31 December 2014.

The application is for development of a kind that is liable for a charge under the CIL Regulations 2010 (as amended) however, the CIL rate for this type of development as set out in the Charging Schedule is £0 (nil) and therefore no CIL is payable.

Conclusions

The proposal is for the improvement and alteration of an existing school. The resultant development will provide a much improved facility for the area as well as providing an attractive landmark in the local community. There are no issues resulting from the proposed land use and in respect of the technical aspects of the development it is considered that these have either been specifically addressed in the application itself or can be addressed through the imposition of appropriate conditions.

In light of the above comments the following recommendation is made:

RECOMMENDATION: Grant

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

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

2. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Consequences Assessment (FCA) undertaken by Opus dated November 2014 and the following mitigation measures detailed within the FCA:
 - Finished floor levels for the proposed new buildings must be set at 46.4 metres Above Ordnance Datum (AOD).
 - Provision of compensatory flood storage on the site to a 1 in 1000 year standard. As stated on page 17, paragraph 12.3 and figure 3 Appendix

A of the FCA produced by Opus for the Y Pant Comprehensive School dated November 2014

Reason: To prevent flooding by ensuring the satisfactory storage of fluvial floodwater and to reduce the impact of flooding on the proposed development and future occupants.

3. No development shall take place until a Wildlife and Habitat Protection Plan for Construction has been submitted and approved in writing by the local planning authority. The plan shall include:

An appropriate scale plan showing 'Wildlife and Habitat Protection Zones' where construction activities are restricted and where protective measures will be installed or implemented;

Details of protective measures (both physical measures and sensitive working practices) to avoid impacts during construction to adjacent SINC habitat and other areas of ecological value;

- A timetable to show phasing of construction activities to avoid periods of the year when sensitive wildlife could be harmed (such as nesting bird season, reptiles, and bat).
- Details of specific species and habitat mitigation and monitoring measures for key species (including bats, birds and reptiles).
- Details of tree protection measures.
- Details of invasive plant avoidance and /or treatment.
- Site lighting details.
- Site noise details.

and

Persons responsible for:

- Compliance with legal consents relating to nature conservation;
- Compliance with planning conditions relating to nature conservation;
- Installation of physical protection measures during construction;
- Implementation of sensitive working practices during construction;
- Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction;
- Specific species and Habitat Mitigation measures
- Provision of training and information about the importance of the 'Wildlife and 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: To afford protection to animal and plant species in accordance with Policies AW5 and AW8 of the Rhondda Cynon Taf Local Development Plan.

4. No development shall take place until details of the Landscape Mitigation Plan to be submitted to and approved in writing by the local planning authority.

The Landscape Mitigation Plan shall include details of;

- Purpose, aim and objectives of the scheme;
- A review of the plans ecological potential and constraints;
- Details of the landscaping schemes, including;
 - a) species composition,
 - b) source of material (all native planting to be of certified British provenance),
 - c) techniques and methods of vegetation establishment (natural restoration) including potential green hay use,
 - d) ponds and flood attenuation features
 - e) method statements for site preparation and establishment of target habitat features;
 - f) extent and location of proposed works;
 - g) aftercare and long term management;
 - h) personnel responsible for the work;
 - i) timing of the works;
 - j) monitoring;
 - k) Disposal of waste arising from the works;

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

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

5. Building operations shall not be commenced until such time as samples of all materials proposed to be used externally have been submitted to and approved in writing by the Local Planning Authority. All materials used shall conform to the samples so approved.

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

and AW6 of the Rhondda Cynon Taf Local Development Plan.

6. Access, circulation and parking shall be laid out in accordance with the submitted layout plan, Drawing No. PL-AL(90)101 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that adequate access, turning and parking facilities are provided within the curtilage of the site, in the interests of highway safety.

7. The new gate at the vehicular entrance to the site shall be set back at least a minimum distance of 15m from the edge of the carriageway of the A4222 Cowbridge Road.

Reason: To ensure that coaches do not overhang the carriageway in the event that the gate is closed, in the interests of highway safety and free flow of traffic.

8. Prior to building works commencing on site, full engineering design and details of access improvements on the A4222 Cowbridge Road in the vicinity of the site including sections; street lighting details and surface-water drainage together with the relocation of the existing bus stop and associated infrastructure and speed camera shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to beneficial occupation unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway and pedestrian safety.

9. 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;

- the means of access into the site for all construction traffic;
- the parking of vehicles of site operatives and visitors;
- the management of vehicular and pedestrian traffic;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing 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 agreed otherwise in writing by the Local Planning Authority.

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

10. No HGV movements shall take place to and from the site between the hours of:

08:00 – 09:00 and 15:00 – 16:00 Monday to Friday

during the course of site preparation and construction works.

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

11. Prior to the commencement of any development a scheme shall be submitted to, and approved in writing by, the local planning authority detailing a strategy for the provision of a Flood Management Plan.

The strategy shall set out a timetable for the provision of a phased Flood Management Plan based on key milestones to be completed as part of the development. The strategy shall be implemented in accordance with the approved scheme.

The Flood Management Plan(s) shall be prepared in consultation with Rhondda Cynon Taf County Borough Council' Emergency Planning Team and the Emergency Services. The Plan should, as a minimum, include:

- Details to confirm that occupiers of the development are signed up to the Environment Agency flood warning service and are aware of the flood consequences.
- Arrangements for vacating those parts of the site shown to be at highest risks of flooding where the risks to people and property could be significant on receipt of a flood warning. This should include arrangements for closing the southern access road and, where possible, relocating parked vehicles to a higher part of the site.
- Arrangements for evacuating the site if necessary.
- Arrangements for post event clear up and recovery which should also include inspection of any infrastructure that may have been damaged during the flood to ensure that it is safe before the site is re-occupied.

The Flood Management Plan shall be implemented in accordance with any approval and prior to the first beneficial occupation of the school.

Reason: In the interests of public safety having regard to the location of the site within a C2 Flood Zone.

12. No development shall take place until full details of the drainage arrangements have been submitted to, and approved in writing by, the

Local Planning Authority. The drainage for the development shall be carried out in accordance with the approved details.

Reason: To ensure that adequate disposal of foul and surface water drainage in acc

13. The development shall be carried out in accordance with the plans and drawings listed on the "Issue Sheet & Drawing Register (Job Number 5165)" received on 6th February 2015 unless otherwise agreed in writing with the Local Planning Authority.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans.

14. Details of a system to prevent waste cooking oil, fats and grease and solid waste from entering the foul drainage system shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the use of the premises commences and then shall operate in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

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

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APPLICATION NO: 14/1585/10 (MF)
APPLICANT: Mr & Mrs Hunt
DEVELOPMENT: Detached dwelling
LOCATION: LAND ADJACENT TO MOUNT STUART, HURFORD STREET, MAESYCOED, PONTYPRIDD, CF37 1EW
DATE REGISTERED: 15/12/2014
ELECTORAL DIVISION: Rhondda

RECOMMENDATION: Approve

REASONS:

The application is considered to comply with the relevant policies of the Local Development Plan in respect of its visual impact, its impact upon the amenity and privacy of the neighbouring residential properties, and its impact upon highway safety.

APPLICATION DETAILS

Full planning permission is sought for the construction of a detached bungalow within the garden area of Mount Stuart, Hurford Street, directly to the north-west of the existing dwelling.

The proposed bungalow would be sited at the centre of the site allowing for an enclosed garden to the rear and an off-street parking area for two vehicles to the front and eastern side. A new access would be created off Coed Isaf Road.

The bungalow would be of an 'L' shape design measuring 11 metres in length at its deepest point by 10.8 metres at its widest point and would incorporate a pitched, hipped roof design to 5.6 metres in height. The property would accommodate a lounge, a kitchen, a bathroom and two bedrooms at ground floor level and a further bedroom in the roof space.

The application is accompanied by the following:

- Design and Access Statement;

SITE APPRAISAL

The application site is a roughly triangular parcel of land directly to the north-west of Mount Stuart, Hurford Street. It amounts to approximately 300m² currently forming part of the garden area of Mount Stuart. The site fronts the highway Coed Isaf Road and is bounded by residential properties on both flanks, Mount Stuart and 80 Coed Isaf Road to the south and west respectively. A further dwelling, Penrhiw, is located to the rear. The general topography of the area rises from east to west and as such the adjacent dwelling, 80 Coed Isaf Road is sited at a higher ground level. The site itself is relatively level and is of a comparable ground level to that of Mount Stuart, but both the site and Mount Stuart are located at a higher level than the adjacent street.

PLANNING HISTORY

A number of previous planning applications have been submitted at the site:

07/0859	Land at Mount Stuart, Hurford Street, Pontypridd	2 no. detached garages with concrete drive	GTD 19/06/07
81/0436		One dwelling (outline)	GTD 19/06/81
75/0307		Proposed dwelling	GTD

08/10/75

PUBLICITY

The application has been advertised by means of direct neighbour notification and site notices. Three letters of objection have been received from the occupiers of surrounding properties, making the following comments (summarised):

- The proposed dwelling would overlook the adjacent properties, Penrhiw and Hilltop.
- The proposed access is in close proximity of the junctions of Coed Isaf Road and Hurford Street. Therefore the development will have a detrimental impact upon highway safety at the junction and in the vicinity of the site.
- The proposed dwelling may encroach onto land under the ownership of Penrhiw.
- The construction of the dwelling will have a detrimental impact upon the amenity of the surrounding neighbours.

CONSULTATION

Transportation Section – no objection, subject to conditions.

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

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

Countryside, Landscape and Ecology – no objection.

Wales and West Utilities – no objection.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies within the settlement boundary for Pontypridd, but is not allocated for any specific purpose.

Policy CS2 – outlines how the emphasis on building strong, sustainable communities will be achieved in the Southern Strategy Area.

Policy AW1 – sets out the criteria for new housing proposals.

Policy AW2 – supports development in sustainable locations and includes sites that are accessible by a range of sustainable transport modes and would not unacceptably conflict with surrounding uses. Developments should support the role and function of small settlements.

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 – does not permit proposals where they would cause or result in a risk of unacceptable harm to health and/or local amenity.

Policy SSA13 – sets out the criteria for the consideration of development proposals within the 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 8 (Transport) and Chapter 9 (Housing) set out the Welsh Government's policy on planning issues relevant to the determination of the application.

Other relevant policy guidance consulted:

PPW Technical Advice Note 12: Design;

PPW Technical Advice Note 18: Transport.

REASONS FOR REACHING THE RECOMMENDATION

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

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

Principle of the Proposed Development

Permission is sought for the erection of a detached property within an existing built up area of Pontypridd. The application site is situated between two existing residential properties on an 'in-fill plot', that is located within the settlement boundary. The proposal is therefore in accordance with the provisions of the Local Development Plan that aims to focus new development within defined settlement boundaries. Furthermore, the planning history of the site reveals that planning

permission has previously been granted for the erection of a single dwelling on the site in two separate occasions. As such, the proposed use of the site for a single dwelling, in principle, is acceptable subject to an assessment of the following criteria.

Visual Impact

In terms of the visual impact of the proposed development, the dwelling would be a relatively small and modest bungalow style property that would be in-keeping with the general design and appearance of many surrounding properties. The siting of the proposed bungalow would be between the side elevations of the adjacent properties with the building line respecting that of the existing street. Front and rear garden areas would be provided along with access and off-street parking and although the siting and spacing of dwelling to garden/parking is slightly cramped, it is considered that the impact upon the street scene and the character of the wider area would not be so significant that it would warrant refusal of the application. Overall, the proposed dwelling is considered appropriate in its form and design and is unlikely to have a harmful impact on the existing character and appearance of the locality.

Residential Amenity

The proposal is considered acceptable in respect of its potential impact upon the amenity and privacy of the neighbouring properties. Whilst the plot is relatively limited and bounded at each side and to the rear by residential properties, the design and overall scale of the dwelling would ensure that the levels of amenity and privacy are appropriately safeguarded in the area. The overall height of the building is lower than that of the adjacent properties, 80 Coed Isaf Road and Penrhiw, which would limit the level of any potential overshadowing. Furthermore, given the dwellings minor scale and separation distance from the adjacent dwellings, there would also be no significant overbearing impact. Turning to overlooking, although a window would be sited in the western side elevation, this window would overlook the street only and as such, any impact would be minimal.

It is acknowledged that an objector has expressed some concern in regard to the potential for disturbance resulting from increased traffic movements, most notably during the construction phase of any development. Whilst these concerns are noted, it is considered that disturbance during construction can, to a degree, be mitigated by the use of conditions which restrict the hours of construction at a site.

Therefore taking account of the above, it is not considered the development would result in any undue impact upon the amenity of the occupiers of surrounding properties. The application is therefore acceptable in this regard.

Highway Safety

Following consultation with the Council's Transportation Section, no objections have been raised. Whilst there is some concern in relation to the proximity of the new

access to the junction of Coed Isaf Road with Hurford Street, given that vehicle speeds at this location are slow, on balance, the access is considered acceptable. Further, whilst a maximum of 3 off-street parking spaces are required in accordance with the SPG Access, Circulation and Parking 2011, considering the location of the development within walking distance of local amenities and access to public transport, the 2 spaces provided are acceptable in this instance. As such no objections have been raised subject to conditions.

Other Issues

An objector has commented that the works may encroach onto land under the ownership of the adjacent property Penrhiw, however, the plans detail that all works would be undertaken wholly within red line. The applicant has signed the relevant ownership Certificate and confirmed that he is the owner of the land detailed on the site location plan.

Following consultation with the Council's Public Health and Protection Division and Land Reclamation and Engineering Section, no adverse comments have been raised subject to a number of standard conditions being added to any consent.

Community Infrastructure Levy (CIL) Liability

The Community Infrastructure Levy (CIL) was introduced in Rhondda Cynon Taf from 31st December 2014.

This application relates to the erection of a single dwelling. The application is for development of kind that is liable for a charge under the CIL Regulations 2010 (as amended). The application site lies within Zone 2 of Rhondda Cynon Taf's Residential Charging Zones, where there is a liability of £40 / smq for residential development (including extensions to dwellings over 100 sqm).

The CIL charge (including indexation) for this development is expected to be £4712.97.

Conclusion

Overall, given the points outlined above, it is considered that it has been demonstrated that the proposed dwelling may be developed on site without causing any undue impact upon the visual appearance of the locality or upon the amenities of existing neighbouring residents. Furthermore, it is not considered the development would have a significant enough impact upon highway safety to warrant refusal of the application. Therefore, the application is considered to comply with the relevant policies of the Local Development Plan and is recommended for approved subject to the conditions detailed below.

RECOMMENDATION: Grant

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

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

2. The development hereby approved shall be carried out in accordance with the approved plans ref. 2116-100B, 2116-101A, and 2116-102A and documents received by the Local Planning Authority on 15/12/14, unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

3. 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.

4. 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.

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

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

vehicles thereafter unless agreed in writing with the Local Planning Authority.

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

7. Notwithstanding the submitted plans, a vehicular footway crossing shall be provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site. The approved details shall be implemented prior to beneficial occupation.

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

8. Surface water run-off from the proposed development shall not discharge onto the public highway or connect to any highway drainage system.

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

9. HGV's used as part of the development shall be restricted to 09:00am to 16:30pm weekdays, 09:00am to 13:00pm Saturdays with no deliveries on Sundays 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.

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

- i) Monday to Friday 0800 to 1800 hours;
- ii) Saturday 0800 to 1300 hours;
- iii) Not at any time on Sundays, Bank or Public holidays, unless otherwise agreed in writing by the Local Planning Authority.

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

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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

19 FEBRUARY 2015

REPORT OF: SERVICE DIRECTOR PLANNING

REPORT

**APPLICATIONS RECOMMENDED
FOR APPROVAL**

OFFICER TO CONTACT

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

See Relevant Application File

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