

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**MUNICIPAL YEAR 2014-2015**

**DEVELOPMENT CONTROL  
COMMITTEE  
19 MARCH 2015**

**REPORT OF: SERVICE  
DIRECTOR PLANNING**

	Agenda Item No.6
<b>APPLICATIONS RECOMMENDED FOR APPROVAL</b>	

**1. PURPOSE OF THE REPORT**

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

**2. RECOMMENDATION**

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

1. Application No. 14/0381 - Demolition of existing library, and construction of 32 unit housing scheme for older people, community use facilities and associated works, Library Close and Rhydyfelin Library, Library Close, Rhydyfelin, Pontypridd.
2. Application No. 14/1223 - Development of 21 no. dwellings and associated works (Amended plans received 17/02/15, amended description received 24/02/15), former Ystrad Depot, Ystrad, Pentre.
3. Application No. 14/1308 - Demolition of existing redundant library building and outline consent for residential development of the site (all matters reserved) (Amended description received 26/11/14), Cwmbach Library, Morgan Row, Cwmbach, Aberdare.
4. Application No. 14/1558 - The erection of a meteorological mast with an operational life of three years and a maximum height of 70m, land at Mynydd-Y-Glyn. Approximately 1.5km South East from the settlement of Glynfach. Grid Ref: E:303483 N:189608.
5. Application No. 15/0037 - Two storey rear extension, 9 Kirkhouse Street, Graig, Pontypridd.

This page intentionally blank

## **APPLICATIONS RECOMMENDED FOR APPROVAL**

**APPLICATION NO:** 14/0381/10 (GD)  
**APPLICANT:** RCT Homes Ltd  
**DEVELOPMENT:** Demolition of existing library, and construction of 32 unit housing scheme for older people, community use facilities and associated works.  
**LOCATION:** LIBRARY CLOSE AND RHYDYFELIN LIBRARY, LIBRARY CLOSE, RHYDYFELIN, PONTYPRIDD  
**DATE REGISTERED:** 07/05/2014  
**ELECTORAL DIVISION:** Hawthorn

---

**RECOMMENDATION:** Approve

### **REASONS:**

The principle of the proposed development is acceptable in planning terms and the proposal represents an opportunity to provide much needed wardened accommodation to current standards which is in high demand in the Rhydyfelin area along with a quality multi use community hub for the wider area.

---

### **APPLICATION DETAILS**

The application seeks full planning permission for the redevelopment of the existing library, hall and sub-standard elderly persons accommodation located on the corner of Library Close with Poplar Road. The proposal will involve the demolition of the existing facilities and the redevelopment of the site.

The proposal involves the construction of 32 residential units comprising 23 one bedroom units and 9 two bedroom units. The proposal also involves the construction of new multi use communal/community areas in the form of a community hub, the majority of which will be located on the ground floor facing Poplar Road. These facilities will comprise flexible, multi use space along with community café, internet facilities, kitchen, salon and toilets along with circulation space that serves the whole development. The first floor above the Poplar Road elevation will be comprised almost entirely of residential accommodation but also has a communal laundry and meeting room for residents. As this turns the corner on to the Library Close/Dyffryn Road frontage, it takes account of the difference in levels that naturally occurs here and the residential accommodation becomes the ground floor on this section of building. The first floor element to the Library Close/Dyffryn Road frontage will also have a communal room and laundry.

The single building will be L-shaped in terms of its general footprint. The layout of the development means that the major communal elements and flats are all serviced from the principal entrance on Poplar Road providing access to the flats above by means of a stairwell. Access into the residential parts of the development will be controlled with no access for the general public. The flats facing Poplar Road will all be serviced from an internal corridor at their rear, while the flats in the Library Close/Dyffryn Road element of the development will overlook the street and rear courtyard and will be serviced from a central internal corridor. The corridor will be overlooked by the kitchen windows of these flats. The main community facility element of the proposed development will all be located on the ground floor of the building and will front on to the Poplar Road elevation. This element will comprise flexible community space that could be put to a number of uses, a community café, kitchen and salon.

The building is essentially a two storey building however as it turns the corner it will have the appearance of a three storey structure from the Poplar Road frontage, this is a result of the shift in levels that rise up Dyffryn Road. The building would be finished in a combination of brown brick, white render and timber cladding. The roof would be in weathered zinc with doors and windows in dark grey powder coated aluminium, with boundaries treated in a combination of brick, stone, railing and hedge.

Vehicular access to the site will be from its south easternmost corner on Poplar Road and this will service a small rear courtyard with a total of seven car parking spaces.

The application is accompanied by the following:

- Planning Statement.
- Design and Access Statement.
- Statement of Community Consultation.
- Drainage Strategy.
- Tree Report.
- Ecology Assessment.
- Desk Study/Site Investigation Report.

## **SITE APPRAISAL**

The application site lies on the junction of Dyffryn Road/Library Close and Poplar Road and occupies an L-shaped plot of some 0.32 hectares. The site currently comprises a hall, library and an outdated sheltered accommodation complex. There is currently an informal parking area to the front of the Library and hall on Poplar Road and the sheltered accommodation sits within its own boundaries. The site itself lies at the centre of a built up area. The topography in the locality rises in a north easterly direction along the line of Dyffryn Road.

Though the surrounding area is mostly residential in character it comprises a wide variety of dwelling size, type and age ranging from traditionally built stone terraces, brick built housing and flats through to recently built houses and flats finished in a mixture of reconstituted stone, render and brick.

The site lies close to the centre of Rhydyfelin and consequently, though the surrounding area is mostly residential in character, shops, a pub, a surgery and a crèche all lie nearby. The site is well served by local and Cardiff orientated bus routes all of which lie within comfortable walking distance of the site

## PLANNING HISTORY

14/0596	Prior notification of demolition of hall and sheltered accommodation	Approved 04/08/14
14/0385 add new demolition consent	Prior notification of proposed demolition of library, communal building and sheltered accommodation	Withdrawn 29/04/14
07/1819 (Rhydyfelin Library)	Single store extension incorporating conference/meeting room, IT suite and internal refurbishment	Approved 08/01/08

## PUBLICITY

The application has been widely advertised by means of press notice, site notices and neighbour notification letters; this has resulted in the submission of eight responses from the public highlighting the following concerns and objections.

1. The community consultation exercise undertaken by the applicant's agent was inadequate in only inviting 100 people to an event that affects the whole community.
2. The Rhydyfelin Library Support Group has mounted a legal challenge and it would be inappropriate to allow the demolition of the building to go ahead before a decision had been reached on the legal challenge. It has also been indicated that they would do so again if necessary with regard to any positive outcome in respect of this planning application.
3. The application does not give enough detail regarding the space given over to the retail unit although this is on the plan.
4. The existing library was improved with grant assistance in 2008 and currently has a computer suite, meeting room and library area with adequate space for wheelchair users and mothers with pushchairs. Many members of the public believe that it is more than adequate to meet current needs and the existing facility already meets a variety of needs.
5. Demolishing the library will have an adverse effect on a deprived area. The existing facility is within walking distance for the local population and

accessible by public transport for people from Nantgarw and Taffs Well whose libraries have closed.

6. The sheltered housing complex could be demolished and redeveloped to provide new sheltered accommodation without having to demolish the library.
7. The Welsh Government announced that every primary school child will have a library card then RCT close half the libraries!
8. It is also suggested that the housing association should find somewhere else to build their sheltered accommodation. The salon is objected to on the basis that it would result in competition for existing businesses.

## **CONSULTATION**

Transportation Section – raise no objections subject to conditions.

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

Public Health & Protection – no objections subject to conditions.

Education & Children's Services - we have no objection to the planning application as the proposal involves a flexible community use that has the ability to incorporate a library.

Parks & Countryside – there are no issues with regard to the trees currently on site as long as the recommendations of the tree survey are pursued. The application site has been subject to a Phase 1 Habitat and Inspection & Emergence Survey and matters relating to ecology can be covered through appropriate planning conditions.

Natural Resources Wales – in light of the evidence provided by the applicants, particularly with regard to bats, no objection is raised though it is suggested that appropriate care be taken during the demolition process given that it is possible that bats could take up residence in the future.

Housing Strategy – raise no objection as the proposal meets the definition of affordable housing in TAN 2 and satisfies the requirements of Local Development Plan policy SSA12.

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

Western Power Distribution – no observations received within the statutory consultation period.

Wales & West Utilities – no observations received within the statutory consultation period.

South Wales Fire & Rescue Service – no observations received within the statutory consultation period.

Glamorgan Gwent Archaeological Trust – as archaeological advisers to your Members we have no objection to the proposed development.

## **POLICY CONTEXT**

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

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

**Policy CS4** – defines housing land requirements for the area.

**Policy CS5** – requires the provision of affordable housing.

**Policy AW1** – defines the housing land supply to be met partly by the development of unallocated land in smaller settlements.

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

**Policy AW4** – sets out the community infrastructure and planning obligation contributions that the Council may seek in respect of new development.

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

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

**Policy SSA11** – sets minimum housing density requirements for new development.

**Policy SSA13** – sets criteria for new housing development within settlement limits.

### **National Guidance**

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

### **Planning Policy Wales**

#### **Chapter 2 (Development Plans)**

Paragraph 2.1.2. Indicates that Local Development Plan's should provide a firm basis for rational and consistent decisions on planning applications and appeals, they are fundamental to planning for sustainable development. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that if regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material circumstances dictate otherwise. Conversely applications which are not in accordance with the relevant policies in the plan should not be allowed unless material considerations dictate otherwise.

### Chapter 3 (Making and Enforcing Planning Decisions)

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

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

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

### Chapter 4 (Planning for Sustainability)

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

Paragraph 4.9.1 advocates the re use of previously developed land.

Paragraph 4.11.7. Promotes mixed use developments.

Paragraph 4.11.8. Promotes good design in high density developments.

### Chapter 8 (Transport)

Paragraph 8.1.1. The Welsh Government aims to extend choice in transport and accessibility in a way which supports sustainable development and helps to tackle the causes of climate change by encouraging a more effective and efficient transport system, with greater use of more sustainable and healthy forms of travel and by minimising the need to travel.

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

- The impacts of the proposed development on travel demand.
- The level and nature of public transport provision.
- Accessibility by a range of different transport modes.
- The willingness of a developer to promote travel by public transport, walking or cycling, or to provide infrastructure or measures to manage traffic to overcome transport objections to the development.
- The environmental impact of both the transport infrastructure and the traffic generated, and;



- The effects on the safety and convenience of other users of the transport network.

### Chapter 9 (Housing)

Paragraph 9.1.2 Advocates residential developments that are sustainable residential environments avoiding large areas of monotonous character with adequate provision of affordable housing.

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

Paragraph 9.2.14 States that a community's need for affordable housing is a material planning consideration.

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

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

### Chapter 12 (Infrastructure and Services)

Paragraph 12.1.5 States that the planning system has an important part to play in ensuring that the infrastructure on which communities and businesses depend is adequate to accommodate proposed development so as to minimise risk to human health and the environment and prevent pollution at source.

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

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

Section 13.5. Confirms that the planning system should guide development to lessen the risk from natural or human made hazards. The aim is to ensure that development is suitable and that the physical constraints on the land, including the impact of climate change, are taken into account at all stages of the planning process.

Section 13.7 Confirms that planning decisions need to take account of the potential hazard that contamination presents to the development itself, its occupants and the local environment and; the results of specialist investigations and assessments by the developer to determine the contamination of the ground and to identify any remedial measures required to deal with any contamination.

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

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

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

Other relevant policy guidance consulted:

- PPW Technical Advice Note 2: Planning and Affordable Housing;
- PPW Technical Advice Note 12: Design;
- PPW Technical Advice Note 15: Development and Flood Risk;
- 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.

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

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

The current proposal involves the demolition of 32 obsolete sheltered housing units, a hall and the library. This will be replaced with 32 residential units for older people, incorporating communal facilities and flexible multi use space for community use which in terms of floorspace is only 15 sq m less than the existing library.

In terms of some key policy areas the effect on housing land supply is entirely neutral (32 units being replaced with 32 units), the proposal is at a high but

acceptable density in terms of the amount of dwellings being provided on the amount of land used and the proposal is in its entirety by definition affordable housing.

The potential uses for the community use element of the development are flexible and diverse. It is envisaged that most of the uses this space would be put to would fall into use class D1 as defined by the current Use Classes Order and could encompass uses such as a library or a crèche. The planning permission will also allow for the use of the building for educational or religious purposes. There will also be ancillary uses in the form of a community café (serviced from the kitchen that makes provision for the wider facility) and salon (floorspace of 45.3 sq m.); this would represent a versatile piece of public space that can reasonably be expected to sit at the heart of any community and in policy terms is entirely acceptable at this location.

In broad land use planning terms, there is little difference between the existing and proposed arrangements and the provision of modern, socially desirable facilities on a brownfield site in a sustainable location is considered acceptable particularly when the redevelopment involves the replacement of substandard accommodation for vulnerable people with modern appropriate facilities. Whilst the proposal does involve the demolition of the existing library it is in this instance acceptable in land use planning terms as it will be replaced by similar uses. It is important for Members to note that the decision of the Council as to whether or not the library should stay open is not a material planning consideration to be taken into account when determining this application.

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

As mentioned above the wider area around the application site is not characterized by any one design style and this is largely a product of the way in which the community of Rhydyfelin has developed over a considerable period of time. There is consequently no requirement for any particular design type or material finish to be applied in this case. However, the siting of the building and its scale do need to respond to the surrounding area. This the proposal achieves this successfully through its design with the creation of a building that turns the corner in a coherent way with its most prominent elements and main entrance points on that corner. The palette of external finishes is not uncommon in the locality and the use of timber cladding lends focus to the prominent corner of the property.

The proposed building would prove successful in the creation of a landmark building at a relatively prominent location in Rhydyfelin that at the same time is not overly dominant in relation to surrounding development and as such its effect on the character and appearance of the area would be positive, particularly as in design terms it would replace a series of buildings that are relatively unattractive and to some extent dilapidated with no coherent visual relationship to each other.

### **Impact on general and residential amenity**

In designing the proposed development the architect has used a combination of working with the levels of the site and a clearly thought through the layout to ensure that the proposed development respects the privacy and amenity of the locality and this is achieved despite the fact that the site sits centrally within Rhydyfelin itself. Good distances are maintained between the proposed development and established residential development in the area and the scale and overall design ensures that the development would maintain a successful balance between providing a building that has the right degree of prominence for the corner plot whilst at the same time not having an overbearing impact on its neighbours.

Some residents have expressed concern that the existing provision adequately meets the current needs of the community and there is no need for change however, this application has to be considered on the merits of the proposal and not the adequacy or otherwise of the status quo. Whilst the demolition of the existing library might have a short term adverse impact on the social amenity of the locality, the redeveloped site would have the potential to meet the needs of the community in this regard, and there would be no overall loss of community functions. Considering the proposal in planning terms, the provision of a modern facility under one roof has the potential to offer functions in a more cohesive manner than those that the library provided.

### **Access and highway safety**

With regard to access and highway safety the proposed development is considered acceptable. There is however an issue in that the amount of car parking offered by the current proposal is extremely limited with the new development only providing a total of 14 off street car parking spaces. In terms of this shortfall the applicants have offered the following by way of explanation –

- There is a considerable amount of off street parallel parking opposite the site that could accommodate any additional parking that the proposed development might generate.
- The applicant suggests that the type of facilities that could be provided within the community facility would replicate in accessibility terms those that currently exist.

Many of these services that could be provided in the new facility already exist within the library provision or community (community meals services particularly) and their users predominantly travel on foot.

It is contended that the future services proposed at the new development, will be used by many of the same customers who access the library services on foot, the same users who access the community meals service on foot (at the Community Centre 100 metres away) and the new residents of the proposed development.

The applicants emphasise the fact that the proposed facility will be a local facility that benefits the less well off and vulnerable members of the immediate community which is itself a strong point. Furthermore, Members should note that even those who have raised objection to the proposed development have been clear in stressing that the existing facilities are well used by people relying on walking and public transport. The proposed residential units are a replacement for the existing substandard sheltered accommodation and will generate no more traffic than the existing arrangement which is known to be low, and much the same could be said for the library and other non residential facilities on the application site. Moreover, the kind of services that the applicants are proposing to provide are those that traditionally have a local focus where people would be more inclined to walk or use public transport to access them. When these facts are considered in conjunction with a determined shift away from encouraging people to use their cars by not providing car parking or providing a reduced number then a modal shift in the way people think about travelling to or from any given venue can be achieved. It is this that the applicants are aspiring to in this instance and there is a good case for allowing the application with reduced parking provision.

The proposal has been subject to careful consideration by the Highways Development Control Section and they have indicated that, subject to appropriate conditioning, matters relating to access, visibility and circulation are considered acceptable. The level of provision of car parking to serve the development has been subject to particularly close scrutiny given that the proposed scheme is offering 14 car parking spaces. On this point it is noted that this is an area with substantial demand, but also acknowledge that the site lies within a sustainable area within walking distance of local amenities and that public transport is widely available. This coupled with the fact that the proposal is for social housing which traditionally has lower levels of car ownership than private housing, and the fact that traffic management measures already exist in close proximity to the site and that an informal parking area is present at nearby Warren Close to cope with any overspill leads to no objections being raised on this issue.

#### **Other Issues:**

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

It is clear from the consultation responses received that the proposal is acceptable in terms of matters such as drainage, ecology or archaeology as there is either no impact or the impacts are such that they can be adequately managed through the appropriate application of conditions to any consent that might be issued. However, the concerns that have been expressed by residents, though largely addressed above do require some further comment.

The community consultation undertaken by the applicant's agent was an entirely voluntary exercise which they were under no statutory obligation to perform. The criticism of its extent therefore has no material impact on the consideration or determination of the planning application itself, which has been consulted on through the proper statutory process.

The fact that there was a legal challenge over the proposed closure of the library has no bearing in the consideration or determination of the planning application which must be determined on its own merit in accordance with Town & Country Planning legislation, policy and guidance as a separate and independent stream of legislation. The granting of planning permission will not over ride any other rights that exist or processes that need to be followed.

The suggestion that only the sheltered housing element of the site could be redeveloped as an alternative to the wholesale redevelopment proposed may well be true but that is not what Local Planning Authority are being asked to consider.

Members will note that there was some opposition on the basis of competition this though cannot be allowed to influence the outcome of the planning application as it is not material to its determination.

### **Section 106 and 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 Taf's Residential Charging Zones, where there is a liability of £40 / sqm for residential development.

The CIL charge (including indexation) for this development is expected to be £27,078.16. However, social housing relief may be claimed on the social housing element of the development.

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

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

- 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.

In this instance, the proposed development does not generate any requirement for educational or transport tariff contributions (or any other form of requirement). This though is a product of the nature of the proposal with it involving the redevelopment of existing sheltered accommodation for the elderly. However, this exemption is made on the basis that the residential element of the proposed development should remain social housing in perpetuity and it is therefore recommended that if Members are of a mind to accept the recommendation then it should be subject to a Section 106 agreement with the following heads of terms:—

- The applicant entering into agreement to secure the use of the residential element of the development as social housing in perpetuity, and
- The applicant meeting the Council's reasonable costs in preparing the agreement.

### **Conclusion**

The application is considered to comply with the relevant policies of the Local Development Plan in respect of the proposed renewal of sheltered accommodation and the provision of new community orientated facilities. Other material considerations are adequately dealt with in the details submitted or can be appropriately controlled through the use of planning conditions. Accordingly support is offered for the current application.

### **RECOMMENDATION: Grant**

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

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

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

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

### Development Plan.

3. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building is occupied. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the new development will in keeping with the surrounding area and to protect residential amenity in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

4. Before any work is commenced on site, including site works of any description, each of the trees to be retained shall be securely fenced off by a chestnut paling or similar fence erected in a circle round each tree to coincide with the extremity of the canopy of the tree. Within the areas so fenced off the existing ground level shall be neither raised nor lowered, and no materials or temporary buildings or surplus soil of any kind shall be placed or stored thereon during the period of construction works. If any trenches for services are required in the fenced-off areas during construction works they shall be excavated and back-filled by hand and any tree roots encountered with a diameter of 5cms or more shall be left unsevered.

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

5. No development shall take place until a Wildlife Protection Plan for Construction has been submitted to and approved in writing by the local planning authority. The plan shall include:
  - a. An appropriate scale plan showing 'Wildlife Protection Zones' where construction activities are restricted and where protective measures will be installed or implemented;
  - b. Details of protective measures (both physical measures and sensitive working practices) to avoid impacts during construction;
  - c. A timetable to show phasing of construction activities to avoid periods of the year when sensitive wildlife could be harmed (such as nesting bird season).
  - d. Persons responsible for:
    - i) Compliance with legal consents relating to nature conservation;
    - ii) Compliance with planning conditions relating to nature conservation;
    - iii) Installation of physical protection measures during construction;
    - iv) Implementation of sensitive working practices during construction;



- v) Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction;
- vi) Provision of training and information about the importance of the 'Wildlife Protection Zones' to all construction personnel on site.

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

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

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

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

7. Construction works on the development shall not take place other than during the following times:
- i) Monday to Friday 0800 to 1800 hours;
  - ii) Saturday 0800 to 1300 hours;
  - iii) Not at any time on Sundays, Bank or Public holidays, unless otherwise agreed in writing by the Local Planning Authority.

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

8. No development shall take place until drainage arrangements have been submitted to and approved in writing by the Local Planning Authority.

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

9. No dwelling or any other element of the development hereby approved) shall be occupied until the drainage works have been completed in

accordance with the approved plans.

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

10. The proposed means of access, circulation, on site parking and parking lay-by on Poplar Road shall be laid out in accordance with the submitted layout plan, Drawing no. 1873-116 Rev.F.

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

11. Notwithstanding the approved plans, development shall not commence, other than for any necessary works of demolition and site clearance, until full engineering design and details of the parking lay-by and adjacent 2m wide footway on Poplar Road, including sections; street lighting details and surface water drainage details have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

12. Development shall not begin, other than for any works of demolition and site clearance, until details providing for the creation of a new vehicular crossover have been submitted to and approved in writing by the Local Planning Authority. The crossover shall be constructed in accordance with the approved details before the development is brought into beneficial use

Reason: In the interests of highway and pedestrian safety.

13. The parking area shall be constructed in permanent materials, and retained for the purpose of parking only unless otherwise agreed in writing with the Local Planning Authority.

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

14. Prior to beneficial occupation, a bin collection area within the curtilage of the site shall be provided at a location to be agreed with the Local Planning Authority.

Reason: In the interests of highway safety.

15. Surface water runoff from the proposed development shall not discharge on

to the public highway of be connected to any highway drainage system unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety and to prevent over capacity of the existing highway drainage system and potential flooding.

16. The street lamp column affected by the proposed lay by shall be located in a position to be agreed in writing by the Local Planning Authority prior to any works, (other than any works of demolition and site clearance, commencing on site).

Reason: In the interests of highway safety.

17. The BT chamber affected by the proposed lay-by shall be relocated in a position to be agreed in writing by the relevant statutory undertaker prior to any works (other than demolition and site clearance), commencing on site.

Reason: In the interest of highway safety.

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

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

19. No development shall take place (excluding any works of demolition and 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.
- The sheeting of lorries leaving the site.

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

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

20. The consent hereby granted relates to the following plans -

- a) Site survey drawing no. 1873 – 100.

- b) Site sections drawing no. 1873 – 125.
- c) Elevations part 2 drawing no. 1873 121A.
- d) Elevations part 1 drawing no. 1873 – 120D received 15-7-14.
- e) Level 0 plan drawing no. 1873 – 112H received 15-7-14.
- f) Level 1 plan drawing no. 1873 – 113F received 15-7-14.
- g) Level 2 plan drawing no. 1873 – 114F received 15-7-14.
- h) Proposed site plan drawing no.1873 – 116G received 15-7-14.

Reason: For the avoidance of doubt as to the approved plans.

=====

<b>APPLICATION NO:</b>	<b>14/1223/10 (HL)</b>
<b>APPLICANT:</b>	<b>Rhondda Housing Association</b>
<b>DEVELOPMENT:</b>	Development of 21 no. dwellings and associated works (Amended plans received 17/02/15, amended description received 24/02/15)
<b>LOCATION:</b>	<b>FORMER YSTRAD DEPOT, YSTRAD, PENTRE, CF41 7RG</b>
<b>DATE REGISTERED:</b>	<b>03/10/2014</b>
<b>ELECTORAL DIVISION:</b>	<b>Ystrad</b>

---

**RECOMMENDATION: Approve subject to a Section 106 Agreement**

**REASONS:**

The application is located within the settlement development limits of Ystrad 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 ecology and drainage.

The granting of planning application 12/0844/10 for the development of 14 houses on 14th May 2013 has also positively established the residential use of the site.

---

**APPLICATION DETAILS**

Full planning permission is sought for the construction of 21 dwellings on the former Ystrad Depot, Ystrad, Pentre.

The development would comprise of the following: three detached dwellings; fourteen one bedroom flats; and four bungalows. The site would be accessed from both Mill Street and Trafalgar Terrace with a new road connecting these two existing

streets through the site. Details of the property type and plot allocation are given below:

- units 1-3: 3 bed detached house
- units 4-13: 1 bed flat
- unit 14: 3 bed detached bungalow
- units 15-16: 1 bed flat
- unit 17: 1 bed semi detached bungalow
- unit 18: 2 bed semi-detached bungalow
- unit 19: 5 bed assisted living bungalow
- units 20-21: 1 bed flat

The three detached dwellings (units 1-3) would be positioned in the western part of the site facing west towards the junction with Trafalgar Terrace, to the south of Providence Church. The properties would be three storey in height although the top floor would be positioned in the roof space with the aid of a dormer window in the front (western) roof plane. The properties would each benefit from three off street parking spaces: two spaces in the front garden adjacent to the western elevation of the dwelling and a further space provided on the opposite side of the new carriageway to the south-west.

Units 4 -13 would be provided within two, two storey buildings in the central part of the site. The properties would be south facing with one off street parking space per flat provided in the garden area to the front (south) of the building. Visitor parking would be provided on the opposite side of the road to the south. An area of communal open space would be provided to the rear (north) of the buildings.

Unit 14 would be positioned in the eastern part of the site. The front elevation would be eastward facing. The property would be approximately 14.9m to the south of number 17 Mill Street and approximately 18m to the west of numbers 15 and 16 Mill Street. The property would benefit from a pitched roof car port that would adjoin the front (eastern) elevation with two further off street parking spaces provided within the front garden to the north-east of the property. A private garden would be provided to the side (north) of the dwelling.

Units 15 and 16 would be positioned to the south of unit 14 and would be accommodated in a two storey east facing building. Each flat would benefit from an enclosed rear garden to the rear (west) and one off street parking space to the front (east).

Units 17 and 18 would be located on the eastern side of the southern spur of the site and would be orientated to face north, up Mill Street. The properties would benefit from a private rear garden and two off street parking spaces to the south. Two visitor parking spaces would be provided to the front (north) of the building.

Unit 19 would be positioned in the southern most part of the site. The building would be positioned to the rear of units 17-18 and 20-21 with its front elevation facing northwards. The property would benefit from four off street parking spaces positioned to the north-west and a private garden that would wrap around the side (western and eastern) and rear (southern) elevations of the building.

Units 20-21 would be positioned on the western side of the southern spur. As with units 17-18, the building would be north facing with a communal garden space and two parking spaces provided to the rear (south) of the building.

With regard to external materials a mix of reconstituted stone with timber weather boarding above is proposed with grey concrete roof tiles and uPVC windows and doors. New boundary walls would be finished with reconstituted stone where most visible and timber fencing between garden areas.

The proposed highway connecting Trafalgar Terrace and Mill Street would include a raised plateau finished in paviors and segregated footways on either side. The cul-de-sac providing access to units 17-20 would be a shared surface finished with block paviors.

Units 1-3, 14 and 19 would be provided with garden sheds with all properties having allocated areas for refuse storage.

The site layout plan submitted indicates a section of the existing lane to the west of the site, at the southern end of Trafalgar Terrace being upgraded to adoptable standard.

## **SITE APPRAISAL**

The site comprises a vacant plot of unallocated, brownfield land located within the defined settlement boundary of Ystrad. The plot is situated between Trafalgar Terrace and Mill Street and the railway line to the south. The inverted L-shaped site is 0.47 hectares in size and once contained Ystrad Depot which closed in 2009. Whilst the area was once a Council facility, no buildings or structures remain on site.

The site is generally flat, however the southern spur, leading towards the railway line, is set at a slightly lower level. The wider area is located on a gentle gradient falling from north to south. The boundaries of the site with the railway line and that opposite numbers 13 to 16 Mill Street the site is defined by Pennant stone walls. The rest of the site is secured by a post and wire fence or railings.

To the east of the site is a school, to north are residential streets (Trafalgar Terrace and Mill Street) and to the west are garages and vacant/underused plots of land. The wider surrounding area is dominated by residential development interspersed with shops and community uses such as places of worship. Ystrad Railway Station is situated approximately 250m to the west and the main road through the Rhondda

Fawr (A 4061) is situated at the other end of Trafalgar Terrace and Mill Street approximately 100m from the site.

## **PLANNING HISTORY**

12/0844	14 dwellings and associated works with amended access.	Granted 14/05/13
89/0919	Vehicle Canopy	Granted 01/90
82/1127	Two-storey building, stores and associated works	Granted 01/83

## **PUBLICITY**

The application was advertised via neighbour notification letters, the erection of site notices and the publication of a press notice.

Three letters of objection have been received and are summarised as follows:

- There is already a high volume of traffic and parking on Trafalgar Terrace due to existing residents parking there, the clinic, chapel, rail bus link, nearby care home, nearby garage businesses, nearby railway station, nearby adult training centre and people living in other streets using the road and parking there. This often causes vehicles to have to wait or reverse to let another pass, and this proposal will increase traffic and cause further congestion;
- The development will lessen the parking availability on Trafalgar Terrace, as vehicles currently use the bottom of it to park, and this option will be removed;
- The land should be used to create parking for the area;
- Additional traffic will be a danger to pedestrians and motorists;
- Traffic already goes too fast and is dangerous;
- Although the proposal indicates a new estate road that can be accessed through either Trafalgar Terrace or Mill Street, due to the ease of getting onto the main road from Trafalgar Terrace we believe this would be the choice of route. The 42 cars generated by the proposal would add to the existing congestion in the street and would be detrimental to safety;
- Concern that Trafalgar Terrace will be the only access to the new development;
- Access should be one-way-down Mill Street and up through Trafalgar Terrace;
- Trafalgar Terrace should have traffic calming measures;
- Mill Street has endured excess traffic when the Council yard was in full use;
- The development during construction could cause undue noise and disturbance if access is primarily through Mill Street. Requests that construction traffic enter the site via Mill Street and exit via Trafalgar Terrace.

## **CONSULTATION**

Transportation Section – no objection subject to conditions.

Land Reclamation and Engineering – no objection subject to conditions. The application makes reference to diversion of an existing sewer on site. This is a culverted watercourse. Whilst there are no objections in principle the applicant will be required to submit an ordinary watercourse consent application.

Public Health and Protection – no objection subject to conditions.

Education and Children's Services – there is sufficient capacity within the local schools to accommodate children from this development.

Natural Resources Wales –raise no objection but advise that the site lies partially 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). Recommend consulting with the Authority's Drainage Engineers with regard to flooding from drains, culverts and small watercourses.

Dwr Cymru/Welsh Water – confirm that part of the site is crossed by a public sewer. No objection subject to conditions.

Countryside, Landscape and Ecology – no objection subject to conditions.

Network Rail – no objection in principle. Comments provided with regard to foundations, drainage, fencing, ground disturbance, site layout, piling, excavations/earthworks, noise, landscaping plant, scaffolding and cranes, access and lighting.

Housing Strategy – raise no objection. The predominantly social rented scheme has been designed by Rhondda Housing Association in dialogue with the Council's Housing Strategy Team to help address the need for additional affordable housing within Ystrad. The unit mix and tenure proposed accord with the Local Housing Market Assessment. As such the proposal satisfies Policy NSA11 of the LDP.

Glamorgan Gwent Archaeological Trust - raise no objection to the proposed development but advise that a condition requiring a scheme of archaeological investigation be included in any consent issued given the variety of previous uses in and around the application site.

## **POLICY CONTEXT**

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

**Policy CS1** expresses the strategy for the northern area of the County Borough. The policy promotes the re-use of previously developed sites.



**Policy CS5** outlines the extent of the affordable housing requirement that needs to be delivered through the plan period.

**Policy AW1** identifies the supply of new housing that needs to be delivered during the plan period.

**Policy AW2** supports development in sustainable locations, such as sites within the settlement boundary, where development does not conflict with surrounding existing uses, which have access to sustainable transport options and have access to services.

**Policy AW4** identifies a range of areas for which contributions may be sought.

**Policy AW5** supports developments where they accord appropriately in terms of amenity and accessibility.

**Policy AW6** supports development which has a high standard of design and layout.

**Policy AW11** seeks to protect employment uses.

**Policy NSA10** refers to housing density, stating that residential development should be of a minimum of 30 dwellings per hectare.

**Policy NSA15** identifies criteria for the potential redevelopment of small industrial and business sites.

**Policy NSA16** refers to the re-development of vacant and redundant industrial sites.

The following Supplementary Planning Guidance documents are also applicable,-

- Access, Circulation and Parking.
- Design and Placemaking.

### 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 conditions), Chapter 4 (planning for sustainability), and Chapter 9 (housing), set out the Welsh Government's policy on planning issues relevant to the determination of this application.

Other relevant policy guidance consulted:

- PPW Technical Advice Note 12: Design:
- PPW Technical Advice Note 18: Transport:
- Manual for Streets

## **PLANNING CONSIDERATIONS**

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 key considerations in the determination of this application are whether the principle of the proposal is considered acceptable in respect of planning policy, its impact on highway safety, traffic and parking availability in the area, the design and layout of the proposed residential scheme and its impact on residential amenity.

### **Policy and Principle of Development**

In respect of planning policy the development of the site for residential purposes is considered to be acceptable. Previously the site has been used for employment purposes and policy AW11 seeks to protect such sites from non-employment development. However, policy AW11 does allow for alternative uses should such sites be derelict, underused, vacant or deemed to be unsightly. Policies NSA15 and NSA16 also allow for the redevelopment of vacant employment sites where the continued use of the premises for business purposes would cause undue disturbance to residential neighbours, or where access to the site does not meet an acceptable safety standard and cannot reasonably be improved; where the proposed re-development is compatible with other uses in the locality and there are no significant adverse impacts on the amenities enjoyed by local residents; and re-development would have a positive effect in regeneration terms.

It is considered that the proposed development accords with the above policies. Any further storage or industrial type use is likely to have a negative impact on surrounding streets and residents and the site is unlikely to attract other uses such as office use as there are more accessible units and sites nearby in Gelli, Treorchy and Tonypany. It is therefore considered that the re-development of the site for housing would have a positive impact through providing a use for a vacant site. Bearing the above in mind, the proposal is considered acceptable in principle. Furthermore the use of the site for residential purposes has been positively established by the granting of planning application 12/0844/10 for the development of 14 dwellings on the 14<sup>th</sup> May 2013.

### **Highway Safety**

Whilst local residents have raised concerns with regard to highway safety and the free flow of traffic in the area, in this instance it is considered that the development proposed would not have a detrimental impact on highway safety. As specified above, the application proposes the development of a new highway through the development, linking Trafalgar Terrace and Mill Street and the provision of 33 dedicated off street parking spaces for the new residents plus 10 additional on-site parking spaces for visitors. Whilst residents have requested that the site be used for

parking purposes to alleviate existing on street parking and congestion issues, it is considered that the proposal provides an acceptable level of parking for both occupiers and their visitors and would not exacerbate existing on street parking issues within the area. There may even be an opportunity for over spill parking to use areas of the new road, increasing the availability of on street parking.

In relation to congestion, it is considered that the highway layout proposed, could prevent larger vehicles such as refuse and delivery lorries etc having to turn in the road by providing a two way through route from Trafalgar Terrace to Mill Street and vice versa.

In relation to the increased number of vehicles accessing the site, the developer has provided a Transport Statement based on existing trips for Trafalgar Terrace and Mill Street coupled with information from the TRICS database to forecast the impact of the proposed development on both residential streets at peak AM and PM times. Following consultation the Transportation Section has advised that the impact generated by the proposal would not be sufficient to warrant a highway objection. As a result the Transportation Section has raised no objection to the proposal and conditions have been recommended to ensure the satisfactory construction of the new highway and tie-in; highway drainage and to control traffic during the construction period.

## **Design**

In respect of the design and layout of the development, the proposed scheme is considered acceptable. It is considered that the proposed layout generally adheres to contemporary design principles. The scheme will link two existing terraced streets ensuring that the new development will not be isolated and will help encourage interaction between the occupiers of the new development with those occupying the existing terraced streets. Furthermore the proposed dwellings are considered to satisfactorily address the existing streets and are considered to contribute positively to the street scene on Trafalgar Terrace, Mill Street and the proposed new highway and cul-de-sac within the site. The design of the residential units is considered to be acceptable and the materials proposed are also considered to be acceptable given that the range of materials used on surrounding buildings at present.

It is also considered that the provision of a planned and organised development on the site would be an improvement over the existing ad hoc arrangement or the earlier use of the site as a depot (which could still be reinstated without the benefit of a further planning permission).

## **Residential amenity**

Turning to the development's impact on residential amenity it should be noted that no part of the development shares a boundary with any existing residential property. Given the distances between the proposed dwellings and the existing dwellings

nearby, it is not considered that the proposed scheme would have any detrimental impact on existing residents in respect of overlooking or loss of light. Within the site the proposed layout of the dwellings is also considered acceptable in this respect. It is considered that there is adequate private amenity space for the proposed dwellings and the applicant has shown the location of bin stores and sheds for each property.

### **Other Matters**

In respect of the concerns raised that have not been addressed above, it is considered likely that the road will be adopted and maintained by the Council, but this will be dealt with under separate powers courtesy of the Highways Act. In respect of flooding, it is noted that there is a culverted watercourse running through the site. The impacts of this can be considered through the submission of a separate Ordinary Water Course Consent application to the Council.

The application form specifies that units 1-3 would be made available for sale on the open market, whilst units 4-21 would be retained by the Housing Association. It will be necessary to secure units 4-21 as affordable housing by way of Section 106 agreement.

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

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

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

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

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

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

In this case the developer will be required to enter into a Section 106 agreement to ensure that units 4-21 would be secured as affordable housing.

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

### **Community Infrastructure Levy (CIL) Liability**

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

In summary, the proposed development is considered to comply with national and local planning policy and will provide social housing in a sustainable location. The proposed development is considered to be well designed and therefore planning permission with the following conditions is recommended.

### **RECOMMENDATION: Grant**

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

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

2. The development hereby approved shall be carried out in accordance with the approved plan(s) no(s): 010; 011 Rev D; 022 Rev A; 012 Rev B; 013 Rev C; 014 Rev C; 015 Rev C; 016 Rev C; 017 Rev C; 018 Rev C; 019 Rev C; 020 Rev C; 021 Rev D and 024 and documents received by the Local Planning Authority on 9th September 2014 and 17th February 2015, 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 development hereby permitted shall not begin until a scheme to deal with contamination has been submitted and approved in writing by the Local

Planning Authority. The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement specifically and in writing.

1. A desk-top study carried out by a competent person to identify and evaluate potential sources and impact of contamination relevant to the site. The desk-top study should contain a conceptual site model.
2. A site investigation shall be carried out by a competent person to fully and effectively characterise the nature and extent of any contamination and implications. The site investigation shall not be commenced until a desk-top study has been completed satisfying the requirements of paragraph (1) above.
3. A written method statement for the remediation of contamination affecting the site shall be agreed in writing with the Local Planning Authority prior to commencement and all requirements shall be implemented and completed to the satisfaction of the Local Planning Authority by a competent person. No deviation shall be made from this scheme without the express written agreement of the Local Planning Authority.

Reason: To ensure that works are carried out in an acceptable manner in respect of land contamination, in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

4. The development hereby permitted shall not be occupied until the measures approved in the scheme required in condition 3 have been implemented. A suitable validation report of the proposed scheme shall be submitted to and approved in writing by the Local Planning Authority prior to occupation to demonstrate this.

Reason: To ensure that works are carried out in an acceptable manner in respect of land contamination, in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

5. If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals then works shall cease and not continue until revised contamination proposals are submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that works are carried out in an acceptable manner in respect of land contamination, in accordance with policy AW5 of the

Rhondda Cynon Taf Local Development Plan.

6. 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.

7. No development shall take place until drainage arrangements have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the drainage works have been completed in accordance with the approved plan.

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

8. Full details of a scheme for the eradication and/or control of Japanese Knotweed and Himalayan Balsam shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of work on site. The approved scheme shall be implemented prior to the occupation of any dwelling.

Reason: To ensure compliance with the Wildlife and Countryside Act 1981, and in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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

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

10. 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.

11. Notwithstanding the approved plans, development shall not commence until full engineering design and details of the road layout including sections; street lighting details and surface-water drainage details have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure the adequacy of the proposed development, in the interests of highway safety, and in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

12. Notwithstanding the submitted plans, development shall not commence until full engineering design and details of the tie in with Trafalgar Terrace to include a 2.0m wide footway along the site boundary abutting the un-named lane have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and implemented prior to beneficial occupation of the first dwelling unless agreed in writing by the Local Planning Authority.

Reason: To ensure the adequacy of the proposed development, in the interests of highway safety and in accordance with policy AW5 of the Rhondda Cynon Taf Local development Plan.

13. 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 and in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.



14. HGVs used as part of the construction works shall be restricted to entering and exiting the site between 09:30 am and 15:30 pm on weekdays, with no deliveries on weekends or Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

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

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

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

16. No development shall take place until the applicant or their agents or successor in title has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the application and approved in writing by the Local Planning Authority.

Reason: To identify and record any features or archaeological interest discovered during the works, in order to investigate the impact on the works on the archaeological resource, in accordance with policy AW7 of the Rhondda Cynon Taf Local Development Plan.

=====

<b>APPLICATION NO:</b>	<b>14/1308/13</b>	<b>(HL)</b>
<b>APPLICANT:</b>	<b>Mr C Wills</b>	
<b>DEVELOPMENT:</b>	Demolition of existing redundant library building and outline consent for residential development of the site (all matters reserved) (Amended description received 26/11/14)	
<b>LOCATION:</b>	<b>CWMBACH LIBRARY, MORGAN ROW, CWMBACH, ABERDARE, CF44 0DU</b>	
<b>DATE REGISTERED:</b>	<b>09/01/2015</b>	
<b>ELECTORAL DIVISION:</b>	<b>Cwmbach</b>	

---

---

---

**RECOMMENDATION: Grant**
**REASONS:**

The proposed development is within the settlement boundary and in a sustainable location. The indicative plans detail a development could be provided that would not have a significant detrimental impact on the character of the area, residential amenity of those living closest to the site, highway safety or the ecological value of the site. The application is considered compliant with the relevant policies of the Local Development Plan and national guidance.

---

**APPLICATION DETAILS**

The application seeks outline planning permission for the demolition of the former library building and residential development of the former Cwmbach Library site, Cwmbach. The application is made in outline with all matters reserved for future consideration.

In accordance with the requirements of the Town and County Planning (Development Management Procedure) (Wales) Order 2012, information regarding the approximate location of buildings, routes and access, open spaces, height, width and length of each building have also been submitted as part of the Design and Access Statement and an indicative site layout plan.

The indicative details show the development of 6 detached dwellings. The maximum and minimum dimensions for each building are provided below:

	Maximum size in M			Minimum size in M		
	Width	Length	Height	Width	Length	Height
Plot 1	12	12	11	9	9	7
Plot 2	12	12	11	9	9	7
Plot 3	16	14	11	12	12	7
Plot 4	16	14	11	12	12	7
Plot 5	12	12	11	9	9	7
Plot 6	12	12	11	9	9	7

The indicative plans detail that each property would benefit from front and rear gardens and at least two off street parking spaces.

Plots one and two would be accessed from Morgan Row to the south, plots three to five would be accessed via Pond Place to the east with plot 6 accessed from Aberdare Road to the west.

The application is accompanied by the following:

- Design and Access Statement;
- Bat Scoping survey; and
- Extended phase one survey

## **SITE APPRAISAL**

The application site comprises a roughly rectangular shaped area of land with an area of approximately 0.35 hectares, located within the defined settlement development limits of Cwmbach.

The site is located on a gradient that falls steeply from east to west and is bound on three side by vehicular highways: Cwmbach Road to the west, an un-named road leading to Abernant-y-Groes-Uchaf Farm to the south and Pond Place to the east. Cwmbach Road and the highway to the south benefit from pavements on both sides of the carriageway, whilst Pond Place only has a pavement on the eastern side of the carriageway, adjoining and adjacent to the existing dwellings. The former library building and associated car-parking area is located in the southern part of the site, adjacent to Morgan Row.

A trodden path, that provides pedestrian access from Blaennantygroes Road to the north to the un-named road in the south, passes through the site. Whilst the path is well established it is not a definitive Right of Way.

The surrounding area is predominantly residential, with a mix of traditional terrace properties, semi detached dwellings and blocks of flats evident in the immediate area.

## **PLANNING HISTORY**

93/0288	The Library, Phillip Row	Installation of roller shutter door	Granted 22.02.94
---------	--------------------------	-------------------------------------	---------------------

## **PUBLICITY**

The application has been advertised by direct neighbour notification letters and the erection of site notices. Five letters of objection have been received one of which has been submitted on behalf of all the residents in Pond Place, and one on behalf of 8 residents in Phillip Row. The objections received are summarised as follows:

Highway safety and parking

- Failure to provide a singular access road to serve the development will exacerbate the already severe problems experienced with the parking and manoeuvring of vehicles.

- Although 2 parking spaces are provided, the dwellings could be 4 bedroom, additional vehicles will be parking on nearby streets.
- No provision has been made for visitor parking.
- Vehicles already park along the length of the hill opposite the existing library entrance.
- A hairdressing salon opposite the existing entrance has a high turnover of customers who park their cars on the hill, Pond Place or in the former library car park.
- Vehicles exiting Pond Place have to reverse as on street turning is prevented by parked vehicles. Reversing is already difficult as the road is regularly used by heavy vehicles accessing the farm.
- Visibility at the Pond Place junction could be further obscured by a building or high fence.
- Phillip Row has a very narrow junction, cars can barely pass through the remaining space left by parked cars. Further congestion around these junctions could cause severe safety concerns for residents.
- Utilising the verge at the top of Pond Place, by the hammerhead (which is not owned by the applicant) to access the proposed plots would cause major problems for residents.
- Pond Place gets very congested at peak times. Allowing accesses off Pond Place will be dangerous as there are cars parked outside the houses and the road is not wide enough for cars to swing round. This will add to the congestion and jeopardise safety for all.
- The roads in the wider area are narrow. The proposal will increase traffic, including heavy duty vehicles during construction, which will have a significant impact with increased on street congestion if the new residents cannot park on their site.

#### Residential amenity

- The close proximity of the proposed dwellings could generate increased overlooking and loss of privacy to existing residents in Pond Place and Phillip Row.
- Building houses at the top of the hill will generate increased overlooking and loss of privacy for the residents in the flats (Cwrt Glanwern) at the bottom of the hill.

#### Other

- The site was cleared by a contractor with the subsequent brush burnt. The actions have encouraged the spread of Japanese Knotweed to the concern of residents. Problems relating to Japanese Knotweed on the site need to be addressed prior to any development being permitted.
- Not all of the land within the application site is owned by the applicant. A 2m wide stretch running from the kerb, along Pond Place was excluded.
- There is an issue with water and sewage drainage in the area.
- A public right of way crosses the site.

#### **CONSULTATION**

Transportation Section – no objections subject to conditions.

Land Reclamation and Engineering – no objections subject to conditions.

Public Health and Protection Section – raise no objection subject to conditions relating to hours of operation, noise, dust and waste.

Natural Resources Wales - no adverse comments to make.

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

Western Power Distribution - no response received.

Wales and West Utilities – no objections.

Glamorgan Gwent Archaeological Trust – the application site was the site of two short rows of terraced houses. A condition ensuring that an archaeologist conducts a watching brief during any groundworks is recommended.

Landscape - no objections in principle however Japanese Knotweed is present on site. Clearance of the vegetation in the open space of the site (prior to the application received) has resulted in spreading the weed over a larger area than that originally contaminated. Conditions with regard to treatment of the weed prior to any demolition and groundworks being undertaken are recommended.

Ecology – there are no relevant SewBrec Records of Statutory Protected Species from the immediate area. The demolition proposed triggers the Bat survey protocol. An appropriate bat informative note will be needed on any planning permission,

Housing Strategy - whilst an element of affordable housing would be welcomed in this area, policy NSA11 requires 10% provision on sites of 10 units or more. As the scheme is for 6 units provision is not required to satisfy the policy.

## **POLICY CONTEXT**

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

The site is unallocated, located within Cwmbach and within the settlement boundary of Aberdare as defined by the Rhondda Cynon Taf Local Development Plan.

**Policy CS1** - 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 within the defined settlement boundary.

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

**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 health or local amenity.

**Policy NSA10** seeks a minimum housing density of 30 dwelling per Hectare and gives criteria for accepting lower densities.

**Policy NSA12** gives further criteria for suitable housing development within settlement boundaries.

### **National Guidance**

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

Planning Policy Wales (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
- 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 primary considerations are the principle of development; impact of the proposal on the character and visual amenity of the area; the residential amenity of those living closest to the site; highway safety and ecological implications.

## **Main Issues:**

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

The application seeks outline planning permission for the demolition of the former Cwmbach library building and residential development of the site. As specified above whilst a layout plan submitted in support of the application indicates the development and positioning of six detached buildings with associated accesses all matters are reserved for future consideration.

The application site is unallocated, is within the settlement of Cwmbach and is positioned within the settlement development limits of Aberdare as defined by the Rhondda Cynon Taf Local Development Plan. The site is sustainably located in the settlement being accessible to the local shops, public transport facilities and schools etc. The public transport facilities in turn provide access to Aberdare with its retail, employment and leisure facilities. Being mindful of the position of the site within the defined settlement and established residential area of Cwmbach the principle of residential development of the site is considered acceptable.

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

Although the application is in outline with all matters reserved, in accordance with the requirements of the Town and County Planning (Development Management Procedure) (Wales) Order 2012, an indicative site layout has been submitted showing the development of 6, detached buildings. The maximum and minimum heights provided indicate that the buildings would be at least two storey in height.

The development of 6 dwellings on the 0.35 hectare site would result in a density of approximately 17 dwellings per hectare (dph). This is considerably below the required density of 30 dph as prescribed in policy NSA 10. However, the topography of the site which falls steeply from east to west results in parts of the site being too steep to develop. As such it is accepted that the density of development proposed would result in the proposal making efficient use of the site and consequently is considered acceptable.

With regard to scale, the maximum dimensions proposed do indicate the potential development of large dwellings. However, it is considered that the minimum dimensions indicated would generate dwellings more in keeping with the overall context of the site and could result in an appropriately scaled detailed scheme should an application for reserved matters be submitted.

On the basis of the above it is considered that the site is of a size sufficient to accommodate a development of the scale and layout indicated, and dwellings could be designed for the site that would be capable of being sensitive to the context of the surroundings. The application is therefore considered compliant with the relevant requirements of policies AW1, AW2, AW5, AW6, NSA10 and NSA12 of the Rhondda Cynon Taf Local Development Plan.

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

Following consultation members of the public have expressed concerns that the development would cause increased overlooking and loss of privacy to neighbouring dwellings. Whilst this is a matter more appropriately considered at the reserved matters stage, the site layout plan submitted indicates that a minimum distance of 14m could be maintained between the eastern elevation of the proposed dwellings and the western (front) elevations of the properties in Pond Place, with a minimum distance of 11.4m maintained between the southern elevations of the proposed dwellings and the northern (side) elevations of the properties in Phillip and Morgan Row. Based on the plans submitted a minimum distance of 19m would be maintained between the building on plot 6 and the flats in Cwrt Glanwern. Furthermore the indicative sectional plan indicates that the internal floor levels would be stepped in line with the topography of the site.

Although the development of the properties within the eastern part of the site could result in the buildings having substantial rear elevations (as a result of the fall of the land), it is considered that the site is capable of accommodating a residential development without unduly encroaching and compromising the privacy and amenity of neighbours and the properties could be designed to prevent the proposal from having a significantly detrimental impact on those living closest to the site.

A condition restricting the hours of construction is recommended to reduce the impact upon the amenity of neighbouring residential properties, during construction.

On the basis of the above the application is considered compliant with the requirements of policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

### **Access and highway safety**

The indicative plans submitted in support of the application show that each plot would benefit from its own access and onsite parking. Plots 1 and 2 would be accessed from the un-named highway adjacent to the southern boundary of the site, plots 3-5 would be accessed via Pond Place to the east and plot 6 would be access from Cwmbach Road to the west.

Issues in relation to access and parking are the principal concern for residents in the area who have highlighted that Pond Place and the unnamed road to the south are of limited width and the subject of intensive on street parking. This, in association



with the number of traditional properties in the area that do not benefit from any off street parking provision, generates high levels of congestion and difficulty in manoeuvring vehicles.

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

*"Cwmbach Road which has a carriageway width of 7.3m with 1.8m wide footways and double yellow line on the opposite side of the carriageway lane. The indicative access is satisfactory off this section of carriageway. The un-named road leading to Abernant-Y-Goes Uchaf Farm has a carriageway with of 5.9m with footways varying in width between 1.6-1.8m which is satisfactory to serve the proposed. Pond Place has a carriageway with of 5.4, with 1.8m footway on the opposite side to the proposed development and a substandard turning area which has double yellow lines preventing on-street car parking taking place, There is concern with regards the proposed access off Pond Place due to the high on-street car parking demand narrowing the available width for traffic and substandard turning area resulting in reversing movements along Pond Place to the detriment of safety to all highway users.*

*The developer would be required to mitigate the impact of the proposal on the residents of Pond Place by increasing the length of the turning head to a minimum of 12m, provide junction markings on Pond Place and a 1.8m wide footway on the development side.*

*The proposed 4 bedroom dwellings require a maximum of three off-street parking spaces per dwelling in accordance with the SPG Access, Circulation and Parking 2011. There if the potential to provide the required off-street car."*

The indicative plans submitted indicate the development of two garages on the eastern side of plots 3 and 4. The Design and Access Statement specifies that these are indicated *"to provide street enclosure to empathise with the terraced building form"*. However, in order to use the garages a minimum of a least 6m clear space would need to be maintained to the east of the structures to allow vehicles to enter and leave. Being mindful of the width of the Pond Place and the existing levels of on street parking associated, it is highly unlikely that such space would be available. Any such garages could therefore become under used and could result in new residents parking on Pond Place to the further detriment of highway safety and free flow of traffic. Whilst this is a matter more appropriately considered at the reserved matters stage, being mindful of the existing situation, it is considered necessary to remove permitted development rights for such structures. Issues relating the provision of onsite parking and turning facilities can be adequately dealt with at the reserved matters stage.

It is considered that the provision of a 1.8m wide pavement along the eastern edge of the application site should provide enhanced space for vehicles to leave the plots

and for residents to manoeuvre along Pond Place. On the basis of the above and subject to the imposition of conditions it is considered that the development is in keeping with the provisions of Policies AW2, AW4 and AW5 of the Rhondda Cynon Taf Local Development Plan in terms of its impact on highway safety

### **Other Issues**

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

### **Land Ownership**

As part of the public consultation process, the objectors have highlighted that not all of the land within the application site boundary is owned by the applicant, contrary to the information supplied within application form, with land ownership Certificate A having been completed.

The site, with the exception of a strip of land, with a depth of approximately 1.8m and approximate length of 61m adjacent to the western edge of Pond Place, was originally owned by the Authority and recently sold to the applicants. As part of the application, the applicants have included the strip of land adjacent to Pond Place within the application. Whilst the Authority do not own the strip of land, it does accommodate services such as street lighting, telegraph poles and grit bins etc and as such could be considered highway verge.

In light of the land ownership situation the applicants have placed an advert in the Cynon Valley leader to try and establish who owns the land (previous land registry searches by the Authority did not establish ownership). Subsequently a revised land ownership certificate (Certificate D) has been provided. Whilst some lease and freehold documents have been provided by the residents of Pond Place, no definitive confirmation regarding the ownership of the land has been forthcoming. As such, as a result of the new land ownership certificate having been submitted, the planning application is considered valid. Should planning permission be granted and the landowner subsequently come forward, issues in relation to gaining access over a third party's land would be private, civil matter for the applicant and the land owner to resolve.

### **Ecology**

The development of the site for residential purposes necessitates the demolition of the library building. Although the design and materials of the building do not lend themselves to being a bat roost, the building's demolition does trigger the Authority's Bat protocol. The extended phase one survey of the site and bat scoping report of the building conclude that there were no suitable bat access points on the building; no evidence of bats using the former library building was identified and that the potential for use is low. As such it is considered that the demolition of the building would have a negligible impact on the bat population in the area. The application is

therefore considered compliant with the requirements of policy AW8 of the Rhondda Cynon Taf Local Development Plan.

### **Drainage**

In addition to those issues covered in the assessment above, members of the public have expressed concerns that the development would give rise to surface water drainage problems and overload the public sewers. In response it is noted that the drainage consultees have offered no adverse comments subject to the imposition of appropriately worded conditions relating to the disposal of foul and surface water from the site on any grant of consent. It is therefore considered the application remains compliant with the relevant criteria of policy AW2 of the Rhondda Cynon Taf Local Development Plan.

### **Japanese Knotweed**

It is known that Japanese Knotweed grows on the site. Unfortunately during the summer months of 2014, ground clearance works were undertaken which may have resulted in the weed being spread across the site. As a result of the situation the Authority's Landscape Officer has recommended conditions with regard to treatment prior to any construction works taking place.

### **Archaeology**

Following consultation, Glamorgan Gwent Archaeological Trust have provided the following information:

*"The application site was the site of two short rows of terraced housing, one marked on the First Edition OS map of 1880 as Morgan Row, and the other forming a facing terrace to Pond Row (Place) and marked as Phillip Row, joining the current Phillip Row to the south. Both have subsequently been demolished... We recommend that a condition, ensuring that an archaeologist conducts a watching brief during any ground works required for the development, such as clearance, levelling and drainage, should be attached to any consent granted."*

In light of the above, a condition relating to an archaeological watching brief is recommended and the application is considered compliant with policy AW7 of the Rhondda Cynon Taf Local Development Plan.

### **Public Right of Way**

A member of the public has raised concerns that the development proposed would block a right of way that across the site. Whilst it is acknowledged that there is a well established, desire line crossing the site from north to south, the route does not benefit from Right of Way status or protection.

### **Community Infrastructure Levy (CIL) Liability**

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

As planning permission first permits development on the date of the final approval of the last of the reserved matters, CIL is not payable at outline stage but will be calculated for any reserved matters or full applications.

## **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, the residential amenity and privacy, access and highway safety and all other matters that have been raised. In light of the above, the application is recommended for approval subject to the following conditions.

### **RECOMMENDATION: Grant**

1. (a) Approval of the details of the layout, scale and appearance of the building(s), the means of access thereto and the landscaping of the site (hereinafter referred to as "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.  
  
(b) Plans and particulars of the reserved matters referred to in (a) above relating to the layout, scale and appearance of any building to be erected, the means of access to the site and the landscaping of the site shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.  
  
(c) Applications for the approval of reserved matters shall be made before the expiration of three years from the date of this permission.  
  
(d) The development hereby permitted shall be begun before whichever is the latter of either (i) the expiration of 5 years from the date of this permission or (ii) the expiration of 2 years of the final approval of the reserved matters or in the case of approval on different dates the final approval of the last such matter to be approved.

Reason: To comply with Sections 92 and 93 of the Town and Country Planning Act 1990.

2. The details of landscaping required to be submitted to and approved by the Local Planning Authority in accordance with Condition 1 above shall include indications of all existing trees and hedgerows on the land and details of any to be retained together with measures for their protection during the course of development.

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

Rhondda Cynon Taf Local Development Plan.

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

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

4. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the buildings are occupied. Development shall be carried out in accordance with the approved details.

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

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

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

6. Full details of a scheme for the eradication and/or control of Japanese Knotweed (*Fallonica Japonica*, *Rouse Decraene*, *Polygonum Cuspidatum*) shall be submitted to and approved by the Local Planning Authority prior to the commencement of any work on site. The approved scheme shall be implemented in full prior to development commencing on any dwelling/building.

Reason: In order to ensure the eradication/control of Japanese Knotweed within the curtilage of the application site in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

7. During the construction phase of the development works shall be restricted

to the following:

Monday to Friday	08:00 to 18:00 hours
Saturday	08:00 to 13:00 hours
Sunday and Bank Holidays	Not at all

Reason: To ensure that the noise emitted from this development is not a source of nuisance to occupants of nearby residential properties in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

8. No development shall take place until drainage arrangements have been submitted to and approved in writing by the Local Planning Authority.

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

9. No dwelling shall be occupied until the drainage works have been completed in accordance with the approved plans.

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

10. Development shall not begin until details providing for the creation of a 1.8 metre wide footway/vehicular crossover along the site frontage along pond Place have been submitted to and approved in writing by the Local Planning Authority. The footway/crossover shall be constructed in accordance with the approved details before the development is brought into use.

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

11. Development shall not commence until design and details of the turning head on Pond Place being lengthened to a minimum of 12m and junction markings on Pond Place have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the satisfaction of the Local Planning Authority prior to the beneficial occupation of the first dwelling served off Pond Place.

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

12. Prior to the development being brought into use, 2 No. vehicular footway

crossing shall be provided: 1 No. on Cwmbach Road and 1 No. on the unnamed road to the south of the site, in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

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

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

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

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) no development falling within Schedule 2, Part 1 Class E shall be erected or constructed on this site without the prior express permission of the Local Planning Authority.

Reason: To preserve and enhance the visual amenity of the locality and in the interests of highway safety, in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

15. The developer shall ensure that a suitably qualified archaeologist is present during the undertaking of any ground disturbing works in the development area, so that an archaeological watching brief can be conducted. The archaeological watching brief shall be undertaken to the standards of the Institute for Archaeologists. The Local Planning authority shall be informed in writing at least two weeks prior to the commencement of the development of the name of the appointed archaeologist and no work shall begin until the Local Planning Authority has confirmed in writing, that the proposed Archaeologist is suitable. A copy of the watching brief shall be submitted to the Local Planning Authority within two months of the fieldwork being completed by the archaeologist.

Reason: To identify and record any feature of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource, in accordance with policy AW7 of the Rhondda Cynon Taf Local Development Plan.

=====

**APPLICATION NO:** 14/1558/10 (DB)  
**APPLICANT:** Infinis Wind Development 1 Limited  
**DEVELOPMENT:** The erection of a meteorological mast with an operational life of three years and a maximum height of 70m.  
**LOCATION:** LAND AT MYNYDD-Y-GLYN. APPROXIMATELY 1.5KM SOUTH EAST FROM THE SETTLEMENT OF GLYNFACH. GRID REF: E:303483 N:189608  
**DATE REGISTERED:** 19/12/2014  
**ELECTORAL DIVISION:** Tonyrefail East

---

**RECOMMENDATION:** Approve

**REASONS:**

The principle of the development is considered acceptable and is considered to comply with the relevant policies of the Local Development Plan in respect of its impact on, landscape character and visual amenity, nature conservation and existing landscape features, archaeological features, highway safety and Public Rights of Way.

---

**APPLICATION DETAILS**

The application seeks permission to erect a 70 metre high anemometer mast to measure wind speed and directional data on land at Mynydd y Glyn, (at GR 303483, 189608). The permission sought is for a temporary period of a maximum of 3 years, in order to collect up to date wind data in connection with a potential future wind energy generation scheme in this location.

The proposed development consists of a 70 metre high slim monopole column hollow structure, of 15 - 30 cm diameter galvanised steel tubing with anemometers and wind vanes positioned at various heights along the mast. Bird diverters would be attached at regular intervals along each outer guy wire. The mast would sit on a number of timber slats laid on the ground. It would be supported by eight guy wires constructed of galvanised steel and secured to the ground at eight anchor points comprising of pre concrete block or steel plate at 4 opposing corners around the mast, at between 35 - 45m from the base of the mast. Each anchor point would require an excavation of approximately 1m in depth which would be backfilled by the excavated material. In order to prevent sheep rubbing on the anchor points a 1m high stock proof fence may be placed around each anchor point.



The mast would include anemometry equipment, a power source and a small transmitter to allow remote transfer of data. The type of monopole mast has been chosen, rather than an alternative lattice style mast in order to minimise its visual intrusion.

The applicant advises that no new access tracks, or other infrastructure would be required for vehicular movements on site as use would be made of the existing private access track leading up to Mynydd y Glyn from an existing lane adjacent to the residential property known as Bwlch Gwyn, off a minor road 1km east of Treferig House, by four wheel drive vehicles, tractor and trailer and a tracked excavator. No specialist vehicles would be needed to install the mast, as the column is modular and would be delivered in sections and assembled on site. The erection of the anemometer would take less than one week and once installed visits would be carried infrequently associated with routine maintenance. Decommissioning would involve a similar level of activity.

The applicant has advised that no trees or hedges would be affected by the proposed development.

A Planning Statement, Design and Access Statement and a desk based archaeological appraisal accompany the planning application.

## **SITE APPRAISAL**

The application site is located in the countryside, encompasses a circular area of 0.79 hectares, located on an upland plateau at a height of approximately 366m A.O.D, approximately 200m north west of the trig point at Mynydd y Glyn. It lies approximately 1.2 km south east of the residential area of Glynfach, Porth and 1.4km east of the residential area of Rhiw Garn, Trebanog, Porth. There are a number of scattered residential properties located to the south and east of the site, the nearest are those known as Rhiw Garn Fach, (0.9km), Glyn (1.2km) and Langton Court Farm (1.1km).

The site forms part of the land belonging to Treferig House.

The proposed access to the site of the mast would be along an existing agricultural track which enters the public highway to the south west of Bwlch Gwyn along the minor country road. The track crosses a Public Right of Way known as ANT/95/1.

The whole site and parts of the proposed access route are located within the Special Landscape Area known as Mynydd y Glyn and Nant Muchudd Basin as defined in the Rhondda Cynon Taf Local Development Plan. To the north, west and east of the site are a number of Sites of Importance for Nature Conservation known as Mynydd y Glyn (SINC 120), Trebanog Slopes (SINC 49) and Mynydd Gelliwion and Gelliwion Slopes (SINC 124), as defined in the Rhondda Cynon Taf Local Development Plan. Part of the access route lies immediately adjoining SINC 120. The site lies

approximately 300m outside and to the south of the Rhondda Historical Landscape as cited in the Register of Landscapes of Historic Interest in Wales: Part 2:2: Landscapes of Special Historic Interest (2001), the Rhondda Historic Landscape representing one of the largest and best-known mining conurbations and coalfield communities in Britain.

## **PLANNING HISTORY**

There is no planning history on the site.

## **PUBLICITY**

The application has been advertised by means of neighbourhood notification and site notices. 6 letters have been received as a result of this publicity, raising the following comments.

- i. Detrimental visual impact to the Special Landscape Area, which is an unspoilt area of countryside,
- ii. Potential to be a blot on the landscape which has taken years to regenerate following demise of mining ,
- iii. Mynydd y Glyn is one of the last undeveloped upland habitats in the Valleys,
- iv. Mynydd y Glyn is a tourist attraction as it is a “Marilyn”,
- v. Intrusive to surrounding area and users of public footpaths and bridleways,
- vi. Disturbance to wildlife as adjacent to an SSSI,
- vii. Area has contributed its fair share to traditional and renewable energy,
- viii. Little point in constructing the mast when future wind farm development would be unacceptable,
- ix. In a sandstone safeguard area.

Some letters have also raised concerns about any future wind farm on the site, but these are not relevant to the consideration of this proposed development.

## **CONSULTATION**

Public Health and Protection Division – raises no objections.

Land Reclamation and Drainage - raises no objections.

Countryside Section – raises no objections subject to conditions to secure mitigation precautions for the Public Right of Way, the existing nature conservation and landscape features and secure restoration details. No relevant SewBrec records of Statutory Protected Species from immediate vicinity. Appropriate bat informative needed on any planning permission.

NRW – do not wish to make any comments.

Transportation Section – raises no highway objections.

Glamorgan Gwent Archaeological Trust - (GGAT) raises no objections to the proposed development.

## **POLICY CONTEXT**

### **Rhondda Cynon Taf Local Development Plan (LDP)**

The application site is situated in the open countryside, outside Strategic Search Area F (SSA F), within the Mynydd y Glyn and Nant Muchudd Basin Special Landscape Area (Policy SSA23.6) and Sandstone Resource Area (Policy AW14.2) as defined in the Local Development Plan.

Part of the access route lies immediately adjoining the Site of Importance for Nature Conservation known as Mynydd Y Glyn (Policy AW8. 120). as defined in the Rhondda Cynon Taf Local Development Plan.

**Policy AW5** supports development proposals where amenity and accessibility criteria are met.

**Policy AW6** supports development proposals where design and place making criteria are met.

**Policy AW7** seeks to protect and enhance features of the historic, archaeological and built environment and Public Rights of Way.

**Policy AW8** seeks to protect SINC's, and features of the natural environment from inappropriate development.

**Policy AW12** supports development proposals which promote the provision of renewable energy where it can be demonstrated there is no unacceptable effects.

**Policy AW14.2** safeguards resources of sandstone from development which would unnecessarily sterilise them or hinder their extraction.

**Policy SSA23** requires development within Special Landscape Areas to conform to the highest standards of design, siting, layout and materials appropriate to the character of the area.

### **National Guidance**

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

Planning Policy Wales Chapter 3 (Making and Enforcing Planning Decisions), Chapter 4 (Planning for Sustainability), Chapter 5 (Conserving and Improving Natural Heritage and the Coast), and Chapter 12 (Infrastructure and Services) 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 (TAN) 5 (Nature Conservation and Planning) and TAN 8 (Planning for Renewable Energy). The site is located outside of TAN 8 Strategic Search Area F, but any wind farm development of up to 25 MW is not required to lie within the SSA F boundary but needs to ensure that it would not constrain the generating capacity of the refined strategic search area.

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

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

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

### **Main Issues:**

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

The proposal involves the provision of an anemometer mast, 70 metres high, over a 3 year period, for the testing of wind speed and direction, which is a precursor to a potential wind energy scheme. Renewable energy schemes are supported by both national and local planning policy in principle for economic reasons and for their contribution to meeting the challenges of climate change, subject to criteria.

It is therefore considered that the principle of the proposed development is acceptable.

#### **Impact on landscape character and visual amenity**

Concern has been received regarding the adverse impact of the proposed mast on the existing landscape and visual appearance of the open, upland area of Mynydd y Glyn which is located in a Special Landscape Area (SLA).

It is considered that the introduction of a 70m high man-made structure, in such an elevated location, would inevitably have an impact on the landscape character and visual appearance of the area.

The details of the designation of the SLA are contained in background paper EB49 to the Local Development Plan. This document states that Mynydd y Glyn forms a prominent backdrop to the largest area in RCT of un-industrialised lowland farmland

and there are varied and extensive views from Mynydd y Glyn to the Rhondda Valleys and south to the Llantrisant area. The key policies and management guidance within the SLA include ensuring that there are no large-scale developments to spoil its integrity and conserve old patterns of farmland and smallholdings. The proposed development would inevitably detract to a certain extent from the character of the Special Landscape Area, however, such impact is mitigated by the slenderness of the mast and guys and its temporary nature. The greatest impact would undoubtedly be from short distance views but the effect would significantly diminish when seen from distant vantage points.

The mast would be clearly seen within a 1 - 2 km distance of the site from the nearest residential areas of Trebanog, Porth, and Tonyrefail, the many scattered dwellings from within an arc to the east to south east of the site, as well as from the users of the nearby public footpaths and open access land. There would also be more distant views from elevated positions further afield in Beddau and Penycoedcae. Views to the north and west would be largely obscured by the existing ground profiles, conifer plantations and other vegetation.

Overall, it is considered that the small scale and temporary nature of the development would be unlikely to have a significant impact on the landscape character and visual appearance of the area and that therefore the mast would comply with national and local planning policies in respect of these issues.

### **Impact on nature conservation and landscape features**

The proposed mast would be located on upland improved pasture and there are no proposed impacts on any adjacent landscape features, such as trees and hedges adjacent to the site.

In terms of nature conservation interests, the site of the mast is not located within a Site of Importance for Nature Conservation (SINC), but located in close proximity to SINC's known as 120- Mynydd Y Glyn, 124 - Mynydd Gelliwion and Gelliwion Slopes and 49 Trebanog Slopes and part of the access road lies immediately adjoining SINC 120, as defined in the Rhondda Cynon Taf Local Development Plan. In view of the method to be used in securing the mast, there would be minimal impact on the existing ground conditions, an extremely small footprint involved and no works are required to the existing access track to the site.

The Council's Ecologist has raised no objection, as the proposed works would be of little significance to the adjacent SINC's, and conditions are recommended in order to minimise the land disturbance and to secure a suitable restoration of the minimal land involved.

It is therefore considered that in view of the small scale nature of the proposed development, and subject to the imposition of conditions as recommended by the Council's Ecologist, the proposal would comply with national and local planning

policies in respect of its impact on existing nature conservation and landscape features.

### Archaeological Resource

A desk based appraisal of the archaeological resource of the site and within a 1km study area accompanies the application. This appraisal has shown that there are no recorded heritage assets within the site and immediately adjacent. A walkover survey has found no additional above ground heritage assets. The assessment considers that there is low potential for unknown buried archaeological remains to be present on the site and very low potential for any to be impacted, due to the minor ground disturbing activities involved.

The appraisal also considers the potential impact on the setting of the Rhondda Registered Historic Landscape. It concludes that whilst the proposed mast would introduce a new element into the upland landscape adjoining the registered landscape, it would have no adverse impact on its setting due to its limited visibility and small size.

GGAT have advised that taking into account of the appraisal, the lightweight nature of the proposed mast structure and the low impact of the construction, it is considered that it is unlikely that any mitigation would be necessary for the proposed development. No objection is raised to the positive determination of the application. It is therefore considered the proposal would not conflict with the purpose of LDP Policy AW7.

### **OTHER ISSUES**

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

#### Highway Safety and Public Rights of Way

The site would be accessed by the existing vehicular access to Bwlch Gwyn and existing tracks which in the applicant's view are suitable to serve the proposal. The applicant states that the installation does not require the use of specialist vehicles as access is suitable for 4x4 vehicles. A tracked excavator would be required for digging the anchors and a tractor and trailer would be used to carry the mast sections. Once installed the proposed meteorological mast would generate little additional traffic, as this would only be required infrequently for routine maintenance as the collection of data would be accessed remotely. It is considered therefore that in view of the scale of this temporary development, in terms of the type and volume of traffic generated, the scheme is acceptable in highway terms. No highway objection is raised or conditions proposed by the Transportation Section.

The access track crosses a public footpath, known as ANT/95/1. However, it is considered that in view of the limited time scale and limited traffic likely to be generated by the proposal, a condition to require a method statement for the construction of the mast should be sufficient to minimise the potential effects on the public safety of users of the Public Rights of Way.

### Sandstone Resource

The site is located within a Sandstone Resource area, which is safeguarded from development which would unnecessarily sterilise or hinder its extraction by Policy AW14.2 of the LDP. However, given the abundance of the Sandstone resource in Rhondda Cynon Taf, the very limited footprint of the mast, and its temporary nature, it is considered the proposal would not conflict with the purpose of the LDP policy.

### 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 not liable under the CIL Regulations 2010 (as amended).

### Conclusion

In conclusion, given national and local planning guidance which provides a presumption in favour of renewable energy schemes and that the proposal is a slim, lightweight, temporary structure, which would not result in any significant adverse effects, the application is recommended for a temporary permission.

### **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 removed from the site no later than 36 months from the date of the commencement of the development and the site restored in accordance with the details and a scheme which shall previously have been submitted to and approved in writing by the Local Planning Authority. Written notification of the date of commencement of the development shall be submitted to the Local Planning Authority not less than 14 days before the development commences.

Reason: The development is of a temporary nature and not suitable for retention on a permanent basis in this location; and to secure the proper

decommissioning of the development proposal.

3. Prior to the commencement of the development a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include the following matters:-

- i) Measures to ensure that the Public Rights of Way are maintained with no obstruction to use and public safety,
- ii) Measures to prevent any damage to the Public Rights of Way from constructional activity at the site,
- iv) Details of any soil storage and re-use and the provision of any means of temporary site illumination,

All construction activities and the development shall be carried out in accordance with the approved details and timing unless otherwise approved in writing by the Local Planning Authority.

Reason: To minimise environmental impact in the vicinity of the application site in accordance with policies AW8 and AW12 of the Rhondda Cynon Taf Local Development Plan.

4. No development shall take place until a Wildlife Protection Plan for Construction for the timing and protection of the nearby landscape and ecological features 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.

All construction activities shall be implemented in accordance 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 policy AW8 of the Rhondda Cynon Taf Local Development Plan.

=====

<b>APPLICATION NO:</b>	<b>15/0037/10</b>	<b>(GH)</b>
<b>APPLICANT:</b>	<b>Mr B Mansfield</b>	
<b>DEVELOPMENT:</b>	Two storey rear extension.	
<b>LOCATION:</b>	<b>9 KIRKHOUSE STREET, GRAIG, PONTYPRIDD, CF37</b>	



**1LF**  
**DATE REGISTERED: 19/01/2015**  
**ELECTORAL DIVISION: Graig**

---

**RECOMMENDATION: Approve**

**REASONS:**

**The application is considered to be acceptable in respect of its visual impact and the impact it has upon the amenity and privacy of the neighbouring residential properties.**

---

**APPLICATION DETAILS**

Full planning permission is sought to erect a two storey extension to the rear of 9 Kirkhouse Street, Graig, Pontypridd.

The development would require an extant, full width, single storey extension, of 2.5m depth, to be demolished to allow for the construction of the two storey replacement.

The new extension would be built to a depth of 4.9m, as measured from the original rear elevation; and to the full width of the property at 5.7m. Furthermore, a new twin pitch roof, with ridge line perpendicular to the main, will rise from 6m at the eaves, to a maximum of 7.75m.

With regard to fenestration, two casement windows are proposed within the rear elevation at first floor level, with a door and similar window to the ground floor. No windows would be installed within the side elevations.

The plans and accompanying documentation note that the walls will be constructed from rendered concrete block, with matching roof tiles, and with white uPVC fenestration.

This application is presented to Committee for determination at the request of the Member for the Graig Ward.

**SITE APPRAISAL**

The application property is a traditional, two-storey Victorian end-of-terrace house, located within a residential area of Graig; and in close proximity to the Telephone Exchange building and Ysbyty Dewi Sant.

With front and rear elevations faced in stone and rendered side elevation, the house is of similar appearance to those to which it is attached. However, the current

extension is of poor quality, being constructed from a combination of brick, painted brick, timber glazing; and mono pitch roof and gable of rusty sheet metal.

The north-eastern facing rear yard extends to a depth of 14.5m from the end of the existing extension and is to the same 5.7m width as the house. At the end of the plot, an outbuilding is being constructed, whilst the north-western side boundary is enclosed by a block wall.

Beyond both the rear and side boundary, an adopted service lane provides access to the neighbouring dwellings and connects with Kirkhouse Street and Albert Road. The neighbouring houses are located immediately to the south-east, 4.25m to the north-west and at least 25.5m to the north-east.

Many of these other homes have been subject to extensions and improvement to a variety of sizes and designs. This includes the attached property, no. 10 Kirkhouse Street, which benefits from a two-storey, rendered extension of 3.9m depth, and a single-storey extension which projects further forward by another 2.5m.

## **PLANNING HISTORY**

The following planning applications are on record associated with this site:

94/0549	Single storey kitchen and bathroom extension	Granted 27/09/94
---------	--	---------------------

## **PUBLICITY**

The application has been advertised by direct notification to four neighbouring properties.

One letter of objection has been received from the neighbouring property, raising concerns on the following grounds:

- The extension would project 1m beyond the end of the objector's own extension. This would have a visual impact, restricting the view and causing overshadowing problems.
- The objector's property would be less secure as any attempt to gain entry from the rear would be hidden from view by the new extension.
- By virtue of its scale, a four-bedroom house would be out of scale with the traditional terraced street.

## **CONSULTATION**

Countryside - no relevant SewBrec Records of Statutory Protected Species from immediate vicinity. An appropriate bat informative note will be needed on any planning permission.

## **POLICY CONTEXT**

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

The application site lies within the settlement boundary for Pontypridd

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

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

### **National Guidance**

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

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

Other policy guidance considered:

PPW Technical Advice Note 12 - Design

## **REASONS FOR REACHING THE RECOMMENDATION**

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

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

### **Main Issues:**

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

The application relates to the extension of an existing residential property and the principle of development is therefore acceptable subject to the criteria set out below.

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

The proposed development is considered to be acceptable in terms of the design, siting, massing, scale, materials and overall visual appearance. This view is taken for the following reasons:

Within the context of the surrounding area, the size of the proposal is not dissimilar to extensions and modifications that have taken place at other properties. The rear plot is of satisfactory depth to be able to absorb the extra mass of the extension without appearing over-developed.

The proposed extension would represent a great improvement on the existing, although with respect to the street scene as a whole, the site is quite well-screened. Any development at the rear would be partly out of sight, and have little impact on the public realm.

Although the extension is proposed to be rendered, rather than of the original stone, this would be in keeping with the rear elevations of other properties; and the general appearance of the design, with twin-pitch rather than flat roof, is felt to be appropriate.

Lastly, the objection letter refers to the scale of the proposals conflicting with the traditional terraced street. Nonetheless, only half of Kirkhouse Street can be characterised this way, since the lower half comprises four large detached dwellings on one side, and the four-storey Telephone Exchange building on the other. Therefore, it is considered that the extension would not detract from the character and appearance of the area, and would be acceptable.

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

The proposed extension not considered to have a significant overshadowing or overbearing impact upon the surrounding neighbouring properties.

With regard to the objection from the owners of the attached property, it is noted that the new side elevation would extend beyond their own extension by 1m. This is not, however considered to be excessive or overbearing, or to such a degree that could merit a recommendation of refusal.

It is acknowledged that a side window at the neighbouring house would face towards the application site, but would not obscure all views to the rear. In addition, given the north-east facing elevations of both properties, there would be no impact on sunlight.

In respect of privacy issues, the only new windows are proposed to be within the rear elevation. The distance between these and the rear elevations of the houses along Grover Street is ample to ensure that privacy is not impinged.

On balance it is considered that in terms of any impact on the amenity or privacy of neighbours, the application would be acceptable.

## **Other issues**

The objection letter makes reference to the proposed extension making their property less secure as it would not be overseen. Whilst the desirability of designing-out crime forms part of LDP Policy AW5, the scope of the proposals are not considered to cause detriment to security.

The neighbour's property and rear yard is entirely enclosed and access to the boundary with the rear lane is blocked by an outbuilding. Furthermore, views across are limited from the remainder of the service lane by substantial boundary treatments, so as a material matter, this objection is not considered to be of sufficient weight to cause concern.

## **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 not CIL liable under the CIL Regulations 2010 (as amended).

## **Conclusion**

It is considered the proposal would not have a significant impact on the character and appearance of the locality or upon the residential amenity of the surrounding neighbouring properties. The application is therefore considered to comply with the relevant policies of the Local Development Plan (AW5 and AW6).

## **RECOMMENDATION: Grant**

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

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

2. The development hereby approved shall be carried out in accordance with the approved plans entitled "Proposed Two Storey Rear Extension at 9 Kirkhouse Street", and documents received by the Local Planning Authority on 9th January 2015 and 2nd February 2015, 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.

=====

**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 MARCH 2015**

**REPORT OF: SERVICE DIRECTOR PLANNING**

**REPORT**

**APPLICATIONS RECOMMENDED  
FOR APPROVAL**

**OFFICER TO CONTACT**

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

**See Relevant Application File**