

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2015-2016

**DEVELOPMENT CONTROL
COMMITTEE**

18 JUNE 2015

**REPORT OF THE
DIRECTOR LEGAL AND
DEMOCRATIC SERVICES**

Agenda Item No.5(2)

**SITE MEETING
APPLICATION NO.15/0213 –
RESIDENTIAL DEVELOPMENT 98 NO.
UNITS), NEW ACCESS AND
ASSOCIATED WORKS – FORMER
GARTH HALL, CATHERINE CRESCENT,
CYMMER, PORTH**

Author: Mrs.Z.Maisey, Principal Officer, Committee Services

1. PURPOSE OF THE REPORT

To consider the outcome of the site inspection in respect of the above-mentioned proposal and to determine the application, as outlined in the report of the Service Director, Planning, attached at Appendix 1.

2. RECOMMENDATION

To approve the application in accordance with the recommendation of the Service Director, Planning subject to the applicant first entering into a Section 106 Agreement to secure the development as affordable housing in perpetuity.

3. BACKGROUND

3.1 In accordance with Minute No.200(1) (Development Control Committee, 14 May 2015), a site inspection was undertaken on Friday, 29 May 2015 to consider the highway implications of the proposed development.

3.2 The meeting was attended by the Chairman of the Development Control Committee (County Borough Councillor G.Stacey) and Committee Members - County Borough Councillors (Mrs) S.Jones and (Mrs) S.Rees.

- 3.3 Apologies for absence were received from Committee Members - County Borough Councillors J.Bonetto, M.Griffiths, P.Jarman, (Mrs) J.S.Ward, P.Wasley and E.Webster.
- 3.4 Members inspected the site and were informed that the application sought full planning permission for the redevelopment of the site as 8 no. flats, a new access, associated car parking and associated works, i.e. new retaining walls, garden area, etc. The apartments would comprise 6 no. one bedroom units and 2 no. two bedroom units. Access to the site would be created directly from Catherine Crescent which would lead into a courtyard area which would accommodate 8 no. parking spaces along with turning facilities, cycle storage, amenity area and bin storage facilities.
- 3.5 The site was formerly occupied by a large three storey house which prior to its demolition in 2011 functioned as three flats. The former property also had the benefit of its own vehicular access on to Catherine Crescent.
- 3.6 Members noted that the proposal to provide modern, social housing facilities that specifically meet local needs in a sustainable location was considered acceptable in planning terms.
- 3.7 Reference was made to the concerns raised by local residents regarding the proposed development in respect of access, parking and highway safety and in response the Highways Officer confirmed that there were no objections to the proposal subject to conditions.
- 3.8 It was noted that there were a number of schools located nearby which created traffic congestion at certain times of the day but traffic calming measures existed within in the vicinity of the application site and also, a one-way system reduced the volume of traffic flow on Catherine Crescent.

APPENDIX 1

APPLICATION NO: 15/0213/10 (GD)
APPLICANT: RCT Homes
DEVELOPMENT: Residential development (8 no. units), new access and associated works.
LOCATION: FORMER GARTH HALL, CATHERINE CRESCENT, CYMMER, PORTH
DATE REGISTERED: 18/02/2015
ELECTORAL DIVISION: Cymmer

RECOMMENDATION: Approve

REASONS:

The principle of the proposed development is considered acceptable and the proposals offer the opportunity to bring a derelict site back into beneficial use

APPLICATION DETAILS

The current proposal seeks full planning permission for the redevelopment of the site as 8no. flats, a new access and associated car parking and associated works (new retaining walls garden area etc). The apartments will comprise 6no. one bedroom units and 2no. two bedroom units.

The main building is formed in an L-shaped block located to turn the corner between Catherine Crescent and Catherine Terrace. The building will be two storeys in height and will display variation in the ridge line reflecting the topography of the area in the same manner as much of the established housing. The proposed building will be finished in through colour render walls with feature cladding around key areas such as doorways and an artificial slate roof covering. windows will be in grey uPVC with rainwater goods and fascias in grey/black uPVC.

Access to the site will be created to the west of the proposed building (uphill) directly from Catherine Crescent. This will lead into a courtyard area which will accommodate 8no. parking spaces along with turning facilities, cycle storage, amenity area and bin storage facilities.

The application is accompanied by the following:

- Planning Statement;
- Design and Access Statement,

- Transport Statement,
- Tree Survey,
- Phase 1 Ecology Assessment,
- Noise Assessment,
- Drainage Strategy, and
- Engineering Strategy.

SITE APPRAISAL

The application site is located approximately 50m west of High Street (A4233) the principal route through Cymmer which Links Porth with Tonyrefail. The site is comprised in a rectangle of land of some 0.08 hectare, with street frontage on to Catherine Crescent and Catherine Terrace. The site is elevated above Catherine Terrace by a stone retaining wall of varying height between 1m and 1.5m high and slopes upward in an even manner towards the western boundary of the site.

The site was formerly occupied by a large three storey house – Garth Hall – which prior to its demolition in 2011 functioned as three flats. The property also had the benefit of its own vehicular access on to Catherine Crescent.

The wider area is residential in character and is dominated by a mixture of traditional stone built terraced houses and more recent mid 20th century social housing. However, the site also lies within comfortable walking distance of neighbourhood shops, local schools, sports pitches and Porth Park.

PLANNING HISTORY

10/1237	Demolition of former mine managers three storey residence, currently three flats (now vacant)	No objection 06/01/11
---------	---	--------------------------

PUBLICITY

The proposal has been advertised by means of site notices and neighbour notification letters and this has lead to the submission of 9 letters of objection raising the following concerns: –

Japanese Knotweed

Residents are aware of the presence of this nuisance weed on the site. Should Members be minded to approve the current application, residents demand sight of the treatment schedule and an assurance from the developer that they would accept liability for its treatment should it establish itself elsewhere in the locality during the redevelopment of the site or for an agreed period thereafter.

Traffic

The Highway Infrastructure along High Street and in the immediate vicinity of the development site is already heavily congested and oversubscribed and the proposed development would in the view of residents add substantially to this which would make it unacceptable as it would have an adverse impact on highway safety. This not only relates to the use by the residents who live there, but also to the parents bringing their children to and from the three schools at the other end of Graigwen Road, and the users of the "fan" sports ground at the top of Catherine Crescent.

Residents take the view that should the proposal be granted planning permission that the condition of the roads on the one way system should be brought up to specification to offset the likely effects of the proposed development.

Parking

The existing level of congestion leads to parking in and around the site at present being particularly difficult for residents. The level of parking proposed for the site is below standard and there is no provision at all for parking for visitors to the site.

Some residents suggest that the site would be better used as an overspill car parking area or garaging to alleviate the situation on the surrounding streets, particularly as High Street residents' park on Graigwen Road and historically, the latter believe that the introduction of the one way system should also have brought the provision of parking bays.

Residents see no resolution of the parking problem for the wider area and would welcome suggestions to resolve this.

Access

Residents are concerned that moving the point of access into the site will result in an increase in accidents at this location (there have been a number of unreported minor incidents) and that the severity will increase due to the proposed change.

The suggestion to move double yellow lines will also serve to reduce on street parking opportunities for existing residents

Residents also point out the junction between Catherine Crescent and High Street is a particularly difficult one to manoeuvre in any event

There is also concern that the type of plant machinery and vehicles that would be associated with the development of the site would lead to traffic chaos given the nature of the roads and junctions around the development site. Previous developments in the area have lead to vehicles grounding and highway damage.

Residents are of the view that should planning permission be granted for the proposed development that there should be an assurance from the developer that any damage to the road and any infrastructure also affected would be repaired.

Atmospheric Pollution

Dust and fumes normally associated with development can have a deleterious impact on established property. Should consent be granted for the proposed development then residents seek assurance that pollution emanating from the site will be appropriately controlled and that health conditions will be monitored and addressed when appropriate. Roads and property in the vicinity of the site should be controlled and cleaned in a timely manner.

Noise Pollution

Residents are concerned that the development of the site will result in higher noise levels in and around the site as a result of the use of heavy plant and machinery and increased use of the roads by heavy goods vehicles. If consent for the development is granted, hours of operation and noise levels should be the subject of suitable control.

Drainage

There is general concern that the existing foul and storm water drainage system is incapable of accommodating any new development. Further, on earlier occasions the sewers in Catherine Crescent have collapsed or failed as a result of their age. Residents are concerned that the redevelopment of the site, should planning permission be granted, will result in the storm and surface water drainage systems being brought up to current specification to prevent the problems that residents previously experienced.

Children

There is concern for the health and safety of children attending the local schools should this development gain consent. Residents take the view that the developer should provide safe and clear means of crossing the road through the course of construction works.

The Elderly

The area has a number of elderly residents who do not drive, when these people pass on it is likely that their homes will be occupied by people who do and this will serve to exacerbate the on street parking problems that already exist for this

reason as well as those above the residents oppose the redevelopment of Garth Hall.

Proximity to Established Dwellings

One resident has suggested that the proposed flats are too close to the established properties on High Street and that a better arrangement could be achieved by siting the buildings on the western side of the site rather than on its eastern boundary.

Other Issues

Residents had hoped that the site could be redeveloped as a safe play area for local children given a perceived lack in the locality and if this cannot be done then the developer should make a contribution to provision elsewhere in the locality.

One resident complains over the lack of availability of detail of the application on the Council website.

Concern is also expressed that the site should be developed for houses rather than flats as there is no local demand for flats and a less dense form of development could prove more acceptable.

One resident is of the view that the original building was demolished as a result of asbestos being found on the land and expresses concern that if this is the case then development could disturb this material placing residents at risk.

CONSULTATION

Transportation Section – no objections subject to conditions.

Drainage – no objection subject to conditions.

Public Health & Protection – no objection subject to conditions.

Natural Resources Wales – have no comment to make on the proposed development.

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

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

Wales & West Utilities – raise no objection to the proposed development and advise in respect of the presence of their apparatus in the vicinity of the

application site and safe working practices to be adopted when working in the vicinity of it.

Countryside Section – SEWBREC records indicated the presence of bat droppings around the original Garth Hall, however as the building has been demolished no objection or further requirement is raised in this instance.

Education – no objections.

Housing Strategy - the unit mix and tenure proposed is in accordance with the local housing market assessment 2014 – 15 and therefore no objection is raised to the proposals.

Glamorgan Gwent Archaeological Trust – no response received.

Parks - the proposed development lies below the threshold set out in the strategic planning guidance on planning obligations for a contribution towards outdoor recreational facilities and therefore no comment is offered with regard to the proposals.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

Policy CS1 - sets out criteria for achieving strong sustainable communities and regeneration in the northern strategy area.

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

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

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

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

Policy NSA12 – sets criteria for the consideration of housing proposals in the northern strategy area

National Guidance

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

Planning Policy Wales

Chapter 2 (Development Plans),
Chapter 3 (Making and Enforcing Planning Decisions),
Chapter 4 (Planning for Sustainability),
Chapter 8 (Transport),
Chapter 9 (Housing),
Chapter 12 (Infrastructure and Services),
Chapter 13 (Minimising and Managing Environmental Risks and Pollution),

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

Other relevant policy guidance consulted:

PPW Technical Advice Note 2: Planning and Affordable Housing;
PPW Technical Advice Note 11: Noise;
PPW Technical Advice Note 12: Design;
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.

Main Issues:

In this instance, the key issues in the determination of the current application are considered to be the principle of proposed development. The impact of the proposed development on the character and appearance of the area, access, parking and highway related issues and the drainage of the site.

Principle of the proposed development

The current proposals involve the redevelopment of previously developed land within defined settlement limits for a use that conforms with the land uses that surround the site. The provision of modern, social housing facilities that specifically meet local needs on a brownfield site in a sustainable location is considered acceptable in planning policy terms. The proposal is therefore considered satisfactory in the context of Local Development Plan policy CS1 in terms of its relevance to providing high quality affordable housing that adds

diversity to the market in the northern strategy area, and in the removal of dereliction and promoting regeneration and in the context of policy AW2 supporting new development in sustainable locations.

Impact on the character and appearance of the area

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 Cymmer has developed over a considerable period of time. Though traditional valley terraces, some of very early origin dominate the locality, there are also the more recent houses located along Heol Horeb, whilst the converted chapel and factory lend further diversity to the area. There is consequently no requirement for any particular design type or material finish to be applied in this case and the area is clearly capable of absorbing those currently proposed by the applicant.

However, the siting of the building and its scale do need to respond to the surrounding area. This the proposal largely achieves through its design with the creation of a building that turns the corner in a coherent way, promoting active frontage on Catherine Crescent whilst taking a less dominant approach to the Catherine Terrace frontage through the reversal of the entrance points on to the rear courtyard and the creation of a plain façade.

The proposed building would prove successful in the creation of an appropriate building at a relatively prominent location in the area 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 it involves the redevelopment of a currently derelict site. As such the proposal is considered compliant with those elements of local development plan policies AW5 and AW6 that are relevant to character and appearance of the area.

Impact on residential amenity and privacy

In designing the proposed development the architect has used a combination of working with the levels of the site and a clearly thought through 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 a densely developed area of Cymmer. Good distances are maintained between the proposed development and established residential development in the area, a distance well in excess of 21m. will be maintained between the houses on High Street and this reduces to 16m in the case of the Chapel conversion whilst the distance between the development and the houses in Catherine Crescent would be generous in comparison to those in any traditional terraced street at a distance of 14m. wall to wall. 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. As such the proposed

development is considered to comply with those elements of local development plan policies AW5 and AW6 that are relevant to the issues of amenity and privacy.

Some residents have expressed concern that there is no need for flats of this kind in the area and that the redevelopment of the site for housing would be more appropriate. Notwithstanding that the Councils own housing market study contains clear evidence to the contrary, the proposal has to be determined on its planning merits and not on what residents might prefer to see developed on the site.

Access, parking and highway safety

Issues related to access parking and highway safety have in the context of the current proposal, been those of paramount concern to the local residents. In responding to the current proposal the Transportation Section have acknowledged that the junction of Catherine Crescent with High Street has substandard visibility that the applicants can do nothing about. They also have concerns regarding the proximity of the site access to the junction of Catherine Crescent with Graigwen Road. However, having regard to the low trip generation that would be associated with the proposed development no objections are raised.

A development of eight affordable apartments would generate two trips at the a.m. peak and two trips at the p.m. peak.

The new access into the site as currently shown is substandard in width; however this along with the nature of its alignment radius kerbing and vehicular crossover are issues that can routinely be dealt with through the judicious use of planning conditions. Pedestrian access to the proposed development is considered acceptable and the existing footway crossover will need to be reinstated in full footway construction.

Many residents have expressed concern at the potential for the proposed development to exacerbate the potential for accidents in the locality. This to some extent is addressed above in the comments in respect of the location of the proposed access. The most up to date accident data which runs up to December 2013 records five reported incidents on High Street in the vicinity of the site comprising three pedestrian, one cycle and one vehicular accident. None of the accidents were the result of the sub standard junction of Catherine Crescent with High Street and in particular none were associated with the sub standard vision splay.

Another area of concern for residents has been the amount of off street car parking that the proposed development would provide. The maximum amount of car parking that eight flats would require would be 12 spaces and under the

current planning application 8 spaces are offered. Taking into account the fact that the proposal is located in a sustainable location with public transport routes and many local amenities close by and the fact that levels of car ownership amongst social housing tenants is lower than those associated with privately owned housing, the level of car parking provided is considered acceptable.

Residents have suggested that to offset the effects of the proposed development that the roads of the one way system around Heol Horeb and Graigwen Road should be brought up to specification. They give no indication of what their expectations are in this regard or why they consider it necessary or proportionate to the type of development to be provided. Given the views of the Transportation Section on the proposed development it would be extremely difficult to insist on improvements above and beyond those required by the planning conditions suggested below.

In light of the above the proposed development is considered compliant with those elements of local development plan policies AW5 and NSA12 that are relevant to the consideration of the issues of access, parking and highway safety.

Drainage

Many members of the public have been concerned at the potential impact of the proposed development of the site on the drainage system in the area. This is a result of the fact that previous development in the area lead to a collapse of these services. The applicants have indicated on the planning application form that storm and surface water drainage will be taken to the main sewer as would have been the case when Garth Hall occupied the site and the Council's drainage engineers have not objected to this approach. Dwr Cymru/ Welsh Water similarly have raised no objection to the application being positively determined subject to conditions. There is no concern from either body at the capacity of the system to accommodate the new development though Dwr Cymru/Welsh Water do express an expectation that any drainage scheme designed for the proposed development should not be discharging storm drainage into the public sewer. As such it is considered that the proposed development is compliant with the requirements of local development plan policy AW10 insofar as it is relevant to this particular 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.

The presence of Japanese knotweed on the site would never form a basis for resisting the planning application though if the site is to be redeveloped then it is incumbent upon the developer to deal with it in an appropriate manner. This

would typically involve its excavation and removal to an appropriately licensed waste facility or its treatment in situ over a period of time. In any event the suggested agreement on liability or otherwise as promoted by residents would be an entirely private matter outside of the scope of the planning process.

Issues relating to atmospheric and noise pollution during the course of construction works are matters that can be dealt with through the imposition of appropriate planning conditions.

Concern for the safety of children in the area through the development process is entirely understandable and the development of the site would have to comply with health and safety requirements in that regard.

Concerns regarding the elderly were expressed in the context that future residents of the area would own more cars than current residents and that this at some point in the future would exacerbate congestion. The fact that something (acceptable or not) may happen at some indeterminate point in the future cannot in this context, sustain an objection to a planning application that is under consideration now.

A number of residents have suggested that the site could or should be put to an alternative use, such as a playground, or would be better if it is developed as housing rather than flats. However, the application currently before members has to be determined on its own planning merits and not on the basis of what local residents regard as preferable.

One resident has suggested that the site may be contaminated with asbestos and that this is the reason that the original building on the site was demolished. Whilst the demolition schedule indicates that there was some asbestos within the building (lagging on pipes etc) this would have been stripped out and removed from the site to a suitable waste disposal facility as part of the demolition process. Should Members be minded to approve this planning application it will given its previous use be subject to conditions that deal with contamination and if there is residual asbestos present on the site then it will be dealt with appropriately as contamination.

Section 106 Contributions/Planning Obligations

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

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

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

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

The Section 106 requirements in this case

In this instance, as the proposal seeks consent for only a small amount of affordable housing the only requirement in respect of Section 106 is that the developer enter into an agreement to secure the development as affordable housing in perpetuity.

Conclusion

The application is considered to comply with the relevant policies of the Local Development Plan in respect of all key requirements. The proposed development is acceptable in terms of its appearance and design and in its impact on established residential development around the site. The proposals are also acceptable in terms of general highway considerations, access and car parking and would occupy an entirely sustainable location. Accordingly, a supportive recommendation is made in this case.

RECOMMENDATION: Grant

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

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

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

arise as a result of ground condition. The development, hereby permitted, shall be carried out in accordance with the approved site investigations report.

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

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

Reason: To preserve and enhance the visual amenities of the locality in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

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

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

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

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

6. 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.

7. Full details of a scheme for the eradication 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 work on site. The approved scheme shall be implemented prior to the occupation of any dwelling/building.

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

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

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

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

9. No dwelling, hereby permitted, shall not be occupied until the measures approved in the scheme (referred to in Condition 8) have been implemented and a suitable validation report of the proposed scheme has been submitted to and approved in writing by the Local Planning Authority.

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

10. If during development works any contamination is encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals then work shall cease and revised contamination proposals shall be submitted to the Local Planning Authority. The development shall not re-commence until the additional proposals have been agreed in writing by the Local Planning Authority.

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

11. 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.

12. 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.

13. 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.

14. Notwithstanding the submitted plans, other than for works of site clearance and decontamination, development shall not commence until full engineering design and details of the private shared access widened to a minimum width of 4.5m, including sections and surface water drainage details have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

15. The vehicular access to the site shall be laid out constructed and retained thereafter with 2.4m x 25m visibility splays with no planting or obstruction above 9090mm permitted within the required visibility splay.

Reason: To ensure that adequate visibility is provided in the interests of highway safety.

16. Prior to the development being brought into beneficial use a vehicular footway crossing shall be provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Prior to any development commencing (other than works of site clearance and decontamination).

Reason: In the interests of highway and pedestrian safety.

17. Prior to the development being brought into beneficial use the existing vehicular access shall be reinstated in full footway construction in accordance with details to be submitted to and approved in writing with the Local Planning Authority prior to any development of the site commencing (other than for works of site clearance and decontamination).

Reason: In the interests of highway and pedestrian safety.

18. Notwithstanding the details shown on the submitted plans, development shall not commence until details of an area for the relocation of the grit bin off the adjacent footway have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented prior to the first occupation of the development hereby approved.

Reason: In the interests of highway safety.

19. Surface water runoff from the proposed development shall not discharge on to the public highway or be connected to any highway drainage system unless otherwise agreed in writing 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.

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

- a) The means of access into the site for all construction traffic.
- b) The parking of vehicles of site operatives and visitors.
- c) The management of vehicular and pedestrian traffic.
- d) Loading and unloading of plant and materials.
- e) Storage of plant and materials used in constructing the development.
- f) Wheel cleansing facilities.
- g) The sheeting of lorries arriving at and 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.

21. The consent hereby granted relates to the following plans:

- a) The site location plan drawing no. EX002.
- b) The proposed site layout drawing no. PL001Rev E.
- c) The floor plans drawing no. PL0400Rev B.
- d) The elevations drawing no. PL0500 Rev E.
- e) The boundary treatment detail drawings no. PL9100 Rev A.
- f) The bike store plan and elevations drawing no. PL0802 Rev A.
- g) The refuse area plan and elevations drawing no. PL0801 Rev A.

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

22. Further details of the finished slab levels for the development along with sectional details shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of building works on site and the site shall be developed in accordance with the approved details

Reason: To ensure that the impact of the proposed development on the amenity of established residential property is acceptable in the context of Local Development Plan policy AW5.

=====
===

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

18 JUNE 2015

REPORT OF THE DIRECTOR, LEGAL AND DEMOCRATIC SERVICES

SITE MEETING

**APPLICATION NO. 15/0213 – RESIDENTIAL DEVELOPMENT (8 NO. UNITS),
NEW ACCESS AND ASSOCIATED WORKS – FORMER GARTH HALL,
CATHERINE CRESCENT, CYMMER, PORTH**

Minute No.200(1) (Development Control Committee, 14 May 2015)