

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2015-2016

**DEVELOPMENT CONTROL
COMMITTEE
16 JULY 2015**

**REPORT OF: SERVICE
DIRECTOR PLANNING**

	Agenda Item No. 5
APPLICATIONS RECOMMENDED FOR APPROVAL	

1. PURPOSE OF THE REPORT

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

2. RECOMMENDATION

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

1. Application No: 11/1431 - Commercial development (Phase III) comprising 3 buildings (Use Classes B1, B2 and B8) and 1 unit (Use Class A3) (Amended information received 05/05/15), Former Hepworths Site, Coedcae Lane, Pontyclun.
2. Application No: 15/0033 - Construction of coach / bus servicing depot and ancillary parking. External wash down area, Unit B13, Taffs Fall Road, Treforest Industrial Estate, Pontypridd.
3. Application No: 15/0174 - Detached garage, The Windrush, 69 Lanpark Road, Pontypridd.
4. Application No: 15/0189 - Replacement dwelling for Bryn Ysgol & Ty Mizpah and change of use of land to domestic garden curtilage (Outline)(Amended description 22/04/15), Bryn Ysgol, Penrhiwfer Road, Penrhiwfer, Tonypany.
5. Application No: 15/0237 - Demolition of former Working Men's Club and redevelopment of the site for 6 flats, parking, access arrangements, landscaping and associated works. (Revised plans received 15th June 2015), Cymmer Pioneer Workingmens Club, 20-21 High Street, Cymmer, Porth.
6. Application No: 15/0576 - Engineering operations to construct a surface water drainage scheme to serve 21 no. residential dwellings, land at Pleasant Heights, Porth.

7. Application No: 15/0581 - Outline planning for 1 no. detached bungalow and 16 no. semi-detached bungalows (8 no. pairs), off road parking, access road and associated works, Former Cwmbach Infants School, Bridge Road, Cwmbach, Aberdare.
8. Application No: 15/0615 - Variation of Condition 7 of planning application 13/1107/10 to alter the proposed materials, Former Royal Hotel Public House, Brithweunydd Road, Trealaw, Tonypandy.

APPLICATIONS RECOMMENDED FOR APPROVAL

APPLICATION NO: 11/1431/10 (PB)
APPLICANT: Formaction Ltd
DEVELOPMENT: Commercial development (Phase III) comprising 2 buildings (Use Classes B1, B2 and B8) (Amended information received 05/05/15)
LOCATION: FORMER HEPWORTHS SITE, COEDCAE LANE, PONTYCLUN.
DATE REGISTERED: 05/05/2015
ELECTORAL DIVISION: Llanharry

RECOMMENDATION: Approve

REASONS:

The principle of the proposal is acceptable as it involves the third phase of commercial/business redevelopment on a large previously used industrial site within a complex of such uses off Coedcae Lane, which lies within settlement limits of Pontyclun. The design, appearance and layout of the proposal matches those of the earlier phases and does not give to any significant issues that cannot be overcome by the imposition of planning condition in relation to access, flood risk, ecology, ground conditions, noise and amenity.

APPLICATION DETAILS

Full planning permission is sought for the erection of two industrial buildings and associated development on land at Hepworth Park, Coedcae Lane, Pontyclun. The development is effectively a third phase of the redevelopment of this site that was formerly occupied by a concrete manufacturing plant. The current proposal would see the next part of the site redeveloped in a very similar manner to the previous two. It would comprise of the construction of a spur off the existing access highway that serves the first two phases into the application site and the erection of two industrial buildings in tandem with each other. The buildings would be identical in size and design, measuring 81.73m in length, 19.65m in width and 8.37m in height to ridge and 6.99m to eaves. The two buildings would be capable of being partitioned into four units of equal size and fifth unit that would be one third larger than the others. The total floor space area of the development is 3280 square metres. The buildings would be finished in colour-coated metallic cladding. The application indicates a total of 186 car parking spaces would be provided to serve the development, though it is unclear from the layout plan for the development whether the site can accommodate this level of parking provision. A turning facility will be laid out at the end of the extended highway into the site. Originally the application was

submitted with a proposal to include a Class A3 (food and drinks) retail unit and third industrial building but these have since been deleted from the scheme.

The application is accompanied by the following:

- Design and Access Statement
- Noise Impact Assessment of Proposed Development
- Flood Consequences Assessment

SITE APPRAISAL

The Hepworth Park site comprises a largely cleared and vacant area of former industrial land covering approximately 8.5 hectares. As part of the earlier phases of redevelopment of the land new industrial buildings and an access road have already been constructed and occupied. The access is designed to be capable of extension to serve the redevelopment of the remainder of the site. Elsewhere on the site there is a large refurbished industrial building and a storage compound.

Hepworth Park is situated to the north of the main railway line from Cardiff to Swansea. The site is flanked by and lies opposite a variety of neighbouring industrial and commercial premises site elsewhere on Coed Cae Lane. To the south of the railway lies the extensive housing estate of Tylegarw.

PLANNING HISTORY

09/0036	Land at Pontyclun Works, Coedcae Lane, Pontyclun	Development comprising 3 buildings (B1, B2 and B8 use) with on site car parking(amended description 06/04/10 - retention of building as built and amendments to design and siting of remainder of development)	Granted 21/07/11
07/1539	Hepworth Ind. Park, Coed Cae Lane, Pontyclun	Erection of 1 unit B2 General Industrial Building and Internal Offices	Granted 07/03/08

PUBLICITY

Neighbouring properties have been notified of the application which also has been the subject of site notice publicity and a notice in the Press.

One letter received from the occupier of a unit elsewhere on Hepworth Park expressing drainage concerns because they have experienced drainage problems which they consider is due to undersized piping at the site.

CONSULTATION

Transportation Section – reply will be orally reported at the meeting.

Flood Risk Management – reply will be orally reported at the meeting.

Public Health and Protection – no objection subject to ground conditions investigation and remediation, air quality report, acoustic report, construction noise mitigation condition and dust suppression measures.

Natural Resources Wales – no objection subject to conditions.

Dwr Cymru/Welsh Water – no objection as the applicant intends to utilise a private treatment plant.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies within settlement limits and is unallocated.

Policy CS2 – emphasises that development in the Southern Strategy Area will be on sustainable growth that benefits Rhondda Cynon Taf as a whole. This will be achieved by (amongst others) providing opportunities for significant inward investment in sustainable locations that will benefit the economy, and promoting and enhancing transport infrastructure to support growth and investment.

Policy AW2 – promotes development on non-allocated sites in sustainable locations only.

Policy AW5 – requires new development to contribute to a high quality environment and to be highly accessible.

Policy AW6 – requires development to be high standard of design and appropriate to local context.

Policy AW8 – seeks to protect and enhance the natural environment.

Policy AW10 – permits development only where it can be demonstrated that measures can be taken to overcome any undue harm to local amenity because of hazards including air, noise and water pollution, contamination and flooding.

Policy SSA13 - permits development within settlement boundaries subject to it being demonstrated the proposal meets specific criteria.

Planning Policy Wales

Paragraph 7.6.1 requires local planning authorities to adopt a positive and constructive approach to planning application for economic development taking account of key factors including jobs creation and retention, economic regeneration and environmental improvement opportunities.

Further relevant policy guidance is found in TAN 12 Design and TAN 15 Development and Flood Risk

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:

Relationship to local development plan policies

The application site comprises part of an extensive area of partly developed industrial land off Coed Cae Lane, Pontyclun and is unallocated land within settlement limits in the Local Development Plan. The land neighbouring the site is also predominantly in use for industrial and commercial purposes, which characterises the area. It follows therefore, that the proposed redevelopment of the application site for industrial purposes is in principle sustainable, well related to and supported by local planning policies. Moreover, planning permission have been granted and implemented for the first two phases of the redevelopment of the whole site.

Ideally, an outline approval for the redevelopment of whole of the Hepworths site would provide the framework within which the current proposal could be considered. In the absence of that, the current application has to be considered as a piecemeal proposal on its own merits. In this context it is especially important to ensure that the proposal does not prejudice or frustrate development of the remainder of the Hepworths site. From examination of the applicant's conceptual master plan for the redevelopment of the overall site (submitted as part of the planning application for the previous phases of redevelopment) it is evident that the proposal for phase 3 fits the applicant's envisaged concept for the layout of the whole of Hepworth Park. Therefore, the current proposal would not hinder the development of the remainder of the site.

Design and appearance of the development

In terms of the design and visual appearance of the development, the proposed units would be similar in scale and external finishes to the units already completed on phases 1 and 2 of the site. The design is relatively simple and functional, though the colour-coated external finishes and shallow-pitched roofs would give the buildings a modern hi-tech appearance that is considered appropriate in its context.

Improvements to the boundary treatment and landscaping will help achieve a better finish to the overall appearance of the development, though these are capable of being agreed as part of conditions in the event of planning being granted.

Transportation issues

Phases 1 and 2 of the Hepworths site are served by a new access off Coedcae Lane. This access is intended to be extended into the proposed third phase, together with a turning facility and off-street parking. The development is acceptable in this regard subject to receipt of adequate highway engineering details and parking.

Ecology

Although largely cleared of all its former buildings and now partly redeveloped, Hepworth Park is flanked by trees and ditches that have potential ecological value though none is directly affected by this phase of development. The key ecological issue, however, is the potential presence of bats, which have European Protected status. In this regard when the Phase 2 development was considered in 2011 the applicant's Ecological Consultant concluded that the majority of the buildings that remained on the Hepworths site at that time had negligible potential for roosting Bats due to their open and draughty nature and construction of corrugated metal, which undergoes extremes of temperature. None of these buildings was found to have any crevices or roof spaces and were able to be fully accessed during the daytime, which did not record any evidence of Bats. No evidence of Otter was found at the site.

The report has also identified a number of trees with low potential for roosting Bats. The trees identified may be used as occasional transitory roosts by low numbers of common species of Bat, but are unlikely to provide significant maternity or hibernation roosts. This is due to the highly disturbed nature of the immediate surroundings and the lack of nearby suitable foraging grounds and connective habitat. No trees or hedges are proposed to be affected or removed under the present application..

Overall, the site is currently considered to be of negligible or low value to Bat species in terms of potential roosting opportunities and as a foraging resource due to the domination of the site by hard surfaces, and its location, which is relatively isolated from areas of suitable commuting and foraging habitat for Bats. The retention of the boundary tree lines and ditch network will ensure that the features suitable for commuting and/or foraging Bats are retained, and combined with a suitable planting plan, sensitive future management and the incorporation of features such as Bat boxes on retained trees, no adverse impacts on Bats at the site should occur as a result of the proposed development.

Contamination and Air Quality

Having formerly been used as a brick works and concrete products plant, the whole of the Hepworth site has potential to be contaminated arising from previous industrial activity, historical oil tanks and processes. Also, Natural Resources Wales has pointed out that the controlled waters at this site are of high environmental sensitivity as the site drains into, and is directly adjacent to the Nant Melyn, a tributary of the River Ely. Both NRW and Public Health and Protection conclude on the basis of its records that development shall not begin until a scheme for the remediation of contamination has been submitted and approved by the Council. This matter is capable of being dealt with by means of appropriately worded pre-commencement conditions.

Turning to the consequences of the proposal for local air quality Public Health and Protection has commented that the development is of such a large size that there is potential that activities associated with its use may have a negative impact on local air quality. Whilst this is acknowledged, the proposal is for the redevelopment of existing industrial land that was formerly in use as a concrete products plant. It is considered that it would be an unwieldy exercise to accurately forecast and assess the potential impacts associated with the use of the proposed units given the wide range of activities that fall within the use classes B1, B2 and B8. In the circumstances it is therefore considered that an assessment of the proposed development upon local air quality cannot reasonably be justified, especially as such a report was not sought in relation to consideration of the Phase 2 scheme.

Flood Risk

In terms of flood risk the application site is low-lying, level and in close proximity to watercourses such as the Nant Melyn adjacent to the railway line to the south-west. Recent survey work and flood modelling work held by the Environment Agency Wales indicates a portion of the site lies within a fluvial floodplain. In response the applicant has submitted a Flood Consequences Assessment that concludes the inherent risk for overtopping and inundation is estimated as low to medium for the development; none of the identified flood risks can be entirely eliminated; and no specific risk control actions (such as Flood Emergency Plans) are recommended to mitigate the impact in this case. However, the applicant's FCA does recommend that the owners and occupiers of the units provide notices in prominent positions with information on floodline telephone number, flood warning information, emergency services, and evacuation procedures. Also, they are advised to register to receive flood warnings direct from NRW. Other flood resilience measures to be incorporated into the design of the buildings are recommended. NRW has offered no objection.

Noise and Neighbouring Amenity

Hepworth Business Park is located at the heart of the Coedcae Lane Industrial Estate, an extensive complex of commercial and industrial premises. There are two dwellings and a small motel elsewhere along the road frontage to the north, otherwise the nearest dwellings comprise a terrace of 4 properties south of the

railway line. Several properties that were once in use as dwellings and still present an external appearance of being in such use, do indeed lie much nearer to the application site, but are now in use for commercial purposes. Notwithstanding, the Public Health and Protection Section has requested that construction activities be limited to sociable hours of the days. This is not considered unreasonable having regards to the proximity of residential properties to the site, albeit now very few in number, and is capable of being dealt with by means of conditions.

Community Infrastructure Levy (CIL) Liability

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

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

Conclusion

The principle of the proposal is acceptable as it involves the third phase of commercial / business redevelopment on a large previously used industrial site within a complex of such uses off Coedcae Lane, which lies within settlement limits of Pontyclun. The design, appearance and layout of the proposal matches those of the earlier phases and does not give to any significant issues that cannot be overcome in relation to access, flood risk, ecology, ground conditions, noise and amenity. Taking into consideration all of the above issues the application is recommended for approval subject to the conditions specified below.

RECOMMENDATION: Grant

1. The development shall begin not later than five years from the date of this decision.

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

2. The development shall be carried out in accordance with the following approved plans and documents:
 - Site Location, Layout, Section and Elevations Plan - Drawing no. 510311/1 – dated 27/03/2015
 - Site Layout Plan – Drawing no. 510311/2 – dated received 5 May 2015
 - Marsden Associates – Flood Consequences Assessment – Proposed Development at Coedcae Lane, Pontyclun (Hepworth Park), Phase 3 – Report MA/PC/02 – dated October 2011

- Acoustics & Noise Ltd – Noise Impact Assessment of Proposed Industrial Development, Land at Pontyclun Works, Coedcae Lane, Pontyclun – Report ref:1001005R01 – dated 17/02/2010

Reason: In order to define the terms of the permission granted.

3. No development shall commence until full engineering details of the access road layout, car parking and vehicular circulation areas, and turning facilities including sections, street lighting, surface water drainage details with oil and petrol separators, and tie-in with the highway access serving the preceding phase of development at this site, have been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details prior to the commencement of beneficial occupation.

Reason: In the interests of highway safety and to prevent pollution of the water environment (the site lies on a secondary aquifer of high vulnerability and drainage ditches on site feed the Nant Melyn) in accordance with Policy AW5 and Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

4. The development hereby permitted shall not begin until a scheme to deal with contamination has been submitted 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:
 - (a) A desk-top study carried out by a competent person 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.
 - (b) A site investigation shall be carried out by a competent person to fully and effectively characterise the nature and extent of any contamination and its implications. The site investigation shall not be commenced until a desk-top study has been completed satisfying the requirements of paragraph (a) above.
 - (c) 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 by a competent person. No deviation shall be made from this scheme without the express written agreement of the local planning authority.

Reason: In the interest of health and safety and to prevent pollution of the

water environment in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

5. The development hereby permitted shall not be occupied until the measures approved in the scheme (referred to in condition 4 above) 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 to prevent pollution of the water environment in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

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

Reason: In the interest of health and safety and to prevent pollution of the water environment in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

7. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To prevent pollution of the water environment in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan, as there is an increased potential for pollution of controlled waters from inappropriate methods of piling (the developer should be mindful of creating a potential pathway to the aquifer under the site).

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

- (i) Monday to Friday 0800 to 1800 hours
- (ii) Saturday 0800 to 1300 hours
- (iii) Nor at any time on Sundays, Bank or Public holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the noise emitted from this development is not a source of nuisance to occupants of nearby residential properties in

accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

9. No development shall take place until drainage arrangements have been submitted to and approved in writing by the Local Planning Authority. No building 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. Prior to the commencement of development, facilities for wheel cleansing shall be provided on site in accordance with details submitted to and approved in writing by the Local Planning Authority. Wheel cleaning shall be carried out in accordance with the approved details prior to any construction works commencing.

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

11. Prior to the commencement of development details of the method(s) of sheeting lorries shall be submitted to and approved in writing by the Local Planning Authority. Before leaving the site all lorries shall be sheeted in accordance with the approved details.

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

12. 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.

13. 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.

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APPLICATION NO: 15/0033/10 (MF)
APPLICANT: WW Truck & Bus Ltd
DEVELOPMENT: Construction of coach / bus servicing depot and ancillary parking. External wash down area.
LOCATION: UNIT B13, TAFFS FALL ROAD, TREFOREST INDUSTRIAL ESTATE, PONTYPRIDD, CF37 5TT
DATE REGISTERED: 22/01/2015
ELECTORAL DIVISION: Tonteg

RECOMMENDATION: Approve, subject to a S.106 Agreement.

REASONS:

The application is considered to comply with the relevant policies of the Local Development Plan. It is considered that the proposal represents an appropriate development at the application site and would provide positive economic benefits in terms of regenerating this section of the Treforest Industrial Estate.

APPLICATION DETAILS

Full planning permission is sought for the construction of a coach/bus serving depot and ancillary works at Unit 13B Taffs Fall Road, Treforest Industrial Estate. The proposed unit would be occupied by WW Truck & Bus Ltd who are currently based at a smaller unit on the neighbouring Gellihirion Industrial Estate. The applicant has stated that the new unit is necessary in order for the company to grow as it will remove the current access issues within the Gellihirion Industrial Estate, allowing the company to provide a more efficient service.

The proposed unit would be sited to the north-western corner of the application site measuring 48.6 metres in length by 26 metres in width. It would incorporate a pitched roof design to 8.5 metres in height and small entrance lobby to the front elevation. The structure would be finished in grey vertical metal cladding and a profile sheet roof. A number of windows and doors would be sited throughout. Internally the unit would be divided into 6 workshop bays, each with its own access

door along the front elevation, a parts store and staff areas at ground floor level. Approximately 300m² of office space would be provided at first floor level.

Access to the site would be gained via the existing vehicular and pedestrian access off Taffs Fall Road along the eastern boundary. Off-street parking for 12 coaches, 19 staff vehicles and 5 visitor spaces would be provided along the southern boundary of the site along with a coach washing facility at the south-western corner.

The application is accompanied by the following:

- Design and Access Statement;
- Flood Consequence Assessment;
- Ground Investigation Report;
- Sustainability and Energy Statement;
- Transport Assessment;
- Ecology Survey.

SITE APPRAISAL

The application site is a roughly rectangular parcel of land amounting to approximately 0.51 hectares. It is situated along the southern boundary of the estate off the main highway through. The site was formerly occupied by a large industrial unit that was demolished a number of years ago to make way for 3 new units, however the new units have not been constructed and the site now lies vacant. The southern boundary of the site is enclosed with a line of mature vegetation which is to be retained, beyond which is a stream and the main railway line between Pontypridd and Cardiff. The remainder of the site is enclosed with weld mesh fencing and is surrounded by comparable industrial units on the wider industrial estate. A vehicular access is located along the eastern boundary of the site off Taffs Fall Road. The nearest residential dwelling is located over 100m away.

PLANNING HISTORY

Relevant planning applications submitted at the site include:

12/0034	Unit B13, Taffs Fall Road, Treforest Industrial Estate	Variation of condition 1 of planning permission 08/1654 to extend the time limits for submission of reserved matters	Granted 08/03/12
08/1654	Unit B13, Taffs Fall Road, Treforest Industrial Estate	Erection of industrial/warehouse units (Use Classes B1, B2 and B8) following demolition of existing building	Granted 19/01/09
05/0321	Unit B13,	Change of use to include the de-	Granted

	Taffs Fall Road, Treforest Industrial Estate	manufacturing and dismantling of electrical and electronic equipment	10/06/05
03/0830	Unit B13, Taffs Fall Road, Treforest Industrial Estate	Change of use to a 5-a-side soccer centre/organised indoor leisure activity centre	Granted 13/10/03

PUBLICITY

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

CONSULTATION

Transportation Section – no objection, subject to conditions.

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

Public Health and Protection – no objection.

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

Dwr Cymru Welsh Water – no objection subject to conditions.

Natural Resources Wales – no objection, subject to conditions.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies within the settlement boundary for Treforest Industrial Estate and is allocated for industrial and commercial use.

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

Policy AW2 – supports development in sustainable locations and includes sites that are accessible by a range of sustainable transport modes and would not unacceptably conflict with surrounding uses.

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

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

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

Policy AW10 – does not permit proposals where they would cause or result in risk of unacceptable effect upon the interests of certain matters including agriculture, nature conservation, landscape importance, public health and residential amenity.

Policy SSA27 – identifies the criteria for assessment of development proposals within Treforest Industrial Estate.

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 5 (Conserving and Improving Natural Heritage and the Coast), Chapter 7 (Economic Development), and Chapter 8 (Transport), set out the Welsh Government's policy on planning issues relevant to the determination of the application.

Other relevant policy guidance consulted:

PPW Technical Advice Note 5: Nature Conservation and Planning;

PPW Technical Advice Note 12: Design;

PPW Technical Advice Note 15: Development and Flood Risk;

PPW Technical Advice Note 18: Transport.

REASONS FOR REACHING THE RECOMMENDATION

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

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

Principle of the Proposed Development

The application seeks full planning permission for the construction of an industrial unit to be used for the servicing and repair of coaches/buses (Sui Generis). As identified above, the application site is a vacant parcel of land located within settlement limits and within the boundary of the established Treforest Industrial Estate. Policy SSA27 relates specifically to development proposals within Treforest Industrial Estate and seeks to support redevelopment and changes of use to Classes B1, B2 and B8 and other Sui Generis employment generating uses which display the

characteristics of B Class uses. It is therefore considered that the proposal presents an appropriate redevelopment of the site that would be compliant with the requirements of both local and national planning policy. As such, the principle of the development is acceptable subject to an assessment of the relevant criteria detailed below.

Visual Impact

Whilst the new unit would obviously alter the appearance of the existing vacant site, the proposal seeks to construct an industrial unit of a similar design and scale to that previously located on the plot and comparable with that of the surrounding properties on the wider industrial estate.

The surrounding locality is industrial in nature with the neighbouring units being of a varied design, scale and height. The proportions of the proposed unit are comparable to that of the neighbouring properties and it is considered to be in-keeping with the general character and appearance of the surrounding area. Furthermore, the external finishes are typical of such industrial units which would ensure the building is not overly prominent in the locality. As such, it is not considered the proposal would be detrimental to the appearance of the site or the surrounding area as a whole and would actually improve the current character and appearance of what has been a vacant and derelict site for a number of years. The application is therefore considered acceptable in this regard.

Residential Amenity

As detailed above, the property is located centrally within Treforest Industrial Estate, over 100 metres from the nearest residential property. As such, the adjacent properties and those within the vicinity of the application site are industrial/commercial in character. Consequently, it is not considered that the proposed works would be detrimental to the amenities or operation of these buildings in any way.

It is also noted that following the advertisement of the application, no representations have been received. Therefore, the application is considered acceptable in this regard.

Highway Safety

Following consultation, no objections have been received from Council's Transportation Section subject to a number of conditions being attached to any consent and the developer entering into a Section 106 agreement to contribute towards a Traffic Regulation Order (TRO) being introduced to the front of the site.

The Transportation Section commented that there are no parking restrictions on the section of Taffs Fall Road fronting the site and indiscriminately parked vehicles may

impact upon highway and pedestrian safety and the free flow of traffic along this section of road. Therefore a TRO would need to be introduced to restrict on-street parking along the section of Taffs Fall Road fronting the site. Consequently the developer would be required to make a contribution of £5000 towards the introduction of the TRO to mitigate the impact of the development upon highway and pedestrian safety.

It was also commented that whilst the location of the accesses to the service depot and ancillary car park at the end of Taffs Fall Road are acceptable, there is some concern in relation to the path of large vehicles exiting the servicing depot which may overrun the footway. As such a condition requiring full engineering detail and swept paths of vehicles entering and leaving the site is suggested to ensure that there would be no undue impact upon pedestrian safety.

It was further, noted that street lighting columns and their associated apparatus are located within the site boundary and must be moved to the back edge of the footway to provide unrestricted access for future inspection and maintenance. As such a condition specifying this is suggested.

Therefore, in light of the comments received from the Transportation Section, the application is considered acceptable in respect of its potential impact upon pedestrian and highway safety subject to the conditions detailed below and the developer entering into a Section 106 agreement under the Town and Country Planning Act 1990 to make a contribution of £5000 towards the costs associated with the introduction of parking restrictions along the section of Taffs Fall Road fronting the development site.

Ecology

An ecological report has been submitted with the application. The Council's Ecologist has commented that it is an appropriate survey for the site and in essence concludes that there are no overriding habitat or species issues within the main body of the site. It does however detail that the development needs to provide an appropriate buffer against the wooded edge along the southern boundary of the site and that there are also some precautionary species requirements. Therefore, whilst some details of the proposed mitigation has been submitted with application, the Council's Ecologist has suggested that a condition requiring a wildlife and habitat protection plan be added to any consent requesting further details to ensure that there is no impact in this regard.

Drainage

Natural Resources Wales (NRW) have noted that the site overlies a Secondary Aquifer and that a stream runs to the rear of the site and as such there is a potential for contamination to occur. In light of this issue subsequent discussions were held with the applicant whereby additional information was added to the original site

investigation reports and submitted to NRW. Following consideration of the additional contamination reports, NRW are satisfied that the development would not impact upon the aquifer or adjacent water course and subsequently have no objection to the scheme subject to a number of standard conditions detailed below.

It is also noted that following consultation, no objections have been raised by the Council's Land Reclamation and Engineering Section or Dwr Cymru Welsh Water subject to standards conditions being added to any consent.

As such the application is considered acceptable in this regard subject to the conditions detailed below.

Flooding

NRW have noted that the application site lies entirely within Zone C1 as defined by the Development Advice Map referred to under Technical Advice Note 15: Development and Flood Risk (July 2004) and that the site is within the 1% (1 in 100 year) and 0.1% (1 in 1000 year) annual probability fluvial flood outlines of the River Taff, a designated main river. However, given the nature of the proposal and the conclusions of the Flood Consequent Assessment submitted with the application, they consider the risk acceptable subject to the developer being made aware of the potential flood risks. It is consequently considered that the development is acceptable in this regard and a note highlighting this matter should be added to any consent.

Public Health

Following consultation with the Council's Public Health and Protection Division, no objections have been received or conditions suggested. As such the application is considered acceptable in this regard.

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.

The Section 106 requirements in this case

As detailed earlier in the report, the Transportation Section has requested that the applicant enter into a Section 106 agreement to make a financial contribution in the sum of £5000 towards the costs associated with the introduction of parking restrictions along the section of Taffs Fall Road fronting the development site to mitigate the impact of the development upon highway and pedestrian safety. It is considered that this requirement meets the aforementioned tests and is reasonable in this instance.

Members are advised that should they be minded to approve the application subject to the Section 106 agreement detailed above, the Traffic Regulation Order would not be CIL liable and the application would still be subject of the Section 106 agreement.

Community Infrastructure Levy (CIL) Liability

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

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

Conclusion

Having taken account of all of the issues outlined above, it is considered that the proposal represents an appropriate development at the application site. Policy SSA27 seeks to support redevelopment proposals of this type and it is considered that the proposal would provide positive economic benefits in terms of regenerating this section of the Treforest Industrial Estate. Furthermore, there would be no impact in respect of the visual amenity of the locality, the amenity of the surrounding properties, or upon highway safety. As such, the application is recommended for approval subject to the conditions specified below.

RECOMMENDATION: Grant

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

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

2. The development hereby approved shall be carried out in accordance with the approved plans ref. G2521 (05) B1307, 3034-01, 3034-02 and 3034-03 and documents received by the Local Planning Authority on 22/01/15, 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. Notwithstanding the submitted plans, no works shall commence on site until full engineering details of the proposed vehicular access to the site together with swept paths showing the paths of coaches/buses and large goods vehicles entering and leaving the site have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details to the satisfaction of the Local Planning Authority prior to beneficial occupation of the first dwelling.

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

4. No development shall take place, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority to provide for:-
 - i. the means of access into the site for all construction traffic,
 - ii. the parking of vehicles of site operatives and visitors,
 - iii. the management of vehicular and pedestrian traffic,
 - iv. loading and unloading of plant and materials,
 - v. wheel wash facilities
 - vi. the sheeting of lorries leaving the site.

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

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

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

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

6. No operations shall commence at the property until the drainage works have been completed in accordance with the approved plans.

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

accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

7. 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.

8. 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.

9. 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.

10. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

- a) A preliminary risk assessment which has identified:
 - i) all previous uses
 - ii) potential contaminants associated with those uses
 - iii) a conceptual model of the site indicating sources, pathways and receptors
 - iv) potentially unacceptable risks arising from contamination at the site.
- b) A site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- c) The site investigation results and the detailed risk assessment (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: To prevent pollution of controlled waters at this site, which are

sensitive and overly a Secondary Aquifer, and where contamination is known to have occurred due to historic uses of the site, in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

11. Prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

Reason: To demonstrate that the remediation criteria relating to controlled waters have been met and (if necessary) to secure long-term monitoring of groundwater quality. This will ensure that there are no longer remaining unacceptable risks to controlled waters following remediation of the site, in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

12. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: Given the variety of historic site uses identified, it is considered possible that there may be unidentified areas of contamination at the site that could pose a risk to controlled waters if they are not remediated, in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

13. Piling or any other foundation design using penetrative methods shall only be permitted with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.

Reasons: To prevent pollution of the water environment as there may be an increased potential for pollution of controlled waters from inappropriate methods of piling, in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

14. Prior to the development being brought into use, street lighting columns and any associated street lighting apparatus located within the curtilage of the development site will need to be relocated within the back edge of the footway.

Reason: To ensure that there is unrestricted access for the inspection and maintenance of street lighting in the interests of highway safety in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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

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

16. 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) Nor at any time on Sundays, Bank or Public holidays, unless otherwise agreed in writing by the Local Planning Authority.

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

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APPLICATION NO: 15/0174/10 (MF)
APPLICANT: Mr J Griffiths
DEVELOPMENT: Detached garage.
LOCATION: THE WINDRUSH, 69 LANPARK ROAD, PONTYPRIDD,
CF37 2DL
DATE REGISTERED: 30/04/2015
ELECTORAL DIVISION: Town (Pontypridd)

RECOMMENDATION: Approve

REASONS:

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

APPLICATION DETAILS

Full planning permission is sought for the construction of a detached double garage to the front of 69 Lanpark Road, Graigwen.

The proposed garage would be erected at the south-eastern corner of the site, abutting the highway to the front from which it would be accessed. The garage would measure 7.6 metres in width by 7.6 metres in depth and would incorporate a mono-pitched roof design to 4.3 metres in height. The structure would be finished in white render with face brick quoins and concrete roof tiles to match the main dwelling. Two white roller shutter doors would be sited in the front elevation.

SITE APPRAISAL

The application site comprises a detached dwelling and its associated amenity space, located within a residential area of Pontypridd. The dwelling is sited centrally within the plot having garden areas to the front, rear and both sides and a driveway at the north-eastern corner. Sited on a valley hillside, the topography of the area generally falls from west to east. As such, the dwelling is located at a considerably higher level than the street with the garden and drive to the front falling steeply from the dwelling to street level. Neighbouring properties in the row are all sited a higher level than the street, however, the properties at the opposite side of the street are all located at road level.

PLANNING HISTORY

Previous planning applications submitted at the site:

93/0090	69 Lanpark Road, Pontypridd	Conservatory and house extension	Granted 05/05/93
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PUBLICITY

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

- Set forward of the main dwelling, the proposed garage would be out of character with the surrounding locality.

- Local residents currently park on the highway outside of the application site. The proposed garage would remove these spaces.
- The applicant already has a garage within his curtilage and a driveway large enough to accommodate a number of vehicles. We would question why a further garage is required?
- The garage would form a nuisance to the properties opposites by way of noise and disturbance.
- Concerns that the garage may be used for commercial purposes.

CONSULTATION

Transportation Section – no objection, subject to conditions.

Countryside, Landscape and Ecology – no objection.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

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

Policy 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 2 (Development Plans), 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 relevant policy guidance consulted:

PPW Technical Advice Note 12: Design.

REASONS FOR REACHING THE RECOMMENDATION

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

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

Principle of the Proposed Development

The application relates to the erection of a domestic garage within the curtilage of an existing residential property. The principle of the development is therefore acceptable, subject to the criteria identified below.

Visual Impact

Sited to the front of the dwelling, it is acknowledged that the proposed garage would form a visible feature in the street scene along Lanpark Road and from the residential properties opposite the site, who have raised concerns in this respect. However, being of a domestic design and scale, and being set into the banking at the front of property whereby only the front and small portions of the side elevations would be visible, it is not considered the structure would have a significant enough impact upon the existing character and appearance of the street to warrant refusal of the application. Furthermore, the use of acceptable external materials will minimise any potential impact and ensure that the garage would not form an overly prominent feature in the street scene.

Subsequently, whilst there is some concern in respect of the proposed garage being sited forward of the building line along the street, on balance, the garage is considered to be acceptable in this regard.

Residential Amenity

It is noted that there has been a number objections received from local residents in this regard, however, it is not considered that the proposed garage would have a significant impact upon the levels of amenity and privacy currently enjoyed by neighbouring properties.

Whilst the garage would be sited to the front of the dwelling directly opposite the front elevations of the properties opposite, given the relationship it would have with these properties and the fact that it would be of an acceptable domestic design, scale and height, there would be no undue impact from issues such as loss of sunlight and overbearing affects.

Further objections have been raised with regard to the potential of the garage being used for commercial purposes that could result in noise and disturbance and a loss of privacy. Members are advised that the application details that the garage is proposed for domestic use for the parking of motor vehicles only. Furthermore, if permission were to be granted, a condition requiring the garage is only used for the parking of vehicles or storage for domestic purposes could be attached. It is acknowledged that domestic use of the garage could also result in some noise and disturbance from the comings and goings of its users, however, it is not considered the impact would be significantly greater than the existing use of the road outside the site currently used by surrounding residents for parking.

It is noted the residents of the properties opposite the application site may incur a degree of impact due to car headlights shining into their properties when it is dark. However, given the fact that the properties opposite are enclosed by low level boundary walls and fencing, and the limited domestic use of the proposed garage, it is not considered that this impact would be significant enough to refuse the application.

Therefore, taking the above into account, on balance, it is not considered the development would result in a loss of amenity to neighbouring residents significant enough to warrant refusal of the application.

Highway Safety

A number of concerns have been raised by local residents in respect of the potential impact of the development upon highway safety. However, following consultation with the Councils Transportation Section, no objections have been raised subject to the imposition of a number of standard conditions.

The Transportation Section commented that the proposed double garage will increase pedestrian movement along a section of road that has no dedicated footway resulting in pedestrians and vehicles sharing the same surface. A condition is therefore suggested for the conversion of the grass verge to the front of the site to a footway in order to prevent any potential impact.

It is also noted that whilst the proposed garage would remove two on-street parking spaces to the front of the site, two off-street spaces would be provided which is acceptable.

Consequently the development is considered acceptable in this regard subject to the conditions detailed below.

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

Whilst it is acknowledged that there will inevitably be a degree of impact upon the character and appearance of the surrounding locality and the amenity of the neighbours opposite, on balance, it is not considered the proposal would have a significant enough impact in these regards to warrant refusal of the application. Furthermore, there would be no undue impact upon pedestrian or highway safety in the vicinity of the site. Consequently the application is considered to broadly comply with the relevant policies of the Local Development Plan.

RECOMMENDATION: Grant

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

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

2. The development hereby approved shall be carried out in accordance with the approved plans ref. Sheet 1 of 4, Sheet 2 of 4, Sheet 3 of 4, Sheet 4 of 4 and documents received by the Local Planning Authority on 30/04/15, 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. Prior to the commencement of development, detailed structural calculations of any necessary retaining walls including appropriate cross sections and elevation drawings 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.

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

4. Development shall not begin until details providing for the creation of a 2 metre wide footway along the site frontage along Lanpark Road with a vehicular crossover have been submitted to and approved in writing by the Local Planning Authority. The footway and crossover shall be constructed in

accordance with the approved details before the development is brought into use.

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

5. The garage, sited as shown on the submitted plan, shall be fitted with inward-opening doors or a roller shutter, which will not open over the highway and no doors, shall be added or replaced which would open over the highway.

Reason: To prevent obstruction to the public highway, in the interests of highway safety in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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

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

7. The use of the garages hereby approved, shall at all times be restricted to purposes normally associated with a domestic use and no trade or business shall be carried out therein.

Reason: For the avoidance of doubt as to the extent of this consent, to safeguard the residential amenity and privacy of the neighbouring properties, and in the interests of the safety of all highway users in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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APPLICATION NO:	15/0189/13	(BJW)
APPLICANT:	Ms D Rosser	
DEVELOPMENT:	Replacement dwelling for Bryn Ysgol & Ty Mizpah and change of use of land to domestic garden curtilage (Outline)(Amended description 22/04/15)	
LOCATION:	BRYN YSGOL, PENRHIWFER ROAD, PENRHIWFER, TONYPANDY, CF40 1SJ	
DATE REGISTERED:	22/04/2015	
ELECTORAL DIVISION:	Tonyrefail West	

RECOMMENDATION: Approve.

REASONS:

The site is outside the defined settlement boundary and is part of a Green Wedge between the settlements of Penrhiwfer and Tonyrefail designated to prevent the coalescence of settlements. As the application is not for an agricultural worker or in an excepted category the development would be clearly contrary to development plan policy.

However, there are existing dwellings on the land, albeit in a poor state of disrepair, the land is subject to an established commercial and industrial storage use and has been in this non-conforming use for some time.

On balance, it is considered that there is merit in allowing a single replacement dwelling at this location due to its previous planning history for a visually detrimental and non-conforming commercial use within the countryside.

Subject to appropriate conditions, it is considered that a sympathetic and acceptable dwelling could be built that would respect the rural character and appearance of the area and improve the visual amenity of the area as well as remove a non-conforming commercial use.

APPLICATION DETAILS

Outline planning permission sought for a single detached replacement dwelling on land at Bryn Ysgol, Penrhiwfer Road, Penrhiwfer, Tonypandy.

The application is for the principle of the development with all matters of detail reserved for future consideration. However, an indicative layout for the proposed dwelling has been submitted. The indicative layout details a single detached dwelling in the centre of the plot with a driveway in the north west of the plot. Additionally, as is required with outline applications, minimum and maximum dimensions are included and would be:

	Minimum	Maximum
Length	13.5m	14.5m
Width	10m	11m
Height(eaves)	5m	6m
Height (ridge)	7m	7.6m

The application is accompanied by the following additional information in support of the application:

- Design and Access Statement (DAS)
- Ecology Report
- Certificate of Lawfulness for an existing use of the site for storage and parking of vehicles (Reference number – 79/1729, dated 09/01/1980)

The DAS provides a framework for the proposal stating that the replacement dwelling would reduce the footprint of the existing dwellings on the site. The location of the replacement dwelling would allow greater opportunities for landscaping to further reduce any visual impact and also allow improved highway access.

The developer would also effectively rescind the current established of the site for the storage and parking of vehicles as the site would become the residential curtilage of the replacement dwelling. Additionally, the removal/replacement of the existing disused and dilapidated dwellings would also improve the visual amenity of the surrounding area.

The ecology report concentrates mainly on the two buildings that would be removed from the site should consent be granted. The report concludes that there is no evidence that the buildings are used by roosting bats or other protected species. Advice is offered in relation to working practices in the demolition of the buildings, bat friendly installations in any new dwelling and in terms of limiting possible impacts on the adjacent Site of Special Scientific Interest (SSSI).

SITE APPRAISAL

The site is a roughly rectangular piece of land located onto Penrhiwfer Road between the villages of Penrhiwfer and Tonyrefail. The site has a road frontage of approximately 40m, a depth of between 32-36m and an area of 1585 square metres.

The land slopes gently from Penrhiwfer Road and from west to east. There are two existing dwellings, Bryn Ysgol and Ty Mitzpah, located in the south west corner of the site immediately adjacent to the highway. The dwellings are two storey properties with several rear extensions and are generally in a poor state of disrepair.

The rear of the site contains several caravans, vehicles, storage units, plant and machinery. To the north of the site is the Rhos Tonyrefail Site of Special Scientific .

PLANNING HISTORY

79/1729	Bryn Ysgol House, Penrhiwfer Road	Established Use Certificate	Certificate Granted 09/01/80
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PUBLICITY

This has included site notices and the direct notification of properties surrounding the site. 1 response has been received, the main points of which are detailed below.

Concerns are raised over the following:

- The projected timescale for the demolition;
- The process by which a safe and non-disruptive demolition process will be effected;
- The demolition contractors and their professional certification and insurance to carry out the works;
- A safety protocol including, if required, temporary traffic lights to ensure highway and pedestrian safety during the demolition process;
- Will the applicants remain on site during demolition and construction works?
- Sight lines along this stretch of highway are short and the speed limit is 60mph, this would be a good opportunity to seek reclassification of this stretch of road to a more reasonable 40mph;
- Services (water, electricity, telecoms etc.) to the neighbours property run through the development site. Can the developer give assurances that these services would not be affected during either the demolition or construction activities at the site?
- The neighbour's father lives at the property and, at 89, it is vital that services are not disrupted to ensure his health and well being. Any detriment that is caused should be suitably managed to allow alternative arrangements to be made and should be compensated by the applicant.

CONSULTATION

Transportation Section –no objection subject to conditions.

Land Reclamation and Engineering (Drainage) – no objection, subject to conditions requiring details of the drainage of the site to be submitted, approved in writing and implemented in accordance with the approved scheme.

Public Health and Protection – no objection, subject to a condition to restrict the hours of operation during the construction.

Natural Resources Wales – no adverse comments received.

Dwr Cymru welsh Water – no objection.

Countryside, Landscape and Ecology – no objection.

Tonyrefail and District Community Council – fully supports the replacement dwelling providing that all planning guidelines are met.

POLICY CONTEXT

The site is outside the settlement boundary and is unallocated.

Rhondda Cynon Taf Local Development Plan

Policy AW1 - identifies the housing land requirement for the County Borough over the plan period.

Policy AW2 - seeks to ensure development proposals on non-allocated sites are in the most sustainable locations which includes within the defined settlement boundary. The policy also seeks to ensure that development proposals are accessible by a range of transport modes and have access to key services and facilities.

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

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

Policy AW8 - seeks to protect and where appropriate enhance the natural environment of the County Borough, this include Sites of Special Scientific Interest.

Policy SSA11- Housing Density sets a minimum density level of 35 dwelling per hectare in the southern strategy area. The policy states that variations on these densities could be acceptable but only where it can be justified and valid reasons demonstrated.

Policy SSA13 - permits housing development within the defined settlement boundaries where it can be demonstrated that the proposal meets set amenity, highway, design and contamination standards.

Policy SSA22.1 – identifies the site as within a Green Wedge (Land north of Tonyrefail and Penrhiwfer). Green Wedges are designated in order to prevent coalescence between and within settlements.

National Guidance

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

Chapter 2 (development plans), Chapter 3 (making and enforcing planning decisions), Chapter 4 (planning for sustainability), Chapter 9 (housing) set out the Welsh Government's policy on planning issues relevant to the determination of this planning application.

Other relevant policy guidance consulted:

Planning Policy Wales 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 development site is outside the defined settlement boundary and is located in the southern strategy area. The site is also located within a green wedge and a coal safeguarding area and the site abuts a Site of Special Scientific Interest (SSSI).

As such the proposal is contrary to Local Development Plan Policy which seeks to locate development within sustainable locations that are accessible to a range of transport modes and to avoid coalescence between and within settlements by encroachments into Green Wedges.

However, the site is far from what could be considered a “green” site. It contains two existing dwellings, in a poor and semi derelict state, as well as caravans, vehicles, plant and machinery.

The site is currently considered to be detrimental to the character and appearance of this countryside location and, due to the lawful use certificate, there is little that the Local Authority could do to improve the situation without input from the applicant. Similarly, the existing dwellings could be renovated to a habitable condition without recourse to the Local Authority and the existing storage use retained at the site.

It is considered that the proposal would amount to a replacement dwelling at the site. The proposal would remove the currently unsightly dwellings at the front of the site with one more centrally located; be of a design negotiated by the Council and with regard to the rural nature of the area; with the opportunity for landscaping to further reduce its visual impact and with improved highway access.

The allocation of the site as within a Green Wedge is acknowledged, however the site is commercial/industrial in character and currently unsympathetic to the character and appearance of its surroundings. The purpose of the Green Wedge is to avoid the coalescence of settlements. This purpose would not be weakened by the development of a single, replacement dwelling on an already developed site. Indeed it is considered, that through appropriate conditions, the proposal would improve the visual amenity of the site and strengthen the rural character of the area.

The applicant has stated a willingness to rescind the existing storage use of the site granted by the lawful use certificate either through condition or unilateral undertaking. This would create a domestic curtilage around the proposed dwelling where development could be restricted by the removal of permitted development rights and the character and appearance subject to reasonable control that would befit a rural location.

Consequently, it is considered that despite the location of the site outside the settlement boundary and within a Green Wedge, there are considerable material considerations that would, on balance, outweigh development plan policies in this particular instance.

In terms of the other issues regarding the scheme, such as the design, scale, access, impact on neighbouring properties, these will be examined below, however, having regard to the points raised above, the principle of the development is considered to be acceptable.

Impact on amenities of neighbouring properties

The site is a gently sloping piece of land located in a road side, rural location, outside the settlement boundary. The land is situated above the level of the main road between the villages of Penrhiwfer and Tonyrefail.

Due to its location there are few neighbouring properties in the vicinity of the site, the closest being over 75m to the south. Due to the distance and relationship with neighbouring properties it is considered that the development of this site would not have a detrimental impact on the amenity of neighbouring properties.

In terms of the concerns raised by the neighbouring property these would be matters beyond the scope of the planning application. The demolition of the property would be covered by the provisions of the Building Act and overseen by Building Control. Similarly, any adverse impact on services such as gas, electricity and water would be the responsibility of the developer and any issues between the parties would be a private legal matter. Finally, the re-classification of the road would be beyond the scope of this application.

Consequently, although an outline application lacking details, it is considered that the indicative details for the proposal demonstrate that the development would not have a detrimental impact on the amenity of neighbouring properties and would be acceptable.

Character and appearance of the area

The area is characterised by sparse development within a wider countryside setting. There are a few houses within the immediate and wider locale however the area is

typical of a green area (or wedge) between two settlements (Penrhiwfer and Tonyrefail).

The site itself has a pair of semi-detached dwellings and a storage use to the rear and there are extensive hard surfaced areas across the site as a whole.

The proposal would provide a centrally located dwelling, with a smaller footprint than the existing pair of dwellings with the opportunity to add further landscaping features to improve the appearance of the site.

Although lacking full details of the design and scale of the proposal it is considered that a dwelling could be built at the site that would be sympathetic to the rural character and appearance of the area.

It is also acknowledged that the site would fall well below the suggested standard of 35 dwellings per hectare however due to the site's rural location a density of this level would be inappropriate. While the proposal would amount to 6 dwellings per hectare it is considered that this would be acceptable given the sparse nature of development within the locality and its rural character and appearance.

It is considered that the proposed replacement dwelling would represent a positive opportunity to replace the existing run-down dwellings on the site and discontinue a non-conforming and an unsympathetic commercial/industrial/business/storage use at this location.

Consequently, subject to an acceptable design at the reserved matters stage, it is considered that the scale of the proposal would be sympathetic and in keeping with the existing dwellings in the area as well and there is no objection to this aspect of the proposal.

Highway safety

The Transportation Section has raised no objection to the application on highway safety grounds, subject to conditions to secure satisfactory access, parking and turning facilities within the site.

This view acknowledges the surrounding road network, the generous size of the site and the potential to secure acceptable highway arrangements thereon.

Consequently, subject to the conditions that have been suggested, it is considered that the proposal is acceptable in this regard.

Green Wedge

The site lies within a Green Wedge, SSA22.1 - Land north of Tonyrefail and Penrhiwfer refers, which seeks to prevent the coalescence of settlements. It is

considered that in this particular case, as a replacement dwelling, the application would not be contrary to this policy. The land is already extensively developed for a commercial use and there are existing properties which could be renovated at the site.

Consequently, it is not considered that the proposal would contribute to the coalescence of the communities of Penrhiwfer and Tonyrefail and would therefore be acceptable in this regard.

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 day 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

It is acknowledged that the development of the site is contrary to the provisions of the Local Development Plan. However, it is considered that there are significant and compelling material considerations that would justify the grant of planning permission in this particular case.

Consequently, and on balance, the proposal is considered to be acceptable.

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 development hereby approved shall be carried out in accordance with the approved

Site Location Plan and Block Plan received by the Local Planning Authority on 10/02/2015, 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. Before the submission of the application for the approval of reserved matters, a detailed site investigations report shall be submitted to and approved in writing by the Local Planning Authority. The report should be sufficiently detailed to establish if any ground precautions are necessary in relation to the proposed development and the precautions that should be adopted in the design and construction of the proposed development in order to minimise any damage which might arise as a result of ground condition. The development, hereby permitted, shall be carried out in accordance with the approved site investigations report.

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

4. Notwithstanding the submitted approved plans no development, including works of site clearance, shall be commenced until a scheme has been submitted indicating a 5m buffer zone between development activities and the northern boundary of the site, the Rhos Tonyrefail Site of Scientific Interest (SSSI). The scheme shall include a clear 5m buffer zone, as recommended in the MPS Ecology report dated April 2015, where no construction activity or storage shall be carried out as well as precautionary measures to prevent any transference of materials from the site to the SSSI.

Reason: To enhance and afford protection to the adjacent Site of Special Scientific Interest (SSSI) – Rhos Tonyrefail, in accordance with Policies AW5 and AW8 of the Rhondda Cynon Taf Local Development Plan.

5. The recommendations of the MPS Ecology report, dated April 2015, in

relation to the method of demolition of the property and provisions for the clearance of the site outside of the bird nesting season shall be strictly adhered to during the demolition and clearance of the site.

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. 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.

7. The land shall be used for a single residential property and garden curtilage and for no other purpose.

Reason: In order to define the scope of the permission.

8. 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.

9. 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.

10. Prior to the commencement of development, details for the provision of bat and barn owl boxes (incorporated within the conversion scheme) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details and maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

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

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

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

12. 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.

13. No development shall take place until drainage arrangements have been submitted to and approved in writing by the Local Planning Authority. These details shall also indicate how the development is to comply with the requirements of Section 8.3 of Technical Advice Note 15 in relation to Flood Risk Management.

Reason: To ensure that drainage from the proposed development does not cause or exacerbate any adverse condition on the development site, adjoining properties, environment and existing infrastructure and to ensure adequate disposal of foul and surface water drainage in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

15. Before the development is brought into use the means of access, together with the vision splays and turning facilities, shall be laid out and constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to any development commencing on site.

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

16. Surface water run-off from the proposed parking areas shall not discharge onto the public highway unless otherwise agreed in writing by the Local Planning Authority.

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

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

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

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

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

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APPLICATION NO:	15/0237/10	(JAW)
APPLICANT:	RAL Contractors	
DEVELOPMENT:	Demolition of former Working Men's Club and redevelopment of the site for 6 flats, parking, access	

arrangements, landscaping and associated works.
(Revised plans received 15th June 2015)
LOCATION: **CYMMER PIONEER WORKINGMENS CLUB, 20-21
HIGH STREET, CYMMER, PORTH, CF39 9AB**
DATE REGISTERED: **01/05/2015**
ELECTORAL DIVISION: **Cymmer**

RECOMMENDATION: Approve

REASONS:

The principle of the proposed development is considered acceptable.

The proposal is in keeping with policies AW1, AW2, AW5, AW6 and NSA12 of the Rhondda Cynon Taf Local Development Plan and National Policy in that it is acceptable in terms of scale, layout, design and its impact on the residential amenity of surrounding properties as well as highway safety.

APPLICATION DETAILS

Full planning permission is sought for the demolition of the existing vacant workingmen's club and the erection of six, 1 bedroom flats on land occupied by Cymmer Pioneer Workingmen's Club, High Street, Cymmer, Porth.

The proposed building will be rectangular in shape and measure 12.7m across its frontage with High Street by 10.1m deep. It will be 10.5m high to its ridge and three storeys in design, the third floor comprising habitable roof space served by two front and rear gables and roof lights. The front elevation will have the appearance of two dwellings, with two pedestrian access doors with canopies over serving the two ground floor flats. The rear elevation will have a central access door which would serve the two first and two second floor flats. The side (northern) elevation facing Morgan Street will have three windows (one each floor) which would serve as secondary living room windows.

Materials proposed include grey/black slate roof covering, grey colour randomly coursed reconstituted stone, buff colour brickwork heads, quoins and string course and white colour upvc windows.

It is proposed to widen Morgan Street along the side of the building by 1.1m to 4.1m (the original proposal was to provide a 1.5m wide pavement, however, at the request of the Transportation Section amended plans have been received which have replaced the pavement with the widening of the highway). The building will also be set back 0.4m from the existing front building line to ensure no overhang of the proposed canopies onto the highway. Four off street parking spaces are proposed,

which will be accessed from an unnamed rear lane, a cycle parking area, bin storage area and clothes drying area will also be provided.

The application is accompanied by the following:

- Design and Access Statement
- A bat survey
- A desk top Coal Mining Risk Assessment

SITE APPRAISAL

The site is currently occupied by the Pioneer Workingmen's Club (recently closed), which is bounded on three sides by public highways (that is, High Street to its frontage, Morgan Street to the north and an unnamed rear lane). The building is attached to No. 22A High Street at its southern side.

The foot print of the existing building takes up the whole of the site curtilage and is two storeys in height. It has two prominent gables to its front elevation.

There is no off-street parking space available within the site curtilage for the workingmen's club.

The site is situated on the main street through Cymmer, with the surrounding area being predominantly residential in character.

The access road, Morgan Street to the north of the site is narrow at 3.0m wide and has no pavement. This road serves as the main access to six dwellings.

PLANNING HISTORY

There is no planning history related to this site.

PUBLICITY

The application has been advertised by direct neighbour notification letters and site notices. No letter of objection or representation has been received.

CONSULTATION

Transportation Section – no objection subject to conditions.

Public Health and Protection – no objection subject to conditions and informative notes

Land Reclamation and Engineering – no objection subject to conditions, including the submission of a full drainage scheme.

Countryside, Landscape and Ecology – no objection.

Natural Resources Wales – no objection.

Welsh Water – no objection subject to a condition and informative note.

Wales and West Utilities Ltd – no objection.

South Wales Fire and Rescue – have not responded within the statutory consultation period.

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

Coal Authority – no objection subject to a condition.

POLICY CONTEXT

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

Rhondda Cynon Taf Local Development Plan

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

Policy CS1 - sets out criteria for achieving strong sustainable communities.

Policy CS4 – Housing Requirements.

Policy AW1 – states that provision will be made for the development of new dwellings including, the development of unallocated land within the defined residential settlement boundaries.

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

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

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

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

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

Policy NSA12 – Development within and adjacent to settlement boundaries.

Planning Policy Wales

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

Planning Policy Wales Chapter 3 (Making and Enforcing Planning Decisions), Chapter 4 (Planning for Sustainability), Chapter 9 (Housing), Chapter 13 (Minimising and Managing Environmental Risks and Pollution), set out the Welsh Government's policy on planning issues relevant to the determination of the application.

Other relevant policy guidance consulted:

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

REASONS FOR REACHING THE RECOMMENDATION

The application site lies within settlement limits and in a predominantly residential area. As such, the principle of residential development is considered acceptable.

The key considerations in this case are whether the proposed redevelopment of the site for residential development will have an acceptable impact on the character and appearance of the surrounding area, the impact of the development on the residential amenities of neighbouring properties and the impact of the proposal on highway safety.

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

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

Principle of the proposed development

The application site consists of a vacant workingmen's club in the village of Cymmer, Porth. Under the provisions of the Local Development Plan the site is within settlement boundaries and is unallocated. In this respect it is considered that the principle of the development of the site for residential purposes is compliant with national and local planning policy objectives, which encourage the re-use of previously developed land. The site is also well located in terms of its location on the main road through Cymmer close to public facilities (school, doctors, post office) and public transport (bus and train).

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

Impact on the character and appearance of the area

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

The proposed scheme is for a total of six one bedroom flats, arranged over three floors in a relatively simply designed building. The scheme takes account of the site's characteristics (including the existing workingmen's club) and context and as a result, it is considered that the layout is successful in creating a frontage along High Street. The footprint of the proposed building is smaller than the existing building, which allows some parking, a bicycle parking area, bin storage and clothes drying area to be provided at the rear of the site. The materials proposed include grey colour randomly coursed reconstituted stone, buff colour brickwork details, white colour upvc windows and grey/black slate roof covering are compatible with other development in the area and it is considered that the proposed development will have an acceptable impact within the street scene.

Access to the ground floor flats will be from High Street, with access to the first and second floor flats being from the rear of the building. The design of the building has a dual frontage, with access to the rear of the building being visible and easy to reach from Morgan Street. The ground floor flats will have railings to the front of their rear bedroom windows to provide an element of defensible space for their occupiers.

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

Impact on residential amenity and privacy

With regards to the impact on neighbouring residential amenity, although the proposed building will have a ridge height 0.9m higher than the existing workingmen's club it would not have an overbearing impact on neighbouring residential properties. The footprint of the proposed building will be smaller than the existing club and it is considered that the proposed layout and scale of the building is acceptable.

There are properties opposite the site along High Street which will be directly overlooked by the proposed development; however it is not considered that this would be to an unacceptable degree. The distance between the properties is considered to be sufficient to ensure that there would be no unacceptable loss of privacy and the relationship is reflective of the terraced streets surrounding the site. The footprint of the proposed building will be smaller than the existing club and will have a positive effect on both the adjoining dwelling No. 22A High Street and Nos. 1-6 Morgan Street located to the rear of the site. There are no windows in the side elevation of no. 18 High Street that the proposed side windows (northern elevation of the proposed building) would overlook.

Due to the close proximity of the site to neighbouring residential properties it is inevitable that the redevelopment of the site would lead to noise and disturbance to adjacent properties during both demolition and construction, however, it is considered that such impacts could be minimised by the imposition of appropriate conditions. Overall, it is not considered that the temporary impacts experienced during the period of demolition/construction would be so great as to warrant the refusal of the application.

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

Access and highway safety

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

The proposed 6 No. 1-bedroom flats will require up-to a maximum of 12 off-street parking spaces in accordance with the SPG Access, Circulation and Parking 2011 with 4 spaces and a cycle parking area being provided. However, the existing workingmen's club would require in the region of 70 spaces with no off-street parking. The site is located in a sustainable location close to both public facilities and public transport. The proposal is therefore considered acceptable in terms of off-street parking provision.

The carriageway (Morgan Street) to the north of the site has a sub-standard carriageway width of 3.0m and no footway provision. The proposal is to set the building back to widen the carriageway at this location to 4.1m which will allow two standard cars to pass one-another avoiding the need for reversing movements. There will also be a 400mm hard margin strip to prevent overhang of vehicles colliding with the new building.

The building will be set back 400mm from the front of the site to ensure that the two canopies over the pedestrian access doors do not overhang the public footway.

There is a cellar opening located on High Street which will require back filling in accordance with full engineering design and details. A condition of permission is recommended to address this issue.

There is concern that during the demolition and construction stages of development residents of Morgan Street would have restricted access due to the already narrow carriageway width of 3m adjacent to the building. In addition, the only other access/egress available to residents of Morgan Street is via the unnamed lane at the rear of the site and Office Street. A condition is therefore recommended to require the submission of a traffic management plan to ensure access is maintained for residents of Morgan Street at all times.

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

Other Issues:

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

Drainage

The proposal is to discharge both foul and surface water to the public sewerage system however, Welsh Water has advised that surface water can be suitably controlled on virtually any development via the integration of one of many forms of SUDS techniques available and that Welsh Water would require a very good justification not to incorporate a sustainable approach. An appropriately worded condition is therefore recommended to ensure that the most appropriate form of drainage is utilised prior to the commencement of the development.

Ecology

The Council's Ecologist notes that the submitted bat report concludes there is negligible bat potential and that demolition can proceed without further work. The report highlights the potential to build in self-contained bat enhancement measures in the new build in the form of bat boxes. The applicant has agreed to the imposition of such a condition.

Coal Authority

The application site lies within an identified area of risk from coal mining activities and accordingly a Coal Mining Risk Assessment Report was requested. The Coal Authority has advised that the information submitted is sufficient to conclude that there is potential risk to the development from past coal mining activities.

The Coal Authority has confirmed that they concur with the recommendations of the Coal Mining Risk Assessment Report and that intrusive investigations works should be undertaken prior to the commencement of the development in order to establish the exact situation regarding coal mining legacy issues on the site. Accordingly, no objection is raised to the application subject to the imposition of a condition to deal with intrusive site investigations and a scheme of remedial works.

Community Infrastructure Levy (CIL) Liability

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

The application is for development of a kind that is liable for a charge under the CIL Regulations 2010 as amended however, the 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

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

RECOMMENDATION: Grant

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

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

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

Site layout - Drawing No. 002 Rev. C received 15/06/15

Proposed ground floor layout - Drawing No. 003 Rev. C received 15/06/15

Proposed first floor layout - Drawing No. 004 Rev. C received 15/06/15

Proposed second floor layout - Drawing No. 005 Rev. C received 15/06/15
Proposed elevations sheet 1 - Drawing No. 006 Rev. C received 15/06/15
Proposed elevations sheet 2 - Drawing No. 007 Rev. C received 15/06/15
Proposed site section - Drawing No. 008 Rev. C received 15/06/15
Existing site plan - Drawing No. 009 received 09/04/15
Site Location plan –Drawing No. 010 received 20/02/15

Reason: In order to define the extent of the consent hereby granted.

3. 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.

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

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

5. No development shall take place (other than any works in relation to demolition and site clearance) until drainage arrangements for foul and surface water have been submitted to and approved in writing by the Local Planning Authority. No flat 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.

6. No development shall take place (other than works in relation to demolition and site clearance) until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary

treatment shall be completed before the building is occupied. Development shall be carried out in accordance with the approved details.

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

7. Notwithstanding the submitted plans, development shall not commence (other than works in relation to demolition and site clearance) until full engineering design and details of the road widening to Morgan Street to 4.1m and tie in details with adopted highway, including surface water drainage details have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to beneficial occupation.

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

8. Prior to the commencement of the development including demolition, and site clearance, a report indicating a methodology for undertaking a conditions survey of adjacent public highway affected by the proposed development shall be submitted to and approved in writing by the Local Planning Authority. The report should include: the timescales for undertaking the surveys and the method(s) of reporting the findings to the Local Planning Authority; comprehensive photographs; and potential compensation arrangements. The development shall not be brought into use until the final survey on completion of the development hereby approved and any compensation arrangements have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not have an adverse impact on highway safety in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

9. No development shall take place (other than works in relation to demolition and site clearance) until full engineering design and details of a scheme for blocking off and making good the pavement following the removal of the cellar doors on High Street have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to beneficial occupation.

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

10. No development shall commence, including any works of demolition, until a

Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:

- i) the parking of vehicles of site operatives and visitors;
- ii) loading and unloading of plant and materials;
- iii) storage of plant and materials used in constructing the development;
- iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v) wheel washing facilities;
- vi) measures to control the emission of dust and dirt during demolition and construction; and
- vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.

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

11. The development hereby permitted shall not begin (other than works in relation to demolition and site clearance) 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.

- a) A desk-top study carried out by a competent person 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.
- b) A site investigation shall be carried out by a competent person to fully and effectively characterise the nature and extent of any contamination and its implications. The site investigation shall not be commenced until a desk-top study has been completed satisfying the requirements of paragraph (a) above.
- c) 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.

The development hereby permitted shall not be occupied and/or operated until the measures approved in the scheme 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.

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

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

12. No development (other than works in relation to demolition and site clearance) shall commence until:

- A scheme has been received of intrusive site investigations;
- The undertaking of that scheme of intrusive site investigations;
- The submission of a report of findings arising from the intrusive site investigations;
- The submission of a scheme of remedial works for approval

The remedial works shall be fully implemented prior to the development being first brought into beneficial use, unless as otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of health and safety and environmental amenity as the site lies in a high risk coal mining area and so as to accord with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

13. Prior to the commencement of development, (other than works in relation to demolition and site clearance) details of the provision of bat boxes to be incorporated into the new building shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details and maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

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

14. The works of demolition shall not be carried out before details of the method of demolition have been submitted to and approved in writing by the Local Planning Authority. The demolition of the building shall be carried out in accordance with the approved details.

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

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APPLICATION NO: 15/0576/10 (PB)
APPLICANT: PW Watts Developments
DEVELOPMENT: Engineering operations to construct a surface water drainage scheme to serve 21 no. residential dwellings.
LOCATION: LAND AT PLEASANT HEIGHTS, PORTH
DATE REGISTERED: 28/04/2015
ELECTORAL DIVISION: Porth

RECOMMENDATION: APPROVE

REASONS:

The application proposal for an alternative surface water drainage design scheme is considered acceptable because it will achieve a demonstrable reduction in flood risk arising from the residential development currently under construction at Pleasant Heights compared to the undeveloped state. Also, adequate arrangements are capable of being put in place to secure the management and maintenance of the drainage over the lifetime of the development. Although the proposal will impact upon the landform of the hillside slope at this location, but not to a significant degree especially in comparison with the currently consented drainage scheme. There is an element of hazard to public safety associated with the proposals as they will involve creation of an open water feature in close proximity to neighbouring houses and rights of way. But that hazard is likely to be prevalent for relatively infrequent temporary periods during extreme storm events and therefore outweighed by the comparative flood risk management and visual impact benefits of the drainage scheme.

APPLICATION DETAILS

Full planning permission is sought for the construction of a surface water drainage scheme to serve 21 dwellings on land at Pleasant Heights, Porth. The proposal is for an alternative drainage scheme to that approved under the terms of the planning permission currently being implemented at the site.

The current planning permission for the development of Pleasant Heights Phase 2 was granted on 8 September 2006 for a total of 31 detached dwellings plus associated highway infrastructure, drainage and retaining wall structures (application

ref: 06/9887). That permission was subject to a number of conditions, of which one (condition number 5) requires the submission of an adequate drainage scheme, a timetable for its implementation and arrangements for the management and maintenance of the drainage for the lifetime of the development. In accordance with that condition a full drainage plan and management arrangements were submitted prior to the commencement of development. The condition was finally discharged by the Council on 4 April 2011 and development commenced on site soon after.

The context and justification for the new drainage proposal as set out by the applicant is as follows. The currently consented drainage surface water and land drainage design for the development (drawing 04041-56 A) was designed in conjunction with the Council but is considered to be overly complex, difficult to build and maintain, and very expensive to construct. Due to the constraints of the steeply sloping site and lack of flat land the consented drainage system employed a significant amount of buried surface water storage (attenuation) tanks, a flow control device and a single discharge point to an existing off-site drainage system. A maximum post-development discharge rate from the site to the existing downstream drainage system was agreed.

The applicant considers the form of the consented drainage and attenuation system does not represent the most reasonable and practical means of surface water drainage in terms of up to date guidance. The majority of the attenuation structures were to be placed below ground which would result in a vast in a vast quantity of buried engineering structures and materials (plastic and concrete). Also, a large quantity of retaining structures would be required to enable the placement of the drainage structures on the site. Finally, the construction phasing of the drainage system would have lasted the duration of the overall project which on current build rate could be many years.

The alternative drainage scheme now proposed seeks to relocate all the required storage volume to one single flat area on the site, in place of 10 of the proposed 31 houses, which will be omitted to facilitate the construction of the new storage facility. The physical layout of the alternative drainage scheme comprises an interception drain on the hill above the development, standard building and highway drainage for the development; all connected to a single flow control device and a single open grassed swale (linear grassed ditch with sloping grassed banks) before discharging to the open watercourse between numbers 105 and 107 Turberville Road. The swale will extend for approximately 70m in length across the slope more or less midway between the access highway serving Pleasant Height and the narrow access lane to the rear of Turberville Road. The swale will be 4.4m in width, including 1.2m wide gravel maintenance strips each side, and will have a side slope gradient of 1 in 2. The eastern side (down slope side) of the swale will be formed from a graded earth embankment with a maximum height of 1.9m above the bottom of the swale. A set of maintenance access steps 1.2m wide will link the swale with the footway at Pleasant Heights and will be gated. Originally, it was proposed to construct an emergency vehicle only access route 2.5m wide will be formed in

earthworks from the swale to the junction of the rare lane rear of Turberville Road with the Rise, but this is no longer required so is not proposed to be constructed. The slopes either side of the swale will be graded to a maximum gradient of 1 in 2 and allowed to self vegetate supplemented by hydro-seeding where required. No retaining structures are considered necessary so none are proposed.

During the peak storm event, in an average year the swale is likely to be holding on a 300mm depth of water. During a one in ten year peak storm event the swale will be around 700mm and will only be full to its design limit during a 1 in 100 year critical storm event.

Water will be contained within the swale and will not be permitted to infiltrate into the ground and emerge part-way down the embankment. This will be achieved by an engineered liner with a clay soil cover. The existing ditch to the eastern boundary will be retained, even though it is not required to actively convey water in the future.

The proposed swale is primarily a piece of drainage infrastructure, rather than a landscaping or amenity feature. The depth of water will rarely get above 300mm in an average year, but the maximum extreme water level is a total depth of 1.9m, which could occur for a few hours during a 1 in 100 year storm event (+ 30% climate change allowance). It is proposed to exclude the public from this area by providing a simple fence along the back of the footway at Pleasant Heights. It is not proposed to form an impenetrable security fence around the whole swale, but to discourage casual visits to it. Warning signs indicating a potential risk of deep water are intended to be erected, but buoyancy aids are not intended to be provided considering the reduced frequency of the swale filling and the high likelihood of such aids being stolen, vandalised or thrown into the swale. The gated access to the swale and also the short length of open watercourse near Turberville Road will be locked, for access by maintenance staff only.

The ownership, adoption and maintenance strategy for the proposed drainage scheme is the same as for the currently consented scheme. The surface water drainage infrastructure and the freehold of the land which it occupies will be passed to a private management company specialising in the operation, management and maintenance of sustainable drainage systems. The private management company will operate a management and maintenance agreement between themselves and the residents of the 21 houses that comprise this development (Pleasant Heights, Phase 2), with an annual fee paid by each resident to the company for regular maintenance and eventually capital works.

Maintenance works that will be necessary for the proposed drainage scheme are as follows:

- Visual inspection of land and surface water drainage infrastructure (integrity, cleanliness, blockages).
- Periodic cleaning and survey of pipe work, catch pits, manholes and headwalls, including the control device chamber.

- Management of vegetation in the swale and short length of open watercourse to maintain volume, but not in an over-zealous fashion as some vegetation can remain. This is anticipated to be strimming.
- Management of access routes to drainage infrastructure.

Unlike the currently consented drainage scheme, the alternative now proposed will be constructed in one single phase which means the full benefits of its flow control restriction is achieved at a much earlier stage in the development. The proposed scheme is expected to take three months to construct.

The application is accompanied by the following:

- Pleasant Heights Phase 2, Porth: Alternative Surface Water Drainage Design Strategy and Justification
- Pleasant Heights Phase 2, Porth: Calculations for Alternative Surface Water Drainage Strategy

At the time of submission of the application 6 of the dwellings to be served by the proposed scheme have been constructed and occupied and another 2 dwellings are under construction. Development has proceed without complying with condition attached to the current planning consent that requires the phased construction of the currently consented drainage scheme in accordance with the approved plans prior to the occupation of dwellings on that phase. In the absence of adequate drainage arrangements a Breach of Condition Notice was served on the developer in November 2014 preventing the occupation of any more dwellings on the Phase 2 development (beyond the six currently occupied) until adequate drainage is installed and operational. That Notice remains in force, though does not preclude consideration in the meantime of the alternative drainage strategy the subject of this planning application.

SITE APPRAISAL

The application site comprises a moderately steeply sloping area of land which forms part of a larger area of land at this location currently undergoing residential development as Phase 2 of Pleasant Heights, Porth. The site is flanked along its eastern (downhill) boundary by existing residential properties and an access lane at Turberville Road and The Rise, while to the north the site is contiguous with the open hillside. The western (upslope) and southern boundaries of the site are flanked by houses and an estate road that form parts of Phases 1 and 2 of the Pleasant Heights residential development. Although much of the application site remains undeveloped and covered by natural vegetation, some engineering operations have taken place on the site in connection with the on-going residential development.

PLANNING HISTORY

The relevant planning history to the application site is as follows:

06/0887	Land off Troedyrhiw Rd, Porth	Residential development of 31 detached houses	Approved 8/9/06
06/2177	Land off Troedyrhiw Rd, Porth	variation of condition 5 of consent 06/0887 to modify drainage condition	Refused 5/2/07

PUBLICITY

Neighbouring properties have been notified of the application, which also has been the subject of site notice publicity.

A total of 2 letters/emails of objection to the proposal has been received on behalf of 5 residents of Turberville Road. The objections are summarised as follows:

- Swale would be constructed in an elevated position on unstable ground which has been tipped on the mountain side by the developer in uncontrolled conditions. Settlement of the ground will cause swale to leak and risk of flooding to properties in Turberville Road.
- The 1 in 2 gradients indicated on the submitted plans to the areas of land directly below and above the swale are unachievable in certain positions along the swale, this will cause further problems to the long term efficiency and operation of the swale
- Disagree with the report that the as dug material at the site will form a waterproof layer to the sides and bottom of the swale. The as dug boulder type clay at the site will quickly be eroded by running water
- There are no proposals indicated to deal with surface and groundwater to the lower side of land below the swale. The existing ditch below the proposed swale was dug as a temporary measure by the developer when tipping spoil in this area. The ditch is now overgrown with vegetation and is not, or will not be maintained in the future by anybody.
- Concern about enforcement of the maintenance agreement for the swale if estate residents fail to keep up payment, or maintenance company ceased trading?
- The proposed position of the open swale is in an area of land which overgrows with extremely rough vegetation i.e. bramble bushes, trees, fern and other wild growing vegetation. This will overgrow into and around the open swale.

- Essential that any drainage system employed above Turberville Road is resilient and properly maintained by a responsible body. The people who will be affected by failures in the swale and associated drainage system being considered are residents of Turberville Road and not residents of the new estate who are required to pay for the maintenance of the swale and associated drainage below the new estate. The interest of the residents of Turberville Road must be paramount to the Planning Authority regarding safeguarding their properties from drainage problems above their homes. The way the management and maintenance of the drainage system that is being proposed is totally unsatisfactory with due regard to the importance it has on the properties in Turberville Road.
- The proposed maintenance agreement has not yet been formalised, so how much and to what extent the maintenance of the swale and drainage involves is not known. This agreement is crucial in the long term proper operation of the swale and drainage and should be clarified before approving the scheme.
- There has always been a stream which flows down the hillside between The Rise and the end of Turberville Road during the winter not addressed by the proposals.
- Health and Safety measures regarding the open swale have been ignored. When there is water in the open swale it will become a danger to children playing in the area and to pet dogs, and could attract vandalism and unsociable behaviour.
- The costs of construction and on-going maintenance of the originally consented drainage scheme would have been known to the developer and house-buyers therefore should not now be used as a reason for it not to be constructed.
- Disturbance and damage to wildlife, trees and hedgerows

CONSULTATION

Transportation Section – no objection subject to conditions.

Land Reclamation and Engineering – comments as follows:

“The site benefits from planning permission for residential development and associated drainage works. However due to economic/construct ability reasons the developer has submitted this new application. The development as it currently stands has progressed without implementation of the previously consented drainage scheme. Elements of the existing development currently drain to a watercourse South of the development which subsequently enters the highway network (highway culvert).”

The proposal demonstrates the principles of sustainable drainage techniques and aims to limit the development discharge to the pre-development rates of runoff. Notwithstanding the above, built development such as roads pavements and roofing tends to increase the surface area of impermeable ground, thereby serving to reduce percolation and increasing rapid surface run-off. This has the effect of reducing the time it takes for precipitation to enter the watercourse and consequently increasing the peak discharge from development, therefore development in one part of a catchment may increase run-off and hence flood risk elsewhere. As such we have requested clarification on the pre development and post-development rates of run-off to ascertain if there is an increase in peak flow/event duration. Of particular attention is the concentration of flows into the receiving downstream drainage infrastructure, we would like the applicant to clearly and simply show (submission of hydrograph) there will be no increase in quantity and peak flows resulting from development, and where there is any alteration from the natural drainage the applicant shall ensure there is capacity within receiving infrastructure.

Based on information submitted it has been possible to ascertain that there is a potential disparity between pre and post development flood risk, leading to an increase in peak flows and duration of events, with no assessment of the effects of this on the downstream infrastructure.

We note the application has received an objection from Dwr Cymru Welsh Water on the basis of direct/indirect communication to a combined sewer. We would recommend the applicant resolves this issue with the relevant body as a matter of urgency, this infrastructure may present a limit to the allowable rate of discharge.

We also note the condition of receiving infrastructure is compromised in sections.

Based on the above and the fact the site benefits from a previously approved permission we would not raise objection subject to the following:

No development shall commence until the Planning Authority has received and approved in writing a condition survey and hydraulic assessment of the capacity of the existing highway drainage system between the point of connection and the point of discharge including details of any measures in respect of repairs or improvements necessary to accommodate the increased flood risk arising from the development and confirmation from the relevant statutory body of their acceptance of drainage arrangements at the point of outfall.

Reason: To ensure that drainage from the proposed development does not cause or exacerbate any adverse condition on the development site, adjoining properties, environment and existing infrastructure arising from inadequate drainage.”

Public Health and Protection – no objection, condition relating to hours of construction operation suggested.

Dwr Cymru/Welsh Water – a comment that as the statutory sewerage undertaker it is not obliged to accept flows from the proposed surface water drainage scheme which it regards as land drainage. The acceptance of land drainage into the system albeit via an indirect communication would detrimentally impact capacity in regard to future flows from existing and further development in the area, and **objects** to the communication of these flows in the interests of our customers and the environment.

Parks and Countryside Section – no adverse comment.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application land lies within the settlement boundary of Porth and is unallocated. It forms part of land which benefits from an extant planning permission for the development of 31 houses granted in September 2006 (application ref: 06/0887).

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.

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

Chapter 13 (Minimising and Managing Environmental Risks and Pollution) sets out the Welsh Government's policy on planning issues relevant to the determination of the application.

Other relevant policy guidance consulted:

PPW Technical Advice Note 15: Development and Flood Risk;

REASONS FOR REACHING THE RECOMMENDATION

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purposes of any determination to

be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise. Furthermore, applications that are not in accordance with relevant policies in the plan should not be allowed, unless material considerations justify the grant of planning permission.

The proposed development is for an alternative surface water drainage scheme to serve the development of the second phase of residential development that is part way through construction and occupation. The development that has taken place so far has provided with the currently drainage scheme, which is required to be constructed in phases in parallel with the progress of the overall project. In this context the chief considerations in this planning application are:

- the adequacy of the alternative drainage design strategy, including arrangements for its on-going management and maintenance;
- the consequences of the proposals for the physical landform and visual impact;
- the consequences of the proposals for public safety.

The adequacy of the proposed alternative drainage design strategy

A key consideration is the adequacy of the proposed alternative drainage design strategy to safeguard against flood risk, which is especially important given the location and proximity of the proposed drainage works in relation to neighbouring dwellings in The Rise and Turberville Road. The objective of the previously consented drainage scheme was to limit the surface water discharge rate from the Phase 2 Pleasant Heights site in the developed state to a rate that would not cause flood risk downstream within the existing drainage system situated outside the site. Stricter design criteria will now apply to any alternative drainage design scheme and will result in an increase in flood risk protection both on and off the site. The proposed alternative drainage design scheme the subject of this application involves a reduction in the number of dwellings to be constructed by 10 from 31 to 21 houses, which frees up more physical space on the site in which to site an above-ground surface water attenuation scheme. This avoids many of the complexities, construction costs and maintenance difficulties inherent with the previously consented scheme which would involve significant retaining works and below-ground attenuation.

A detailed hydrological and hydraulic analysis of the original undeveloped site and the proposed alternative drainage design has been produced by the application to accompany the submission. A comparison of surface water final flow rates at the outlet in Turberville Road reveals a final flow rate for the original undeveloped site of 400 litres per second plus 118 cubic metres flood in Turberville Road during a 1 in 100 year extreme storm event. This compares with a final flow rate for the previously consented drainage scheme of 248 litres per second, plus 79 cubic metres of flood in Turberville Road during a 1 in 100 year storm event. The proposed alternative drainage design scheme also would achieve a final flow rate of

248 litres per second and with no flooding off-site during a 1 in 100 year storm event, plus an allowance for protection against a 30% increase for climate change. On this evidence the proposed drainage design scheme reduces the downstream flow rate for all storm events (up to Q100 + 30%) beyond that previously proposed and consented. Also, it reduces the probability of flooding in the downstream existing drainage network in Turberville Road.

Dwr Cymru/Welsh Water (DCWW) has objected to the proposal for reason that as the statutory sewerage undertaker it is not obliged to accept flows into its drainage system from the surface water drainage scheme which it regards as land drainage. DCWW considers that communication of land drainage flows from the proposed development to its system would detrimentally impact capacity in regard to future flows from existing and further development in the area in the interests of its customers and the environment. DCWW's objection is acknowledged, though there are circumstances and factors that have to be understood in balance. Firstly, land drainage from the application prior to the construction of any of the dwellings on Pleasant Heights has historically communicated with DCWW's drainage in this location. Secondly, the currently consented drainage scheme would connect to this existing same drainage infrastructure off-site. Thirdly, the currently proposed alternative drainage scheme will produce a quantifiable reduction in flood risk compared with the currently consented scheme therefore would amount to betterment. Fourthly, DCWW has not supported its objection with evidence that the proposed development will exacerbate the risk of flooding. Accordingly, limited weight can be attached to DCWW's objection.

The proposals have no impact on the access road serving the development approved under the original planning permission (reference number 06/0887), however, the proposed surface water drainage system will collect run-off from the undeveloped catchment next to the site, together with roof and yard drainage and surface run-off from the highways within the development site. The attenuated discharge subsequently will be connected to a positive highway drainage system at Turberville Road. The Transportation Section has offered no objection to the proposals and would be prepared for the Council to adopt and maintain at public expense the highway drainage, swale, hydrobrake flow control chamber and connection to the existing highway drainage system subject to the developer assessing the hydraulic capacity and structural adequacy of the highway drainage system between the point of connection and point of discharge to ensure the hydraulic capacity and structural adequacy is sufficient to accommodate any increased flows arising from the proposed development. The developer would also be required to provide confirmation from Dwr Cymru Welsh Water that the additional surface water run-off from the development would be acceptable to discharge to their combined drainage system, though at the time of compiling this report that consent had not been forthcoming. The Council's Flood Risk Management Section has offered similar comments.

In terms of management and maintenance of the proposed alternative drainage design scheme the applicant intends to operate the same management and maintenance arrangements that have been put in place for the currently consented drainage scheme. These arrangements would involve the management and maintenance being undertaken by a private management company to which residents of the site would be contracted to pay regular sums of money to fund the arrangements. It is understood that the applicant has offered these arrangements because a legal agreement with the relevant parties already is in place to manage and maintain the consented drainage scheme. However, it is abundantly evident from the representations made by neighbouring residents that the management arrangements for the proposed scheme are a significant concern, especially as their properties are most vulnerable to flooding in the event of failure of the drainage scheme. It would seem that public confidence in the drainage scheme might be greater if it was to be adopted and managed by a public body. As noted earlier in this report, the Transportation Section has indicated that the Council, as Highway Authority, would be prepared to adopt the swale subject to conditions and a commuted sum. At the present time the applicant is considering his options in this regard. Either way, it is considered that adequate management and maintenance arrangements are capable of being put in place to secure the long term functional operation of the proposed drainage scheme and to safeguard against the risks of flooding. In the event of planning permission being forthcoming and the applicant deciding to continue with private management and maintenance arrangements, then a condition will be required to ensure that evidence of such an agreement is submitted to and examined by the Council before the works are constructed.

In addition to providing a quantifiable reduction in flood risk compared with the previously consented surface water proposal, the alternative drainage design scheme has a number of other features that are advanced in its favour by the applicant. These include the following: quicker, safer and less costly to build; more environmentally sustainable as it uses less man-made materials; simpler, safer and less costly to reliably maintain; and prevention of existing uncontrolled over land surface water discharges.

In summary, therefore it is considered that the proposed alternative surface water drainage scheme will be an improvement over the previously consented design and in a post development state will achieve a considerable reduction in flood risk compared to the undeveloped state. It is acknowledged that there are concerns about the condition of the existing receiving drainage infrastructure downline of the application and both the Council's Highways and Flood Risk Management Section have suggested that this would need to be addressed prior to the proposed scheme being connected to it. In offering no objection to the proposals a condition is recommended to this effect (see condition 3 below). Also, adequate arrangements are capable of being put in place to secure the proper management and maintenance of the drainage scheme throughout the lifetime of the development. In this regard the proposals accord with LDP Policy AW10.

Land form and visual impact

The proposed alternative drainage design scheme would be constructed within and therefore broadly reflect the contours of the hillside slopes with this part of the overall development site. Other than the open swale itself, the most significant visual element of the scheme would be the raised bund along the downhill side of the swale, which would interrupt the general sloping of the land between the rear of Turberville Road and The Rise and the estate access road on Pleasant Heights. The slopes either side of the swale would be allowed to naturally re-vegetate therefore helping to minimise the visual impacts of the scheme.

In comparison with the currently consented drainage scheme the proposed alternative scheme would have significantly less visual impact in that it would ultimately return the land to predominantly naturally vegetated slope. The currently consented drainage scheme, on the other hand, would necessitate considerable engineering operations to install subterranean drainage infrastructure and a series of stepped retaining walls in this part of the site. Together with the dwellings that could be constructed in this part of the site, the consented drainage scheme would radically alter the landform giving rise a very steep and tiered slope between the rear of the proposed dwellings and the lane rear of Turberville Road.

To summarise, it is acknowledged the proposed alternative drainage scheme will impact on the landform to a degree. But, in the context of the purpose of the scheme and development of the overall site and in comparison with the currently consented drainage scheme, the magnitude and visual effects of that impact are considered relatively minor and acceptable. In this regard the proposal therefore does not conflict with Policies AW5 and AW6 of the Local Development Plan.

Consequences for public safety

The creation of an open swale in an elevated position on a hillside in close proximity to residential properties that sit below the site has given rise to expression of considerable concern by neighbouring residents for reasons of public safety. The swale would in effect create an artificial body of standing water to a maximum depth of almost 2 metres and could pose an inherent hazard to public safety in the same way it does with any open body of water such as ponds, lakes, canals and rivers. Water features are characteristic of the landscape and attract people to walk alongside. Whilst the fears of residents are perfectly understandable in this regard, it is pertinent to make clear that the performance characteristics of drainage scheme are such that at most times the swale is likely to contain no more than a narrow flowing channel of water in a ditch at the bottom of the swale. It is only in severe and extreme flood events that the flow control characteristics of the scheme, designed to prevent flooding downstream, will cause the swale to backfill and form a standing body of water, though this would subside once a storm event passes and surface water run-off rates return to normal.

The applicant has acknowledged these concerns in the submission and has considered the provision of buoyancy aids for use in an emergency, but has decided against this on grounds that they are very likely to be stolen or vandalised. In any event the applicant has advised that the land through which the swale is intended to be constructed will remain in private ownership and measures will be taken to remind the public of this fact and to discourage unlawful access.

Ultimately, it is acknowledged that there is an element of hazard to public safety associated with the proposals as they will involve creation of an open water feature in close proximity to neighbouring houses and rights of way. But that hazard is likely to be prevalent for relatively infrequent temporary periods during extreme storm events and therefore is outweighed by the comparative flood risk management and visual impact benefits of the drainage scheme.

OTHER ISSUES

Ecology and wildlife

The potential of the application site being host to wildlife habitat and creatures, such as Slow-worm, was highlighted and considered in detail at the planning application stage for the housing development on Phase 2. Reptile mitigation works involving the removal and translocation of at least 333 Slow-worms from the site was undertaken in 2006. Given that the present application proposal seeks a variation of the surface water drainage for an approved housing development within the same site it is considered onerous and unreasonable to expect the work to be repeated as part of the proposal.

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

The application proposal for an alternative surface water drainage design scheme is considered acceptable because it will achieve a demonstrable reduction in flood risk arising from the residential development currently under construction at Pleasant Heights compared to the undeveloped state. Also, adequate arrangements are capable of being put in place to secure the management and maintenance of the drainage over the lifetime of the development. Although the proposal will impact upon the landform of the hillside slope at this location, that impact will not be to a significant degree especially in comparison with the currently consented drainage scheme. There is an element of hazard to public safety associated with the

proposals at they will involve creation of an open water feature in close proximity to neighbouring houses and rights of way. But that hazard is likely to be prevalent for relatively infrequent temporary periods during extreme storm events and therefore is outweighed by the comparative flood risk management and visual impact benefits of the drainage scheme.

RECOMMENDATION: Grant

1. The development hereby approved shall begin not later than five years from the date of this decision.

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

2. The development shall be carried out in accordance with the following approved plans and documents:

- Planning Application Boundary (HLN Drawing 6273 100)
- Pre-development Surface Water Drainage Model 1 Schematic (HLN Drawing 6273 201 Rev A)
- Post-development Surface Water Drainage Model 2 Schematic (HLN Drawing 6273 202 Rev A)
- Model 2 Network Schematic with Pipe and Chamber References (HLN Drawing 6273 203-1)
- Sections Sheet 1 of 2 (HLN Drawing 6273 204)
- Sections Sheet 2 of 2 (HLN Drawing 6273 205)
- Surface Water General Arrangement (HLN Drawing 6273 206)
- Drainage Details Sheet 1 of 2 (HLN Drawing 6273 207)
- Drainage Details Sheet 2 of 2 (HLN Drawing 6273 208)
- Pipe Long-Sections for Alternative Surface Water Drainage Strategy (HLN document dated 27.04.15)
- Alternative Surface Water Drainage Design: Drainage Strategy and Justification (HLN document 6273-REP01 dated April 2015)

Reason: In order to define the terms of the permission granted.

3. A condition survey and hydraulic assessment of the existing highway drainage system between the point of connection and the point of discharge including details of any measures in respect of repairs or improvements necessary to accommodate the increased flow from the development shall be submitted to and approved by the Local Planning Authority and the approved details shall be implemented prior to connection.

Reason: To ensure the adequacy of the highway drainage system in

accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

4. Prior to the commencement of the development hereby approved full details for the maintenance and management of the drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker or maintenance and management by a private company, and any other arrangement to secure the operation of the scheme throughout its lifetime.

Reason: To ensure the adequate drainage of the development in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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

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

6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the completion of the drainage works; and any trees or plants which within a period of five years from the completion of the drainage works 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: In the interests of visual amenity in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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APPLICATION NO:	15/0581/13	(GD)
APPLICANT:	Mr A Green	
DEVELOPMENT:	Outline planning for 1 no. detached bungalow and 16 no. semi-detached bungalows (8 no. pairs), off road parking, access road and associated works	
LOCATION:	FORMER CWMBACH INFANTS SCHOOL, BRIDGE ROAD, CWMBACH, ABERDARE, CF44 0LS	

DATE REGISTERED: 04/06/2015
ELECTORAL DIVISION: Cwmbach

RECOMMENDATION: Approve, subject to a S.106 Agreement.

REASONS:

The principle of the proposed development is considered acceptable in terms of planning policy and all other material considerations favour the redevelopment of the site for residential purposes.

APPLICATION DETAILS

This planning application seeks outline planning permission for the redevelopment of the former infant's school site at Bridge Road Cwmbach for the residential development of a total of 17 bungalows. Though expressed as an outline application the submission is accompanied by an illustrative layout that indicates how such an arrangement might be achieved within the site with relatively modest bungalows being delivered in handed semi detached pairs for the most part with a revised arrangement at the Bridge road access point and a detached unit sitting to the rear of Greenhill House and Greenhill Cottages.

The application is accompanied by the following:

- Design and Access Statement.
- A Bat Activity Survey
- A Tree Survey.
- A Structural Survey of the Existing Buildings
- A Mining Report

SITE APPRAISAL

The application site comprises approximately 0.76 hectare of land in total within an irregularly shaped boundary for the most part the land is relatively flat though it does fall on part of its south western and north western boundaries, steeply so in the case of the latter. The site remains occupied by the original school buildings which are themselves of varying age and design. The Bridge Road frontage is dominated by the large stone built traditional Victorian school with the more recent brick and render single storey unit set further back to the rear of numbers 6 – 20 Bridge Road. Being a former school the site benefits from long established and clearly defined boundaries mostly in stone but elsewhere in traditional metal railings. The yard areas of the school appear to be entirely tarmac though the remnants of a school garden occupy a small part of the site.

The wider area is entirely residential in character comprising a mixture of house types of varying size appearance and age/ immediately beyond the north western boundary of the site is a heavily wooded area that forms part of a larger area of public open space that is widely used by local people for recreational purposes.

PLANNING HISTORY

There is no planning history associated with the site

PUBLICITY

The current proposal has been advertised by means of press notice, site notices and neighbour notification letters. This has resulted in the submission of one email opposing the development on the following grounds:–

- The proposal is opposed on the basis of the amount of on street parking that currently affects Bridge Road that this proposal would add to.
- It is queried if Bridge Road is to become a one way system to better accommodate the proposed development.
- Concern is also expressed at the possibility of heavy plant and machinery using Bridge Road through the construction process should the proposal gain consent.

CONSULTATION

Highways – no objections subject to conditions.

Drainage – no objection subject to conditions.

Public Health & Protection – no objections subject to conditions.

Education – no objections.

Housing Strategy - based on the findings of the Local Housing Market Assessment, two of the 2 bedroom bungalows on site should be made available for sale as Low Cost Home Ownership to Council nominated first time buyers from the Homestep Register.

The developer's contribution should equate to 30% of the open market value for each unit; i.e. the nominated purchaser should pay no more than 70% of the open market value per unit.

Dwr Cymru Welsh Water – no response received.

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

Wales & West Utilities – raise no objection to the proposals and provide detailed advice in respect of the location of their apparatus within the application site and safe working practices to be adopted when working in the vicinity of it.

Countryside Section – raise no objection to the proposals and advise that the inclusion of a bat advisory note in any planning consent issued would be appropriate.

Coal Authority – following the submission of a mining report no objection is raised subject to any consent issued containing appropriate conditions to obviate any risk to development from earlier workings.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

Policy CS1 - sets out criteria for achieving regeneration and sustainable growth including, promoting and enhancing transport infrastructure services.

Policy CS5 – Sets a target for the delivery of affordable housing across the County Borough.

Policy AW1 – Indicates that the supply of new housing will in part be met by the development of unallocated land within settlement limits.

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

Policy AW4 – sets out what will be required from new residential development in terms of planning obligations.

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

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

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

Policy NSA10 – Sets a requirement for a housing density at a minimum of 30 dwellings per hectare in the northern strategy area unless site specific issues or material circumstances dictate otherwise.

Policy NSA11 –Sets a requirement for the provision of 10% affordable housing in the Northern Strategy Area.

Policy NSA12 – Sets criteria for the consideration of housing proposals within settlement limits 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 5: Nature Conservation and Planning;
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.

Main Issues:

The key issue in the consideration of this planning application will be the acceptability in principle of what is currently being proposed. Also of significance are access and highway considerations, the impact of the proposals on local residential amenity and privacy and the impact of the proposals on the character and amenity of the area.

Principle of the proposed development

In planning policy terms the proposed development would represent the regeneration of an abandoned site at a location that is squarely within settlement limits for a proposed use that sits comfortably with surrounding uses as residential development

in a residential area. The weight of planning policy therefore offers relatively unequivocal support of this proposed development, particularly as none of the statutory consultees have raised any technical objection that could be tied to policy.

Access and highway safety

The illustrative detail submitted in support of the current proposal clearly demonstrated that an access into the site can be developed to currently required highway standards subject to a slight realignment that would enable the provision of a 2.4m x 40m vision splay which can be required through an appropriate planning condition. Within the site the illustrative layout indicates that a suitable road arrangement can be provided and all of the properties would have an appropriate level of off street parking provision. The transportation section also point out that a traffic regulation order will be required to remove the school zig zag lines from the highway along with a condition survey so that any damage to the road as a result of the proposed development is taken care of at the developers expense. This adequately addresses the concerns expressed by the objector to the development-

Impact on the character and appearance of the area

As an outline planning application the final design is not fixed at this point. However, the wider locality is not characterized by any one design type or style and contains a number of houses and bungalows of various ages and the current proposals should they proceed would supplement the existing mix. Members should note that the type of bungalow shown in the illustrative detail is not dissimilar to others in Cwmbach found at Fairfield Close or in areas of the Pant Farm Estate such as Llangorse Road or Coniston Rise.

Impact on residential amenity and privacy

The impact of the proposed development on residential amenity and privacy is difficult to quantify with all detailed matters reserved for future consideration. The illustrative layout that accompanies the current proposal does though illustrate that the site could be developed for the number and type of dwellings proposed without any adverse impact on amenity or privacy of established homes, proving to some extent the potential of the site to accommodate the specific nature of the planning application.

Section 106 Contributions / Planning Obligations

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

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

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

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

The Section 106 requirements in this case

In this instance the applicant will be required to enter into an agreement requiring the following –

- Two of the proposed 17 bungalows being made available for low cost home ownership.
- The applicant meeting the Council's reasonable legal fees in preparing the Section 106 agreement.

The Community Infrastructure Levy (CIL)

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

As planning permission first permits development on the day 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 policies of the Local Development Plan in respect of the redevelopment of abandoned sites that lie within settlement limits for housing. Further, the illustrative detail accompanying the submission offers an element of design testing that shows that the site is capable of accommodating the number and type of dwellings proposed. Consequently, support is offered for the proposed development as recommended below.

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. Before the submission of the application for the approval of reserved matters, 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. 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. 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.

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

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

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

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

7. The vehicular access to the site shall be laid out, constructed and retained thereafter with 2.4m x 40m vision splays.

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

8. No obstruction or planting when mature exceeding 0.9m height shall be placed within the required vision splay areas.

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

9. Notwithstanding the submitted plans, development shall not commence until full engineering design and details of the works required to Bridge Road and the internal road's 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.

10. HGV's used as part of the development shall be restricted to 09:00hrs to 16:00 hrs on weekdays with no deliveries on Sundays and Bank Holidays unless otherwise agreed in writing with the Local Planning Authority.

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

11. No works shall commence on site until details and design calculations of any retaining walls abutting the highway have been submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the approved details prior to the beneficial occupation of any dwelling hereby approved.

Reason: In the interests of highway safety.

12. Prior to the commencement of development, a report indicating a methodology for undertaking a condition survey of Bridge road in the vicinity of the proposed site access affected by the proposed development shall be submitted to and approved in writing by the Local Planning Authority. The report should include the timescales for undertaking the surveys and the methods of reporting the findings to the Local Planning Authority; comprehensive photographs, and potential compensation arrangements. The development shall not be brought into beneficial use until the final survey on completion of the development hereby approved and any compensation arrangements have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the extraordinary traffic use arising from the proposed development does not have an adverse impact on highway safety.

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APPLICATION NO:	15/0615/15	(HL)
APPLICANT:	Weston Contractors	
DEVELOPMENT:	Variation of Condition 7 of planning application 13/1107/10 to alter the proposed materials.	
LOCATION:	FORMER ROYAL HOTEL PUBLIC HOUSE, BRITHWEUNYDD ROAD, TREALAW, TONYPANDY,	

CF40 2UD
DATE REGISTERED: 05/05/2015
ELECTORAL DIVISION: Trealaw

RECOMMENDATION: Approve, subject to a S.106 Deed of Variation

REASONS

The proposal is compliant with the requirements of Policy AW6 of the Rhondda Cynon Taf Local Development Plan and National Policy in that the alterations to the proposed external materials would not have a significantly detrimental impact on the character and appearance of the site, street scene or wider area.

APPLICATION DETAILS

The application seeks consent via Section 73 of the Town and Country Planning Act 1990 to vary condition 7 of planning permission 13/1107/10 which granted consent for the demolition of the existing vacant public house and the erection of 10, 1 bedroom apartments on land occupied by the Royal Hotel, Brithweunydd Road, Trealaw.

Condition 7 specifies the following:

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

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

The details submitted as part of the original application (13/1107/10) indicated the use of stone cladding on the ground floor elevations of the new building with render on the first and second floors above. The details submitted as part of the current proposal indicate the substitution of the proposed external render with red brick.

The Design and Access Statement submitted in support of the application provides the following information:

...the render finish as approved will prove a maintenance liability over time. It is considered that the use of brick will minimise the negative impacts associated with

render during the construction phase in addition to ongoing maintenance requirements.

The site itself is quite constrained and the erection of the new buildings themselves pose their own issues regarding the length of time that scaffolding is required on those elevations bordering Royal Terrace, the lane to the rear, the front elevation and the return elevation. In all cases the time that scaffolding is erected, and the frequency that it needs to be erected, has to be minimised to reduce significant health and safety issues.

Buildings in the immediate vicinity are characterised by brick on their exterior akin to that proposed by this application.

The plans submitted also indicate the provision of solar panels on the northern roof plane of the main building and the eastern roof plane of the spur of the building adjacent to Royal Terrace.

The application is accompanied by:

- A Design and Access Statement.

SITE APPRAISAL

The application site comprises the site of the former Royal Hotel a large public house, located at the corner of Brithweunydd Road and Royal Terrace. At the time of inspection, the main building had been demolished. However, the boundary walls to the west, north and east had been retained as had the outbuildings in the north-eastern corner of the plot.

The site measures approximately 0.08ha in area and is bounded on all aspects by 19th century residential properties, with a post office to the south opposite the front of the site and a large building of 1980's design that houses Maes yr Haf Community Centre to the east.

The traditional terraced residential properties within the immediate area are finished in a variety of external materials with stone, smooth and pebble dash render being most prevalent. Most of the properties have retained their brick quoin and jamb detailing although many of these details have been painted. The Maes Yr Haf Community Centre to the east is brick faced with a number of properties in the Summerfield Court estate to the north-east of the site also finished with red brick.

PLANNING HISTORY

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

13/1107	Demolition of existing building and construction of 10 no.1 bedroom apartments (Amended Plans Received 4th December 2013)	Granted 17/07/14
07/0950	Timber constructed smoking shelter (Retention of).	Granted 30/07/07
98/6353	Informal Enquiry for alteration to existing Car Park	PNR 18/06/98
90/949	Advertisement sign	Granted 08/02/91
89/207	Form opening between song and pool room	Granted 22/03/89
84/1000	New public lounge area	Granted No date
75/766	Convert existing front room into ladies toilet	No decision

PUBLICITY

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

CONSULTATION

Transportation Section – no objections. The proposed alterations have no impact on highway safety.

POLICY CONTEXT

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

Rhondda Cynon Taf Local Development Plan

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

Policy CS1 - sets out criteria for achieving sustainable growth including, by promoting residential and commercial development in locations that support and reinforce the roles of Principal Towns and Key Settlements and by providing high quality affordable housing etc .

Policy CS5 – seeks to provide 1770 affordable units over the plan period.

Policy AW1 – states that provision will be made for the development of new dwellings including, the development of unallocated land within the defined residential settlement boundaries.

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

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

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

Policy NSA12 – provides criteria for residential development within and adjacent to the settlement boundary.

Planning Policy Wales

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

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

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

Other relevant policy guidance consulted:

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

REASONS FOR REACHING THE RECOMMENDATION

The application site lies within settlement limits and in a predominantly residential area. The principle of residential development at the site has been previously and positively established by the granting of application 13/1107/10.

The key consideration with regards to the application is whether the material alterations proposed would have an acceptable impact on the character and appearance of the surrounding area.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purposes of any determination to

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

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

Principle of development

The application seeks consent to vary condition 7 of planning permission 13/1107/10, which was granted consent on the 17th July 2014 for the demolition of existing building and construction of 10 no.1 bedroom apartments.

The application does not seek full planning permission for the development of the site. Detail planning permission for the site has been established by the granting of planning permission 13/1107/10 and the completion of the associated Section 106 legal agreement.

The developers are seeking to vary condition 7 to substitute the proposed and approved use of render on the first and second floor elevations with brick facing, on the basis that such a substitution would minimise negative impacts associated with render during the construction phase in addition to ongoing maintenance requirements.

It has become increasingly apparent that the finish of through colour render frequently and rapidly becomes compromised due to its susceptibility to algae and fungal growth as a result of the organic additives within the render providing a food source for contaminants; difficulties with the repair of damaged or uneven render resulting in differences in appearance; and concerns regarding the stability of the finished colour.

As specified above the application seeks consent to substitute the approved use of render with a red brick finish. Although some brick facing and brick detailing is evident in the immediate vicinity of the site, redbrick is not a traditional material for this part of the Borough particularly being mindful of the expanse of brick facing proposed in this instance.

Whilst concerns remain with regard to the material and the extent of brick proposed, in this instance, it is considered that the use of the stone facing on the ground floor elevations of the building and the retention of the stone boundary walls around the site would help dilute the visual affect of the brick on the street scene. Furthermore it is considered that the use of an appropriately colour brick could help the building have a more traditional appearance.

In relation to the solar panels indicated on the proposed elevation plan submitted in support of the application, it is considered that this addition would not have a detrimental impact on the character and appearance of the building or wider area.

The original planning permission for the development of the site includes three standard Code for Sustainable Homes conditions. As of the 31st July 2014, national planning policy requirements for sustainable building standards were withdrawn and Technical Advice Note 22: Planning for Sustainable Buildings (TAN22) cancelled. All requirements relating to energy efficiency have now been included within Part L of the Building Regulations. Whilst not applied for, in light of the legislative changes it is not considered appropriate, reasonable or necessary to reimpose these conditions as part of any grant of consent.

On balance, in light of the above, it is considered that the material alterations proposed would not be so detrimental to the overall character and appearance of the application site, street scene or wider area to warrant refusal of the application on such grounds. The application is therefore considered compliant with the requirements of policy AW6 of the Rhondda Cynon Taf Local Development Plan

PLANNING OBLIGATIONS

Community Infrastructure Levy (CIL) Liability

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

The application is for development of a kind that is liable for a charge under the CIL Regulations 2010 as amended. However, the 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.

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

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

As part of the previous application, the applicant was required to enter into a Section 106 agreement to provide:

- 10% affordable housing; and
- That the applicant undertakes to pay all reasonable costs associated with the preparation of the legal agreement.

As the current application seeks to vary the original planning permission and in essence, if approved, would result in the reissuing of a planning permission, the applicant will need to enter into a Deed of Variation of the original 106 agreement to link the consents and ensure the above requirements are provided and complied with.

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

Conclusion

In light of the above, it is considered that the proposed alterations would not be so detrimental to the overall character and appearance of the application site, street scene or wider area to warrant refusal of the application on such grounds. Therefore, the application is recommended for approval subject to the varied and renumbered conditions below and the applicants entering into a Deed of Variation of the original Section 106 agreement.

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) L413-010, L413-013 and L413-015 Rev E and documents received by the Local Planning Authority on 7th May 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. Construction works on the development shall not take place other than during the following times:

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

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

Plan.

4. Before the development is brought into use the means of access, together with the parking for 10 vehicles and turning facilities, shall be laid out in accordance with submitted plan 013 approved by the Local Planning Authority. That area shall not thereafter be used for any other purpose other than the parking and turning of vehicles.

Reason: In the interests of highway safety.

5. Prior to the development being brought into use, a vehicular footway crossing shall be provided fronting the car park entrance along Brithweunydd Road in accordance with details to be submitted to and approved in writing by the Local planning Authority prior to any development on site commencing.

Reason: In the interests of highway and pedestrian safety.

6. Prior to the commencement of the development, a report indicating a methodology for undertaking a conditions survey of local roads and footways adjacent to the site (that could be affected by the proposed development) shall be submitted to and approved in writing by the Local Planning Authority. The report should include: the timescales for undertaking the surveys and the method(s) of reporting the findings to the Local Planning Authority; comprehensive photographs; and potential compensation arrangements. The development shall not be brought into use until the final survey (on completion of the development hereby approved) and any compensation arrangements have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the extraordinary traffic use arising from the proposed development does not have an adverse impact on highway safety.

7. 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.

8. Building operations shall not be commenced until samples of the materials proposed to be used have been submitted to and approved in writing by the

Local Planning Authority and all materials used shall conform to the sample(s) so approved.

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

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

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

10. The development shall be fully implemented in accordance with the recommendations (section 5.0) set out in the bat survey report, 'Royal Hotel and Public House – Bat Survey' (Acer Ecology October 2013) submitted and approved as part of planning permission 13/1107/10.

Reason: To afford protection to bats in accordance with policy AW8 of the Rhondda Cynon Taf Local Development Plan.

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LOCAL GOVERNMENT ACT 1972

as amended by

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

LIST OF BACKGROUND PAPERS

DEVELOPMENT CONTROL COMMITTEE

16 JULY 2015

REPORT OF: SERVICE DIRECTOR PLANNING

REPORT

**APPLICATIONS RECOMMENDED
FOR APPROVAL**

OFFICER TO CONTACT

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

See Relevant Application File

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