

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2016-2017

**DEVELOPMENT CONTROL
COMMITTEE
4 AUGUST 2016**

**REPORT OF: SERVICE DIRECTOR
PLANNING**

	Agenda Item No.7
APPLICATION NO. 15/0112/13 RHONDDA BOWL SKITTLE ALLEY, WAUNRHYDD ROAD, TONYREFAIL – OUTLINE CONSENT FOR THE DEMOLITION OF TWO STOREY BUILDING KNOWN AS RHONDDA BOWL AND THE RE-DEVELOPMENT OF THE SITE FOR RESIDENTIAL DEVELOPMENT.	

1. PURPOSE OF THE REPORT

Members are asked to consider the determination of the above planning application in accordance with the advice given.

2. RECOMMENDATION

Having regard to the advice given below **APPROVE** the application in accordance with the advice given.

3. BACKGROUND

This application was originally reported to the Development Control Committee on 19th May 2016 with a recommendation from the Service Director, Planning that planning permission be granted (a copy of the original report is reproduced as **APPENDIX A**). Following consideration of the report Members resolved to defer determination of the application pending a site visit. (Minute 203 refers) which subsequently was held on 8th June 2016. The application was then reported to a meeting of Committee on 23rd June 2016 (see **APPENDIX B**).

Following consideration, it was resolved that as Members were minded to refuse the application contrary to the recommendation of the Service Director, Planning because they considered the proposal was contrary to policies AW5 and AW6 and potential residents would be subjected to unacceptable levels of noise and air pollution, the matter be deferred to the next appropriate meeting of the Development Control Committee for a further report from the Service Director, Planning, if necessary in consultation with the Director, Legal and Democratic Services, upon the strengths and weaknesses of taking a decision contrary to recommendation, prior to determining the matter.

The principal planning considerations of the proposal are set out in detail in the report attached as **APPENDIX A**. In addition, the following comments are offered in relation to the concerns expressed by Members.

It is acknowledged that the site is located in very close proximity to, and at a lower level than the A4119, which is a by-pass road that accommodates high levels of traffic. Due to the proximity of the site to the A4119 the applicant was requested to submit both a noise and air quality assessment.

The Council's Public Health and Protection Officer has examined the Air Quality Assessment prepared by SJM Environmental dated 29th September 2015 and has advised that the report demonstrates that the impact of air quality on the development is low and therefore accords with policy AW10 of the Rhondda Cynon Taf Local Development Plan. For this reason it is considered that refusal of planning permission on grounds relating to the adverse impact of poor air quality on potential future residents of the dwellings will prove difficult to sustain in the event of an appeal being lodged.

Turning to the impact of noise, a Noise Assessment has been prepared by Acoustics and Noise Limited dated 3rd September 2015. The report acknowledges that noise climate at the site is dominated by road traffic travelling along the adjacent A4119 and goes on to advise that there is also a significant level of traffic and people pass-by noise generated during opening hours from the use of the adjacent leisure centre.

The requirements for the assessment and consideration of noise impact on a proposed development are set out in Technical Advice Note (TAN) 11 which advises that when assessing a proposal for residential development near a source of noise, local planning authorities should determine into which of four Noise Exposure Categories (NEC) the proposed development site falls, taking into account both day and night-time noise levels. The categories are:

- A – Noise need not be considered as a determining factor in granting planning permission.
- B – Noise should be taken into account when determining planning applications, and where appropriate, conditions imposed to ensure an adequate level of protection against noise.
- C – Planning permission should not normally be granted. Where it is considered that permission should be given, for example, because there are no alternative quieter sites available, conditions should be imposed to ensure a commensurate level of protection against noise.
- D – Planning permission should normally be refused.

Members concern that potential residents would be subjected to unacceptable levels of noise is noted. The results of the submitted Noise Assessment puts day time noise at 62dB which is at the high end of noise assessment category B 55-63 dB and according to the report puts evening noise at 57dB at the very

top of category B 45-57dB. However, it is noted that 57dB is also the bottom figure for category C 57-66Db.

Having regard to the Noise Assessment the Council's Public Health and Protection Officer as set out in the officer report at Appendix A recommends conditions to require the submission of a report with any reserved matters application detailing noise mitigation measures to ensure noise levels experienced by the occupiers of the properties can be reduced to a level that would meet World Health Organisation – Guidelines for Community Noise. The noise assessment sets out the options available as: i) engineering: the screening of the residential units with purpose built barrier along the site boundary with the A4119 and/or improving the sound insulation of the residential units. However, the noise report acknowledges that the effectiveness of any barrier will be minimal for any rooms located at first floor level or above and ii) layout: positioning of non-critical rooms away from the source. In addition a validation report would be required prior to occupation of each dwelling. It is considered that the inclusion of such conditions will inform the detailed design stage whilst at the same time as ensuring the proposed development will not result in an unacceptable level of noise for future occupiers to ensure compliance with TAN 11 and policy AW 10 and to accord with the goals of the Well-being of Future Generations (Wales) Act 2015.

If after further consideration of the matter Members are minded to refuse planning permission the following reason is suggested that reflects their concern with regards to noise:

- The proposed development is contrary to Planning Policy Wales Technical Advice Note 11: Noise and Policy AW10 of the Rhondda Cynon Taf Local Development Plan as it would result in an unacceptable level of noise detrimental to the level of amenity future occupiers of the dwellings would reasonably expect to enjoy.

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APPENDIX A

APPLICATION NO: 15/0112/13 (JAW)
APPLICANT: Genesis DCL LTD
DEVELOPMENT: Outline consent for the demolition of two storey building known as Rhondda Bowl and the re-development of the site for residential development (Amended plans and additional details received 30th September and 7th October 2015)
LOCATION: RHONDDA BOWL SKITTLE ALLEY, WAUNRHYDD ROAD, TONYREFAIL, PORTH, CF39 8EW
DATE REGISTERED: 07/10/2015
ELECTORAL DIVISION: Tonyrefail West

RECOMMENDATION: Approve

REASONS:

The demolition of the existing leisure facility and redevelopment of the site for residential purposes is compatible with the area. It is considered possible to develop the site for residential dwellings (houses and flats) without adversely impacting upon the character and appearance of the locality, the residential amenity of neighbouring occupiers, or highway safety. As such, the application is considered to comply with the relevant policies of the Local Development Plan and National Guidance.

REASON APPLICATION REPORTED TO COMMITTEE.

More than three objections have been received in respect of the application.

APPLICATION DETAILS

This application seeks outline planning permission for the demolition of the building known as Rhondda Bowl and the re-development of the site for residential development.

As an outline application with all matters reserved for future consideration the applicant has provided as required the following maximum and minimum dimensions for the dwellings and flats proposed for this development.

	Minimum	Maximum
Dwellings		
Width	4	7
Depth	8	10
Height	5.5	12
Flats		
Width	7	10

Depth	7	10
Height	5	12

Though submitted in outline the applicant by way of supporting information has provided an indicative plan which shows access and egress from the site being provided from Waunrhydd Road.

The application has been accompanied by:

- A Design and Access Statement
- Noise Assessment
- Air Quality Assessment
- Coal Mining Risk Assessment
- Survey for Bats and Nesting Birds

SITE APPRAISAL

The application site comprises a building that houses a leisure facility 'Rhondda Bowl' which is located at the southern side of the site with a car park to its frontage.

The access into the site also serves Tonyrefail Leisure Centre which is located to the west of the application site. To the east is a retaining wall and embankment that supports the A4119 by-pass. There are residential properties located opposite the existing car park of 'Rhondda Bowl' adjacent to the existing site entrance. The access road from Waunrhydd Road currently forms a two-way access for the four dwellings that front it. This access also forms part of a one way system for both Rhondda Bowl and Tonyrefail leisure centre, that is, access to these facilities is via this access with the exit being through the leisure centre car park to an exit located on the B4278 Gilfach Road.

There is a pedestrian route to the side of the site and a row of trees to the rear, beyond which there is an open area of ground.

PLANNING HISTORY

05/2330	Certificate of Lawfulness for market to be held weekly on each Tuesday	Approved 03/12/07
05/1342	Application for Certificate of Lawfulness for existing use for outdoor market on a Tuesday	Refused 09/09/05
05/1339	Proposed outdoor market (Saturdays)	Withdrawn 29/11/05

PUBLICITY

The proposed development has been advertised by means of site notices and direct neighbour notification letters. This has resulted in the submission of 6 letters of objection which are summarised as follows:

Letter from Tonyrefail and District Community Council who advise that whilst the Community Council has no objection to the planning application, concern is raised in respect of egress and safety as vehicles would be entering Waunrhydd Road whereby there are bus stops on either side of the road just a few yards from the access.

Five letters opposing the development on the following grounds:

- Loss of an existing leisure facility.
- Although proposal would make business sense it would not make economic sense as service users would be spending out of the Rhondda Cynon Taf area.
- There is a lack of facilities for residents and an increase in population would be detrimental to the local environment.
- Site is perfect for a sports club that could accommodate all sporting activities in Tonyrefail.
- Infrastructure cannot cope as it stands.
- There is a right of way for garage at 41 Waunrhydd Road.
- Layout shows an extraordinarily congested number of buildings.
- Development should not be allowed to encroach on any part of Tynybryn Park or any access pathways.
- The car park is regularly used by residents and visitors as a much needed car park as there is a lack of parking in Tonyrefail. Suggest that part of the site is compulsory purchased.
- Occupier 31 Waunrhydd Road advises that not against the proposal, however, being the closest dwelling requests that access is maintained. The occupier also claims he owns an area of land at the end of his garden that is currently used as access to the leisure centre.

CONSULTATION

Transportation Section – no objection subject to conditions and informative notes.

Land Reclamation and Engineering – no objection subject to conditions.

Public Health and Protection – no objection subject to conditions.

Natural Resources Wales – no objection subject to conditions.

Dwr Cymru/Welsh Water – no objection subject to a condition and an informative note. Also, advises that a public sewer crosses the site.

Western Power Distribution – no response received.

Wales and West Utilities – raise no objection to the proposed development.

South Wales Fire and Rescue Services – consideration should be given to the provision of adequate water supplies for fire fighting purposes and access for emergency appliances.

Countryside Section – no objection.

Housing Strategy – site requires 20% affordable housing.

Police Authority - raise no objection.

Coal Authority – no objection.

POLICY CONTEXT

The Rhondda Cynon Taf Local Development Plan indicates that the site lies within defined settlement boundaries and is unallocated.

Policy CS2 - sets out the strategy for the southern area of the County Borough with an emphasis on sustainable growth.

Policy CS4 - identifies the housing requirement figure for the plan period.

Policy CS5 - identifies the affordable housing figure requirement over the plan period.

Policy AW1 - identifies how land will be made available to meet the housing land requirements figure.

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

Policy AW4 - indicates community infrastructure and planning obligation contributions that might be sought in respect of new development.

Policy AW5 - sets a series of criteria set around 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 policy for the protection and enhancement of the natural environment, including that proposals should not result in harm to sites with recognised nature conservation interest.

Policy SSA4 - indicates that residential development in the key settlement of Tonyrefail will be permitted where it supports and reinforces the role of the centre as a key settlement; is of a high standard of design and integrates positively with existing development; promotes the beneficial re-use of vacant and underused floor

space; supports the provision of local services and promotes accessibility by a range of sustainable modes of transport.

Policy SSA11 - identifies a housing density requirement for the southern strategy area at a minimum of 35 dwellings per hectare.

Policy SSA12 - Identifies a requirement for the provision of 20% affordable housing for the southern strategy area.

Policy SSA13 - Supports development within defined settlement boundaries.

Relevant Supplementary Planning Guidance:

- Design and Placemaking
- Affordable Housing
- Planning Obligations
- Access Circulation and Car Parking
- Development of Flats

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 (8th Edition, January 2016)

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

Chapter 2 (Development Plans)

Chapter 4 (Planning for Sustainability)

Chapter 5 (Conserving and Improving Natural Heritage and the Coast)

Chapter 7 (Economic Development)

Chapter 8 (Transport)

Chapter 9 (Housing)

Chapter 12 (Infrastructure and Services)

Chapter 13 (Minimising and Managing Environmental Risks and Pollution)

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.

In the case of this particular planning application there are four key areas of consideration that affect its determination and they are the planning policy position, highway safety, the impact of the proposal on residential amenity and privacy, and the impact of the proposal on the character and appearance of the area. These matters are dealt with in turn below.

Main Issues:

Principle of the proposed development

The application site lies within settlement limits and is not allocated within the Local Development Plan for any specific use. In such circumstances residential development would usually be considered acceptable subject to the proposal being able to demonstrate compliance with the planning policies that would affect the proposed development.

Residents have raised concern with regards to the lack of leisure facilities for residents, an increase in population would be detrimental to the local environment and although the proposal makes business sense it would not make economic sense as service users would be spending out of the Rhondda Cynon Taf area.

Policy AW11 of the Local Development Plan requires that the retention of employment and retail uses should be fully explored by way of marketing without success for a minimum of 12 months; however, there is no marketing requirement for leisure uses. The Design and Access Statement advises 'the owner of Rhondda Bowl has found trading difficult and despite prolonged marketing both with local and national agents no purchaser can be found. The machinery for bowling is expensive and could be used elsewhere but to simply remove it and leave the building empty would be a negative approach.'

Although the loss of the leisure facility is undesirable for the area there is no policy reason why the principle of replacing this private leisure facility with a residential use would be unacceptable.

Access and highway safety

Residents have raised concern that the Infrastructure cannot cope with the amount of traffic as existing and that the development should not be allowed to encroach on any part of Tynybryn Park or any access pathways.

The existing private access from Waunrhydd Road serves both Tonyrefail leisure centre and the bowling facility in addition to providing primary access two-way to four existing properties and secondary entry only access to several other properties which front onto Waunrhydd Road. The existing access from Waunrhydd Road is also utilised as a pedestrian route between the town centre and Tonyrefail comprehensive school and is heavily utilised by pupils at the start and end of the school day as well as at lunchtime. At present a one-way system operates directing vehicles leaving the Bowling facility and leisure centre through the leisure centre car park to an exit located on the B4278 Gylfach Road, with the access from Waunrhydd Road.

Although the application is in outline only the submitted plans indicate that the access from Waunrhydd Road would be two-way with 6m junction radii, a 6.1m wide carriageway and 1.8m wide footways on both sides of the carriageway to facilitate connectivity of pedestrian routes to the leisure centre and Tonyrefail Comprehensive School, which are considered acceptable.

The provision of facilities for pedestrians to cross the access and along the pedestrian route to the leisure centre and any changes to the existing one-way access to the leisure centre although not shown can be addressed at reserved matters stage. The proposed carriageway width, junction geometry and pedestrian provision would be suitable to accommodate traffic from the leisure centre, including coaches, service vehicles and ground maintenance vehicles. Details of any changes to the existing one way access to the Leisure Centre have not been provided however, the carriageway width, junction geometry and pedestrian provision would be suitable to accommodate traffic to and from the Leisure Centre.

Tonyrefail and District Community Council have raised concern with regards to the close proximity of bus stops either side of the access onto Waunrhydd Road. A speed survey undertaken at the proposed access to determine the 85th percentile wet weather speed of traffic indicates that traffic approaching from the west was 26.1 mph and 31.1 mph approaching from the east. On this basis Technical Advice Note 18: Transport, Annex B vision splays of 2.4m by 32m (by interpolation) would be required to the left and 2.4m by 43m to the right.

From site measurements and the junction geometry shown on submitted drawing No. 00219.PL.102A which shows the garage and boundary wall of No. 37 Waunrhydd Road set back a vision splay of 2.4m by 33m can be achieved to the left and visibility to the right at the junction based on site measurements indicates that visibility of approximately 2.4m by 120m can be achieved which is considerably in excess of the requirements.

The indicative layout of the residential units encroaches within the 5m wide easement required for the inspection and maintenance of the retaining wall adjacent to the A4119 and the indicative layout shows private shared accesses serving in excess of five units which are considered unsatisfactory. The submitted plan does not show the footways extending around the turning head to facilitate safe pedestrian access to the dwellings. However, as the proposed layout is indicative it is considered that these matters can be addressed in any reserved matters submission.

On the basis of the indicative layout there would be a short fall of four parking spaces based on minimum standards, however, the application site is located in a sustainable location close to local amenities and with good access to public transport and therefore it is considered that such a short fall in parking spaces at this location would be acceptable.

Having regard to the above the proposed development is acceptable in terms of highway safety and parking considerations and accords with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Impact on the character and appearance of the area

The indicative layout plan indicates the provision of 18 No. 2 bed flats, 3 No. 3 bed houses and 6 No. 2 bed houses.

One resident has raised concern with regards to the extraordinarily congested number of buildings on the layout plan.

It must be kept in mind that this is an outline application with all matters of detail reserved. The principle of a high density development is acceptable at this sustainable location, close to the town centre of Tonyrefail. However, there are some concerns regarding the indicative layout of the site being cramped with very little amenity space for occupiers of the dwellings and flats and the layout being dominated by car parking spaces. These are issues that can be addressed at reserved matters stage and a condition informing that the indicative layout does not form part of the consent. Also, an important consideration of any reserved matters submission will be the views from neighbouring land and public spaces. Although there is some concern with regards to the indicative submission, there is no reason why an acceptable layout cannot be provided that would not adversely impact on the character and appearance of the surrounding area.

The required scale parameters for the proposed residential units are set out in the submitted Design and Access Statement (DAS) and set out above. The minimum and maximum dimensions of the proposed flats and houses indicate a three storey flat building and up to three storey designed houses. Although there are no three storey buildings in the immediate area, subject to an appropriate design the principle of three storey buildings (12m maximum height) at this location is acceptable.

Impact on residential amenity

As an outline application there is no detail to consider and these issues are better dealt with at the design detail stage. However the applicants have prepared an illustrative layout plan which clearly illustrates that the site could be developed in a manner where the impacts of its development would be entirely acceptable in terms of the privacy and amenity of existing residential property.

Other matters

Flooding

The application site lies partially (site entrance) within zone C2 as defined by the Development Advice Map (DAM) referred to under Technical Advice Note 15: Development and Flood Risk (TAN 15) (July 2004). Flood map information confirms that the site to be partially within the 1% (1 in 100 year) and 0.1% (1 in 1000 year) annual probability fluvial flood outlines of the River Ely. The indicative layout shows that there will be no residential units within this section of the site boundary and therefore no adverse comments have been received from Natural Resources Wales.

Bats and birds

The application has been accompanied by a survey for bats and nesting birds prepared by David Clements Ecology Limited (dated June 2015). It recommends that any permission include conditions that require: an agreed contingency/precautionary measure for demolition which encounters bats; should demolition proceed outside the November to February window the submission of a bird survey immediately prior to demolition; and the development incorporates purpose made bird and bat boxes. A condition is recommended to require the development to comply with the recommendations of the survey.

Coal Mining

The application site lies within an area identified of risk from coal mining activities and accordingly a Coal Mining Risk Assessment Report has been received. The Coal Authority consider that the content and conclusions of the report are sufficient for purposes of the planning system and meet the requirements of Planning Policy Wales and has therefore raised no objection to the proposed development. An informative note is recommended for the developer to contact the Coal Authority should any unrecorded coal mining features be unexpectedly encountered during development.

Air Quality Assessment

An air quality assessment prepared by S J M Environmental dated 25th September 2015 has been received in respect of the proposed development. The Council's Public Health and Protection Section has advised that the findings of the air quality assessment advise that the operational air quality impacts on the proposed development are judged to be insignificant.

Noise Assessment

A noise assessment prepared by Acoustics and Noise Limited dated 3rd September 2015 indicates the site is at the high end of noise exposure Category 'B'. The Council's Public Health and Protection officer has advised that details of mitigation measures are required to ensure noise levels experienced by the occupiers of the properties can be reduced to a level that would meet the World Health Organisation – Guidelines for Community Noise. A condition of permission is recommended to require the submission of a report with any reserved matter application detailing the mitigation measures and to require a validation report prior to occupation of each dwelling.

Land Contamination

The Council's Contaminated Land Officer and Natural Resources Wales advise that the site borders a number of areas that historically, have been occupied by potentially contaminated land uses and also lies within 50m of the River Ely and overlies a secondary aquifer a condition is recommended to require the submission of a contaminated land report.

Concerns of residents not addressed above

The occupier of 41 Waunrhydd Road has advised they have a right of way to their garage. There is no reason to suggest that access to the garage at the rear of this property would not be maintained.

Another resident advises that the existing car park is regularly used by visitors. Therefore, suggests that part of the site be compulsory purchased as a much needed car park. Any resident/visitor parking currently taking place on this private land would be an informal agreement with its owners.

Another resident suggests that the site is perfect for a sports club. Although this suggested use for the site may be acceptable, the Council has to consider the application before them to redevelop the site for residential purposes.

The concern of the occupier of 31 Waunrhydd Road with regards to access to his property being maintained is noted. The indicative layout shows a paved access area between the proposed access road and the four dwellings that will front this road.

Section 106 Contribution/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:

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

Planning Policy Wales (Chapter 3) advises that contributions from developers may be used to offset negative consequences of development, to help meet local needs, or to secure benefits which will make development more sustainable. Further guidance regarding what types of obligations developers may be expected to contribute towards is also contained within Policy AW4 of the Local Development

Plan and the Council's SPG on Planning Obligations, however it is made clear that this is intended to form the basis of negotiations between all parties.

In this case 20% affordable housing is required in accordance with the number of residential units in any reserved matters submission.

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

Taking all of the above into consideration it is considered that the proposed demolition of the Rhondda Bowl site and redevelopment of the site for residential purposes is acceptable in principle and accords with the relevant policies of the Rhondda Cynon Taf Local Development Plan. It is unlikely to give rise to undue harm in terms of its consequences for the character and appearance of the area, for the residential amenities of nearby properties and for highway safety, subject to conditions. The applicant is also required to enter into a planning obligation to provide affordable housing.

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 plan nos.

Site and location plans - Drawing No. 00219.PL.101 received 30th September 2015.

Access roads – Drawing No. 00219.PL.102A received 22nd March 2016.

Unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

3. The consent hereby granted does not relate to the number and siting of dwellings on Drawing No. 00219.PL.101.

Reason: For the avoidance of doubt as to the extent of this permission.

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

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

5. No development shall take place until drainage arrangements for foul and surface water 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.

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: To prevent overloading the existing highway drainage system and potential flooding and the interests of highway safety in accordance with policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

7. The road junction access to the site from Waunrhydd Road shall be laid out as shown on submitted drawing 00219.PL102A and constructed and

retained thereafter with a 2.4m by 32m vision splays to the left and 2.4m by 43m vision splays to the right.

Reason: To ensure that adequate visibility is provided, in the interests of highway safety in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

8. Notwithstanding the submitted plans, development shall not commence until full engineering design and details of the road layout to incorporate 2.0m footway, hard margin strip, footway links, 6.1m wide access road to serve the Leisure Centre and 5.5m access road and turning facility including sections; street lighting and surface water drainage and 5m wide easement to facilitate future access for inspection and maintenance of retaining wall structures and embankment abutting the A4119 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 in accordance with policy AW5 of the Rhondda Cynon Taf Local Development plan.

9. As part of the submission the application of reserved matters a report shall be submitted to the Local Planning Authority detailing mitigation measures to ensure that the noise levels experienced by occupiers of the dwellings meet the World Health Organisation – Guidelines for Community Noise. A validation report shall be submitted prior to the beneficial occupation of each dwelling.

Reason: To ensure the noise levels experienced by future occupiers of the dwellings is acceptable in accordance with policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

10. No development shall commence 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, including the boundary treatment above the proposed retaining wall. 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 and secure in the interests of amenity and safety in accordance with policies AW5, AW6 and AW10 of the Rhondda Cynon Taf Local Development Plan.

11. 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.

12. The development shall be fully carried out in accordance with the recommendations set out in the Survey for Bats and Nesting Birds prepared by David Clements Ecology Limited (dated June 2015).

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

13. 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 to 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.

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APPENDIX B

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2016-2017

DEVELOPMENT CONTROL COMMITTEE

23 June 2016

REPORT OF THE DIRECTOR LEGAL AND DEMOCRATIC SERVICES

Agenda Item No.5(c)

APPLICATION No.15/0112 – OUTLINE
CONSENT FOR THE DEMOLITION OF
TWO STOREY BUILDING KNOWN AS
RHONDDA BOWL AND RE-
DEVELOPMENT OF THE SITE FOR
RESIDENTIAL DEVELOPMENT
(AMENDED PLANS AND ADDITIONAL
DETAILS RECEIVED 20th SEPTEMBER
AND 7th OCTOBER 2015) – RHONDDA
BOWL SKITTLE ALLEY, WAUNRHYDD
ROAD, TONYREFAIL

Author: Ms J. L. Nicholls, Senior Democratic Services Officer

1. PURPOSE OF THE REPORT

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

2. RECOMMENDATION

To approve the application in accordance with the recommendation of the Service Director, Planning.

3. BACKGROUND

3.1 In accordance with Minute No.203 (2) (Development Control Committee, 19th May 2016), a site inspection was undertaken on Wednesday, 8th June 2016 to consider the impact of the proposed development on the surrounding area and concerns regarding highways, public health and land drainage issues.

3.2 The meeting was attended by the Chair and Vice-Chair of the Development Control Committee (County Borough Councillors G. Stacey and M. Griffiths respectively) and Committee Members - County Borough Councillors S. J. Jones, G. Smith, G. P. Thomas and P. Wasley. The

Development Control Committee Agenda - 23rd June 2016

Local Member County Borough Councillor (Mrs) E. Hanagan was also in attendance.

- 3.3 Apologies for absence were received from Committee Members - County Borough Councillors L M. Adams, (Mrs) J. Bonetto, (Mrs) L. De Vet, P. Jarman, R. Lewis, C. J. Middle, S. Powderhill, S. Rees, (Mrs) A. Roberts, (Mrs) J. S. Ward and E. Webster.
- 3.4 Members inspected the application site and the Development Control Officer outlined the proposal. It was confirmed that the application seeks outline planning permission for the demolition of the Rhondda Bowl building and the re-development of the site for residential development. The Planning Officer explained that as an outline application with all matters reserved for future consideration the minimum and maximum dimensions for each dwelling and flat have been provided. It was reported that the indicative plan shows two-way access from the site via Waunrhydd Road. The Planning Officer concluded by stating that the required vision splays can be achieved by setting back the garage and boundary wall of no. 37 Waunrhydd Road.
- 3.5 With regard to issues concerning access, parking and highway safety, the Transportation Officer confirmed that, the proposal provides satisfactory access and circulation in compliance with the technical design standards. The Transportation Officer also stated that the indicative layout shows less parking provision than the required in accordance with the adopted SPG and bearing in mind that all matters are reserved for future consideration, the proposal was considered acceptable subject to a number of highway conditions as contained within the report.
- 3.6 The Senior Environmental Health Officer reported that both noise and air quality assessments have been undertaken and submitted as part of the application. The results of the air quality assessment have satisfied the Council's Public Health & Protection Section. The results of the noise assessment suggest that the levels at the proposed site are high (although not to such an extent as to preclude the development) and therefore the Public Health and Protection Officer advised that in order to comply with levels required by the World Health Organisation – Guidelines for Community Noise, mitigation measures are required. It was stated that Public Health & Protection is satisfied with the proposal subject to a condition of permission detailing the mitigation measures and a validation report prior to occupation of each dwelling.
- 3.7 Much concern was raised by the Non-Committee Member/ Local Member County Borough Councillor (Mrs) E. Hanagan in relation to the proposal which she considered to be out of context with the area. Further concern was expressed in relation to the impact the additional two-way traffic

Development Control Committee Agenda - 23rd June 2016

generated from the proposal could have upon the area and she made reference to only achieving the required vision splays by setting back the garage at no. 37 Waunrhydd Road. The Local Member added that the current one way system works well and serves those attending the leisure centre and local Comprehensive school. The Local Member also outlined her concerns in respect of reference within the report that any changes to the existing one way access system can be addressed at reserved matters stage.

- 3.8 A Committee Member/Local Member County Borough Councillor P. Walsey raised concern regarding the location of the application site which lies partially within a zone C2 as defined by the Development Advice map (DAM) referred to under Technical Advice Note 15: Development and Flood Risk (TAN) (July 2004). The Member expressed concern that the current land and drainage in the area is inadequate.
- 3.9 The Transportation Officer acknowledged the concerns in respect of the current visibility and access point which are currently below standard but stated that the proposed development would provide a satisfactory carriageway width, junction radii, vision splays and footways, which would accommodate all types of traffic to the proposed development as well as the leisure centre.

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

4 AUGUST 2016

REPORT OF: SERVICE DIRECTOR PLANNING

REPORT

**APPLICATION NO. 15/0112/13
RHONDDA BOWL SKITTLE
ALLEY, WAUNRHYDD ROAD,
TONYREFAIL – OUTLINE
CONSENT FOR THE DEMOLITION
OF TWO STOREY BUILDING
KNOWN AS RHONDDA BOWL
AND THE RE-DEVELOPMENT OF
THE SITE FOR RESIDENTIAL
DEVELOPMENT.**

OFFICER TO CONTACT

**MRS J WAKEFORD
(Tel. No. 01443 494745)**

See Relevant Application File