

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2016-2017:

**DEVELOPMENT CONTROL
COMMITTEE
20 APRIL 2017**

**REPORT OF: SERVICE
DIRECTOR PLANNING**

	Agenda Item No. 4
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: 16/0660 - Proposed residential development of 33 dwellings and associated highway drainage and infrastructure (amended site layout plan received 21/03/17), Land to the rear of Delwen Terrace, Blaencwm, Treorchy.
2. Application No: 16/1174 - Erection of a 4/5 bedroom detached dwelling (amended description 28/02/17), Rear/Side of Clifton House, Station Road, Trealaw, Tonypandy.
3. Application No: 16/1292 - Change of use from dwelling to a House in Multiple Occupation (C4) to include 2 bedrooms and 3 studios (Amended Plans and Amended Description received 06/03/17), 2 Scranton Villas, High Street, Cymmer, Porth.
4. Application No: 16/1390 - Demolition of existing buildings and development of up to 110 dwellings, provision of public open space, landscaping and associated infrastructure, Coleg y Cymoedd, Cwmdare Road, Cwmdare, Aberdare.
5. Application No: 17/0013 - Approval of the reserved matters (details of the layout, scale and appearance of the building(s), the means of access thereto and the landscaping) for the new primary school element of the overall site development (outline planning permission ref: 16/0062), Tonyrefail Comprehensive School, Gilfach Road, Tonyrefail, Porth.

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APPLICATIONS RECOMMENDED FOR APPROVAL

APPLICATION NO: 16/0660/10 (PB)
APPLICANT: Glaister Russell Developments Ltd
DEVELOPMENT: Proposed residential development of 33 dwellings and associated highway drainage and infrastructure (amended site layout plan received 21/03/17)
LOCATION: LAND TO THE REAR OF DELWEN TERRACE, BLAENCWM, TREORCHY, CF42 5ED
DATE REGISTERED: 10/06/2016
ELECTORAL DIVISION: Treherbert

RECOMMENDATION: APPROVE

REASONS: Although the Local Development Plan (LDP) is clear that the application site is no longer allocated for residential development and falls outside the nearest settlement boundary, the land has consistently benefited from outline planning consents for residential development and a subsequent full permission for associated highway operations, all granted since June 2006, and therefore deemed to contribute to the proposed supply of new housing over the LDP period. Moreover, the proposed development is considered sympathetic to the character and appearance of the locality and the Special Landscape Area, and is acceptable in terms of its consequences for management and mitigation of flood risk, ecological interests, highway safety and affordable housing provision in accordance with relevant LDP policies.

REASON APPLICATION REPORTED TO COMMITTEE

The proposal is not covered by determination powers delegated to Service Director Planning.

APPLICATION DETAILS

Full planning permission is sought for the construction of 33 houses and associated highways and drainage infrastructure on land rear of Delwen Terrace, Blaencwm. The development will be laid out as two comparatively spacious cul-de-sacs branching off a new access road into the site from the existing highway at Delwen Terrace. The housing mix will comprise 5 four-bed detached houses, 6 three-bed detached houses, 8 three-bed semi-detached houses, 1 three-bed terraced house, 7 two-bed terraced houses and 6 two-bed bungalows. Tree-planting and landscaping will figure prominently in the development and an area of open space/village green will remain in the south-west corner of the site save for a narrow strip along the highway frontage of Delwen Terrace required for highway widening.

The application is accompanied by the following:

- Preliminary Ecological Appraisal Update and Ecological Assessment (May 2016)
- Update Bat and Otter Surveys (July 2016)

- Wildlife and Habitat Protection and Mitigation Plan (October 2016)
- Design and Access Statement
- Flood Consequences Assessment (March 2017)
- Drainage Strategy
- Phase 1 Site Investigation Report (November 2016)

SITE APPRAISAL

The application land is situated on the northern edge of the village of Blaencwm and is currently undeveloped, with little visible evidence of its former use as colliery and railway land. The site boundary is defined by the Nant y Gwair to the north and the vacant land to the east. To the west is open countryside whilst immediately to the south are the residential areas of Chapel Street, Glanselsig Street and Delwen Terrace.

The majority of the site is grassed over and open in character. The site is crossed by several informal footpaths, which connect with public rights of way beyond the site.

PLANNING HISTORY

11/0644	Land to rear of Delwyn Terrace, Blaencwm, Treorchy, CF42 5ED	Application for approval of reserved matter (landscaping) pursuant to planning permission for phase 1 residential development of land	Granted 29/12/11
11/0134	Land to rear of Delwyn Terrace, Blaencwm, Treorchy CF42 5ED	Residential development (Phase 2)	Granted 20/11/14
11/0133	Land to rear of Delwyn Terrace, Blaencwm, Treorchy	Residential development (Phase 1)	Granted 12/10/11
10/0884	Land to the rear of Delwyn Terrace, Blaencwm, Treorchy, CF42 5ED.	Highway and pedestrian access to approved development site (engineering operation).	Granted 13/06/11
08/1282	Land to the rear of Chapel Street and Delwen Terrace, Blaencwm	Residential development - 22 units.	Granted 27/05/09
07/1594	Land adjacent to Delwen Terrace,	Residential development (Outline). (Amended site boundary received	Refuse 11/02/08

	Blaencwm, Treherbert. CF42 5ED.	5/11/07).	Appeal: Allowed 11/06/08
91/0818	Blaencwm	Environmental Improvement Scheme	Granted 22/01/92
90/925	Rear of Delwen Terrace, Blaencwm	Residential development	Granted 08/03/91
80/0821	Land in the Vicinity of the Abandoned Glenrhondda Colliery	Drainage improvements	Granted 30/09/80

PUBLICITY

Neighbours have been notified of the application, which has also been publicised via site notices and a press notice.

Arising from the above procedures there has been no response to the proposals from members of the public.

CONSULTATION

Transportation Section – no objection subject to conditions

Land Reclamation & Engineering – no adverse comment.

Public Health & Protection - no adverse comments, recommendations made in respect of previous land use, noise, dust, disposal of waste, and lighting.

Natural Resources Wales – no objection in relation to ecological issues. Also, subject to the recommendations and layout within the FCA (March 2017) being implemented the proposal is acceptable in terms of flood risk in line with TAN15. A condition specifying minimum finished floor levels for Plots 23 (including garage), 26 and 27 is recommended.

Dwr Cymru/Welsh Water – no adverse comment, though full details of foul, surface and land water drainage to be submitted and approved prior to commencement of development.

Parks, Ecology & Countryside – no adverse comment provided the development proceeds in accordance with the submitted Wildlife and habitat Protection and Mitigation Plan.

Housing Strategy – LDP Policy NSA 11 requires 10% affordable housing provision on sites of 10 units or more in the Northern Strategy Area. Therefore, 4 units of affordable housing should be secured. Based on the LHMA two of the two-bedroom terraced houses and two of the three-bedroom terraced houses on the 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 25% of the open market value for each unit, in other words the nominated purchaser should pay no more than 75% of the open market value per unit (see Paragraph 4.2 of the Affordable Housing SPG)

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

In the adopted LDP the application site lies approximately 0.5 miles outside the nearest settlement boundary and in the Rhondda Fawr Northern Cwm & Slopes Special Landscape Area (policy reference NSA25.7). The site also lies in the designated Rhondda Historic Landscape.

Policy CS1 - sets out criteria for achieving strong, sustainable communities in the northern strategy area including the provision of high quality, affordable accommodation that promotes diversity in the residential market.

Policy AW2 – promotes development in sustainable locations, which in the northern strategy area are sites that accord with Policy NSA12 (sites within or adjoining the settlement boundaries) (1) and are justified if they are in a flood risk zone (5).

Policy AW4 – provides for planning obligations to be sought, including affordable housing (1) and open space provision (3).

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 enhance Rhondda Cynon Taf's distinctive natural heritage from inappropriate development.

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

Policy AW14 – requires safeguarding of mineral resources, including coal.

Policy NSA10 – seeks a minimum density of 30dph and gives criteria where lower densities may be acceptable.

Policy NSA11 – requires 10% affordable housing provision on site of 10 or more units in the northern strategy area.

Policy NSA25 – requires the highest standard of design in the special landscape areas.

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 6 (Conserving the Historic Environment), Chapter 7 (Economic Development), 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 16: Sport Recreation and Open Space;
PPW Technical Advice Note 18: Transport;
Manual for Streets

SPG *Affordable Housing*, March 2011.
SPG *Planning Obligations* March 2011.

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

In the first instance it is important to consider the planning policy context of the proposal and planning history of the site to which the application relates. In this regard, the application site is defined by the Local Development Plan (LDP) as outside any settlement boundary. The thrust of LDP policy is to direct development to sustainable locations, namely settlements that have a range of facilities and amenities. Blaencwm is not one of those settlements; hence it no longer has a settlement boundary. However, Policy AW1 of the LDP defines the housing land supply to be made up of, inter alia, sites where planning permission for housing has been granted since 1 June 2006. Therefore, whilst the LDP does not support the principle of residential development of this site, a key material consideration is the planning history of the site. In particular, it is important to have regard to the fact that since June 2006 planning permission has been granted and renewed for the residential development of the application land to the rear of Delwen Terrace. Moreover, planning permission was granted in June 2011 for engineering operations

to form the pedestrian and vehicular accesses to serve the development of the site (application ref: 10/0884). Although on the one hand the LDP is clear that the application site is no longer allocated for residential development and falls outside the nearest settlement boundary, on the other hand the land has consistently benefited from outline planning consents for residential development and a subsequent full permission for associated highway operations, all granted since June 2006, and therefore deemed to contribute to the proposed supply of new housing over the Local Development Plan period. Accordingly, it is considered that there is a policy presumption in favour of the current application proposal unless other material considerations (discussed below) indicate to the contrary.

Impact on the character and appearance of the area

The proposed development consists of a mix of 2, 3 and four bedroom houses and bungalows, with a variety of house types. The layout presents a comparatively simple, low density form of development characterised by a strong east/west street scene, with mews style terraces running north/south linking to the footpaths and bridleways to the north. At an average density of about 22dph (dwellings per hectare) the proposed development requires justification in accordance with Policy NSA10, especially as the thrust of Planning Policy Wales is towards higher densities to encourage a more efficient use of scarce development land resources. In this regard the current proposal is consistent with the last approved development on the site which had an average density of 22dph and was justified on the following grounds:

- The need for flexibility to enable the provision of new development in an uncertain development market;
- The need for a lower density than the existing settlement having regard to the peripheral location of the land on the edge of the village adjacent to the countryside;
- To respect the landscape setting and character of the surrounding area;
- To reduce the perceived impact of the development in terms of traffic movements compared to the previously approved development;
- To help ensure that the residential amenity of existing residents is preserved whilst also ensuring a high level of amenity for the residents of the new properties.

Planning Policy Wales reaffirms that the approach to residential density of proposed development must take into account local amenity, and the character and appearance of the area as a whole. It is considered that the comparatively low density of the proposed development responds to the prevailing local circumstances and therefore is justified against prevailing planning policy.

The design concept of the proposed development provides a clear structure of the public and private realm, with dwellings enclosing the public space and creating a street frontage and a strong sense of identity through the streetscape. Also, the proposed development will have clear access routes and enhanced links with its surroundings. The scale and massing of the development and appearance of the dwellings are carefully explained and justified in the Design and Access Statement and considered appropriate in the context of neighbouring residential development

and the countryside, including the Special Landscape Area and Rhondda Historic Landscape.

Access and highway safety

The principal consideration is the effect of the vehicular traffic generated by the proposed development on the highway safety on the streets close to site. The proposed site access point from the existing highway would be located on the outside of the bend where Chapel Street and Delwen Terrace meet. A one-way system is proposed along Delwen Terrace and the section of Chapel Street from Glanselsig Terrace to Delwen Terrace. The proposal also includes speed restriction measures on Delwen Terrace, carriageway widening on the western side of Chapel Street, and additional footway provision on both Delwen Terrace and Chapel Street. These measures were formulated and included in, and ultimately considered acceptable as part of the earlier approved proposals for the residential development of this site. Moreover, full planning permission was granted as recently as June 2011 for the engineering operations to construct the access and internal pedestrian footway and vehicular carriageway layout (application reference 10/0884).

The Transportation Section has offered no objection to the proposal subject to conditions. The proposed road widening and one-way system should assist in militating some of the pressure arising from the additional vehicles using Chapel Street and Delwen Terrace. The installation of a pavement on the west side of Chapel Street would facilitate pedestrian access from the development to the nearest bus stops whilst avoiding the narrow bridge on Delwen Terrace. The development caters for its own parking needs in accordance with the Council's SPG, therefore should not cause overspill parking in the streets neighbouring the site. Whilst the widening of Chapel Street would result in the loss of a strip of green space registered as a Village Green, the applicant proposes mitigation through the provision of an extension to the western side of the Village Green at least equivalent in area to that required for highway widening.

The application site benefits from satisfactory routes to school which have been assessed as available and safe. Blaencwm has limited local facilities and amenities, however, the village benefits from a half hourly bus service providing links to amenities and facilities in nearby Treherbert and the wider area, with rail links from Treherbert Station serving destinations to Cardiff with a half hourly service. Roads between Treorchy and Blaencwm carry only local traffic and therefore provide an attractive route for multi-modal journeys such as cycling to Treherbert railway station. The sustainability of the site has been established in previous planning applications and appeals relating to housing development on this land.

In light of the above there is no highway objection to the proposed development, subject to conditions requiring approval of highway engineering design details, a construction method statement, and travel plan / welcome pack to encourage sustainable travel. The proposal therefore satisfies policies AW5 and AW6 in respect of its consequences for highway safety and accessibility.

Flood Risk

The application site lies between two watercourses, the Nant y Gwair and Nant Selsig, which flow in an easterly direction north and south of the site respectively. The application proposes highly vulnerable development, namely residential dwellings, within Zone C2 of the Development Advice map (DAM) contained in TAN 15. NRW's Flood Map, which is updated quarterly, confirms that site to be at risk from the 1% (1 in 100 years) and 0.1% (1 in 1000 year) annual probability fluvial flood outline of the Nant Selsig, a designated main river.

Applicant has submitted an up-dated Flood Consequences Assessment (March 2017) supported by a Hydraulic Model. The results were used to determine the design flood extents and show the majority of the site to be in Flood Zone A (low risk), with only areas along the banks of the watercourse in Flood Zone C2 (high risk) of fluvial flooding from this source. The FCA shows the site to be at low risk of flooding from all other sources.

Building finished floor levels are to be raised so as to be a minimum of 600mm above the 0.1% (1000 year) Annual Exceedance Probability (AEP) levels at the buildings or 150mm above the 0.1% (1000 year) AEP with 80% blockage scenario, or 150mm above the immediate surrounding ground levels (whichever is higher) to mitigate against the residual risk of flooding and ensure any exceedance flows are directed away from any buildings.

Given the known issues of debris entrainment during high flow, the FCA notes that a maintenance scheme is to be put in place with clearance checks annually and after high flows. This will minimise the risk of fluvial flooding resulting from the blockages. The FCA also notes there will have to be a safe access and egress route in a 0.1% (1000 year) AEP event, leading from the proposed development to an area outside the floodplain. The FCA concludes there will be no loss in floodplain storage within the 0.1% (1000 year) AEP extent, and no development that could disrupt floodplain flow paths (such as garden fences) within the 1% (100 year) AEP plus Climate Change flood extent. In addition, the proposed surface water and foul drainage strategy will ensure there is not an increased flood risk elsewhere as a result of the proposed development through the loss of floodplain storage, impedance of flood flows or increase in surface water run-off.

The up-dated FCA concludes that the proposed development will meet the requirements of TAN15.

NRW has reviewed the hydraulic model which has been developed to support the findings of the up-dated FCA. Subject to the recommendations and layout within the FCA being implemented, NRW advise that the proposal is acceptable in line with the guidance set out in TAN15. In offering no objection to the development NRW does recommend that planning permission be made subject to a condition which specifies minimum finished floor levels for plots 23 (including garage), 26 and 27 to ensure that flood risk is minimal.

Ecology

The application is supported by a preliminary ecological appraisal and subsequently up-dated with specific surveys and assessment in relation to bats and Otter, which

are European Protected Species. These reports provide evidence of use of the Nant-y-Gwair by Otters and that the watercourse is important for bats. Both NRW and the Council's Ecologist have offered no objection to the proposed development provided that it proceeds in accordance with the recommendations of the submitted Wildlife Protection and Mitigation Plan that accompanies the application.

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

Aside from the issue of fluvial flood risk, the drainage strategy for the proposed development, submitted by the applicant, has been considered by the Council's Flood Risk Management team and is satisfactory. In this regard the application proposal therefore satisfies policy AW10 of the LDP.

Contamination/ground conditions

Public Health and Protection has advised their records show that Glenrhondda Colliery formerly occupied the application site as well as an old railway and tramway, engine house and an old tank. Accordingly, it is considered that there is potential for contamination to exist on site. In this regard the application is accompanied by a site investigation report that acknowledges the potential for there to be buried structures at the site and areas of contamination associated with past industrial use. The report recommends that to evaluate this risk, a phased intrusive site investigation should be undertaken, commencing with trial pits at locations and sampling of soils. Appropriately worded conditions are therefore suggested in the event of planning permission being forthcoming.

Affordable housing

LDP Policy NSA 11 requires 10% affordable housing provision on sites of 10 units or more in the Northern Strategy Area. Therefore, in line with this policy the proposed development requires 4 units of affordable housing to be secured. Based on the Local Housing Market Assessment two of the two-bedroom terraced houses and two of the three-bedroom terraced houses on the 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 25% of the open market value for each unit, in other words the nominated purchaser should pay no more than 75% of the open market value per unit (see Paragraph 4.2 of the Affordable Housing SPG).

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

Although the LDP is clear that the application site is no longer allocated for residential development and falls outside the nearest settlement boundary, the land has consistently benefited from outline planning consents for residential development and a subsequent full permission for associated highway operations, all granted since June 2006, and therefore deemed to contribute to the proposed supply of new housing over the Local Development Plan period. Moreover, the proposed development is considered sympathetic to the character and appearance of the locality and the Special Landscape Area, and is acceptable in terms of its consequences for management and mitigation of flood risk, ecological interests, highway safety and affordable housing provision in accordance with relevant LDP policies. The proposal is therefore recommended for approval subject to the conditions set out below.

RECOMMENDATION: Approve

RECOMMENDATION: Grant

1. The development shall not begin 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 Plan – Drawing no: 001 Rev A, dated 20.05.16.
 - Site Layout and Schedule – Drawing no: UG1559-011 Rev E, dated 21.03.17.
 - 2 Bed Terrace Elevations and Floor Plan – Drawing no: UG1559 – sk 013 Rev A, dated 18.05.16.
 - 2 Bed Bungalow Elevations and Floor Plan – Drawing no: UG1559 – sk014 Rev A, dated 18.05.16.
 - 3 Bed Semi-detached Elevations and Floor Plan – Drawing no: UG1559 – Sk012 Rev A, dated 18.05.16.
 - 3 Bed Semi-detached Elevations and Floor Plan - Drawing no: UG1559 – sk015 Rev A, dated 18.05.16.
 - 3 Bed Detached Elevations and Floor Plan – Drawing no: UG1559 – sk011 Rev A, dated 18.05.16.
 - 3 Bed Detached Alternative Elevations and Floor Plan – Drawing no: UG1559 – sk021 Rev A, dated 18.05.16.

- 4 Bed Detached Elevations and Plan: Drawing no: UG1559 – sk0101 Rev A, dated 18.05.16.
- 4 Bed Detached Alternative Elevations and Floor Plan – Drawing no: UG1559 – sk020 Rev A, dated 18.05.16.
- Drainage and Site Level Strategy – Hydrock Plan Ref: C161250-C0001 Revision E .
- Preliminary Ecological Appraisal, Rev 1, Eco Vigour, May 2016.
- Phase 1 Site Investigation Report – EcoVigour report dated November 2016.
- Update Bat and Otter Surveys – EcoVigour report dated July 2016.
- Wildlife and Habitat Protection and Mitigation Plan – Celtic Ecology dated October 2016
- Flood Consequences Assessment – Hydrock report dated March 2017.
- Design and Access Statement, The Urbanists, May 2016.

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

3. No development shall take place until 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 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.

(b) 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.

4. The development hereby permitted shall not be occupied until the measures approved in the scheme (referred to in condition 3 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.

5. 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 AW 10 of the Rhondda Cynon Taf Local Development Plan.

6. Construction works on the development shall not take place other than during the following times:
- Monday to Friday 0800 to 1800 hours
 - Saturday 0800 to 1300 hours
 - 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.

7. Notwithstanding the approved plans, development shall not commence until full engineering design and details of the off-site highway improvements as shown on layout plan DD06 Rev D, including longitudinal and cross sections, street lighting details, parking bay layout/allocation, secure cycle storage and surface-water drainage and construction details have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be carried out in accordance with the approved details prior to beneficial occupation unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the delivery of the proposed highway improvements to facilitate safe access and egress from the proposed development in the interests of highway safety in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

8. Notwithstanding the approved plans, development shall not commence until full engineering design and details of the internal road layouts including longitudinal and cross sections, street lighting details, parking bay layout/allocation, secure cycle storage and surface-water drainage and construction details have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be carried out in accordance with the approved details prior to beneficial occupation unless

otherwise agreed in writing by the Local Planning Authority.

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. No development shall take place, including any works of site clearance, until a Construction Method Statement has been submitted and approved in writing by the Local Planning Authority to provide for;
- the means of access into the site for all construction traffic,
 - the parking of vehicles of site operatives and visitors,
 - the management of vehicular and pedestrian traffic,
 - loading and unloading of plant and materials,
 - storage of plant and materials used in constructing the development,
 - wheel cleansing facilities,
 - the sheeting of lorries leaving the site.

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

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

10. The Developer shall provide the occupier of each dwelling with a Travel Plan / Welcome Pack which shall contain the following:-
- Bus/Train Service providers, their contact details, frequency of service, timetable, bus stops/train stations, current ticket costs and financial incentives to encourage use of public transport;
 - Park and Ride/Park and Share facilities and associated costs and restrictions on use of such facilities;
 - Pedestrian links to public transport services, to local facilities, areas of employment, education and leisure;
 - Local and national cycle routes; and
 - Any other measures that would encourage use of sustainable modes of travel.

Reason: To ensure reduction of road traffic and promotion of sustainable modes of travel in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

11. The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of TAN 2 or any future

guidance that replaces it. The scheme shall include:

- The number, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 10% of housing units;
- The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- The arrangements for the transfer of the affordable housing to an affordable provider;
- The arrangements to ensure that such provision is affordable for both first time and subsequent occupiers of the affordable housing; and
- The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason: To ensure the provision of affordable housing in the locality in accordance with Policy NSA 11 of the Rhondda Cynon Taf Local Development Plan.

12. The development permitted by this planning permission shall only be carried out in accordance with the Flood Consequences Assessment (FCA), produced by Hydrock dated March 2017, and the following mitigation measures detailed within the FCA:

- The finished floor level of Plot 23 shall be set at 225.15m AOD;
- The finished floor level of Plot 27 shall be set at 225.15m AOD;
- The finished floor level of Plot 23 shall be set at 225.85m AOD
- The finished floor level of the garage associated with Plot 23 shall be set at 224.15m AOD.

Reason: To ensure that flood risk to the proposed development is minimal in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

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APPLICATION NO: 16/1174/13 (MF)
APPLICANT: Mr Peter Morgan
DEVELOPMENT: Erection of a 4/5 bedroom detached dwelling (amended description 28/02/17).
LOCATION: REAR/SIDE OF CLIFTON HOUSE, STATION ROAD, TREALAW, TONYPANDY, CF40 2PJ
DATE REGISTERED: 28/02/2017
ELECTORAL DIVISION: Trealaw

RECOMMENDATION: Approve

REASONS: The principle of residential development at the site is acceptable. Further, it is considered that the site is capable of accommodating a carefully designed dwelling that would not result in a significant impact upon the character and appearance of the surrounding area, the amenity and privacy of the neighbouring properties, or upon highway safety in the vicinity of the site.

REASON APPLICATION REPORTED TO COMMITTEE

This application is reported to Committee as four letters of objection and a petition signed by six people were received from surrounding residents following the consultation process.

APPLICATION DETAILS

Outline planning permission is sought for the erection of 1 no. detached dwelling on a parcel of land to the west of Clifton House, Station Road, Trealaw. The application seeks consent for the principle of the development only with all other matters relating to design, appearance, layout, scale, landscaping and access reserved for future consideration.

An indicative site layout plan has been submitted with the application that indicates a detached dwelling would be located to the west of the plot with parking and turning areas to the front and a garden to the rear. Access is proposed off Station Road to the north of the site. Whilst design, appearance, layout and scale are matters reserved for future consideration, an inductive elevation plan details the proposed dwelling would be of two storeys along the highway but of three storeys to the rear given the sloping nature of the site. The plan details that the dwelling would be within the following scale ranges:

- Width: minimum 6.5 metres – maximum 7.5 metres
- Depth: minimum 9.5 metres – maximum 11 metres
- Height: minimum 9 metres – maximum 11 metres

The application originally proposed a detached dwelling along with a swimming pool, store and detached garage, however, the applicant amended the description of the application on 28/02/17 from 'erection of a 4/5 bedroom detached dwelling with swimming pool, garage, and store', to 'erection of a 4/5 bedroom detached dwelling'. As such the swimming pool, garage and store originally proposed no longer form part of this scheme.

The application is accompanied by the following:

- Design and Access Statement.

SITE APPRAISAL

The application site is a vacant parcel of land directly to the west of the existing residential property, Clifton House. The plot fronts the highway and is bounded by the original property to the east, a parking area to the west, and the Treherbert to Cardiff railway line to the rear. Given the siting of the plot on a valley hillside, the land falls from north to south having a level terraced area at the centre where the proposed dwelling would be sited. The plot currently forms a section of the original properties garden area and is enclosed by mature vegetation along the front and western side boundary.

Station Road is characterised by a number of traditional detached and semi-detached dwellings along the northern side which are all sited at a considerably high ground level than the highway. Dinas train station is located at the western end of the street. The east Station Road is adjoined by Georges Row where two, more modern, large detached dwellings are located.

PLANNING HISTORY

No previous planning applications have been submitted at the application site.

PUBLICITY

The application has been advertised by means of direct neighbour notification and site notices. Four letters of objection from surrounding residents and a petition signed by six local residents have been received, making the following comments (summarised):

- Station Road is extremely narrow. Residents regularly have to park on the highway which exacerbates this issue. Further, the nearby train station only has a small car park and therefore rail users also park on the highway and use the turning head at the eastern end of Station Road (Georges Row) to turn. There are also regular problems with delivery vehicles blocking the highway and there is no footway along this section of the street. The erection of a dwelling at the application site would result in a further detrimental impact upon pedestrian and highway safety in the area from both the construction vehicles initially and the future dwellings traffic.
- The proposed dwelling would overshadow the adjacent properties along Station Road.
- The proposed dwelling would overlook the adjacent properties along Station Road.
- There is not enough room within the site to provide adequate access and parking.
- The construction of the property would result in noise and disturbance to the surrounding residents.

- The proposed dwelling would spoil the view from the existing properties along Station Road.
- The applicant does not own all of the land within the application site.
- The proposed dwelling would result in the value of the surrounding properties being reduced.
- The application details that a swimming pool, store and detached garage would be accommodated within the site however no details are provided.
- There are numerous errors throughout the Design and Access Statement.

CONSULTATION

Transportation Section – no objection, subject to conditions.

Countryside, Landscape and Ecology – no objection.

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

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

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

Wales and West Utilities – no objection, subject to conditions.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

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

Policy CS1 – sets out the criteria for development in the Northern Strategy Area.

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

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

Policy AW4 – details the criteria for planning obligations including the Community Infrastructure Levy (CIL).

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

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

Policy AW10 – does not permit proposals where they would cause or result in a risk of unacceptable harm to health and/or local amenity.

Policy NSA12 – identifies the criteria for assessment of development proposals within and adjacent to settlement boundaries.

Supplementary Planning Guidance

- Design and Placemaking;
- Nature Conservation;
- Access, Circulation and Parking.

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) and 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 11: Noise;
PPW Technical Advice Note 12: Design;
PPW Technical Advice Note 18: Transport.

REASONS FOR REACHING THE RECOMMENDATION

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

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

Principle of the Proposed Development

The application seeks outline planning permission for the construction of one detached dwelling at the application site. The proposal seeks consent for the principle of the development only with all other matters relating to design, appearance, layout, scale, landscaping and access reserved for future consideration.

The application site is unallocated and located within the defined settlement boundary where the principle of development is considered acceptable, subject to compliance with other policies within the Local Development Plan and relevant

material considerations. As such, it is considered that the principle of residential development at the site is acceptable, in principle, subject to an assessment of the criteria set out below.

Visual Impact

The design, appearance, layout and scale of the scheme are reserved for future consideration and would be within the control of the Local Authority. This would therefore allow the Council to reject schemes that would have an adverse impact in these respects. However, having regard to the size of the site and its environs, it is considered that the site is capable of accommodating a carefully designed dwelling that would not result in a detrimental impact upon the character and appearance of the surrounding area. It is however acknowledged that the submitted details are for indicative purposes only and that this issue would be given further careful consideration at reserved matters stage.

Residential Amenity

As set out above, the application site is located within close proximity of a number of established residential dwellings and it is therefore important that the privacy and amenity of existing neighbouring residents is safeguarded.

Whilst matters relating to the design, layout, scale and appearance of the proposed dwelling are reserved for future consideration, it is acknowledged that there would inevitably be a degree of impact upon the amenity and privacy of the adjacent dwelling, Clifton House. In light of this the applicant has identified that the maximum footprint and height of the proposed dwelling would be similar to that of the adjacent property and as such, it is considered that at this scale, it would be possible to develop the plot without resulting in an unacceptable impact upon the amenity or privacy of the residents of the adjacent property.

With respect to any potential impact upon the properties opposite the application site along the northern side of Station Road, these properties are set back from the highway by over 10 metres and are set at a considerably higher ground level than the highway and application site. Therefore, whilst the comments raised by the objectors in this respect are acknowledged, given the relationship any dwelling at the application site would have with these properties, it is not considered that any undue overlooking, overshadowing or overbearing impact upon these properties would occur.

It is however acknowledged that the submitted details are for indicative purposes only and that this issue would be given further careful consideration at reserved matters stage.

Highway Safety

It is noted that a number of objections have been received from surrounding residents in respect of the potential impact upon highway and pedestrian safety in the locality. However, following consultation, the Council's Transportation Section raised no objection to the proposal, subject to a number of conditions, as the scheme

indicates the provision of adequate access, parking and turning facilities within the curtilage of the site as well as potential improvements to the adjacent highway and the potential to introduce a footway along the site frontage.

The Transportation Section commented that Station Road leading to the site is sub-standard in terms of width for safe two-way vehicular movement and there is no pedestrian facilities leading to the site. As such there is concern that the carriageway is sub-standard in width to accommodate two standard vehicles which could potentially lead to reversing over a considerable distance to let on-coming vehicles pass to the detriment of safety of all highway users. This is of particular concern given that the property would attract delivery and service personnel which if parked on-street would totally block free flow of traffic to the detriment of safety of all highway users. However, there is potential to overcome these concerns by setting the site boundary back to provide a carriageway widened to 5m which would allow a large vehicle (delivery) to park and a standard car to pass which would be a benefit to the applicant and the wider community and can be secured by a suitably worded condition.

With respect to parking, the Transportation Section commented that it is assumed that the existing dwelling, Clifton House, is in excess of 3 bedrooms requiring up-to a maximum of 3 spaces and the proposed 4/5 bedroom dwelling would also require up-to a maximum of 3 spaces in accordance with the SPG Access, Circulation & Parking 2011. Therefore, taking into account that access is a matter reserved for future consideration, a suitably worded condition has been suggested to provide off-street car parking in accordance with the SPG for both dwellings.

Subsequently, the Transportation Section concluded that whilst it is acknowledged the access road, Station Road, leading to the site is sub-standard in width for safe two-way vehicular movement and is lacking in segregated footway facilities which is of concern, taking into account the application is for one dwelling only with improvements conditioned to the highway fronting the site, on-balance, no highway objection is raised.

It is acknowledged that a number of residents have expressed some concern with regard to the additional use of Station Road by construction traffic, commenting that the vehicles associated with the development of the dwelling will cause nuisance and disturbance to neighbours by way of increased traffic movements and associated noise. Whilst unfortunate, it is inevitable that during the course of construction residents may observe an increase in traffic movements resulting from deliveries associated with the construction. However, it is considered that this would occur over a limited period of time. Furthermore, a condition has been suggested by the Council's Transportation Section which would seek to reduce this impact by controlling the days and hours during which deliveries associated with the construction may attend the site, thereby avoiding disturbance during the evenings, weekends and peak traffic times. Consequently, it is not considered that the movement of additional traffic generated by the construction of one dwelling, along the existing adopted highway of Station Road, would result in an impact upon the amenities of existing residents that would be so great as to warrant the refusal of the planning application.

Therefore, whilst it is acknowledged there is some concern in this respect, in light of the above highways assessment and subject to the conditions detailed below, on balance, it is not considered the development of a single dwelling at the plot would result in a degree of impact upon pedestrian or highway safety in the vicinity of the site that would warrant refusal of the application.

Public Health

No objections have been received from the Council's Public Health and Protection Division in respect of the application, they did however suggest a number of conditions be attached to any consent in relation construction noise, waste and dust. Whilst these comments are appreciated, it is considered that these matters can be more efficiently controlled by other legislation. Therefore, it is considered the conditions suggested in this respect are not necessary and an appropriate note highlighting them would be sufficient in this instance.

Other Issues

It is noted that consultation has been undertaken with the Council's Land Reclamation and Engineering and Countryside, Landscape and Ecology Sections with a view to assessing any potential impacts upon land drainage and ecology respectively. Their response raised no objection to the planning application subject to standard conditions and advice.

It is also noted that no objections have been received from Dwr Cymru Welsh Water or Wales and West Utilities subject to standard conditions and advice.

An objector has commented that the applicant may not own all of the land within the red line and that some of the land may in fact be under the ownership of Network Rail. In light of this the applicant has confirmed that all land within the red line is under his ownership by submitting a copy of the title deeds. As such any future land ownership issues would be a private matter between the developer and the land owner.

With regard to the issues raised by objectors in respect of property values adjacent to the site being reduced and loss of views, these are not material planning considerations and cannot be taken into account during the determination of the application.

One final point to note is that an objector has commented that the application details that a swimming pool, store and detached garage would be accommodated within the site however no details are provided with the application. As detailed above, this point has been acknowledged by the applicant who amended the description of the application on 28th February 2017 from 'erection of a 4/5 bedroom detached dwelling with swimming pool, garage, and store', to 'erection of a 4/5 bedroom detached dwelling'. As such the swimming pool, store and garage originally proposed no longer form part of this scheme which relates solely to the erection of a single dwelling.

Community Infrastructure Levy 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 future reserved matters or full application.

Conclusion

The development in principle is acceptable and it is considered that the site is capable of accommodating a carefully designed dwelling that would not result in a significant impact upon the character and appearance of the surrounding area or the amenity and privacy of the surrounding properties. Furthermore, whilst it is acknowledged that there would inevitably be a degree of impact upon highway safety in the vicinity of the site, subject to works detailed in the conditions below being carried out, on balance, the potential impact would not be significant enough to warrant refusal of the application. As such, the application is considered to comply with the relevant policies of the Local Development Plan and is recommended for approval.

RECOMMENDATION: Grant

1. (a) Approval of the details of the design, layout, scale and appearance of the building(s), the means of access thereto and the landscaping (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 design, layout, scale and appearance of any building to be erected, the means of access to the site and the landscaping 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 plans ref. Site Location Plan, Site Layout and Indicative Elevations and documents received by the Local Planning Authority on

17/01/17, unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

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

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

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

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

5. 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. The boundary treatment shall be completed before the dwelling 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.

6. No development shall commence 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 any to be retained, together with measures for their protection in 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.

7. 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 of that phase, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development of that phase 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.

8. As agreed in a landscaping scheme, no trees, shrubs or hedges shall be felled, lopped or removed without the prior written consent of the Local Planning Authority.

Reason: To safeguard the rights of control by the Local Planning Authority in respect of the reserved matters.

9. Notwithstanding the submitted details, prior to the commencement of development, full details (including external finishes, heights and exact siting) and design/structural calculations of any proposed retaining wall structures 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, and in the interests of visual amenity in accordance with policies AW5, AW6 and AW10 of the Rhondda Cynon Taf Local Development Plan.

10. No development shall commence until details of the proposed levels of the ground floor, access road and driveway in relation to the existing ground level and the finished level of the site have been submitted to and approved by the Local Planning Authority. The works shall be implemented in accordance with the agreed details.

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

11. Notwithstanding the submitted plans, development shall not commence until full engineering design and detail of the site boundary set back along the site frontage (Station Road) to provide a carriageway widened to 5.0m shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway and pedestrian safety and to maintain free flow of traffic, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

12. 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.

13. Off-street parking shall be in compliance with RCT's Supplementary Planning Guidance on Delivering Design and Placemaking: Access, Circulation & Parking Requirements (March 2011) for the existing dwelling and proposed dwelling.

Reason: To ensure that adequate parking facilities are provided within the curtilage of the site, in the interests of highway safety, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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

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.

15. 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.

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APPLICATION NO:	16/1292/10	(KL)
APPLICANT:	Mr Denis Rawlings	
DEVELOPMENT:	Change of use from dwelling to a House in Multiple Occupation (C4) to include 2 bedrooms and 3 studios (Amended Plans and Amended Description received 06/03/17).	
LOCATION:	2 SCRANTON VILLAS, HIGH STREET, CYMMER, PORTH, CF39 9EU	
DATE REGISTERED:	20/01/2017	
ELECTORAL DIVISION:	Cymmer	

RECOMMENDATION: Approve

REASONS: Although objections have been received in relation to the proposal, the application is considered to comply with the relevant policies of the Local Development Plan in respect of its visual impact, its potential impact upon the amenity and privacy of surrounding neighbouring properties, and its potential impact upon highway safety in the vicinity of the site.

REASON APPLICATION REPORTED TO COMMITTEE

Three or more letters of objection have been received.

APPLICATION DETAILS

Retrospective planning permission is sought for the conversion of no. 2 Scranton Villas, High Street, Cymmer, from a residential dwelling house (Use Class C3) to a House in Multiple Occupation (Use Class C4).

The application proposes the conversion of an existing four bedroom dwelling to a House in Multiple Occupation (HMO) containing 2 bedrooms and 3 studio rooms. The proposal would not involve any significant physical changes to the exterior of the building with only minor internal works required to convert the living room to a bedroom and the creation of new en-suite provisions within the 3 studios proposed on the upper floors.

It should be noted that the application originally included the conversion of the lower ground floor basement area to a self-contained flat. However, due to concerns with regard to the proposed access to the flat (rear access only) and the lack of windows serving habitable rooms, the flat was removed from the scheme, thus reducing the proposed number of rooms from 6 to 5.

The applicant confirms that the majority of the works had already been carried prior to the changes in planning legislation introduced by the Welsh Government in February 2016 which introduced the new use class C4 for HMO's.

SITE APPRAISAL

The application site relates to a two-storey, mid-link property which is located in a predominantly residential area of Cymmer. The property is set back from the adopted highway by a small, enclosed garden with further amenity space being located to the rear elevation. Living accommodation is typically arranged over three floors (including the roof space) with a total of 4 bedrooms. It is also noted that the property benefits from a basement area at lower ground floor.

Off-street car parking is provided within the rear amenity space (to be retained).

The site is located on a bus route and approximately 1km from Porth town centre.

PLANNING HISTORY

No previous planning applications have been submitted at the application site within the last 10 years.

PUBLICITY

The application has been advertised by means of direct neighbour notification and the erection of two site notices in the vicinity of the site. Two letters of objection and a petition with 14 signatures against the proposal have been received and are summarised as follows:

- Planning permission has previously been refused and dismissed at appeal for other developments in this area which would increase the volume of traffic;
- The plans indicate that there is parking for 6 vehicles however there is only room for 2, possibly 3 vehicles;
- Six vehicles at the site plus visitors and deliveries would generate quite a large increase in traffic and would contradict past concerns and previous planning applications;
- Refuse collection would need to be put out and collected from the front entrance to the property;
- Concerns regarding amount of off road parking in this area. Last summer there were numerous mountain fires, some of which came dangerously close to properties. Emergency services struggled to manoeuvre through vehicles to gain access. Further traffic in this area would put my home and family at risk;
- The change of use from a single dwelling to a HMO would have a significant negative effect – noise, disturbance and increased volume of traffic;
- Concern with regard to the licensee of the HMO as the applicant lives a considerable distance away;
- Are the authorities aware of what use the HMO will fall into i.e. private/rented residence?
- Works have already been completed and this shows either disregard for procedures or failure to keep abreast of current planning rules;
- No. 3 Scranton Villas as been purchased by the same applicant and we have been informed by the previous owners that the same development will take place there also;
- We extensively renovated our property to bring it up to a good standard to considerable expense to possibly increase the value and there are concerns that the development would impact on the market value of our home;
- There are a number of empty lets and for sale signs in High Street so should more rentals be allowed?

The comments above relate to the original plans submitted which included an additional self-contained flat within the lower ground floor basement (total of 6 rooms). The plans have since been amended to remove the flat and further consultation has been undertaken with surrounding residents (neighbour letters and site notices), although at the time of writing this report, no further comments had been received. Therefore, any further comments received will be referred to orally at the Development Control Committee.

CONSULTATION

Public Health and Protection – no objection subject to conditions

South Wales Police – no objection subject to recommendations

Transportation – no objection or condition suggested.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies inside the defined settlement boundary of Cymmer and is unallocated.

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

Policy AW2 - supports development in sustainable locations.

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

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

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

Supplementary Planning Guidance

Access, Circulation and Parking;
Design and Placemaking;
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 Chapter 2 (Development Plans), Chapter 3 (Making and Enforcing Planning Decisions), Chapter 4 (Planning for Sustainability), Chapter 8 (Transport) and Chapter 9 (Housing) set out the Welsh Government's policy on planning issues relevant to the determination of the application.

Other relevant policy guidance consulted:

Welsh Government Houses in Multiple Occupation Practice Guidance;
PPW Technical Advice Note 11: Noise;
PPW Technical Advice Note 12: Design;
PPW Technical Advice Note 18: Transport;
Manual for Streets.

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

Principle of the proposed development

The application relates to the change of use of no. 2 Scranton Villas, Cymmer from a residential dwelling in the C3 Use Class to a House in Multiple Occupation (HMO) in the C4 Use Class. Whilst permission was not previously required for this type of development, changes in legislation now require a full planning application where a dwelling would be occupied by 3-6 unrelated individuals living together with shared basic amenities. Furthermore, it should also be noted that separate Building Regulations and an HMO License from the Council's Public Health Housing Section would also be required.

The site is located within the defined settlement boundary as prescribed by the Rhondda Cynon Taf Local Development Plan and within an area which is predominantly characterised by residential properties. It is located approximately 1km from Porth town centre and is on a bus route which provides access to the nearby towns of Pontypridd and Llantrisant. This fulfils a number of the policy criteria under Policy AW1 and Policy AW2 which encourages residential development in sustainable locations. Furthermore, Policy CS1 aims to provide high quality, affordable accommodation that promotes diversity in the residential market.

Taking the above into consideration, the principle of the proposed development is considered to be acceptable, provided that the scheme is not outweighed by any other material considerations discussed below.

Impact on character and appearance of area

The proposal does not involve any external alterations and the development would therefore not have any visual impacts on the character and appearance of the surrounding area. However, it is acknowledged that the use of a HMO could contribute to a change in the overall character of the neighbourhood. This is particularly likely in areas where there are already a high number or an over-concentration of HMOs. The Welsh Government's Practice Guidance on HMOs recognises that over-concentration in particular areas can lead to a loss of social cohesion, with higher levels of transient residents and fewer long-term households and established families, leading in the long-term to a community which is no longer balanced and self-sustaining. Other consequences of over-concentrations of HMOs can include increased house prices and competition from landlords with a reduction in the number of family homes; increased litter, refuse, fly-tipping, disrepair and on-street parking problems.

In the case of this application, analysis of the list of HMOs registered by the Council reveals that there are currently no other HMOs in the vicinity of the site or indeed the wider area of Cymmer. On this basis, there is no evidence of over-concentration of HMO properties in the area and it is therefore not considered that the proposal would adversely impact on the social cohesion of the community.

Impact on residential amenity and privacy

As noted earlier in this report, the proposal does not involve any physical changes to the exterior of the building and it is therefore unlikely to give rise to any issues in terms of the privacy and amenity currently enjoyed by surrounding residents. It is acknowledged that the proposal will intensify the residential use of the building and could subsequently result in some additional noise and disturbance. However, the issue narrows to the impact of one additional bedroom and person occupying the property and it is therefore unlikely that the development would have such a harmful impact that it would warrant the refusal of the application.

Impact on Highway Safety

The Council's Transportation Section has been consulted on the application and subsequently raises no objection to the proposal. In coming to this view, it is acknowledged that the site provides a total of 4 off-street car parking spaces to the rear of the site (rather than the 6 indicated on the application form) which is one less than the maximum number required for this type of development (as set out in the Council's SPG: Access, Circulation & Parking). However, taking into account that HMOs typically have a lesser car ownership than residential properties and that the property is located on a bus route, the proposal is, on balance, considered to be acceptable. It is also noted that there is space available at the rear of the site for some overspill car parking to take place should the need arise and parking restrictions to the front of the site would prevent on-street car parking and therefore maintain free flow of traffic.

Whilst the comments made by the objectors in respect of previous applications at the rear of the site which were refused (and dismissed on appeal) on highway grounds are appreciated, the applications referred to were for new developments (i.e. two residential dwellings and a garage and an office) which would have increased the number of cars in the area. In the case of this application, it should be noted that a four bedroom dwelling could potentially be occupied by a family of 5 with up to 5 cars between them and this would not be any different than the worst case scenario for the proposed development where all 5 occupants of the HMO could have a car. As such, it is not considered likely that the conversion of an existing dwelling to a HMO would give rise to a significant increase in the number of cars at the site.

Further comments made by the objectors in relation to difficulties in emergency vehicles tending to mountain fires beyond the site are also appreciated. However, it is unlikely that the development would exacerbate this issue when the points raised above are taken into consideration. In any case, if vehicles do park illegally in this location and thus block the road, it would be a matter to be reported to and dealt with by the police.

Public Health

The Council's Public Health & Protection Section have raised no objections to the proposal, however, a number of conditions have been suggested in relation to hours of operation, noise, waste and dust. Whilst these comments are appreciated, it is considered that issues relating to hours of operation, noise, dust and waste can be more efficiently controlled by other legislation and the suggested are not considered

necessary. An appropriate informative note is considered to be sufficient in this instance.

South Wales Police

It is noted that South Wales Police have commented on the proposal and although no objections have been raised, it has been highlighted that HMOs attract a more transient population meaning that they are significantly at a higher risk of crime than single family occupied dwellings. A number of recommendations have therefore been put forward, the details of which can be found in Secured by Design. Should Members be minded to approve the application, an informative note highlighting these recommendations to the developer could be attached to the consent.

Other Issues raised by objectors

Whilst it is acknowledged that no. 3 Scranton Villas could potentially be converted to a HMO, the Council has not yet received an application for these works and the information put forward by the objectors is currently just speculation. In any case, the impacts of another HMO in this area would be assessed as part of any future application and the information given by the objectors would not be sufficient to warrant the refusal of this application.

The comments made with regard to the works being carried out prior to an application being made are also appreciated. However, the applicant confirmed that the majority of the works commenced prior to the change in legislation and the applicant must therefore be given the opportunity to gain planning permission retrospectively and the application determined on its own merits.

One objector raises concern that refuse collection would occur at the rear of the property which would result in bins being left outside properties to the rear of the site. Whilst it is noted that there is a bin storage area at the rear of the property, this does not indicate that collection would also be from the rear. Given that the application property is an existing residential property, the proposed bin collection arrangements are likely to remain the same as the existing arrangements.

It is noted that the objections received also raise concern with regard to the impact of the development on the market value of surrounding properties, whether the property would be privately rented, the need for additional rental accommodation in the area and that the potential licensee lives a substantial distance away from the development and therefore far removed for this role. Whilst these issues are appreciated, they are not material planning considerations and therefore cannot be taken into account in the determination of the application.

Community Infrastructure Levy Liability

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

The application is for development of a kind that is not liable for a charge under the CIL Regulations 2010 (as amended).

Conclusion

Taking into account all of the above, it is considered that whilst the proposed development will introduce a more intensive residential use of the dwelling, the issue narrows to the impact of one additional bedroom and person. In any event, there is no evidence of over-concentration of HMO properties along High Street or in the wider area of Cymmer. Whilst concerns raised by objectors in relation to the car parking issues in the area are appreciated, the proposed development includes 4 off-street car parking spaces to the rear of the site which has been deemed acceptable by the Council's Transportation Section. Also, the sustainable location of the development means that a range of transport options and services are located within walking distance of the site, negating the need for private car ownership. On this basis, it is concluded that the proposal satisfies Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan and is therefore recommended for approval.

RECOMMENDATION: Grant

1. The development hereby approved shall be carried out in accordance with the approved plans and documents received by the Local Planning Authority on 13th March 2017, unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

- Drawing No. 2/SV/2016: Proposed Elevations and Floor Plans.

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

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APPLICATION NO: 16/1390/13 (GW)
APPLICANT: Coleg y Cymoedd
DEVELOPMENT: Demolition of existing buildings and development of up to 110 dwellings, provision of public open space, landscaping and associated infrastructure.
LOCATION: COLEG Y CYMOEDD, CWMDARE ROAD, CWMDARE, ABERDARE, CF44 8ST
DATE REGISTERED: 04/01/2017
ELECTORAL DIVISION: Aberdare West/Llwydcoed

RECOMMENDATION: That planning permission would be granted following further bat survey work being undertaken and no objection being raised by Natural Resources Wales and the Service Director Planning being authorised to make any changes necessary to the conditions to reflect their comments. Planning permission would be subject to the Section 106 agreement identified in the report.

REASONS: The development would beneficially provide up to 110 houses and will make a notable contribution to the provision of housing in the Northern Strategy Area of the County Borough.

The development is considered acceptable in all other respect subject to confirmation from Natural Resources Wales that protected species have been adequately dealt with and the impacts and mitigation highlighted can be dealt with under a European Protected Species License.

REASON APPLICATION REPORTED TO COMMITTEE

The application is being reported to the Development Control Committee as it is an outline application on a site of more than 0.5ha.

APPLICATION DETAILS

Coleg y Cymoedd are due to move to the new Robertstown campus for the 2017-2018 academic year and therefore the Cwmdare site will become vacant from August 2017. The site and the adjacent allocated site identified in the Local Development Plan for an extension of the college will be surplus to the college's requirements.

Outline planning permission with all matters reserved is sought for the erection of up to 110 houses.

An indicative master plan has been submitted detailing a layout for 101 dwellings and open space requirements.

Scale parameters of the types of dwellings proposed are submitted below.

Unit Type	Width (m) Upper and Lower Limits	Length (m) Upper and Lower Limits	Height (m) to ridge
1 bed flat	9 – 10	8 - 9	8.5
2 bed	5 – 6	7 – 8	8.5
3 bed	6 – 7	8 – 9	10
4 bed	8 – 9	9 – 10	10
Bungalow	10 - 11	6 – 7	5.5
Bungalow	10 - 11	9 – 10	5.5

The application is accompanied by the following:

- Planning Statement;
- Indicative Masterplan;
- Pre –Application Consultation Report;

- Design and Access Statement;
- Transport Assessment;
- Tree Survey;
- Tree Constraints Plan;
- Decision Process Matrix for Tree Retention, Removal & Protection;
- Ecological Appraisal Report and addendums;
- Geotechnical Desk Study;
- Drainage Strategy;
- Utility Technical Statement; and a
- Heritage Desk-Based Assessment.

SITE APPRAISAL

The site is made up of two land parcels, the existing Coleg y Cymoedd Aberdare Campus and an adjoining small portion of the 'greenfield' land located to the north of the site's boundary.

The site area equates to approximately 4.5 hectares and the majority of it has been in operation as a college campus since 1959. Currently accessed from Cwmdare Road, the site has a number of large purpose-built educational buildings that are predominately two storeys and located in the west and north of the site. Large areas of surface parking are located to the south of the main buildings, with the remainder of the site consisting of college grounds. A secondary service access is located along the site's western boundary.

The site is bound to the west by Maesgwyn School and to the south by the former Aberdare High School, located on the opposite side of Cwmdare Road. To the east is the B4275, Hirwaun Road and a small number of residential dwellings. The site is bound to the north by the remainder of the open field/greenfield land which houses a single residential dwelling.

PLANNING HISTORY (Not including minor alterations to existing buildings)

16/5060/35	Aberdare Campus and part of the land to the north of Aberdare Campus, Cwmdare	Outline Planning Application for demolition of existing buildings and proposed residential development of land comprising up to 110 dwellings	Environmental Impact Assessment is not required 15/11/16
00/4508/10	Aberdare College, Cwmdare Road, Cwmdare	Single storey link block providing relocated library and customer services department with extension to cafeteria	Granted 14/02/01
51/95/0354	„	Extension to provide lift tower.	Granted 21/09/95

51/95/0116	„	Car Park	Granted 17/07/95
51/95/0111	„	Demolition of link corridor and replacement with 2 storey link corridor.	Granted 12/05/95
13579	„	Workshop block.	Granted 10/10/72
4954	„	College of Further Education.	Granted No date

PUBLICITY

The application was originally advertised via the erection of site notices and by direct neighbour notification. In addition a notice was placed in a local newspaper due to this being a major application. No correspondence has been received at the time of writing this report.

CONSULTATION

Coal Authority - The Coal Authority concurs with the recommendations of the Geotechnical Desk Study (November 2016, prepared by Arup); that coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site.

Countryside, Landscape and Ecology – The tree, ecology and bat surveys submitted detail some impacts and the presence of protected species. Further emerging bat survey work is required to determine bat usage of the buildings. Natural Resources Wales (NRW) detail a European Protected Species Licence can't be issued as there is insufficient information for an assessment to be made of the potential impacts of the development on bats. Further NRW is unable to assess whether the application will have a detrimental impact on the favourable conservation status of bats. Being able to confidently determine that issue is a fundamental requirement of the planning assessment process. On that basis the bat issue has been adequately resolved for determination of outline planning permission.

An area of marshy grassland to the north of the campus site will be lost. We are justified in requiring that compensation mitigation is provided. To that end the habitat compensation area and its long-term management should be secured via S106 agreement. A management plan for public open space with the site would also be required.

The application establishes the retention of boundary tree lines is a design desire, rather than an assured outcome. That is important to recognise, because we need to understand that in granting planning permission we cannot be sure how much of the boundary (screening) tree/hedgerow is retainable. Therefore we need to condition the Arboricultural Impact Assessment (AIA) and Tree Protection Plan (TPP), and an

Arboricultural Method Statement to be produced and submitted as a pre-commencement condition to cover specific tree protection measures during construction activity.

Dwr Cymru / Welsh Water – no objection subject to conditions requiring drainage details. Advisory notes are provided.

It is also advised the proposed development is crossed by distribution watermain and that it may be possible for this watermain to be diverted under Section 185 of the Water Industry Act 1991.

Flood Risk Management – no objection subject to full drainage conditions.

Glamorgan Gwent Archaeological Trust – based on the submitted Heritage Desk Based Assessment it is possible archeologically significant remains maybe encountered during the course of development. It is recommended a condition requiring a written scheme of investigation for a programme of archaeological work.

Natural Resources Wales – it is noted the submitted bat report states that the buildings on site have a very low potential for use by roosting bats and that there will not be further bat surveys of these buildings. We recommend that you discuss with the Local Authority's Ecologist the requirements for additional bat surveys. If no further flight surveys are proposed we recommend that justification for this is provided to the Local Authority's Ecologist.

In an update to their original comments and following the submission of some further information with regard to bats - NRW state, we agree with the recommendations from the Local Authority's Ecologist and clarify that we would be unable to issue a European Protected Species licence (EPSL) on the basis of the information available at this time. We also confirm that on the basis of the information submitted, we are unable to assess the potential impact of the works on bats and therefore we are unable to determine that there would be no detriment to the maintenance of favourable conservation status of bats.

Public Health and Protection – no objection subject to conditions on the demolition of existing dwellings, contaminated land, noise from construction works, dust, waste and lighting.

South Wales Police – no objection and advice is given on 'Secured by Design'.

Transportation Section – no objection subject to conditions requiring details of the access design and engineering details, a Traffic Regulation Order to provide a controlled pedestrian crossing at Cwmdare Road, full engineering design and details of internal layout, off street parking to be in line with the Council's Supplementary Planning Guidance, surface water run-off not to discharge on to the public highway, a construction method statement and Travel Plan.

Wales & West Utilities – pipes are located within the locality of the site. Should the application be approved the developer must contact them to discuss their

requirements. Advisory notes for the protection of their apparatus are also provided. No construction works would be allowed over or enclosing their apparatus.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The site is mainly on brownfield land within the settlement boundary of the principal town of Aberdare. Part of the site is outside the (non-flexible) settlement boundary on land allocated for expansion of the college and in a coal resources protection area.

Policy CS1 - emphasises building strong, sustainable communities in the Northern Strategy Area, to be achieved partly by promoting development in principal towns (1) and partly by promoting re-use of previously developed land (3).

Policy CS4 - defines housing land requirements.

Policy CS5 - requires provision of affordable housing.

Policy AW1 - supports new housing inside the settlement boundaries and allocated sites.

Policy AW2 - promotes development in sustainable locations.

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

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

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

Policy AW7 - covers the protection and enhancement of the built environment.

Policy AW8 - sets out 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 AW14 - protects the resources of coal from sterilisation.

Policy NSA10 - seeks a minimum housing density of 30 dwellings per hectare and gives criteria for accepting lower densities.

Policy NSA11 - seeks the provision of 10% affordable housing on residential development of 10 dwellings or more.

Policy NSA12 - gives criteria for housing development within settlement boundaries.

Policy NSA28 - Land adjoining the College is allocated for education development.

Supplementary Planning Guidance:

Access Circulation and Parking

Affordable Housing

Design and Placemaking

Nature Conservation

Planning Obligations

National Guidance

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), Chapter 8 (Transport), Chapter 9 (Housing), Chapter 12 (Infrastructure and Services) and 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 18: Transport;
- PPW Technical Advice Note 23: Economic Development
- Manual for Streets

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main issues:

Principle of the proposed development

The college site is detailed as no longer being required due to the relocation of the campus to the Robertstown site. It is considered the site is sustainably located in a principal town and has good non-car connections to nearby employment areas and Aberdare town centre facilities.

The Design and Access Statement (section 3.6) measures the net developable area, i.e. the brownfield land, within the settlement boundary, at 2.9 hectares and proposes "a range of up to 110 dwellings" to meet the requirements of Policy NSA10 (30 dwellings per hectare). A minimum of 87 dwellings would however be needed to comply with policy, so it is considered a condition to this effect would be appropriate.

The use of the greenfield site for open space purposes would not adversely affect coal resources (Policy AW14).

Therefore, the principle of residential development is acceptable subject to other material planning considerations, which are assessed below:

Access and highway safety

A Transport Assessment has been submitted on the basis of 110 residential units.

In summary this details all dwellings would have 2 car parking spaces. It details the level of vehicular trips associated with the current development proposal constitutes a significant reduction when compared to the existing college use. And that the site masterplan includes measures to encourage walking, cycling and public transport use to the site and facilities are integrated with existing local infrastructure.

No objection has been raised by the Transportation Section subject to conditions requiring full design details of the access and including new bus stops and a controlled pedestrian crossing between the site access and junction of Cwmdare Road with Cemetery Road to the proposed access, a Traffic Regulation Order in respect of the controlled pedestrian crossing, full details of internal road layout, off-street parking to be in compliance with Rhondda Cynon Taf's Supplementary Planning Guidance on Delivering Design and Placemaking: Access, Circulation & Parking Requirements, surface water not to discharge onto the public highway, a Construction Method Statement and the provision of a Travel Plan to occupiers of the dwellings.

Taking into account the above assessment the development would result in no significant detriment to highway safety.

Ecology and trees

A bat survey has been carried out which has detailed evidence of bats within the buildings to be demolished and that a European Protected Species License (EPSL) would be required. The Council's Ecologist considers that the issue has not been fully explored and that further emergence survey work would be required. Natural Resources Wales (NRW) have clarified they agree with the Council's position and that they would not currently be able to issue an EPSL based on the information submitted so far.

Members will note this type of survey work cannot be carried out until May 2017 at the earliest. If this further survey work clarifies the protected species (bat) situation, it is considered, subject to suitable mitigation and protection measures, this would be acceptable. However, this conclusion needs to be qualified by confirmation from Natural Resources Wales (NRW) that sufficient bat survey work has been completed and the issue sufficiently resolved in relation to a future EPSL submission.

However, Members should note if NRW are not satisfied, there could potentially be an ecological objection to the application. If this situation arises, the application would be reported back to Development Control Committee for Members determination.

The marshy grassland area to the north of the campus is considered to be of significant local biodiversity value and will be partially lost as a result of the development. It is considered this area in conjunction with land further to the north (outside of the site area) has some supporting role for nearby designated habitat areas.

Tir Mawr a Dderi-hir Site of Special Scientific Interest (SSSI) in Llwydcoed is located within 500m of the site and Blaencynon Special Area of Conservation is located within 4km of the site. An Environmental Impact Assessment (EIA) screening

opinion (Reference 16/5060/35) was undertaken prior to the application being submitted, and it was concluded an EIA was not required with regard the impact of the proposed development on these areas.

To off-set loss of marshy grassland, the remaining area of marshy grassland which is retained should be enhanced as part of a Habitat Compensation area. Details of this can be controlled through a section 106 agreement. Therefore, the loss of the area of marshy grassland is not considered to warrant a refusal reason, however it is recommended that measures are included within the proposed development to ensure no net loss of biodiversity. It is therefore recommended that the additional areas of marshy grassland to the north of the site are retained as a habitat compensation area and managed suitably. The applicant has agreed to this and this can be controlled by a Section 106 legal agreement.

A tree assessment has identified trees to be directly lost to development and those which are proposed to be retained. Subject to details of site levels and layout there is potential to retain much of the boundary tree and hedgerow landscaping of the current site. However, the final tree impact will not be known until detailed site design is known. A condition related to the securing of that information is recommended.

In summing up this issue, whilst there are some constraints and impacts on ecology and protected species it is considered following acceptable further bat survey work the impacts would be acceptable subject to suitable mitigation and protection that can be controlled through the planning permission.

Impact on the character and appearance of the area

The indicative masterplan identifies that the proposed development would retain the strong character features of the site, which includes the landscaped southern and eastern road boundaries and open countryside to the rear of the site. The western boundary with the school would also be improved with planting. In the wider context housing on the site would not detract from the surrounding settlement pattern and views of the site.

It is noted the greenfield area to the north is currently allocated in the Local Development Plan for an extension of the college, albeit this is not now required. Whilst this could have been developed more extensively than is being proposed, the provision of managed play/open space would not significantly detract from its character.

It is considered it would therefore be appropriate to require a condition that the development is carried out in accordance with the submitted masterplan.

Taking into account the above assessment, it is considered the development would not result in a significant detrimental visual impact on the character of the site and the area as a whole.

Impact on residential amenity and privacy

The submitted masterplan is considered would provide a development that would not have an adverse impact on the impact of nearby residents. It is therefore considered acceptable in these terms.

Historic and Heritage issues

Aberdare Park Historic Park and Garden is located approximately 550m to the south of the site and has grade II* listed status. A gatepost (relating to the former railway line) is located in close proximity to the site (on Cemetery Road) and Trecynon village has a number of listed buildings which adds to its character. A heritage desk-based assessment has been submitted and identifies that no designated heritage assets are located within the site and that there would be no impact upon the significance of any heritage assets within the wider area.

Whilst the heritage based assessment details there are no designated assets on the site, comments received from the Glamorgan Gwent Archaeological Trust (GGAT) indicate there could be underground heritage assets from former ironstone extraction and foundations. As such the recommend a condition requiring an archaeological watching brief is placed on any permission.

Impact from former coal mining works

A Geotechnical desk study has been submitted and the Coal Authority concurs with the recommendations of the Geotechnical Desk Study (November 2016, prepared by Arup); that coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site. Details of this can be obtained by a suitably worded condition.

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:

Public Health

Whilst the comments raised by the Public Health and Protection Section are appreciated, it is considered hours of construction works, dust, waste and lighting matters can be more efficiently controlled by other legislation. An appropriate note can be added to any permission concerning these issues if permission were to be granted.

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.

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:

1. Affordable housing units calculated as 10% of the total number of units proposed in a reserved matters application.
2. Education contribution for primary school places based on the calculation in the Supplementary Planning Guidance.
3. A Habitat Compensation Area and Management Plan.
4. Public Open Space Management (POS) to include the POS and any other public realm areas.
5. Local Equipped Area of Play (LEAP).
6. Employment and Skills Plan.

Conclusion

The application, subject to further bat survey work and acceptance by Natural Resources Wales, would comply with the relevant policies of the Local Development Plan in respect of the principle of development, the impact on highway safety, ecology and trees, the impact on the character and appearance of the area, impact on residential amenity, the impact on heritage and the impact from former coal mining works (Policies AW2, AW5, AW6, AW7, AW8, AW10, NSA10, NSA11 and NSA12).

RECOMMENDATION: That planning permission would be granted following further bat survey work being undertaken and no objection being raised by Natural Resources Wales and the Service Director Planning being authorised to make any changes necessary to the conditions to reflect their comments. Planning permission would be subject to the Section 106 agreement identified in the report.

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 no P01 Issue P1 – Site Location plan and documents received by the Local Planning Authority on 22nd November 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 reserved matters application should be for a minimum of 87 dwellings.

Reason: To ensure a suitable density of development is proposed in accordance with Policy NSA10 of the Rhondda Cynon Taf Local Development Plan.

4. The reserved matters shall be in accordance with the Indicative Masterplan submitted with the application.

Reason: In the interest 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 the applicant, or their agents or successors in title, has secured agreement for a written scheme of historic environment mitigation which has been submitted by the applicant and approved by the local planning Authority. Thereafter, the programme of work will be fully carried out in accordance with the requirements and standards of the written scheme.

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

6. No development shall take place, including any works of site clearance, until a Construction Method Statement has been submitted and approved in writing by the Local Planning Authority to provide for:
- a) the means of access into the site for all construction traffic,
 - b) the parking of vehicles of site operatives and visitors,
 - c) the management of vehicular and pedestrian traffic,
 - d) loading and unloading of plant and materials,
 - e) storage of plant and materials used in constructing the development,
 - f) wheel cleansing facilities,
 - g) the sheeting of lorries leaving the site.

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

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

7. No development shall take place until a Species and Habitat Protection Plan for Construction has been submitted and approved in writing by the local planning authority. The plan shall include:
- a) An appropriate scale plan showing 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 and species could be harmed
 - d) Details of specific species and habitat mitigation measures for key species including bats, birds, amphibians and reptiles,
 - e) Details of wildlife sensitive lighting proposals
 - f) Details of water pollution control measures
 - g) An agreed scheme of progress reporting to the Council during the construction programme.

Persons responsible for:

- i) Compliance with legal consents relating to nature conservation;
- ii) Compliance with planning conditions relating to nature conservation (Ecological Clerk of Works);
- iii) Installation of physical protection measures and management during construction;

- iv) Implementation of sensitive working practices during construction;
- v) Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction;
- vi) Specific species and Habitat Mitigation measures
- vii) Provision of training and information about the importance of the '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.

8. No development shall take place until details of a Landscape Mitigation Plan (to include the Public Open Space) has been submitted to and approved in writing by the local planning authority.

The Landscape Mitigation Plan shall include details of:

- i) Purpose, aim and objectives of the scheme;
- ii) A review of the plans ecological potential and constraints (ensuring integration with ecological and tree recommendations);
- iii) Details of the landscaping schemes, including:
 - a) species composition,
 - b) source of material (all native planting to be of certified British provenance and no wildflower rich seeds to be used),
 - c) techniques and methods of vegetation establishment (natural restoration),
 - d) method statements for site preparation and establishment of target habitat features;
 - e) extent and location of proposed works;
 - f) invasive plant control
 - g) aftercare and long term management;
 - h) personnel responsible for the work;
 - i) timing of the works;
 - j) monitoring;
 - k) disposal of waste arising from the works;

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

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

9. No development shall take place until details of the Arboricultural Impact

Assessment (AIA) and Tree Protection Plan (TPP), and an Arboricultural Method Statement has 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 protect the existing trees on the site during the course of building work in the interests of amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

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

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

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

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

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

12. No development shall take place (other than demolition) until drainage arrangements have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the drainage works have been completed in accordance with the approved 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.

13. Notwithstanding the approved plans, development shall not commence (other than demolition) until full engineering design and details of the access to be constructed from Cwmdare Road, bus stops and controlled pedestrian crossing (Puffin) to be provided between the site access and junction of Cwmdare Road with Cemetery Road, including longitudinal and cross sections, street lighting details, surface water drainage, diversion or protection to services within the proposed new access road, including construction details and Road Safety Audit have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to beneficial occupation of any dwelling hereby approved.

Reason: To facilitate safe access and egress from the proposed development in the interests of highway safety in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

14. No works whatsoever shall commence on site (other than demolition) until a Traffic Regulation Order / Notice (TRO/ Notice) in respect of the controlled pedestrian crossing at Cwmdare Road has been completed to the satisfaction of the Local Planning Authority 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.

15. Notwithstanding the submitted plans, development shall not commence (other than demolition) until full engineering design and details of the internal road layout, street lighting and surface-water drainage, highway structures and traffic calming measures, including longitudinal sections and construction 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.

16. No dwelling, hereby permitted, shall be occupied until the measures approved in the scheme (referred to in Condition 11) have been implemented and a suitable validation report of the proposed scheme has been submitted to and approved in writing by the Local Planning Authority

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

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

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

18. Any topsoil [natural or manufactured], or subsoil, to be imported shall be assessed by a competent person for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority (LPA) in advance of its importation. Subject to approval of the scheme of investigation, sampling of the material received at the development site to verify that the imported soil is free from contamination shall be undertaken by a competent person in accordance with a scheme and timescale to be agreed in writing by the LPA. Only material approved by the Local Planning Authority shall be imported.

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.

19. Off-street parking provision shall be in compliance with RCT's Supplementary Planning Guidance on Delivering Design and Placemaking: Access, Circulation & Parking Requirements (March 2011).

Reason: To ensure that adequate parking facilities are provided within the curtilage of the site, in the interests of highway safety in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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

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

21. 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.

22. 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.

23. The Developer shall provide the occupier of each dwelling with a Travel Plan / Welcome Pack which should contain the following:-
- a) Bus/Train Service providers, their contact details, frequency of service, timetable, bus stops/train stations, current ticket costs and financial incentives to encourage use of public transport;
 - b) Park and Ride/Park and Share facilities and associated costs and restrictions on use of such facilities;
 - c) Pedestrian links to public transport services, to local facilities, areas of employment, education and leisure;
 - d) Local and national cycle routes; and
 - e) Any other measures that would encourage use of sustainable modes of travel.

Reason: To ensure reduction of road traffic and promotion of sustainable modes of travel in accordance with the relevant National and Local Planning Policies in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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APPLICATION NO:	17/0013/08	(DJB)
APPLICANT:	Rhondda Cynon Taf CBC	
DEVELOPMENT:	Approval of the reserved matters (details of the layout, scale and appearance of the building(s), the means of access thereto and the landscaping) for the new primary school element of the overall site development (outline planning permission ref: 16/0062)	
LOCATION:	TONYREFAIL COMPREHENSIVE SCHOOL, GILFACH ROAD, TONYREFAIL, PORTH, CF39 8HG	
DATE REGISTERED:	19/01/2017	
ELECTORAL DIVISION:	Tonyrefail West	

RECOMMENDATION: Approve

REASONS: The principle of the proposed development has been established by the grant of outline planning permission under the umbrella of 'hybrid' application 16/0062.

In terms of the reserved matters details for which approval is sought they are considered to be acceptable and allowing the application would represent the next step in delivering a key element of the new wider state of the art educational facilities, under the 21st Century Schools Programme, on the whole Tonyrefail school site.

REASON APPLICATION REPORTED TO COMMITTEE

The application is submitted on behalf of the Council and involves land owned by the Council, where the nature of the Council's interest is more than a minor nature

APPLICATION DETAILS

This submission is not an application seeking planning permission, but a submission of reserved matter details pursuant to the granting of outline planning permission for a new nursery/infant/junior school at Tonyrefail. The reserved matters details submitted cover matters of access, appearance, landscaping, scale and layout.

Outline planning permission for the proposed nursery/infant/junior school formed part of the 'hybrid' (part full and part outline) planning application (16/0062) which was approved on 29 April 2016. Conditions 29 to 48 as imposed on that decision notice relate to the outline planning permission.

The proposal is being brought forward under the Welsh Government's 21st Century Schools programme and it is proposed to redevelop the existing school site in order to provide a new 3 – 19 all through school facility. The Council has recognised the need to provide new and upgraded teaching facilities to replace the existing buildings at the Tonyrefail Comprehensive School site, which are becoming unsuitable and nearing their end of life. As part of the redevelopment of the whole school site the opportunity is also being taken to consolidate onto the site 6th forms from neighbouring schools and re-locate Tonyrefail Primary School into a new purpose built nursery/infant/junior school facility (this last element being the focus of the current submission).

The proposed nursery/infant/junior school is to be provided on land to the western end of the whole, wider school site. A secure site, within the overall larger site will be created for the nursery/infant/junior school. As well as the school building itself the development would include surrounding areas of hard and soft play, drop-off access/provision, outdoor teaching/classroom areas, a MUGA, landscaping and forest/nature areas.

SITE APPRAISAL

The site has an area of 1.9ha (within the overall whole, wider school area of approximately 11.3 hectares) and occupies an area of un-used playing fields/sports pitches at the western end of the site. The northern boundary of the site is set back within the site, although the main school boundary fronts onto Gilfach Road. Existing residential properties stand on the northern side of Gilfach Road opposite the school for the length of its northern frontage. The western extent of the school boundary runs adjacent to the north/south aligned track/footpath known as 'Gangers Lane' from which pedestrian access can be gained into the relatively newly built Worcester Court residential development (by Llanmoor Homes) on the site of the former Padfield Court Industrial Estate. The southern extent boundary of the school site is defined by metal palisade security fencing that stands adjacent to the footpath/cycleway that runs east/west from Gangers Lane across to the Nant Eirin in Ty'n y Bryn (at a point between nos. 73 and 74 Nant Eirin).

The whole, wider school site has significant level changes across both north to south (north to south the fall across the site is in the order of 12m) and east to west. The original school building occupies the elevated eastern end of the site, which levels falling towards the south and west, ie towards the proposed site of the new nursery/infant/junior school.

PLANNING HISTORY

Previous planning applications submitted at the site:

16/0062	Hybrid planning application (seeking part full planning permission and part outline planning permission). The element of the application seeking full planning permission consists of: demolition of existing main school buildings, proposed new school buildings, refurbishment of the original school building (listed building), provision of hardcourt multi use games area (MUGA), remodelled external hard and soft areas of play and associated external works for the provision of parking/pedestrian and vehicular access/boundary treatment/landscaping/drainage. The element of the application seeking outline planning permission consists of: a new nursery/infant/junior school, sports hall and 3G sports pitch (Amended description).	Approved subject to conditions – 29/04/16
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Other planning applications submitted within the whole, wider school site are as follows:

16/0591	Location of temporary classrooms (required during site redevelopment)	Approved 14/09/16
16/0119	Works to demolish single-storey rear annexes and internal refurbishment of the listed building. New glazed links through existing apertures, to new school block at rear of existing listed building (Listed Building Consent – application submitted in conjunction with application 16/0062)	Granted 27/05/16
12/0110	Removal and rebuilding of two chimney stacks on the original front elevation using retained and new materials (Listed Building Consent).	Granted 07/11/12
09/0295	Erection of flagpole to display Eco Schools Green Flag award.	Permission 25/03/09
09/0167	Erection of a flagpole.	Permission 27/04/09
04/0468	Construction of a full sized all weather synthetic sports pitch with perimeter security fencing and artificial flood lighting.	Permission 27/04/04
03/1827	Demolition of existing science block and link and construction of new block.	Withdrawn 15/01/04
03/1826	Demolition of existing science block and link and construction of new single storey science block.	Permission 15/01/04
99/2928	Construction of 3m wide cycle way and metal palisade security fencing to school site boundary.	Permission 11/02/00
95/0718	Replacement of fire damaged classrooms (obs. request from Mid Glamorgan CC).	Raise no Objection 13/12/95
95/0552	Siting of two mobile classrooms to provide temporary accommodation following fire (obs. Request from Mid Glamorgan CC).	Raise no Objection 13/12/95
94/0803	Infill between existing buildings to provide additional teaching space (obs. Request from Mid Glamorgan CC).	Raise no Objection 14/12/94

PUBLICITY

The application has been advertised by means of the posting of site notices and by direct neighbour notification letter.

At the time of preparing this report the following responses had been received:

1no. email/letter raising objections to the application (two copies, one sent 10/02/17 and the other sent 12/02/17, of the same email) have been received from the occupier of a property on Gilfach Road. (It is noted the objector also raised objections to the planning application submission 16/0062).

The objections raised therein are summarised as follows:

- With the location of the new access opposite our property we will be affected by the new development more than most others, possibly the most affected;
- I would have to tolerate looking out onto a new school from my home, which was far from the situation when we purchased our house;
- Increase in noise levels and loss of privacy (from traffic and people);
- A devaluation in our property value;
- Adverse impact on quality of life.

(note: concerns have also been raised on the grounds of a loss of view and de-valuation of property value. However, as Members will be aware these are not material planning concerns which can be afforded any weight, in the consideration of the application).

1no. letter in which the authors **neither express support or raise objection** to the application. They do however, like assurance that the proposed landscaping will include maintenance to the existing trees bordering the school and Gilfach Road and that there will sufficient budget in future years to maintain/improve this area.

CONSULTATION

Transportation Section – raise **no objections** subject to the imposition of conditions.

Public Health & Protection – no comments made.

Flood Risk Management – raise **no objections**, subject to a condition.

Countryside Section (Ecology/Landscape) – confirm **no objections** to the proposed details.

Natural Resources Wales – confirm **no objections** to the proposals.

Welsh Water – raise **no objection** subject to the imposition of a condition (requiring the agreement of a point of connection to the public sewerage system and following any improvements to that system as identified by a hydraulic modelling assessment) and advisory/informative notes.

The Coal Authority – has **no objection** to the proposed development.

Wales & West Utilities (Gas) – no comments made.

Western Power Distribution (Electricity) – no comments made.

South Wales Police (Designing Out Crime Officer) – confirm that the new nursery/infant/junior school was given the Secured by Design reference B/3738/16.

Sport Wales – no comments made.

Tonyrefail Community Council – no comments made.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan (LDP)

The LDP identifies Tonyrefail as a Key Settlement within the Southern Strategy Area.

The whole, wider school site lies partially within and partially outside defined settlement limits. The area the subject of this reserved matters submission sits outside the defined settlement boundary.

Policy CS2 – confirms that in respect of development in the Southern Strategy Area the emphasis will be on sustainable growth that benefits the County Borough as a whole. Key criteria that will be considered in seeking to achieve this aim are identified.

Policy AW5 - identifies design criteria (under the headings of Amenity and Accessibility) for new development.

Policy AW6 - supports development that promotes high quality design which makes a positive contribution to place making.

Policy AW7 - seeks to protect and enhance the built environment.

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

(Part of the site falls within close proximity to SINC AW8.167 – Gilfach Road Wetlands).

Policy AW10 – confirms that development will not be permitted where it would cause or result in an unacceptable risk of harm to health and/or local amenity (identified issues include air pollution, light pollution, noise pollution, water pollution, contamination, landfill gas, land instability and flooding or any other identified risk to the environment, local amenity and public health or safety).

Policy AW14 – identifies those areas of the County Borough where mineral resources will be safeguarded.

(Part of the site lies within the areas identified under AW14.2 which seeks to protect areas of Sandstone resource).

Policy SSA4 - identifies criteria for new development in the key settlement of Tonyrefail.

Policy SSA22 – Green Wedges have been identified in order to prevent coalescence between and within settlements.

(The application site falls within Green Wedge SSA23.3 – Land between Parc Eirin (Tonyrefail) and Ty'n y Bryn/Gelli Seren (Tonyrefail)).

Supplementary Planning Guidance

Rhondda Cynon Taf LDP SPG – Design and Placemaking (March 2011)

Rhondda Cynon Taf LDP SPG – Delivering Design and Placemaking: Access, Circulation & Parking Requirements (March 2011)

Rhondda Cynon Taf LDP SPG – Nature Conservation (March 2011)

National Guidance

Planning Policy Wales (Edition 9, November 2016)

Chapter 4 of PPW sets out Welsh Government policy in respect of Planning for Sustainability.

Section 4.8 identifies how the urban form can be managed by the use of green belt and green wedge designations should promote a sustainable settlement strategy and reflect the goals of the Wales Spatial Plan.

Section 4.11 sets out the policies relating to planning for sustainability through good design. Meeting the objectives of good design should be the aim of all those involved in the development process and applied to all development proposals, at all scales, from the construction or alteration of individual buildings to larger development proposals.

Section 4.12 requires that planning consideration be given to the need to construct sustainable buildings and promote climate responsive developments.

Chapter 7 of PPW sets out Welsh Government objectives in respect of economic development.

Para. 7.6.1 confirms that local planning authorities should adopt a positive and constructive approach to applications for economic development. (for planning purposes the Welsh Government defines economic development as development of land and buildings for activities that generate wealth, jobs and incomes. Economic land uses include the traditional employment land uses (offices, research and development, industry and warehousing), as well as uses such as retail, tourism, and public services).

Chapter 8 of PPW sets out Welsh Government objectives in respect to transport.

Section 8.7 sets out the approach to be taken in respect of development management and transport.

Chapter 11 sets out Welsh Government policy in respect of tourism, sport and recreation.

Chapter 12 sets out Welsh Government policy in respect of infrastructure and services.

Section 12.4 (Development Management and Water) makes it clear that the adequacy of water supply and the sewage infrastructure are material in considering planning applications. Development proposals in sewered areas must connect to the

main sewer and it will be necessary for developers to demonstrate to local planning authorities that their proposal site can connect to the nearest main sewer.

Chapter 13 sets out Welsh Government policy in respect of Minimising and Managing Environmental Risks and Pollution.

Sections 13.7 and 13.9 deal with development management and the approach to geo-technical issues of contaminated land and unstable land.

Section 13.15 (Development Management and Noise and Lighting) confirms that noise can be a material consideration. Local authorities can attach conditions to planning permissions for new developments that include the design and operation of lighting systems and prevent light pollution.

Planning Policy Wales Technical Advice Notes (TANs)

TAN 5: Nature Conservation and Planning (2009)

TAN 11: Noise (1997)

TAN 12: Design (2016)

TAN 15: Development & Flood Risk (2004)

TAN 16: Sport, Recreation and Open Space (2009)

TAN 18: Transportation (2007)

Government Circulars

Welsh Government Circular 016/2014: The use of Planning Conditions for Development Management

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.

PLANNING CONSIDERATIONS

Main Issues

As the site has been the subject the grant of outline planning permission under planning application 16/0062, it is considered that the principle of a new

nursery/infant/junior school on the site is well established. The application for the approval of reserved matters on this site does not offer the opportunity to revisit that particular issue. The key consideration in the determination of this application is therefore is the acceptability or otherwise of the submitted details in planning terms.

The Proposed Development.

The new nursery/infant/junior school building

The proposed new building (which will accommodate a re-located Tonyrefail Primary School, which is currently located in the Martin Crescent, Tonyrefail) will be of a size to accommodate 360no. pupils.

The building itself is a roughly an 'T' shape, with a maximum dimension of 62m in width and 65m in depth/length. The whole school is single storey, in that there is only ground floor accommodation provided. For its majority the roof (the 'lower roof') over the building is approximately 5m in height. However, there is a higher element of pitched roof (the 'upper roof'), up to 7.8m over the main school hall, at the front of the building, which extends back as a central spine above the school's main central circulation and library spaces.

Within the building the new accommodation will provide:

- 5no. junior teaching rooms
- 5no. infant teaching rooms (one of which will double as a room for community use)
- 1no. nursery teaching room
- 1no. reception teaching room
- Main school hall
- Cloakroom and WC facilities
- Teaching and non-teaching storage
- Headmaster/admin/office rooms
- Kitchen/catering
- Staff room
- Heart space/library
- Plantroom

The external elevations of the school building will utilise a pallet of different materials including facing brickwork, coloured render, metal and copper cladding. The roof will be covered in an embossed aluminium system. Glazing within the building will be set within an aluminium framing system.

To the sides and rear of the school will be areas of hard and soft play for both Key Stage 1 (KS1) and Key Stage 2 (KS2) children. In addition there are specific features which are incorporated within the arrangement, which include:

- A planted grove
- Adventure/nature play area, with stepping boulders, logs and low earth mounds
- Wildlife garden
- Garden allotments with raised timber beds, greenhouse and composting area

- Dedicated Forest School area
- Stepped seating area with covering canopy

The front of the building will face to the north and will be set back from the northern/Gilfach Road boundary by 77m. As one would expect the main entrance into the school will be set centrally within this front elevation. 3no. cycle storage shelters are provided to the front of the building.

To the front of the building will be a vehicular dropping off area, with the provision of 2no. disabled parking bays set adjacent to the looped access.

To the eastern side separate gated external entrances are provided for KS1 and KS2 children. To the front adjacent to the western site boundary runs a service access road and turning area, together with a small detached building for refuse and recycling storage.

To the rear of the school a new 3 court multi-use games area (MUGA) will be provided. This will have dimensions (including the surrounding apron around the outside of the catchball fencing) of 72m x 46m.

The whole of the area to the rear of the school will be enclosed with a 2.4m high weldmesh security fence system.

It is considered that the design and choice of external finishing materials for the new school building will compliment the external appearance of the new secondary school building, through the use of similar materials and detailing to ensure a visually coherent overall development across the site. Accordingly, it is considered that the proposed details are compliant with policies AW5 and AW6 of the Local Development Plan.

Landscaping

The scheme incorporates elements of both hard and soft landscaping.

Following consultation the Council's Countryside Section initially advised that revisions were required to the landscaping details as submitted. It was considered that changes were needed to the planting scheme as originally proposed for the reason that as the site is very close to the adjacent Rhos Tonyrefail SSSI the development needs to avoid introducing planting material to the site which might colonise the SSSI. Further it was considered that the proposed mix of tree and shrub planting needed to better reflect the existing species and natural woodland present at the site. Consequently, it was advised that only Welsh origin hazel should be planted to create a small hazel coppice, into which native trees will readily seed from the existing trees. Further, such a scheme will comprise a much easier planting arrangement to maintain and won't introduce non-native species into the adjacent woodland/grassland areas.

In respect of hedgerow planting the scheme includes Welsh origin Hazel hedgerow planting, together with beech, hawthorn and holly species.

The ecology report submitted as part of the hybrid application 16/0062 for the whole school site correctly identified that wildflower seed should not be used, and concentrated on grassland management. The local wildflower seed bank is very strong, and given the proximity of the Rhos Tonyrefail SSSI, the scheme should not use wildflower seed. The Countryside Section advised that a standard bent/fescue grass mix be used, which if hay cut management can be employed (with arising removed) will diversify and become wildflower rich from the local seed bank.

Following receipt of the above advice/suggestions the proposed landscaping scheme was appropriately revised to incorporate all the suggestions made. Accordingly, the Council's Countryside Section have confirmed that they are now happy with the proposals. They do however, point out that as with any new planting scheme it will be important to ensure that an appropriate programme of maintenance/management is adopted following the handover of the scheme to Education.

Access

The new 'T' junction access to Gilfach Road to the front of the school was approved under the full planning permission element of application 16/0062 and therefore is already agreed. This new access junction incorporates 12m junction radii and a 7.3m wide access with 3m footway to serve pedestrians and cyclists. Drop kerbs and tactile paving are to be provided to facilitate pedestrian movement to and from the school and along Gilfach Road.

To the immediate front of the school is a looped/circular road which will act as a drop-off facility. This includes two dedicated disabled parking bays.

Parking for the overall site was considered and approved as a full element of application 16/0062. The new main staff and visitor car park provides 173no. spaces, including 8no. disabled spaces which are provided immediately to front (west) of the entrance area leading to the new secondary school building, to the east in the central area of the whole, wider school site.

Safe pedestrian routes to school have been previously assessed by the Transportation Section as part of application 16/0062 and mitigation measures including the provision of un-controlled pedestrian crossings are proposed to mitigate any adverse impact on highway and pedestrian safety and the free flow of traffic.

Other Issues

Interests of Ecology/Biodiversity were fully considered under application 16/0062, which was accompanied by a full Ecological Assessment Report. It is acknowledged that there are ecological designations at local SINC (Site of Interest for Nature Conservation) and national SSSI (Site of Special Scientific Interest) within close proximity of the site.

The Rhos Tonyrefail SSSI is designated for the presence of Marsh Fritillary butterfly and includes fields containing Devil's-bit scabious, the plant food for the species. The nearest of these fields lies approximately 100m to the south west of the school

site. The Gilfach Road Wetlands SINC (AW8.167) borders the southern boundary of the site. The SINC comprises mostly of marshy grassland along the Nant Eirin.

The identified ecological issues identified previously have been addressed through conditions imposed on application 16/0062 and have been given due and proper consideration in the formulation and assessment of the reserved matters (particularly the proposed landscaping details) hereby submitted.

Issues of drainage and flooding were also dealt with under application 16/0062 and appropriate conditions were imposed to secure necessary works of mitigation and/or improvement.

In respect of geotechnical issues a comprehensive Geo-Environmental Report was submitted with application 16/0062. That report document considered issues of geology, hydrogeology, hydrology, past coal mining, radon and potential contamination in respect of the whole, wider school site.

As at the hybrid application (16/0062) stage The Coal Authority, NRW and the Council's Public Health & Protection Division have again been consulted and no adverse comments have been received in respect of the submitted reserved matters. Appropriate conditions were imposed at the outline stage.

As was noted during the consideration of application 16/0062 for the whole, wider school site the western and southern areas of the existing school site, on which it is proposed to build the new nursery/infant/junior school, lie outside the defined settlement boundary and within a Green Wedge designation (SSA22.3). It is acknowledged, therefore the outline application in this respect conflicted at 'face value' with the policies of the LDP. However, it was considered that given the existing educational use of the site and the fact that, with the exception of the nursery/infant/junior school building, in the main these areas of the site will be used for sports pitches (the existing all weather pitch already lies in this area) a 3 court MUGA and playing fields the impact on the open nature of the countryside will not be so significant as to raise an objection on this point.

Now that the details of the appearance, scale and layout of the building are known, together with the access and landscaping it reaffirms the view that the new single storey nursery/infant/junior school building will benefit from a good level of screening from the existing and additional planting along the western site boundary and the northern site boundary (albeit some of this will be removed to facilitate the new access junction) and this will reduce the prominence of the building in the wider landscape.

The Green Wedge designation (SSA22.3) in this case seeks to prevent the coalescence of Parc Eirin and Ty'n y Bryn/Gelli Seren. It is not considered that the proposed development will lead to any significant increased perception of coalescence at this point and it therefore no objection in raised in respect of this issue.

It is recognised that the development will require an extent of enabling earthworks (excavations and top soil strip) and it is anticipated that the first phase earthworks

will take some 18 weeks (the first phase will involve those parts of the site on which it is proposed to build the new secondary school building and the nursery/infant/junior school, together with the works to construct the new permanent 'In' school access junction to Gilfach Road, at the western end of the site).

Issues of noise, dust, hours of operation, use of artificial lighting and are covered under an appropriate condition imposed on the outline permission (16/0062).

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

Conclusions

The redevelopment of the whole, wider school site represents a significant development and investment for the Council which will bring state of the art school facilities to Tonyrefail and the provision of the new nursery/infant/junior school is an integral element to this provision.

No objections have been raised to any of the submitted reserved matter details by any statutory consultees and with the control of the conditions imposed at the outline planning permission (16/0062) stage it is considered that the development will incorporate itself well within the local environment without detriment to existing interests.

The application is considered to comply with the relevant policies of the Council's LDP, albeit partial non-compliance in respect of the settlement boundary and Green Wedge conflict was acknowledged prior to the granting of outline planning permission (16/0062). It is considered that the proposal represents a key element to a wider exciting development that will bring positive benefits to Tonyrefail and the wider area and the application is accordingly presented with a positive recommendation.

RECOMMENDATION: Grant

1. The development shall be carried out in accordance with the following approved plans and documents:
 - Site Location Plan Primary School (Drawing no. PL-SL02), dated 19/01/17.
 - Ground Floor Plan (Drawing no. 010301 rev 10), dated 30/11/16
 - Outline Roof Plan – Primary School (Drawing no. 010302 rev 4), dated 30/11/16

- Outline Elevations – Primary School (Drawing no. 020301 rev 6), dated 30/11/16
- General Sections (Drawing no. 030301), dated 30/11/16
- General Arrangement: Landscape (Drawing no. 60776/GA/L/001 rev 3), dated 21/02/17

Reason: To ensure that the development is carried out in accordance with the approved submitted plans/details.

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

20 APRIL 2017

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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