



PLANNING & DEVELOPMENT COMMITTEE

8 NOVEMBER 2018

REPORT OF THE SERVICE DIRECTOR, PLANNING

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 18/0982 – VARIATION OF CONDITION 1 OF APPLICATION 17/1071 TO EXTEND THE CURRENT TEMPORARY PERMISSION FOR THE PORTACABINS TO REMAIN FOR A FURTHER 24 MONTHS WITH EFFECT FROM 23 OCTOBER 2018 ON LAND AT CARDIFF ROAD SURGERY, CARDIFF ROAD, MOUNTAIN ASH, CF45 4EY

1. PURPOSE OF THE REPORT

Members are asked to determine the above planning application.

2. RECOMMENDATION

That Members consider the proposals and my report thereon and determine the application having regard to the advice given.

3. BACKGROUND

The application was originally reported to the Planning and Development Committee meeting of 18 October 2018 and a copy of the report presented to Members at that meeting is attached as **APPENDIX A**.

At the previous meeting Members resolved to defer consideration of the application as it was considered greater clarity was needed from the Health Board in respect of demonstrating progress in the delivery of the new primary healthcare facility for Mountain Ash before full and proper consideration could be given to the application.

The current application is the third application which seeks to secure an extended period for the retention of the 12no. portacabin type units since temporary planning permission was initially granted on 23 October 2015.

Since the last meeting of this Committee officers have met with representatives of Cwm Taf UHB who have subsequently submitted a letter, together with a public engagement action plan and a project delivery timeline for the new primary healthcare facility for Mountain

Ash. A copy of this letter, action plan and timeline are attached as **APPENDIX B**.

The submitted 'Actions and Timeline' (attached as part of **APPENDIX B**) indicates that a planning application for the new primary healthcare facility will be submitted to the Council in February/March 2019, with an anticipated start date on site (subject to planning permission being granted) in September 2019. Completion of the new facility is anticipated in the third quarter of 2020. The submitted letter (also part of **APPENDIX B**) further confirms that the funding for the scheme, as approved by Welsh Government, is dependent on the completion of the new facility by the end of March 2021.

The recommendation to grant the current application and allow the 12 portacabin type units to remain at the Cardiff Road Surgery site for a further 24 months, up until 23 October 2020, would result in the consent expiring after the completion of the new facility (according to the projected delivery timeline) and accordingly that should mean that there would be no need for any further application seeking yet another period of extended retention. If however, the project delivery timeline slipped beyond 23 October 2020 then a further application to retain the units at the Cardiff Road Surgery would be required.

After consideration of the further supporting information provided by the Health Board if Members are minded to grant the application for a further 24 month extended period it is recommended that the two conditions, as set out in the original report (attached at **APPENDIX A**) are imposed.

PLANNING & DEVELOPMENT COMMITTEE

18 OCTOBER 2018

REPORT OF THE SERVICE DIRECTOR, PLANNING

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 18/0982/15 (DJB)
APPLICANT: Cynon Vale Medical Practice
DEVELOPMENT: Variation of condition 1 of application 17/1071/15 to extend the current temporary permission for the portacabins to remain for a further 24 months with effect from 23 October 2018.
LOCATION: **CARDIFF ROAD SURGERY, 8 CARDIFF ROAD, MOUNTAIN ASH, CF45 4EY**
DATE REGISTERED: 24/08/2018
ELECTORAL DIVISION: Mountain Ash East

RECOMMENDATION: Approve (Temporary for a further 24 months)

The site lies within a mixed use area of Mountain Ash, with both residential and commercial uses in proximity of the application site. It is not considered that the retention of the block of portacabin type modular structures for an extended period of 24 months beyond the period currently permitted will so detrimental to the site, neighbouring occupiers and surrounding locality as to justify not granting the application.

REASON APPLICATION REPORTED TO COMMITTEE:

In determining the initial application (15/0667) Committee requested that any subsequent applications seeking an extended period in which to retain the units be brought back to Committee for Members consideration.

APPLICATION DETAILS

Permission is sought to vary the time period stipulated in Condition 1 of planning permission 17/10761, which will expire on 23 October 2018, to enable retention of the units for a further 24 months (i.e. until 23 October 2020).

The initial planning application 15/0667 was submitted by the Cynon Valley Medical Practice in May 2015 for the provision of 12no. portacabin type modular units to the

rear of the Cynon Vale Medical Practice surgery building to replace 2no. modular units which were at that time on the site.

Cwm Taf University Health Board have previously confirmed their support for the continued retention of the units, whilst a scheme is progressed for a new facility for the provision of primary health care facilities in Mountain Ash.

In addition the current application submission includes a letter/Statement (dated 24 August 2018) from Cwm Taf University Health Board in which they confirm that since receiving funding approval from Welsh Government to progress with the development of the new integrated Primary Health Care Centre for Mountain Ash they have begun the process of progressing the development in line with the timescale set by Welsh Government. Attached to that letter is a Community Engagement Action Plan within which Cwm Taf UHB have set down target dates for that programme.

SITE APPRAISAL

Cynon Vale Medical Practice is accommodated within Cardiff Road Surgery, 8 Cardiff Road, a former residential detached property, of a relatively modest size, which stands on the southwestern side of Cardiff Road, approximately 50m down from the junction with Ffrwd Crescent. The surgery building fronts directly onto the back of the pavement running across the front. Between the rear boundary and the River Cynon (a distance of some 15m) is a strip of somewhat overgrown grassed ground, the riverside footpath and the river bank.

The south eastern side boundary between the surgery site and the Council's (Old Cardiff Road) car park and part of the rear boundary is defined by a block work wall approximately 1.35m in height.

A gap wide enough to provide room for a vehicle to drive between lies between the surgery building and the former Nazareth Church to the north west. Planning permission (05/0499) was granted in 2005 for the change of use of the attic space of Nazareth Church into residential living accommodation (an earlier application (03/1022) had secured planning permission to change the use from a church to a weights and fitness gym).

On the opposite side of Cardiff Road lies 7 Cardiff Road, which stands between the two motor vehicle commercial uses of Mountain Ash Motors (to the south east and accessed from the New Road side frontage) and Cardiff Road Garage, who provide car servicing/repairs/exhaust fitting/MOT testing etc..(to the north west).

There are double yellow line parking restrictions on Cardiff Road, however these only extend approximately 10m back from the junction with Ffrwd Crescent. Accordingly, there are no parking restrictions outside any of the properties (the surgery/former Nazareth Church/7 Cardiff Road/ Cardiff Road Garage/Mountain Ash Motors) in Cardiff Road.

The land to the rear (from the rear elevation backwards towards the river) and to the south eastern (car park side) of the surgery building is within the ownership of the

Council. The applicant has served the appropriate notice on the Council and submitted the correct Certificate 'B' ownership certificate.

PLANNING HISTORY

17/1071	Variation of Condition 1 of application 16/1019/10 to extend the temporary period (for an additional 24 months). (<i>NOTE: Whilst permission was sought for a further 24 months permission was only granted for an additional 12 months, i.e. until 23 October 2018</i>).	Approved 22/11/17
16/1019	Variation of Condition 1 of application 15/0667/10 - to extend the temporary period (maximum 1 year as at 23rd October 2015) for an additional 12 months with effect from 23rd October 2016.	Approved 10/11/16
15/1476	Application for a non-material amendment (NMA) to previously approved application 15/0667 to reduce the overall width of the block of portacabin type modular units from 9.15m to 7.5m and to provide external fire escape staircase on the car park side elevation of the units rather than the rear.	Approved 04/12/15
15/0667	Remove existing 2 no. ground floor level portacabin units at the rear of the surgery building and replace them with 12 no. portacabins (6 no. at ground floor and 6 no. above).	Approved – Temporary permission for 12 months only, granted 23 October 2016
05/0152	Temporary siting of modular buildings at rear of existing building giving two consulting rooms, one treatment room and disabled WC.	Cond. Perm. 14/04/05

PUBLICITY

The application has been advertised by means of site notices erected in the vicinity of the site and individual neighbour letters. No responses have been received.

CONSULTATION

None undertaken as no change in circumstances from previous applications. When considering the previous application (16/1019) no objections were received from Transportation, RCT Flood Risk Management or Natural Resources Wales.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan (LDP)

The LDP Proposals Map identifies the site as lying inside defined settlement limits.

Policy AW2 – development will generally be supported in sustainable locations within settlement boundaries (or in the Northern Strategy Area in accordance with policy AW12)

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

Policy AW6 – supports development that promotes high quality design and placemaking.

National Guidance (Planning Policy Wales – 9th Edition, November 2016)

Section 4.2 sets out Welsh Government's aim to ensure that planning decisions have regard to the need to take account of sustainable principles.

Section 4.11 seeks to promote sustainability through good design.

Section 8.1 requires that development is accessible by means of a range of modes and not just the private car.

TAN12: Design (2016)

TAN18: Transport (2007)

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

The initial application (15/0667) was granted at the 15 October 2015 meeting when Members resolved to grant the application, albeit not for the 3 year period sought but for a maximum of 12 months.

Application 16/1019 was considered at the 20 October 2016 meeting of Development Control Committee when Members resolved to grant the application to retain the accommodation for a further 12 month period.

Application 17/1071 was considered at the 16 November 2017 meeting of Development Control Committee when Members resolved to grant the application to retain the accommodation for a further period. However, whilst the application sought retention for a further period of 24 months, Committee only agreed a further period of 12 months, i.e. until 23 October 2018.

It is considered that the main issue in the assessment of this application is whether or not the continued presence of the block of 12no. modular units on the site for a further period of 24 months would cause any significant harm in planning terms.

When Members considered the original application it was noted that the site lies within the defined settlement boundary of Mountain Ash, within a mixed use area where both residential and commercial uses are present.

The units are arranged with 6no. at ground floor level and 6no. above at first floor level forming a single flat roofed block, which provides accommodation for patient WC facilities, store rooms, two doctor's consulting rooms, GP room, treatment room, staff WC facilities, practice manager's office, two medical records storage rooms, store room and two administrative rooms.

Policies AW5 and AW6 of the Local Development Plan both require new development to be of a scale, form and design that respects the context of the setting and would not adversely impact on the character and appearance of the surrounding area. Permission is sought on a temporary basis (for a further 24 month period) and therefore visual impacts will be for a limited period only. Also, it is recognised that the Practice is making full operational use of the additional floorspace the units provide. On balance therefore, it is not considered appropriate to raise an objection to the application on the basis of policies AW5 and AW6.

Having regard to policy AW5 of the Local Development Plan it remains the view that the proposed units would not impact on the residential amenity of the occupiers of the former Church to such a significant extent that would justify a reason to refuse permission to retain the units for a further 24 month period.

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

It is recognised that this current application represents the third time, since the granting of the initial permission, that the Practice has sought to extend the period for which the units can be retained. Further, it is acknowledged that the proposed development is not without its deficiencies, with regard to its size, form and functional appearance and limited provision for off-street parking and these issues were fully considered when Members discussed the merits of the original application in 2015. However, it is not considered that the retention of the accommodation for a further period of 24 months will result in any further adverse impacts and accordingly the application is recommended for approval (for a maximum of 24 months, ie until 23 October 2020).

RECOMMENDATION: GRANT SUBJECT TO THE BELOW CONDITIONS: (

1. The permission hereby granted is for a temporary period (maximum of 24 months up until 23 October 2020) only and the 12no. portacabin type modular units (and associated fire escape staircase) hereby approved shall be wholly removed from the site no later than by 23 October 2020. The site shall be restored, within a timescale and to a condition both to be agreed, in writing by the Local Planning Authority prior to the removal of the 12no. portacabin type modular units from the site.

Reason: It is not considered that the proposed development would be acceptable were it to be permanent having regard to policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

2. The development hereby approved shall be carried out in accordance within the following approved plans/drawings:

- OS Base red line application site plan(dated received 22/06/15)
- Existing Building and portacabin plan/elevation.
- Car parking for 3 cars.
- Elevations Plan (marked GTX Containex 19.10.2015-3602858).
- Site layout Plan (marked Revised Drawing for 8 Cardiff Road, Mountain Ash-15/0667).

Reason: In order to define the extent by the permission hereby granted and in order to ensure that the development is carried out in accordance with the approved plans.



Bwrdd Iechyd Prifysgol
Cwm Taf
University Health Board

Your Ref/eich cyf:

Our Ref/ein cyf:

Date/dyddiad:

Tel/ffôn:

Fax/FFacs:

Email/ebost:

Dept/adran:

Mtn Ash

26 October 2018

01443 744921

Alan.lawrie@wales.nhs.uk

Primary, Community, Children Services and
Mental Health

Jim Bailey
Development Services Manager (Applications)
Regeneration, Planning & Housing Division
Tŷ Sardis House
Heol Sardis Road
Pontypridd
CF37 1DU

Dear Jim,

Re Planning Application for Renewal of Porta Cabin Units at Cardiff Road Surgery, Mountain Ash.

Following the Planning Committee's request for further information in respect of the above please find attached the Engagement plan and Project timeline showing the key milestones.

The Project Timeline includes the proposed dates for the planning application submission and the project completion date. The project is on track to meet both the proposed engagement and project timelines. The contractors are due to start on site September 2019 and completion is forecast for the end of December 2020. We intend to hold a public meeting on either the 4th or 5th December where we will have initial design plans on show and this will provide an opportunity for the community to ask questions to the Health Board representatives and Developer.

The funding for this scheme has been approved by Welsh Government and is dependent on the completion of the new facility by the end of March 2021. This provides a 3 month buffer period in the event there are any unintended delays. The project teams and professional advisors are all working tirelessly to ensure the project timeline stays on track and monthly reporting is provided to Welsh Government and no issues/concerns have been reported back to date.

Return Address: Cwm Taf University Health Board, Headquarters, Navigation Park, Abercynon, CF45 4SN

Chair / Cadeirydd; Professor Marcus Longley

Chief Executive / Prif Weithredydd: Mrs A Williams

I trust this information will provide the Planning Committee with the assurance they are seeking to support the submitted application. A representative from the Health Board together with the Developer from Apollo will attend the next Planning Committee in order to provide a supporting statement of the progressing being made and to answer any questions if appropriate.

Yours Sincerely,

Alan Lawrie
Director of Primary, Community, Mental Health and Children Services

Return Address: Cwm Taf University Health Board, Headquarters, Navigation Park, Abercynon, CF45 4SN

Chair / Cadeirydd; Professor Marcus Longley

Chief Executive / Prif Weithredydd: Mrs A Williams

Cwm Taf University Health Board is the operational name of the Cwm Taf University Health Board/Bwrdd Iechyd Prifysgol Cwm Taf yw enw gweithredol Bwrdd Iechyd Prifysgol Cwm Taf

MOUNTAIN ASH PRIMARY AND COMMUNITY FACILITY

PUBLIC ENGAGEMENT ACTION PLAN

Proposed Action	Narrative	Comments	By Whom	By When	Date Completed	RAG
Meeting with Local Community Groups Community Health Council	Cynon Valley Public Forum	Presentation of proposals for the new Primary Care Centre by Craige Wilson, Assistant Director Primary Care, Children and Community. Update to be provided at the next forum. Co-opted members of the Steering Group	CW CW/ SB HW	15/08/18 28/11/18	COMPLETED 15/08/18	G
Meet with Councillors	To discuss the plans prior to the application for planning committee	Councillors invited but not available to attend meeting. Written briefing prepared and sent to members instead and an offer to discuss if there are queries .	SB/HW	September 2018	PARTIALLY COMPLETE	G
Open Event to be organised	Public Open Event	Venue: TBC Date: 4/5 December Awaiting confirmation of venue. Seeking availability of Mtn Ash Rugby Club instead. Mtn Ash Bowls Club not available due to relocation of community day centre.	SB/HW/ RJ/ Primary Care Team	December 2018	PARTIALLY COMPLETE	A
Information for public	Preparation of outline drawings of new building and site plans by Architect Review of plans Publicity posters to be prepared for display in the community locations Posters to be sent for Welsh translation	ADET meeting taking place on the 9 th November. Designs dependent on outcome of ADET	Apollo/ Architect/ HW	4/5 December 2018	PARTIALLY COMPLETE	A

	<p>To be available at the Public Open Event Indicative plans of new building to be available. Developer attending to answer queries arising from the build process Libraries Pharmacies Opticians Community Hub Mtn Ash Rugby Club</p> <p>Press Release</p>	<p>Local paper press release/Facebook notice providing details of date and time of event</p>	<p>SB/ HW</p>	<p>As and when key milestones reached through to end stage build</p>		
<p>Informing Local Politicians</p>	<p>Meetings with: Local Councillors and AMs</p>	<p>Preliminary meeting to outline proposals</p> <p>Invitation to attend the Public Open Event</p>	<p>CW/SB/HW</p>	<p>September 18</p> <p>December 18</p>	<p>As above</p> <p>As soon as venue is agreed invitation will be made</p>	<p>A</p>
<p>Patient Focus Group</p>	<p>Meet with patient representatives to listen to views around the services being provided and what services they would like to see delivered by the practices and MDT</p>	<p>Utilising the existing patient participation groups</p>	<p>HW/GPs</p>	<p>November 2018</p>	<p>TBC</p>	<p>A</p>
<p>Information and engagement with patients</p>	<p>FAQ leaflets to be prepared & translated into Welsh. Ahead of planned date.</p>	<p>To be available to patients in the two Surgeries and local businesses e.g. Pharmacies</p>	<p>Steering Group</p>	<p>November 2018</p>	<p>COMPLETED</p>	<p>G</p>

Questionnaires	Questionnaires prepared and distributed to Practices Collection of completed questionnaires and analysis undertaken	Questionnaires delivered to Practices by end October	HW	End Oct	COMPLETED	G
Response to CHC	Feedback from analysis of Patient Questionnaires and patient focus group To be shared with Steering Group	On target	HW	End November		G

**MOUNTAIN ASH PRIMARY CARE AND COMMUNITY FACILITY
ACTIONS AND TIMELINE (as at October 2018)**

Action	09/18	10/18	11/18	12/18	1/19	2/19	3/19	4/19	5/19	6/19	7/19	8/19	9/19	10/19-03/21	PROGRESS	RAG
1. Exchange of Land Contract between RCTLA & Apollo															Exchange of land delayed because agreed Heads of Terms was not reflected in the initial draft Contract. Contract now amended and shared again with Developer. Legal teams in discussions over restrictive covenant.	A
2. Network Rail approval for removal of restrictions															1986 Transfer Received. Developer shared initial draft plans to enable LA to see approval for the development.	A
3. WG Approval for land to be used for healthcare															Discussions taken place between Developer and LA. Confirmed that LA to complete application form and submit to WG for signing.	A
4. Flood Consequence Assessment															On target for completion in November	G
5. All Surveys (Geo complete)															Taking place at Developers own risk	G
6. Design Completion															On target ADET meeting taking place on 9 th November	G
7. Public Engagement – sharing of information leaflet and questionnaires															Information leaflets and questionnaires distributed via practices	G
8. Public Engagement – public event															On target – awaiting confirmation that Mountain Ash Rugby Club is the venue 4 th /5 th December	A
9. Rental Negotiations/agreement between District Valuer & Apollo															Anticipated November 2018	A
10. Welsh Government Approval for Cwm Taf Health Board to enter Into Head Lease agreement															Dependent on 9	
11. Agreement for Lease: legal process and signing between CTUHB & Apollo															Dependent on 9	
12. Pre-Planning Meeting with RCT Planners															To ensure robust planning application is compiled	
13. Submission of Planning Application															February submission is dependent on outcome of pre-planning	
15. Planning Approval																
16. Appoint contractors															Contractors already identified but not able to commence formal tender	

17. Contractors starting on site																	
18. Completion																	Completion anticipated end of Q3 2020. WG funding to support build must be complete by March 2021