

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2016-2017:

**DEVELOPMENT CONTROL
COMMITTEE
20 OCTOBER 2016**

**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: 16/0335 - Demolition of former public house and construction of 18 affordable apartments (Amended plans and information received 22/08/2016), Hand and Squirrel Public House, 19 Ely Valley Road, Talbot Green, Pontyclun.
2. Application No: 16/0632 - Construction of supported living facility comprising 6 no. apartments and associated support staff accommodation (Amended site location plan and elevation provided 13/07/16 and 27/07/16), land adj. to Rosswood, John Street, Hirwaun, Aberdare.
3. Application No: 16/0831 - Refurbishment and conversion of the Boot Hotel, Aberdare, including change of use of the upper floors to residential use to provide 12 units, and creation of a single ground floor retail unit, and associated internal and external alterations (including part demolition on rear elevation/out buildings).(Listed Building Consent), Boot Hotel, Victoria Square, Aberdare.
4. Application No: 16/0848 - Class B1 (Office) led mixed use development, also including floorspace for class A3 (Food and Drink), D1 (Non-Residential uses) and D2 (Leisure/Assembly) uses of up to 12,675sq.m. to be accommodated within 3 new buildings, above a basement car park and servicing area (Outline Application), former Taff Vale Shopping Centre, Taff Street, Pontypridd.

5. Application No: 16/0878 - Change of use of the upper floors to residential use to provide 12 units, and a single ground floor retail unit with associated internal and external alterations, Boot Hotel, Victoria Square, Aberdare.
6. Application No: 16/0910 - Proposed change of use of former bar / restaurant / nightclub to 6 no. self contained apartments, Apollo Building, Aber-Rhondda Road, Porth.
7. Application No: 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, Cynon Vale Medical Practice, Cardiff Road, Mountain Ash.

APPLICATIONS RECOMMENDED FOR APPROVAL

APPLICATION NO: 16/0335/10 (GD)
APPLICANT: Mr D Edwards
DEVELOPMENT: Demolition of former public house and construction of 18 affordable apartments (Amended plans and information received 22/08/2016)
LOCATION: HAND AND SQUIRREL PUBLIC HOUSE, 19 ELY VALLEY ROAD, TALBOT GREEN, PONTYCLUN, CF72 8AL
DATE REGISTERED: 22/08/2016
ELECTORAL DIVISION: Talbot Green

RECOMMENDATION: Approve, subject to S.106 Agreement.

REASONS: The principle of the proposed development is for the reasons set out below considered acceptable in terms of planning policy and in terms of the appearance and the impact of the building proposed. The proposed development will also deliver affordable housing in an area of high demand.

REASON APPLICATION REPORTED TO COMMITTEE

- The proposal is not covered by determination powers delegated to Service Director Planning;
- Three or more letters of objection have been received;

APPLICATION DETAILS

The application seeks full planning permission for the construction of 18no. flats over three floors at The Hand & Squirrel Public House. The existing building will be demolished and replaced with a building that will comprise 12 one bedroom units (three of which will be adapted to meet the needs of those with mobility impairment), and 6no. two bedroom units. The building will be a three storey construction with a flat roof and a finish that would be a single skin membrane, grey in colour. External walls will be developed from brick on the ground floor with the upper floors finished in a combination of white smooth render and cedar cladding with the sides of the projecting bays finished in fibre cement cladding boards. Fascias, coping and windows will be grey aluminium and uPVC respectively. A token amount of open space with low maintenance planting will also be provided to the front and rear of the building.

Vehicular access to the site as now will be directly from Ely Valley Road though it will be relocated slightly further north and closer to 1 Ely Valley Road, the access and running course will be finished in tarmac. The building would have pedestrian access via clearly defined pavement to the front and rear with a central internal stairwell and lift providing access to all floors. Twelve parking spaces in brick pavements would be provided in the rear courtyard area along with cycle store and bin storage facilities.

The application is accompanied by the following:

- Design and Access Statement
- Planning statement
- Bat Daytime Scoping Survey

SITE APPRAISAL

The application site is currently occupied by the disused public house and its car park. The Public house is a large 2-3 storey building typical of the kind of public house that might have been built in the 1960's with brick finishes and large windows with landlord accommodation on the top floor. There is also a large concrete construction external stairwell at the rear of the property. The car park like the public house shows signs of disrepair and is in need of work. The public house is attached to the local job centre on its southern side. The pub has a small patio/external drinking area on its Ely Valley Road frontage. The property occupies a site that sits on the boundary between the commercial and retail areas of Talbot Green and its residential areas. Land to the north east and west is occupied by residential property, mostly detached and within its own grounds, whilst to the south of the site lie shops, banks, offices, pubs and restaurants along with the local bus station

PLANNING HISTORY

None.

PUBLICITY

The application has been the subject of three rounds of public consultation by way of press notice, site notices and neighbour notification letters. The first round of consultation resulted in the submission of 58 letters of objection including the expressed concerns of the Llantrisant Community Council and the second round generated a further 31 letters of objection, the third round of consultations has

resulted in the submission of another 22 letters of objection. Where people have made no further comment following the first two rounds of consultation it has been assumed that their objections still stand. The objections and issues raised in respect of the current proposals can be summarised as follows: –

Validity of the Planning Application

- It is alleged that the application is invalid due to there being no existing survey drawings of the public house, there being no scale bar on the drawings that are submitted and the drawings as being inaccurate and misleading.
- The supporting 3D visualisations are misleading.
- The design and access statement is inadequate and there is no Transport Assessment.
- The application form is incorrect in claiming that there is no parking available on site
- No evidence is provided that the proposed development is capable of supporting a lower level of car parking on site.
- No calculations are provided supporting refuse storage capacity.
- No calculations are provided demonstrating the adequacy of cycle storage provision.

Planning Policy

- The proposal lies within a designated retail centre and is not allocated for residential development. The site should be put to retail or daytime business usage.
- The proposals do not comply with Rhondda Cynon Taf's Supplementary Planning Guidance with regard to:
 - There being no demand for housing in the area.
 - Access.
 - Refuse storage capacity has not been demonstrated.
 - Refuse enclosure.
 - Highways.
 - There being no disabled parking space despite there being 1 disabled residential unit.

The disabled (adapted) unit is not located adjacent to the parking space

- The planning policy framework of the design and access statement advises on some of the relevant policies in the case but does not demonstrate how the proposals comply with those policies.
- The scheme fails to respect the character and context of the area contrary to policy CS2(1) of the LDP.
- The redevelopment of the site would diminish the position of Talbot Green in the retail hierarchy and as a principal town. The LDP at paragraph 6.166 indicates that a developer must evidence protracted history of vacancy or lack of response to genuine effects to market the premises for the proposed use over a significant period of time and the applicants have not evidenced this
- It is questioned as to whether or not there is a need for further social housing in Talbot Green and if it is does the current proposal align with development strategy?

Design related Issues

- The height of the scheme is disproportionate and overbearing and would also be out of character with the rest of Talbot Green however well crafted or skilfully blended the design is, the building footprint is also too large.
- The massing of the scheme has an overbearing and in some cases overshadowing impact on the surrounding property, there are no other 3 storey buildings in the immediate locality other than the public house, and all others are 2 storeys which would sit immediately adjacent to the four storey unit proposed.
- The proposal is at a density that is not in keeping with that in the surrounding residential areas.
- The proximity of the western elevation to the public footpath places ground floor bedroom windows only feet away from the footpath. This raises serious issues around personal privacy for potential residents and represents a marked contrast with the wider area with residential properties set back from the road.
- A number of the proposed flats would represent single aspect development which is contrary to the National Planning Policy Framework.
- The location of the bin store immediately opposite the access is hardly good design.
- There are too many inaccuracies in the submitted drawing for the Planning Committee to be able to make an informed and accurate decision with regard to the true impact that the proposal will have on the local street scene or the amenity of neighbours.

- The design of the proposed building shows little or no respect for the locality or local vernacular.
- The proposed building being only a metre taller than the existing is in the view of some residents questionable given that it has an additional storey.
- What happens if the builders miscalculate the size of the building what options would then be available to the Council to rectify the situation?
- It is also suggested that if Members are of a mind to support the revised proposals that any consent issued should be conditioned to ensure that the building is no more than 9.225m in height as per the applicants own drawings and that this be supported by new sectional details that in the view of objectors accurately reflect this.
- The height of the building alongside the higher ground that 1-5 Maes Y Rhedyn is built on creates a canyon effect with the consequent height and proximity effect which is particularly constricting in a suburban environment.
- The proposed apartments are an incongruous imposition on the neighbourhood and do not integrate with the established housing stock.

Privacy and Amenity Issues

- There is no amenity space provided with the scheme.
- The proposal by virtue of its height creates overlooking of neighbours private spaces and habitable rooms to a much higher degree than was previously the case.
- The proposals if allowed would result in a loss of daylight to established residential properties.
- The development phase will result in increased levels of pollution through noise and dust to local residents.
- Loss of view.
- A two storey structure would provide a more balanced profile and be less intrusive than a three storey building.

Access Highway and Car Parking

- The access to the public house also serves the rear service road for the adjacent commercial properties and its obstruction would result in problems for refuse collectors and the possibility of rubbish not being collected.
- The provision of only 12 parking spaces is wholly inadequate and will place great pressure on the very limited parking on Ely Valley Road. Potentially this proposal could generate a requirement for a maximum 49 spaces and to

provide only 12 spaces is gross under provision that has not been justified by the developer.

- The under provision of parking for the proposed development is not justified by the examples of other developments undertaken by the housing association as these areas are not under the same pressures as Talbot Green particularly in terms of demand for on street parking.
- The cycle store is not shown to be secure and there is no indication that it is large enough to provide the 6 secure spaces that this development would demand.
- Access to the site is restricted as it stands given the nature of the road the mini roundabout and highway restrictions. Additionally heavy goods vehicles could not access the proposed development. The development would result in massive disruption to existing residents in its development and in its day to day running.
- The transport statement is inconsistent in claiming on the one hand that if the pub were being built now it would require 117 spaces whilst at the same time offering only 12 spaces for permanent residents on the basis that car ownership would be lower and they would seek alternative means.

Other Issues

- No separate recycling facilities have been provided.
- No renewable energy systems are being provided.
- There is a bin store on the plans but no facilities for recycling so where will this be stored?
- The bin store appears undersized and if it is to be unenclosed this will inevitably lead to littering.
- The retaining wall on the northern boundary with 1 Ely Valley Road is nearing collapse and this will impact on the development by either narrowing the potential access, the pavement or forcing the redesign of the building.
- The application is ambiguous in that the drawings imply flats yet section 18 of the application form implies there will be no flats.
- The application does not address the loss of employment.
- The application does not address the loss of a social facility.
- The lack of public consultation in respect of the current proposals.
- The potential for the proposed development to generate a reduction in local property values.
- The manner in which the application has been made misrepresents the actual proposal which is a housing association complex. It is also asked whether the proposals would be privately owned like the block at Clos Springfield.

- Concern is expressed that any potential resident should be vetted to ensure that the development does not create problems for the many elderly people who live in the locality.
- The application takes a disingenuous approach and is patronising to potential future residents in asserting that they would not aspire toward car ownership and would walk, cycle or make use of public transport.
- The proposals if allowed would exacerbate the existing public nuisance issue associated with the footpath/right of way at the rear of the property that leads to Danygraig Crescent.
- There is no need for further affordable housing provision in the area.
- The proposal does nothing to improve the quality of life of existing residents.
- The capacity of the sewerage system to cope with the proposed development is questioned.
- Claims made in respect of the marketing of the property made by Richard D Thomas cannot be regarded as impartial as that individual has a vested interest in the property.
- The site could be put to better use particularly through the provision of more parking space to serve Talbot Green.
- Having housing association accommodation in an area that is predominantly privately owned detached and semi detached family homes would be completely out of character.
- The development will adversely affect residents whilst out in the locality using local services due to the increase in numbers.
- The use of the premises as a pub could be made to work with better management than previously and with good sound insulation being fitted.
- As many residents pay £2,200 or more per year in annual Council Tax they expect the ambience of the area to be respected.
- It would be better to locate these flats in areas where people who need this accommodation already live.
- Cramming 22 apartments on to this small site is likely to induce claustrophobia to the occupants adversely affecting their mental health.
- Fears for the safety of existing residents particularly those with a limited ability to communicate.
- It is also suggested that if Members are minded to support the current proposal that any consent be subject to a Section 106 agreement requiring that bins are brought to the kerb on the morning of each refuse collection and returned to the bin store at the end of the same day.

CONSULTATION

Transportation – raise no objections to the proposed development subject to conditions.

RCT Flood Risk Management – raise no objection to the proposed development subject to conditions and indicate that there has been one recorded incident of flooding in the car park of the public house.

Public Health & Protection – raise no objections subject to conditions.

Housing Strategy - Talbot Green is a very high housing need area, and together with Llantrisant, there is a shortfall of smaller units for social rent (especially 1 beds, and 2 beds). Three of the flats will also be fully adapted to help meet the housing need of a physically disabled household. This scheme has thus been designed to meet the housing need identified within our Local Evidence Base. It also features within the Social Housing Grant Programme and represents a rare opportunity to develop much needed smaller social rented units in a highly sustainable location.

Natural Resources Wales - raise no objections to the proposed development.

Dwr Cymru/Welsh Water – raise no objections to the proposed development subject to conditions.

Western Power Distribution – no response received.

Wales & West Utilities – raise no objections to the proposed development and advise in respect of the location of their apparatus in the vicinity of the site and on safe working practices to be adopted when working in close proximity to it.

South Wales Fire & Rescue Service – no response received.

Countryside Section – advise that the bat report submitted in support of the application represents a sound assessment of the situation and that the conclusions drawn are reasonable. There are no records of statutory protected species from the immediate vicinity of the site.

Waste Services – indicate that the dimensions of the access road are acceptable and while refuse vehicles would have to reverse into the site but this would not be considered unreasonable or particularly difficult. The only other concern is that tarmac of a suitable grade to cope with refuse vehicles be laid within the site as that of a lesser grade would deteriorate over time and would eventually result in residents having to bring their bins and bags to the highway for collection.

South Wales Police – raise no objections to the proposed development and advise in detail in respect of ensuring site security for residents and visitors through the application of secured by design and welsh housing quality standards being incorporated into any development to be approved.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

Policy CS2 - sets out criteria for achieving sustainable growth including, promoting and enhancing transport infrastructure services.

Policy CS4 – Sets the requirement for the provision of new housing within the local development plan lifespan and in accordance with policy AW1.

Policy CS5 – sets a target for the provision of affordable housing across the lifespan of the local development plan

Policy AW1 – sets out the means by which new housing will be delivered through the development plan

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

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

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

Policy AW11 – sets criteria for the consideration of proposals for alternative uses for retail premises within defined retail areas

Policy SSA3 – sets criteria for the consideration of residential and commercial proposals in the principal town of Llantrisant/Talbot Green.

Policy SSA11 – requires a housing density of 35 dwellings per hectare in the southern strategy area unless mitigating circumstances dictate otherwise.

Policy SSA12 – requires the provision of 20% affordable housing on sites of 5 units or more.

Policy SSA13 – permits residential development within settlement limits subject to specific criteria.

Policy SSA16 – places Llantrisant/Talbot Green at the top of the retail hierarchy along with Pontypridd in the southern strategy area.

Supplementary Planning Guidance

1 Design & Placemaking

3 Design in Town Centres

- 5 Affordable Housing
- 7 Planning Obligations
- 8 Access Circulation & Parking
- 10 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.

Chapter 2 (Development Plans),
Chapter 3 (Making and Enforcing Planning Decisions),
Chapter 4 (Planning for Sustainability),
Chapter 7 (Economic Development),
Chapter 8 (Transport),
Chapter 9 (Housing),
Chapter 10 (Planning for Retail and Town Centres),
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 4: Retailing and Town Centres;
PPW Technical Advice Note 12: Design;
PPW Technical Advice Note 18: Transport;
PPW Technical Advice Note 21: Waste;
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:

In this case the principal determining issues are planning policy and the housing land supply issue, the design of the proposed development and its impact on the amenity of the area and highway related issues.

Principle of the proposed development

The first issue to address in the determination of this planning application is the principle of the proposed development and its acceptability, or otherwise, in planning policy terms, along with the situation with regard to current housing land supply and the demand for affordable housing. Members should though also note that the planning policy position also influences the consideration of the building design and its impact on the amenity of existing properties and the highway related aspects of this case and these are referred to under the relevant section headings below.

Inevitably in this case given its relative complexity policy can pull in different directions and the decision then turns on the relative weight to be afforded to those different aspects of policy.

In the adopted Local Development Plan, the premises are within the defined retail centre of Llantrisant/Talbot Green. Policy SSA16 defines this centre as a Principal Town Centre, where retail proposals that would maintain or enhance the centre's role as a principal town centre would be encouraged. Policy SSA17 promotes new and improved retail (Class A) facilities, and other uses that are appropriate within town centres, including Talbot Green. It further requires that proposed new uses provide a direct service to visiting members of the general public whilst retaining or providing a shop front which relates well to the street scene. Consequently there is a technical objection to the loss of a retail frontage within the designated town centre.

Policy AW11 controls the loss of retail units from the retail centres. This policy also requires that the retention of retail sites for retail purposes has to have been fully explored without success by way of marketing for appropriate retail purposes at reasonable market rates for a minimum of 12 months. To this end the applicants have provided some detail of a limited marketing exercise undertaken on their behalf by EJ Hales which consisted of a targeted mail shot, a targeted email shot and direct

contacts to parties known to have an active requirement in this sector in towns like Talbot Green – no interest was forthcoming. The supporting planning statement and supporting letter from RDT Chartered Surveyors claim that the premises has been closed since March 2015 which broadly accords with Council survey data indicating it appeared to be last used in April 2015. This explains the extent of marketing of the premises that has actually been undertaken and why there is no indication of estate agents boards having been placed on the premises or it being placed on company websites it also reinforces the claim that the physical layout of the wider locality having the effect of masking the premises so that no retailer would consider it a suitable location. Consequently, officers take the view that the applicants have undertaken sufficient work to satisfy this policy requirement

Additionally, it is recognised that this site is located on a cul de sac on the northern fringe of an extensive retail area where the centre of gravity of retail provision has moved southwards in recent years and arguably continues to do so, whilst a new residential development within this part of the Town Centre could itself create considerable daytime and evening pedestrian activity here; which would meet an element of the requirements of point 3 of Policy SSA17.

The premises are also within the wider settlement boundary of the principal town of Llantrisant/Talbot Green. Policy SSA3 gives criteria for residential development in Llantrisant/Talbot Green. Policy SSA13 gives criteria for housing development within settlement boundaries. These supplement the general policies AW1, AW2, AW5 and AW6. This is a highly sustainable location for housing and redevelopment for residential purposes would deliver certain regeneration related benefits if the proposal is to proceed. This indeed would be in part accordance with section 3 of policy AW11, which allows for the redevelopment of vacant premises for alternative uses if they have significant regeneration benefits. However, they would not be commercial in nature and would not deliver the employment opportunities that commercial or retail redevelopment would deliver. Whilst the proposals would satisfy the criteria of policies AW1 & AW2 in relation to land supply and the sustainability of the site the broader, nuanced requirements of the policies AW5, AW6 and SSA13 command closer examination and these are dealt with below and in context of the impacts of the proposed development.

The applicants agent has made reference to the current housing land supply situation in the County Borough standing at 2.4 years which is substantially below the required 5 years and that this is a weighty material consideration that favours releasing the site for residential redevelopment. Indeed, this figure has further reduced in this year's recent analyses of the matter. In this they are correct,

however, proposals of this kind in order to prove acceptable, need to be acceptable on balance in the context of all other planning policies and sustainably located and the fact that the County Borough does not currently have a five year supply of housing land should not be treated as a factor that overrides all other concerns, particularly as in this case the contribution to addressing the issue would be relatively modest. Where there is a clear demand though, is in the need to provide further affordable homes for local people. The 2014 – 15 Local Housing Market Assessment indicates that in group sub market area 10 which includes Talbot Green, that there is an identified net need for nearly 80 one bedroom properties for social rent and an identified need for more than 11 two bedroom dwellings for social rent. The current proposal would, if allowed, make a substantial contribution towards the alleviation of this specific under provision that is very local in its nature and that is a substantial contribution to meeting local need that weighs heavily in favour of this application in planning policy terms.

Design and the Impact on residential amenity and privacy

There has been a considerable amount of concern expressed by local residents that the current proposal represents an overdevelopment of the site that would have an unacceptable overbearing impact on the residential property round about the proposed development.

In response to this concern the applicants have taken the advice of officers and reduced the size of the initially proposed building by effectively removing the top floor and reducing the overall number of flats proposed from 22 to 18. The applicants also express the view that Planning Policy Wales requires developers to make the best use of land and that an overdevelopment of a site can only be considered to have occurred where the density of a scheme gives rise to an unacceptable detrimental impact.

The scale and design of the proposed building it is claimed has been carefully defined to provide a focal feature which terminates the vista from the south along Ely Valley Road, with the high quality design of the proposed building acting as a catalyst for the redevelopment of the remainder of the shopping centre in due course. On that basis it is contended that the building is neither out of keeping with the character of the area nor overbearing in terms of its impact on existing homes. Whilst officers would not have shared that view in respect of the initial submission they are of the view that the revisions to the proposed development are now acceptable in planning terms, though the claims made in respect of it acting as a catalyst to the redevelopment of the wider area are not supported with any evidence and are without foundation.

The applicants go on to point out that they believe the references to elevated habitable rooms and windows of habitable rooms being looked into are misplaced as

the proposed building on its upper floors would be at the same level as the established dwellings due to the difference in levels that exists between the application site and the established property round about. They also point out that the “standard separation distance” of 21m between the windows of habitable rooms and 10.5m between windows and private gardens will be exceeded in every instance. In terms of the siting of the building on the plot and its location relative to established residential properties this is correct and with the revisions to the scheme that have been made the applicants have overcome officers concerns with regard to the scale and massing of the proposals.

The proposed density is substantially higher than the surrounding residential area, between 150-180dpha depending on how it is measured, compared to typically below 20dpha in the surrounding area and below 10dpha on Ely Valley Road. In addition the building is 3 storeys in height compared to the typical surrounding character to the north of two storey buildings set in large gardens. Whilst this on the face of it might appear a stark contrast between the existing and proposed development in the residential context, Members are advised to keep in mind that the site is located in the town centre at a point where a clear transition exists between the residential and the commercial where it might be expected that densities might shift swiftly and severely.

The cross-sections provided show the neighbouring houses are set on raised land, the impression created by the proposed building is that it is larger in both height and massing than neighbours and prominent within the streetscene. It does not though dominate the street in a manner which is inappropriate in this location. It provides an appropriate transition between the two distinct but immediately adjacent areas.

The surrounding area is characterised by space around buildings and green landscaping. The siting of part of the building more-or-less contiguous to the edge of Ely Valley Road does not detract from this character as it would form a clear point of transition between two distinct areas. Whilst it might be considered desirable to set the building back from the edge of the street along the full length of the boundary so as to create sufficient space for landscaping and allow defensible space in front of ground floor windows, this of itself would not constitute sufficient reason for rejecting the current proposals.

Reducing the height of the building by one storey has resolved the key issues of height and massing that prompted the initial concern of officers. It appears that this has been accommodated without substantially changing the site layout or reducing the building footprint, though it has inevitably resulted in a reduction in the overall number of residential units to be provided.

Planning Policy Wales and TAN12 indicate that the visual appearance of a proposed development, its scale and its relationship to its surroundings are material planning considerations and that local planning authorities should not accept design which is inappropriate to its context, or fails to enhance the character, quality and function of

an area. In this case when considered in isolation the design of the building is following revision considered acceptable. Context though also has to be considered. The applicants are relying on a rather mechanical approach in their argument citing standard distances that have been historically used in planning usually for the setting out of new housing estates as proof of acceptability and in this they are able to demonstrate that conventionally accepted norms are either achieved or exceeded. The proposal will though have a clear impact in terms of the context of the area when compared with the overtly suburban nature of the residential areas to the north and east of the site. This effect though is not at all stark because of the difference in levels between the site and those residential areas and the site would remain to be visually read as part of the commercial rather than the residential areas

In dealing with the issue of amenity policy AW5 of the Local Development Plan requires that the scale, form and design of the development would have no unacceptable effect on the character and appearance of the site and surrounding area, it also requires that there would be no significant impact on the amenity of neighbouring occupiers. Clearly in this case there is an impact on the character and appearance of the area that would be brought about by the proposed development as outlined above. Furthermore, the proposed development would have a significant impact on the amenities of existing occupiers, the argument that the building would be at the same level as existing homes and would-be a sufficient distance (in the view of the applicants) from them represents only a starting point, whilst there would be some erosion of current circumstances and standards where the established homes which are characterised mostly as large detached houses set within spacious gardens, well set back from the road with consequently very high levels of privacy would be overlooked in a manner that is currently alien to them and which might in specific and certain circumstances be regarded as overbearing, it would not be the case in this instance that the amount of change brought about by the proposed development would be so great as to warrant refusal of the proposals – whilst residents might consider this a detrimental impact it is not in the view of officers so severe as to warrant a refusal of the application..

In terms of design and placemaking, Local Development Plan Policy AW6 requires amongst other things that new developments are appropriate to the local context in terms of siting, appearance, scale, height, massing, elevational treatment, materials and detailing. In this case, it was the scale and massing of the building that was the cause of initial concern both in a contextual sense and in terms of consequent impacts on adjacent properties; however the proposed changes have adequately addressed this concern. The same policy also encourages higher density residential development on sites in proximity to local amenities and public transport as is the case here and as such the design of the proposed development and its consequent impact on the established residential development roundabout is considered acceptable in planning terms

Access and highway safety

Members should first note that despite the concerns raised by local residents that the highways and transportation section have not raised any objection to the proposed development. In arriving at this conclusion highways officers have given careful consideration to the key issues that affect this proposal. Including the existing established use at the site, the transport statement submitted in support of the application along with proper consideration of the revised proposal with regard to access, parking, proximity to local amenities and cycle parking. Whilst in their conclusions concern is expressed that the proposed development could lead to indiscriminate on street parking they remain mindful of the fact that the proposal is for social housing where car ownership rates are historically lower and the presence of traffic regulation orders to the front of the site would prevent on street parking coupled with a highly sustainable location means that they have no objection to the proposal.

Whilst the above addresses the key issues in terms of the development of the site from a highway perspective it is appropriate to address the other highway related issues raised by local residents. The service road is not part of the application site and though the site may be used to access it historically there is no obligation on the developer to retain that arrangement. Whilst the examples of other social housing developments with relatively low levels of car ownership are informative they clearly have little influence in this case as it falls to be determined on its own merit. Finally any issues around the detailing of the cycle store can be adequately addressed through conditions if members are minded to support the proposal

Residents have suggested that allowing the development would exacerbate problems associated with the existing public footpath link with Danygraig Crescent. Notwithstanding that no evidence is offered to support this claim, the redevelopment of a currently redundant site with increased passive surveillance could only improve matters in the view of officers particularly as the re establishment of site boundaries would redefine what is currently a particularly haphazard route.

Other Issues:

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

With regard to the impact of the proposal on the character and appearance of the area Members have to keep in mind that a redundant building of dated appearance would be replaced with a modern building that will be lived in by local people. Consequently, given that the proposed building is now considered acceptable in design terms there will be a clear uplift in the visual appearance of the locality. The proposal also has the potential to have a positive impact on the character of the area as it would reintroduce human activity into a currently underused site. Whilst some residents have expressed some concern at the fact the development will be social housing provision in an area that is dominated by private home ownership planning

policy encourages a healthy mix of the two and this proposal would redress the balance and provide much needed social provision for local people.

From the perspective of ecology Members should note that both Natural Resources Wales or the Councils own ecologist have no objections to the proposals.

Members are advised that there is now sufficient detail in the application for it to be valid and for a decision to be made in respect of the application, there is no obligation on the part of the applicant to provide a full survey of the existing building particularly as the intent of this application is that the building would be demolished. Similarly, the presence of visualisations is not a validation requirement. Despite the concerns of objectors the supporting documentation is considered adequate and other issues raised are either not required for the purposes of validity or are issues that are better covered by condition if Members are of a mind to support the application.

Following the revisions to the proposal it is intended that three of the ground floor flats would be provided to an adaptable standard and there would be two disabled parking bays provided immediately adjacent to the car park access door and this arrangement is considered acceptable by the highways section.

The National Planning Policy Framework is applicable to England only and as such the claims made in respect of single aspect development are not applicable.

Through the application process the height of the building and its relationship to the surrounding housing has been an issue for objectors, the issue though as indicated above has been resolved through the design revisions as mentioned above and the relationship is considered acceptable. The proposal can only be dealt with on the basis of what is provided and not on the "what if " scenario as outlined above. The answer to that particular query goes to the extent of any variation and whether or not it would be prudent to consider enforcement action in such circumstances.

Objectors have raised a number of privacy and amenity related objections and these are largely dealt with above. However, with regard to the lack of amenity space this of itself is not a reason for refusing the application given the specifics of the current proposals. The loss of daylight claimed has not been supported by any empirical evidence and would ultimately be a private matter. Noise and dust generated through the course of development, as Members will be aware, forms no basis for the refusal of the planning application as these are matters that can be adequately addressed through planning conditions or through other legal mechanisms available to the Council.

Much has been made of refuse storage provision for the proposed development, or the perceived lack thereof, however this is a matter that can be adequately addressed through conditions if Members are minded to support the proposal.

The lack of renewable energy provision being built in to the development though desirable in many respects can form no basis for the refusal of the application.

Reference has been made to the current state of the retaining wall that borders the site and the fact that it is in need of repair might impact on the capacity of the applicants to deliver the proposed access arrangements. This is not so as solutions to the problem exist that would not involve further encroachment of this feature in to the application site for example it could be completely rebuilt in its current position or it could be repaired using solutions such as rock or ground bolting.

Issues relating to the loss of employment are dealt with above. The loss of the pub as a social facility has to be tempered by the fact that the very facility has been unavailable to the public for more than a year and when it was open it was clearly a source of nuisance to local residents and the area is in the view of officers better for its loss, particularly as there are a number of A3 uses in the locality that more than meet the needs of local residents in this regard.

The Council has met all of its statutory obligations with regard to the advertisement of the planning application at every revision of the proposals.

Concerns expressed with regard to the impact of the proposals on property values or for that matter the amount of Council Tax that residents of the area currently pay are not material planning considerations and can be given no weight in the decision making process. Similarly, planning cannot and does not distinguish between tenures in deciding whether or not a development is acceptable in planning terms or for that matter whether the social/private balance is a suitable mix.

Whether or not future residents would be vetted in terms of their suitability for the area or otherwise is entirely a matter for the management of the building and is not a planning issue

Residents have also indicated that the proposals would do nothing to improve the quality of life of existing residents, notwithstanding that there is no obligation on the developer to make such provision bringing the site back into beneficial use will have obvious benefits for the wider community through the removal of dereliction and the creation of a new cycle of development.. Similarly, claims that the site could be put to a better use such as car parking or that it could still function as a pub without the difficulties previously experienced are both potentially valid assertions but Members have to consider the suitability in planning terms of what is being proposed and what neighbours might prefer can have no bearing on that.

Despite the concerns of residents neither Dwr Cymru/Welsh Water nor the Council's own drainage engineers have objected to the proposed development and in the absence of any substantive evidence to the contrary this claim cannot form any basis for a refusal of the planning application.

Whilst the objectors have rightly raised the issue of a lack of amenity and recreational space associated with the current proposals, if Members are minded to approve the proposed development this would be adequately compensated for through a financial contribution to the improvement of play facilities in the area through a Section 106 agreement.

Claims made with regard to the impact of the development on the mental health of the occupants appear to have no foundation and in any event would not form a legitimate planning consideration.

Procedures for the disposal of rubbish are better dealt with through management agreements than through planning conditions

A resident has indicated that they would hold no objections to the proposals if the building were only two storeys in height and not the three storeys currently proposed. Members are reminded that decisions have to be made on the basis of what is acceptable in planning terms and not on the preferences of third parties.

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* CIL liable under the CIL Regulations 2010 (as amended).

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. The application lies within Zone 3 of Rhondda Cynon Taf's Residential Charging Zones, where there is a liability of £85/sqm for residential development (including extensions to dwellings over 100 sqm).

The CIL (including indexation) for this development is expected to be £47,359.58.

However, social housing relief may be claimed on the social housing element of the development.

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:

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

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

The Section 106 requirements in this case

In this instance the section 106 requirements in respect of the development would be:

- The provision of 20% affordable housing
- The provision of play areas and public open space financial contribution in compliance with the Council's Supplementary Planning Guidance.

Conclusion

The application is considered to comply with the relevant policies of the Local Development Plan in respect of the provision of new housing in sustainable locations within the settlement boundaries as defined by the Local Development Plan. Following revisions to the design of the proposal its impacts in terms of amenity and accessibility are considered acceptable as is the overall design of the building. Whilst there was some doubt over the extent of marketing of the site and consequent compliance with policy AW11 this has now been adequately addressed and in any event on balance, these issues are in the view of officers outweighed by the level of policy compliance that the proposals otherwise demonstrate and as such support is offered for the proposals.

RECOMMENDATION: Grant

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

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

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

- The site location plan drawing no. L540/A100 Rev A.
- The site layout drawing no. L540/A101 Rev E received 22nd August 2016.
- Floor plans drawing no L540/A102 Rev B received 22nd August 2016.
- Elevations drawing no. L540/A103 Rev C received 22nd August 2016.
- Site sections drawing no. L540/A104 Rev C received 22nd August 2016.
- Context elevation drawing no. L540/A105 Rev C received 22nd August 2016.

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

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

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

4. 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.

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

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

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;
 - Not at any time on Sundays, Bank or Public holidays, unless otherwise agreed in writing by the Local Planning Authority.

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

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

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

8. 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.

9. Before the development is brought into use the means of access together with the parking for 12 vehicles and turning facilities shall be laid out in accordance with the approved plan A101 rev E. The spaces shall be retained for the parking of vehicles thereafter unless agreed in writing with the Local Planning Authority.

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

10. Notwithstanding the submitted plans, development shall not commence until full engineering design and details of the private shared access including its tie in with Ely Valley Road together with sections and surface water drainage details have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to the first occupation of any dwelling hereby approved.

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

11. The development shall not be brought into use until space has been laid out within the site for a minimum of 6 secure cycle stands in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to development commencing. The spaces shall be retained for the parking of cycles thereafter, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To facilitate and promote sustainable modes of transport.

12. No development shall take place, including any works of site clearance, until a construction method statement has been submitted to 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 the construction of the development.
- Wheel cleansing facilities, and;
- The sheeting of lorries entering and 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 interest of safety and the free flow of traffic.

13. Prior to the commencement of development precise details of the refuse storage facility shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be fully implemented prior to the first occupation of any dwelling hereby approved.

Reason: In the interests of amenity.

14. Prior to the commencement of development precise details of the cycle storage facility shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall be fully implemented prior to the first occupation of any dwelling hereby approved.

Reason in the interests of sustainability.

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APPLICATION NO: 16/0632/10 (EL)
APPLICANT: Fairhome Property Group
DEVELOPMENT: Construction of supported living facility comprising 6 no. apartments and associated support staff accommodation (Amended site location plan and elevation provided 13/07/16 and 27/07/16).
LOCATION: LAND ADJ. TO ROSSWOOD, JOHN STREET, HIRWAUN, ABERDARE, CF44 9TQ
DATE REGISTERED: 13/07/2016
ELECTORAL DIVISION: Hirwaun

RECOMMENDATION: Approve

REASONS: The site represents a parcel of land within settlement limits. The planning history of the site establishes the principle of residential development on the land. The proposed building is acceptable in terms of its character and appearance, impact upon residential amenity and highway safety.

The use of the resulting residential units as 'supported living facilities' for individuals recovering from mental ill health is considered acceptable, particularly as this would operate alongside an established (staffed) facility also operated by the applicant.

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 a supported living facility comprising 6 no. apartments and associated support staff accommodation. The main building would be a split level construction, the footprint of which would extend to a maximum of 12.7 metres in width and 10.3 metres in depth. Being split level, the property would appear as a bungalow, fronting John Street (to the east) and a three storey property to the rear (west). The property would have a ridge roof construction with dormer windows to the front and rear roof planes. 2 no. 1 bedroom residential units would be accommodated on each floor, each with kitchen/dining/living space, a separate bedroom and bathroom. 'Staff facilities' would be accommodated on the upper floor; these would comprise a bedroom, bathroom and office/ storage area. The property would be constructed with a facing brick work finish and tiled roof.

The property would be positioned to the south of an existing building, which is of similar scale and proportions and also operates as a care facility. A parking area would be located to the rear (west) of the properties, with vehicular access off Swansea Road (to the south). Pedestrian access would be gained both from the rear parking area and from John Street.

The application is accompanied by supporting information from the applicant which confirms the residential units will provide 'supported living facilities' for individuals recovering from mental ill health. They confirm that the neighbouring building provides a similar type of care and has been operational since 2009. The current proposal seeks to provide a 'step down' facility for individuals who are moving back toward living independent lives in the community. Whilst each residential unit would be occupied independently, staff would be available at all times (24 hours a day) to offer support and assistance that would be tailored to each resident's individual needs.

SITE APPRAISAL

The application site forms part of an irregularly shaped area of land measuring approximately 1700m². The site lies between Swansea Road (to the south) and John Street (to the east). Vehicular access to the site is gained via a private drive that connects with Swansea Road, however a pedestrian access is available from John Street. There is some variation in levels across the site, the boundary with John Street being the highest point of the site. The site benefits from an earlier planning permission for the construction of a dwelling, the slab for this has been

constructed and would be utilised in the proposed scheme. Immediately to the north of the proposed building is an existing split level property. This rests within the ownership of the applicants and is currently utilised as a care facility. The neighbouring area is predominantly residential in character, although a public house and Fire Station are located in the vicinity of the site. Properties in the immediate area vary in terms of their scale and character, however those fronting John Street and John's Lane and mainly large detached dwellings.

PLANNING HISTORY

10/0485	Ty Newydd, John Street, Hirwaun	Retrospective application for building works to include changes to rear elevation, high level windows on flank wall at lower ground floor level & additional internal habitable floor space at lower ground floor level.	Granted with conditions 06/07/10
04/0451	Land adjacent to Rosswood, John Street, Hirwaun	Two detached dormer dwellings	Granted 12/05/04
03/1147	Land adjacent to Rosswood, John Street, Hirwaun	Two residential building plots (outline application)	Granted 01/10/03
01/4103	Land adjacent to Rosswood, John Street, Hirwaun	Two residential building plots (outline application)	Refused 24/07/01
76/0265	Land at John Street, Hirwaun	One detached house	Approved 21/07/76

PUBLICITY

The application was advertised by direct neighbour notification and site notices. One letter of objection and one letter of support have been received, these are summarised as follows:

Letter of objection:

- The proposal would overlook my property (Rosswood).
- The proposal would result in a loss of privacy.
- Reference is made to an 'incident' concerning a resident of 'Ty Newydd'. It is suggested that people 'of risk' should not reside at the property. It is suggested that in the above-mentioned case correct risk assessments were not undertaken and this could have resulted in harm to neighbouring residents.

- The letter is accompanied by other correspondence, including:
Details of an earlier planning application.
A letter from NHS Wales commenting on the existing care facility at Ty Newydd (dated 14th May 2010)

The letter of support states:

- They have no concerns about the development, that they live in John Street and have had no issues with regard to the current provision in place.
- They view the proposal as 'a positive sign of regeneration and inclusiveness within the community...and feel that it is important that people who have mental health issues are able to live in their own community to aid their recovery.'
- No objections are raised to the physical appearance of the building
- The development will not impact upon (me) in terms of loss of privacy.
- They comment that they do not foresee any issue with noise or disturbance on the street or immediate area as the current provision has caused none.

CONSULTATION

Transportation Section – no objections raised, conditions recommended.

Countryside, Landscape & Ecology – no objections raised.

Land Reclamation and Engineering – no objections raised condition suggested.

Wales & West Utilities – apparatus may be located in the vicinity of the site, therefore may be at risk during construction works. The applicant must contact Wales & West Utilities directly to discuss the matter further and ensure no damage to their assets.

Public Health and Protection – no objections raised.

Dwr Cymru/Welsh Water – no objections raised, however a condition is suggested which requires that the building may not be brought into beneficial use until a series of planned upgrading works to the public sewerage system have been completed.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The site is within settlement boundaries and is unallocated.

Policy CS1 - sets out criteria for achieving strong sustainable communities including, promoting residential development in locations which support the role of principal towns and settlements and provide high quality, affordable accommodation that promotes diversity in the residential market.

Policy AW1 - sets out the criteria for new housing proposals, commenting that the provision of new dwellings will be met by a number of methods, including the development of unallocated land within the defined settlement boundaries.

Policy AW2 - promotes development in sustainable locations.

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

Policy AW6 - sets out the criteria for new development in terms of design and place-making.

Policy NSA12 - sets out the criteria for development within and adjacent to settlement boundaries.

National Guidance

Planning Policy Wales 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.

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues

The application proposes the construction of a supported living facility comprising 6 no. apartments and associated support staff accommodation on a parcel of land that is located inside of the defined settlement limits and within an established residential area. As such, the key consideration in the determination of the application is whether the principle of residential development, with an element of associated care, is acceptable upon the site. In addition, it will also be necessary to consider whether the site is capable of accommodating the proposed building, associated means of access, parking and amenity space, without resulting in a detrimental impact upon both the amenity and privacy of neighbouring dwellings and the character and appearance of the area. The impact of the development upon highway safety in the vicinity of the site is a further consideration.

Principle of Development and Planning History

In the assessment of any application for residential development, the first consideration must be the location of the site in planning policy terms. In this case the plot is located inside the defined settlement limits and within an established residential area of Hirwaun.

Furthermore, consideration must be given to the planning history of the site. This reveals a history of planning approvals on the site. In 2004 planning permission was approved for the construction of two dwellings on the site. One of the approved dwellings was constructed and occupied, with the footings and associated retaining structures being built for the second. As such, it is considered that the principle of the development of the site for residential purposes has been established by its location and the approval of the earlier application on the land. However, it will still be necessary to consider the potential impacts resulting from the scheme that is currently proposed in terms of design, amenity and highway safety. These will be assessed in the following sections.

Character and Appearance

As set out above, the principle of residential development on the site has already been established by the approval of an earlier permission. It is noted that the 2004 approval relates to the construction of two detached dormer style dwellings, with one having been constructed. The current submission proposes a scheme that is very similar to that previously approved, being a split level construction, with ridge roof dormers to both roof planes and accommodation arranged over three floors. It is noted that the proposed building would occupy the same footprint as that previously approved and its general appearance would be the same. Aside from the internal layout, minor changes in visual terms relate to the removal of the integral garage, a reduction in the number of dormer windows proposed and some revisions to the pattern of fenestration. Overall, the scale, mass and general appearance of the property would be similar to both the existing neighbouring building (Ty Newydd) and the details approved by the 2004 planning permission.

The property would be orientated in order that its primary elevation addresses the highway fronting John Street. To this elevation the building would appear as a dormer bungalow, with only the upper floor being visible (due to changes in level across the site). Properties along John Street vary in terms of their scale and design, however there are a number of dormer bungalows. As such, overall, it is not considered that the development would be out of keeping with the character of the street scene or result in a harmful impact upon the character of the immediate area. Therefore, in this regard the proposal is considered to be in accordance with policy AW5 of the Local Development Plan.

Residential amenity and Occupation

The site represents a development plot located within an established residential area of Hirwaun, as such, a number of existing residential dwellings are located in the

vicinity of the application site. Therefore, it will be necessary to consider the potential impacts of the development upon the amenity of these residents.

Following the advertisement of the application, it is noted that one letter of objection has been received from a neighbouring resident. This refers to the potential impacts resulting from both the physical works and future occupation of the property.

As set out above, the property will consist of 6 no. residential units, with associated accommodation for support staff and would be managed by CMG (Care Management Group). An accompanying statement confirms that the premises will cater specifically for those who suffer from mental health and learning disabilities. Each apartment will be designed for a single occupant living on their own. It is commented that the occupant may require some motivation to participate in daily activities; however they do not require intensive support. The support provided will be to help them establish normal routines into their lives, developing or rekindling daily living skills, for example, cooking, cleaning and developing an active work and social network. Whilst the future residents would not require intensive support, care staff would be on site at all times, hence the provision of support staff accommodation. The applicants have also confirmed that future occupants will be carefully assessed to ensure they are suited to the type of support care provided and each resident would be subject to a tenancy agreement, under which they would need to ensure that they keep to law, as any citizen would.

The statement also seeks to provide a reasoning in the decision to site this facility in the proposed location. They explain that the property would be situated next to an existing facility, albeit that this facility provides slightly more intensive support to its residents. It is commented that the skills of the team that are employed at this facility are of a high standard. Established staff within the team will be able to mentor new staff to ensure they have the skills and aptitude to ensure each tenant experiences the best quality of life and achieves the best outcomes. Similarly, they explain that there is a demand for this type of facility in the area. It is noted that ensuring people do not have to move miles away from their home area aids in their recovery as being able to stay in a familiar area, helps to limit the potential anxieties associated with not being able to maintain links to families, friends, and work/leisure activities.

Overall, having assessed the proposal, it is considered that the whilst the proposal would include a degree of 'care', each unit would be occupied as a conventional residential unit and therefore the character of the property and associated amenity impacts would be comparable to that of a conventional residential dwelling. As such, it is not considered that the occupation of the building would unduly affect the levels of amenity that neighbours currently enjoy.

In terms of its physical construction, having assessed the relationship between the proposal and existing neighbouring properties, it is not considered that the scheme would result in an unacceptable impact upon either the levels of amenity or privacy that residents enjoy. The proposal would in-fill an obvious gap in the street scene,

whilst still respecting the established pattern of development. Similarly, whilst the property would be three storeys to the rear, its primary elevation, which would be visible to residents on John Street would be that of a dormer bungalow. It is also important to again note that the design, including the pattern of fenestration, is broadly comparable to that of the earlier approved scheme on the site.

Overall, it is considered that the proposal is acceptable in terms of its potential impact upon the levels of amenity and privacy enjoyed by the occupiers of existing neighbouring dwellings.

Highway Safety

In order to aid in the assessment of the scheme upon highway safety, consultation has been undertaken with the Council's Transportation Section, their assessment raises no objections to the current scheme.

Their initial assessment expressed some concern that the proposal may have the potential to increase vehicular and pedestrian movements along John Street, which has a single carriageway width for the majority of its length, with no footways. However, it is acknowledged that the means of vehicular access and car parking for the site would be via a private drive off Swansea Road and that visibility from this junction is in excess of the standard requirements.

In terms of car parking the existing and proposed care facilities would require up to a maximum of 8 off-street car parking spaces, in accordance with the Council's Supplementary Planning Guidance: Access, Circulation and Parking. The layout plan illustrates that 7 car parking spaces would be available for use between the two facilities. Given that the property is within walking distance of public transport and local facilities, the level of parking provision is considered acceptable.

Overall, their response concludes by raising no objection to the planning application, as such, the scheme is considered acceptable in highway safety terms.

Drainage

It is noted that consultation has been undertaken with Dwr Cymru as part of the application process. Their response concludes by raising no objections, however it identifies that the public sewerage system in the area is operating at capacity; therefore, no further connection will be permitted until the system has been upgraded. Whilst these works are scheduled for the current financial year, they are not due to be completed until March 2017. As such, a condition is suggested which prevents the beneficial occupation of the property until the completion of the works, that date being 1st April 2017.

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

Having taken account of all of the issues outlined above and in light of the planning history of the site, the application proposal is considered acceptable. Therefore, the proposal is recommended for approval, subject to the conditions specified.

RECOMMENDATION: Grant

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

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

2. The development hereby approved shall be carried out in accordance with the approved plan(s) no(s):

- Drawing: site location plan 1:1250
- Drawing no.F3601-001 P2 Proposed site plan
- Drawing no.F3601-002 P2 Proposed floor plans
- Drawing no.F3601-003 P3 Proposed elevations

and documents received by the Local Planning Authority on 06/06/16 and 27/07/16 unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting of that Order) no other use (other than the supported living facility under Class C3(b) hereby permitted) shall be operated from the property site without the prior express permission of the Local Planning Authority.

Reason: To define and limit the extent of the permission and to protect the amenity of those closest to the site in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

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

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

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

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

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

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

7. The building hereby approved shall not be brought into beneficial use earlier than 1st April 2017, unless the upgrading of the public sewerage system, into which the development shall drain has been completed and written confirmation of this has been issued to the Local Planning Authority by Dwr Cymru/Welsh Water.

Reason: To mitigate the existing hydraulic overloading of the public sewerage system and ensure the local community an environment are not unduly compromised.

8. Before the development is brought into use the means of access, together with parking and turning facilities, shall be laid out in accordance with the submitted plan 001 P2 and approved by the Local Planning Authority. The private shared access, parking and turning shall remain thereafter for use of both dwellings.

Reason: In the interests of highway safety, to ensure vehicles are parked off the highway.

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APPLICATION NO: 16/0831/12 (HW)
APPLICANT: Teds Developments
DEVELOPMENT: Refurbishment and conversion of the Boot Hotel, Aberdare, including change of use of the upper floors to residential use to provide 12 units, and creation of a single ground floor retail unit, and associated internal and external alterations (including part demolition on rear elevation/out buildings).(Listed Building Consent)
LOCATION: BOOT HOTEL, VICTORIA SQUARE, ABERDARE, CF44 7LB
DATE REGISTERED: 28/07/2016
ELECTORAL DIVISION: Aberdare East

RECOMMENDATION: Approve

REASONS: It is considered desirable to find a new use for this listed building to both secure its long term future and to improve the surrounding physical environment and thus contribute to the ongoing regeneration of Aberdare Town Centre.

The key considerations in achieving this are whether this proposal for the conversion of the building can be accommodated without adversely impacting on the important features of the listed building. It is considered that the impacts in this respect are acceptable, and therefore it is recommended that planning permission is granted.

REASON APPLICATION REPORTED TO COMMITTEE

This is required to be reported to the Committee as it accompanies a planning application that involves the creation of more residential units than can be considered under delegated powers (ref 16/0878/10).

APPLICATION DETAILS

Listed building consent is sought for the conversion of the ground floor of the Boot Hotel (including the existing A1 "IQ Clothing" shop) into one A1 unit, with 12 one and two bedroom flats on the two upper floors. All flats will be accessible via a separate entrance to the upper storeys on Victoria Square, and a separate access to the rear of the building is also proposed to allow access to the bin store.

The elevations are proposed to be altered at ground floor level to create a new shop front. The greatest level of alteration will be carried out to the existing A1 clothes shop on the corner of the building, to create a modern full-length glazed shop front

on this corner. Some fabric is also proposed to be removed on the front elevation to create full-length glazed windows in the location of the existing windows.

Some demolition is proposed as part of the application- the existing modern link building which forms part of the annexe at the back is proposed to be demolished and rebuilt as part of the proposal. There is also a considerable amount of internal demolition that is proposed, particularly at ground floor level to create a void for the provision of the retail unit.

As well as the plans, a Planning/Design and Access Statement, a Flood Consequences Report, Bat Survey and a Structural Report have been submitted with this application.

A corresponding planning application (16/0878/10) is also included on this agenda.

SITE APPRAISAL

The Boot Hotel is a large, 3 storey, prominent Grade II listed building at the bottom (north east end) of Victoria Square, Aberdare, and forms the corner of Victoria Square and Market Street. Apart from IQ Clothing, which currently occupies the corner of the building, the building is empty, and its last use was as a public house.

There is a rear annexe at the side of this along the north west boundary of the site, which gives the building an L-shaped footprint. Access to the rear is gained via the back lane to the north.

Adjacent to the building fronting Market Street are the Boot Chambers Buildings which accommodate smaller shops and other business premises. "Ladbrookes" is immediately behind the building, and "Bet Fred" is adjacent to the frontage on Victoria Square.

Aberdare Town Centre is also a Conservation Area, and there has been considerable investment recently in the regeneration of the town centre.

PLANNING HISTORY

14/1170/12	External works and fire escape.	Granted 06/01/15
14/0879/10 & 14/0880/12	Refurbishment, alterations and reinstatement of lost details.	Granted 18/09/14
07/0532/10 & 07/0534/12	Extension, refurbishment and subdivision.	Refused 11/06/07
06/1275/12 &	Extension, refurbishment and subdivision.	Granted

06/1276/10

22/02/08

PUBLICITY

The application has been advertised by means of site notices and a press notice due to it being an application for listed building consent, and by direct notification of neighbours by letter. No objections have been received.

CONSULTATION

Society for the Protection of Ancient Buildings - due to the era of the building, no comments to make.

The other Historic Societies have been consulted, but have not responded.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan (LDP)

Policy AW7 - Protection and Enhancement of the Built Environment

The following Supplementary Planning Guidance (SPG) is also considered relevant to this application:

Historic Built Environment

National Guidance

Planning Policy Wales - Chapter 6 (Historic Environment) is considered relevant to the determination of this application.

REASONS FOR REACHING THE RECOMMENDATION

The conversion of this building is considered desirable as it is a large listed building that has been under used for sometime, and thus its condition has deteriorated. In addition, this under use and dilapidated and derelict appearance is detrimental to the appearance to the physical environment of Aberdare Town Centre which is a Conservation Area. Considerable investment has been made in Aberdare Town Centre through various Council led regeneration schemes in recent years to improve the environment and economic performance of the town, and the reuse of this building would be a significant contribution to this. In respect of planning policy, the use of the ground floor as an A1 unit with residential use at upper floor levels is considered acceptable.

The benefits a conversion would bring need to be balanced against the impacts of the alterations to the building on its special architectural and historic qualities which have resulted in it being considered worthy of listing. The key external alterations are considered to be the demolition of the link building, the new shop front, the creation of the full length windows on the front elevations, the new roof lights to the former function hall, the new bin store access at the rear and the restoration of the exterior, including replacement natural slate roof and replacement of missing chimney stacks.

The link building is not considered to have much historic or architectural value, and therefore its demolition and rebuilding are considered to be acceptable. The creation of the two full length windows through the lowering of sills is considered to be relatively minor and it is accepted that this is required to give sufficient presence to shoppers. The proposed shop front is located where the IQ Clothing shop front currently is, and as this has already been significantly altered to accommodate a shop, this is considered acceptable.

The proposed roof lights will not be visible from the street scene, and it is accepted that they are required to allow for residential accommodation in this area of the building. The bin store and associated access and steps from first floor level are considered necessary to allow the building to function. The general restoration of the building that the conversion allows for is considered welcome, as it will considerably improve the appearance of the building from its current dilapidated state.

It is noted that the internal demolition proposed is not greater in extent than that approved by the extant listed building consent for the building, and it is therefore considered that the justifications put forward then of the condition of the building and practicality of conversion are still relevant in respect of this application. Most of the features to be demolished contribute little in the way of historic and architectural value. The only exception to this is the remaining fire breast wall, but it is accepted that this would be impractical to retain in creating a void for the retail unit.

Therefore, the conversion is considered acceptable in terms of its impact on the listed building, and it is considered particularly welcome that the proposal will allow for the improvement of its appearance through its restoration.

OTHER ISSUES

There are no further issues to be considered in the determination of this application.

Community Infrastructure Levy (CIL) Liability

The Community Infrastructure Levy (CIL) was introduced in Rhondda Cynon Taf from 31 December 2014. The application is for a type that would not be liable for a CIL payment.

CONCLUSION

The proposed development is considered welcome as it would bring the Boot Hotel back into full use, would secure a long term future for the building and would contribute to the regeneration of Aberdare Town Centre.

RECOMMENDATION: Approve subject to the following conditions, and the required consultation with Cadw prior to the issuing of the decision notice:

1. The development hereby granted consent shall be begun not later than the expiration of five years beginning with the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Area) Act 1990.

2. The development hereby approved shall be carried out in accordance with the approved plan(s) no(s) A100 rev A - A111 rev A, and documents received by the Local Planning Authority on 28th July 2016, and plans A109 rev B and A112 rev B received by the Local Planning Authority on 4th October 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 development shall be carried out in accordance with the materials specified in Plans A111 rev A and A112 rev B. In addition, and notwithstanding the submitted plans, prior to the commencement of development, the following details shall be submitted to and approved in writing by the Local Planning Authority, and development shall be carried out in accordance with the approved conditions:

a. A schedule of repair for window replacement, rainwater good, fascias and soffits;

b. Details showing the relocation of fanlights to ground floor entrance to elsewhere within this development;

c. Detailed specification of the following:

- Shopfront details
- Natural slate specification
- Replacement window specification (including glazing)
- Cleaning and repainting of exterior masonry

- Replica chimney structures
- Ridge tiles (not collared)
- Ventilation and flues (at eaves and rear not roof)
- Section and profiles of new apertures at street level
- Roof light fittings

Reason: To ensure the integrity of the listed building, in accordance with Policy AW7 of the Rhondda Cynon Taf Local Development Plan.

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APPLICATION NO: 16/0848/08 (DJB)
APPLICANT: Rhondda Cynon Taf County Borough Council
DEVELOPMENT: Class B1 (Office) led mixed use development, also including floorspace for class A3 (Food and Drink), D1 (Non-Residential uses) and D2 (Leisure/Assembly) uses of up to 12,675sq.m. to be accommodated within 3 new buildings, above a basement car park and servicing area (Outline Application).
LOCATION: FORMER TAFF VALE SHOPPING CENTRE, TAFF STREET, PONTYPRIDD
DATE REGISTERED: 29/07/2016
ELECTORAL DIVISION: Town (Pontypridd)

RECOMMENDATION: Approve

REASONS:

The former Taff Vale Precinct site currently acts as a disincentive to significant future investment in Pontypridd Town Centre. It is considered that the delivery of the redevelopment scheme proposed will not only safeguard and maximise the opportunities from existing investment, but will also act as a catalyst for future economic opportunities presented by the site and the town centre to be realised.

The proposed scheme represents an exciting and modern development and the principle of redevelopment on the former Taff Vale centre site is long established. The application proposal is considered to comply with the relevant policies of the Council's LDP and national planning policy and guidance.

No statutory consultee objections have been received.

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

Background

At the outset it may be useful for Members to understand the background to the Council's interest in the site and the rationale behind the submission in terms of its form and mix of proposed uses.

A report (from the Director of Regeneration and Planning) was presented to a meeting of Cabinet on 19 July 2016. That report explained that the developer's of the 2009 planning permission (09/0651) went into receivership in 2012, following demolition of the former Taff Vale Centre and the central core office building. The development of the site was subsequently held up by complex tenure arrangements and notwithstanding the Council actively engaging with prospective purchasers all the prospective investors failed to make any meaningful progress.

It is recognised that the site currently presents a major regeneration opportunity but in its current state acts as a disincentive to significant future investment in the town. Therefore, in March 2015 the Council, with the support of Welsh Government resources from the Vibrant and Viable Places Regeneration Framework, acquired the Receiver's long leasehold interest in the site, thereby removing a significant restriction to the future development of the site.

Given the size of the site and the potential scale and extent of any new development it has been reasonably assumed that any new development would present a mixed use development opportunity, with potential options being residential, commercial, retail and public sector use.

In January 2016 views on preferred future uses were sought from local residents and businesses via a questionnaire that was distributed throughout the town and on-line. 1,551 respondents completed the questionnaire and the main preferred uses for the site were retail and restaurants, with a selection of other uses in the middle range including public services, hotel, bars and gym, with housing and student accommodation being least supported in the consultation.

This site represents the single biggest development opportunity in Pontypridd. It needs to deliver footfall in the town to help sustain and improve the town's retail and commercial offer, whilst also contributing to the vibrancy on Pontypridd. A key message from the commercial property advisors to the Council was that a mainly retail led scheme would neither be likely to be deliverable nor viable in today's climate.

A range of purely commercial mixed use options were reviewed, but the key to certainty of delivering development of the site within a reasonable timeframe, is for any scheme to include public sector development, rather than a reliance on a changing commercial marketplace. Therefore, having considered the need to increase footfall in the town to support the existing local economy as well as acting as a catalyst for future investment, the development option that is proposed contains major office accommodation development for private and public sector occupancy together with Class A3 (food and drink) uses.

Form of the application

The planning application is made in outline with all matters reserved for future consideration and therefore the supporting visual material submitted with the application is at this stage indicative only. The outline application in essence seeks the determination of the Council, as Local Planning Authority, as to the acceptability of the principle of the proposed development (in terms of quantum of floorspace and uses) on the site.

The application seeks permission for the re-development of the former Taff Vale Shopping Centre to provide up to 12,675sq.m. of new floorspace above a basement car park and servicing area. The floorspace comprises of:

- up to 9,935sq.m. of Class B1(a) Office space
- up to 1,145sq.m. of Class D1 (Non –residential Institution) space
- up to 1,145sq.m. of Class D2 (Assembly and Leisure) space
- up to 450sq.m. of Class A3 (Food and Drink) space

(Note for Members: the B1/D1/D2/A3 classifications are defined under the Town and Country Planning (Use Classes) Order 1987 and the following lists examples of uses that could be found within the respective classes included within the proposed scheme:

- Class B1(a) – offices;
- Class D1 – clinic, health centre, crèche, day nurseries, day centres, schools, art galleries, museums, libraries, halls, places for worship;
- Class D2 – cinemas, music and concert halls, casinos, bingo halls, dance halls, swimming baths, gymnasiums;
- Class A3 – restaurants, snack bars, cafes, drinking establishments and take-aways).

The submitted plans indicate a scheme of three separate distinct buildings (A, B and C) over a 'new' a basement level (the existing unused car park/basement area beneath what was the former Taff Vale Shopping Centre is to be demolished and cleared from the site). It is considered that such an arrangement best maximises the

net space that can be provided, whilst at the same time being mindful of the constraints.

Buildings are orientated so that their widest elevations (in the cases of A and B) run across the site, east-west i.e. from Taff Street across to the River Taff. The narrower 'ends' of the buildings (in the cases of A and B) front Taff Street and the frontage to the River Taff. Building C has the essentially the same dimensions in terms of width and length but is lower and more free form in appearance.

Building A: occupies the widest, southern part of the site and addresses the frontage to Crossbrook Street, as it runs down to Gas Road car park and the Taff Street/Crossbrook Street junction. It represents a major office floorspace component of the development, with up to 5,432sq.m. of B1 office floorspace. In addition there is a modest element of Class A3 floorspace.

Building B: stands in the middle of the site and will be orientated as Building A, east-west across the site. Also, like Building A the floorspace (up to 4,190sq.m.) will accommodate B1 office use with a small element of Class A3 use.

Building C: which stands at the northern end (with fronting elevations to both Bridge Street and Taff Street) looks to incorporate the flexibility to provide for Class D1, D2, B1 and A3 uses.

Public space/circulation areas of some 14m in width are retained between Buildings A and B and also between Buildings B and C. These 'gaps' not only enable the opportunity to provide public access and circulation space around the buildings, but also open up views from Taff Street of the river and Ynysangharad Park facilitating a greater visual connection with the town centre. On the eastern river side of the buildings it is proposed to develop a publically accessible 'riverside plateau' which would afford attractive views over the river and park beyond.

Though layout and scale remain reserved matters that will be subject to future consideration should this application prove successful the applicants have provided the following maximum and minimum dimension parameters with regard to the three buildings of the proposal:

Building A

18m – 25m wide and 70m – 80m long
20m – 25m high

Building B

15m – 22m wide and 50m – 60m long
20m – 25m high

Building C

35m – 45m wide and 35m – 45m long

14m – 20m high

The following documents, in addition to the suite of plans, have also been received in support of the application:

Design & Access Statement (Gaunt Francis)
Response to Cadw Comments Brochure (Gaunt Francis)
Transport Assessment (Vectos)
Interim Employment Travel Plan (Vectos)
Desk Study Report (Earth Science Partnership)
Bat and Otter Survey Report (Soltys Brewster Ecology)
Drainage Strategy (Arup)
Flood Consequences Assessment (Arup)
Air Quality Assessment (Arup)
Planning Statement (Planning Works Ltd)

SITE APPRAISAL

The site, which has an area of approximately 0.65ha, occupies a prominent 'gateway' position at the northern end of Pontypridd Town Centre. Along its western boundary the site fronts Taff Street, for approximately 120m opposite the YMCA buildings on the corner of Crossbrook Street/Taff Street north up to the end property 37 Taff Street. The eastern boundary of the site is defined by the River Taff. To the south the boundary is defined by Crossbrook Street, with Gas Road car park beyond and to the north by Bridge Street.

Historical OS records from before 1900 confirm that a road (River Street) running from Taff Street down to the river, with residential and/or commercial development including a public house occupied the eastern and northern part of the site. It is understood that the remainder of the site was occupied by a cattle market. However, in the 1960's (by which time River Street appears to have been re-named Turnpike Road) the site was cleared to facilitate the building of the Taff Vale Shopping Centre and core 5 storey office block.

The Taff Vale Centre was demolished down to the basement car park roof level in 2011 and the site has been hoarded up and unused since that time. Across the site west to east the natural topography falls some 5m, from approximately 59.0-60.0m AOD on the western Taff Street boundary to 54.0-55.0m AOD alongside the river.

Buildings along Taff Street, in the vicinity of the site are generally 3 or 4 storey in scale with a mix of both 19th and 20th century architecture.

The site itself does not lie within a conservation area. However, it does lie in very close proximity to a number of historic designations and heritage assets.

Immediately to the north the site abuts the Pontypridd (Taff) Conservation Area; to the west and south west (on the opposite side of Taff Street) lies the Pontypridd (Town Centre) Conservation Area and to the east on the opposite side of the River Taff Ynysangharad Park is a Registered Historic park. To the north lies the grade I listed building (which is also a scheduled ancient monument (SAM - GM015)) William Edwards Old Bridge; the grade II listed Pontypridd Museum/Cultural Centre and a grade II listed red telephone box.

To the west of the site in Gelliwastad Road, but somewhat further from the site are the Municipal Buildings (Grade II* Listed) and a little further to the south west in Gelliwastad Road the Muni Arts Centre (Grade II Listed).

The River Taff is included within a SINC designation (site of interest for nature conservation).

The northern part of the site lies within the designated Pontypridd Town Centre Air Quality Management Area (AQMA), which for its greatest extent follows Morgan Street and Gelliwastad Road.

The site is within a very sustainable location within very close proximity to the town's bus station and within a short walking distance of the railway station.

PLANNING HISTORY

Previous planning applications submitted at the site:

09/0651	Redevelopment of the existing Taff Vale Shopping Centre to include retail (Classes A1, A2 and A3 uses) and a Hotel (as a phase 2) together with associated car parking, access and servicing.	Approved 12/10/09
06/1539	Mixed use development including retail, commercial, hotel, office and residential classes with associated car parking & access.	Resolution to grant, subject to a S.106 Agreement - 08/11/07 Withdrawn – 31/01/11
02/0919	Retail Led Mixed Use Scheme.	Approve, subject to a Section 106 Agreement - 09/12/04

T/01/3100	Renewal of Consent 56/97/2705.	Refused 14/06/02
97/2705	Demolition of existing buildings and construction of retail development car park, office block and improvement of existing road junctions (Outline).	Approve 05/02/99
93/0965	Additional car park	Approve 08/02/94
90/0538	Temporary Car Park	Approve 04/09/90
89/2705	Fountains Walk	(incomplete record)
89/1137	Retail development, offices and parking. Resolution to grant, subject to a Section 106	Agreement - 08/07/93, Section 106 never completed
89/0917	Retail development, refurbishing existing office block and construct leisure pool	Approve 08/02/90

In addition, a number of minor planning applications for shop fronts, signs and changes of use within the former Taff Vale Shopping Centre were received by the Council and the former TEBC since 1974.

PUBLICITY

The application has been advertised by means of a notice in the local press, the posting of 8no. site notices in the vicinity of the site and by direct neighbour notification letter.

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

Two individual letters from Pontypridd Town Councillors. Neither Town Councillor specifically indicates support for or objects to the application. However, a number of points/issues/concerns are raised within their letters and these include an acknowledgement of the efforts of RCT to consult widely in respect of the proposals; the class D1 and class B1 uses within the scheme are welcomed, although concern at the lack of retail provision within the scheme and suggests a mix of retail, office, residential and hotel uses for the site; stress the importance of parking provision; the

scheme should give focus to the River Taff Williams Edward bridge and other historic assets; and queries provision for a day centre for the elderly;

CONSULTATION

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

Confirm that the submitted Transport Assessment (TA) has been fully reviewed.

Observations consider and comment upon issues of:

- site location
- trip generation, traffic distribution and percentage impact analysis
- road safety assessment
- access
- parking provision
- road safety audit
- public transport options/provision
- travel plan
- transport implementation strategy

Public Health & Protection – comment on issues of demolition, previous land use, contamination, air quality, disposal of waste and matters of potential noise, dust and impact from artificial lighting. Subject to conditions **no objections** are raised.

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

Countryside Section (Ecologist) – **no objections** are raised. It is noted that the necessary bat and otter surveys have been undertaken and all assessment requirements have been provided. Conditions are suggested in respect of issues of the provision of bird and bat boxes, subject to the imposition of appropriate conditions to cover issues of future Habitat Management, Tree Management and Protection during construction, Landscape Mitigation, provision of bat/bird boxes, timing of works outside bird nesting season and treatment of Japanese knotweed/Himalayan balsam.

RCT Economic Development Officer - The redevelopment of the former Taff Vale Centre in Pontypridd is a key component of the regeneration of Pontypridd town centre. The delivery of this investment will provide a major boost to the town centre by developing a major site at a key gateway into the town, providing significant job opportunities for local people, new facilities and services, an increase in footfall with subsequent opportunities for increasing spend in the town centre economy. The successful delivery of the redevelopment should increase investor confidence in the Pontypridd area leading to further development opportunities resulting in a more vibrant and viable local economy.

The Taff Vale redevelopment will also help to place Pontypridd firmly as an area of opportunity for growth and employment within the Cardiff Capital Region and enable it to take advantage of major initiatives such as the City Deal and Metro.

Natural Resources Wales – have made comment on a number of issues:

- Flood Risk – confirm that part of the site lies within Zone C1, as defined by the Development Advice Map (DAM) referred to in TAN15. The submitted Flood Consequences Assessment (FCA) has been reviewed and are satisfied with the information provided in the FCA;
- Land Contamination and Pollution to the Water Environment – We have reviewed the Desk Study produced by Earth Science Partnership (EPS). The potential for contamination at the site from previous historical uses is identified, as is the fact that the site is environmentally sensitive given that it lies directly next to the River Taff;
- Ecology in respect of European Protected Species (EPS) – We have reviewed the Bat and Otter Survey Report (produced by Solstys Brewster. The position in respect of bats and otter is noted and no objection is raised in relation to EPS interests.

In addition the presence of Japanese Knotweed and Himalayan Balsam is noted at the foot of the concrete wall that forms the site boundary. If the development is likely to affect these species then we would expect appropriate measures for their management/control to be incorporated into the development proposals for the site.

It is recommended that planning permission should only be granted with the imposition of suggested conditions addressing the significant concerns raised in relation the above identified matters. Subject to the imposition of such conditions **no** objection is raised to the application.

Welsh Water – raise **no objection** subject to the imposition of two conditions (requiring the agreement of a full drainage scheme for the site and the incorporation of grease traps (given the presence of Class A3 uses) in any such system) and advisory/informative notes.

Cadw – have reviewed the information provided and raise **no objections** to the application. Whilst considering that the scheme will have an impact on the setting of the Old Pontypridd Bridge this view is mitigated by the fact that the current proposal advances a scheme which is less dominating than the previous Taff Vale Centre and previously approved schemes for the site.

It is not considered that the scheme will impact on the setting of Ynysangharad Park, but Cadw encourage the LPA to give full and proper consideration to the relationship of the scheme to the park.

The Society for the Protection of Ancient Buildings (SPAB) – no objections are raised.

Glamorgan Gwent Archaeological Trust (GGAT) – confirm that the records held by the Trust show no recorded archaeological features within the site. A review of historic OS mapping of the area depicts several buildings in the western and northern parts of the site, including a public house and a cattle market. However, the subsequent development of the shopping centre and the 5 storey office tower in the 1960's, in particular the construction of the basements, will likely have had an adverse effect on any potential archaeological remains that might have been present.

The proximity of the Old Bridge and Ynysangharad Park are noted and it is advised that Cadw should be consulted.

It is unlikely that there is any archaeological restraint to the proposed development and **no objection** is raised to the positive determination of this application.

The Garden History Society – any response will be reported orally at the meeting.

Wales & West Utilities (Gas) – have provided a plan which confirms that WWU have pipes in the area of the application site (these appear to run down beneath Taff Street and Crossbrook Street). **No objections** are raised but WWU do make it clear that their apparatus may be affected and at risk during construction works and that should planning permission be granted the promoter of the works should contact WWU directly to discuss requirements in detail before any works commence on site. Any required works will be fully chargeable.

Western Power Distribution (Electricity) – any response will be reported orally at the meeting.

South Wales Police (Designing Out Crime Officer) – The proposed layout of the scheme, with walkways between the buildings and alongside the riverbank is noted. Some concerns are raised in respect of the undercroft parking areas, which it is considered may provide opportunities for crime and anti-social behaviour.

SWP would wish to make the following recommendations:

- the need for an active management plan, with CCTV and good lighting, particularly in the undercroft areas;
- street furniture or bollards should be installed around the site to prevent unauthorised vehicles approaching directly up to the buildings or entering public pedestrian areas;
- given the site is considered to be a 'Crowded Place' the use of blast resistant glazing or anti shatter film will be required;
- all hard landscaping features should be securely fixed;

- trees and shrubs should be positioned away from buildings;

The scheme should seek to achieve Secured by Design status which will require equal weight to be given to both environmental design and physical security.

(Note: in response to the comments raised by SWP it has been clarified with the Designing Out Crime Officer that the current application is submitted in outline, with all matters reserved for future consideration. It has been confirmed that the points raised have been passed onto the architect in order that they can be considered when progressing the scheme to the level of detail required for a detailed submission of reserved matters or full permission and that SWP would be again consulted at that stage).

Your Pontypridd Business Improvement District (BID) – can confirm that it is **supportive** of the scheme which it is considered represents an innovative solution for the site which will be an effective means of encouraging increased footfall in the town centre. A number of supplementary comments are made which are summarised as follows:

- the Directors of the Group are pleased to see that the scheme will not involve further retail provision and will make best use of the Park, by opening it up to the town centre;
- support for the scheme however, comes with the caveat that the Council should be certain of an end user and that the new office blocks must not become 'white elephants';
- a mixed use approach to the scheme is supported by the Group;
- concerns about the lack of provision for members of the community and there should be further consultation on the intended D1 and D2 uses, with a stated preference for a use such as a crèche, which it is considered will bring families and young people into the town;
- may lead to a greater level of congestion at Gas Road Car Park. The Group suggest that this car park be made a maximum stay of 3 hours and no return;
- it is suggested that the proposed office blocks have no canteen facility, thereby encouraging workers to visit the town centre during their lunch breaks;
- some concerns are expressed regarding the space around the buildings and the potential for anti-social activity
- would like to be further involved in the scheme's design development moving forward.

Pontypridd Town Council – any response will be reported orally at the meeting.

Rhondda Cynon Taf Access Group – at this stage we do not have any disagreement so far. We would however, like to see the provision of disabled WC facilities be incorporated within the scheme, that convenient level access is provided

across the site wherever possible and that a disabled user friendly lift be provided to/from the basement car parking level.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan (LDP)

The LDP identifies Pontypridd as the Principal Town within the Southern Strategy Area.

The Taff Vale site lies entirely within defined settlement limits.

Core policies

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. 8 key criteria that will be considered in seeking to achieve this aim are identified.

Criteria specifically relevant to this proposal are noted below:

Criteria 2 – states that “Protecting the culture and identity of communities by focusing development within defined settlement boundaries and promoting the reuse of under used and previously developed land and buildings”

Criteria 3 – states that “Promoting large scale regeneration schemes in the Principal Town of Pontypridd and Key Settlement of Tonyrefail”

Area Wide policies

Policy AW2 – promotes development in sustainable locations. Sustainable locations are defined by a number of criteria.

Criteria specifically relevant to this proposal are noted below:

Criteria 1 – are within defined settlement boundaries

Criteria 2 – sites where the proposed use would not conflict with adjoining uses

Criteria 3 – sites that have a good accessibility by a range of transport modes

Criteria 4 – sites with good access to key services and facilities

Criteria 5 – sites within a TAN15 Zone C designation only where the proposed development is necessary to assist the regeneration of a Principal Town or the site is a large brownfield site and an acceptable FCA has been prepared.

Criteria 6 – sites where the proposed development would support the roles and function of a Principal Town

Criteria 8 – sites that are well related to utility services

Policy AW4 – provides for the negotiation of planning obligations

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.

(The site alongside its riverbank boundary adjoins SINC AW8.142 – Taff and Rhondda Rivers).

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).

Southern Strategy Area policies

Policy SSA1 – confirms that proposals for development within the defined town centre of Pontypridd will be permitted, where the development:

Criteria 1 – reinforces the role of Pontypridd as a Principal Town

Criteria 2 – respects the culture and heritage of Pontypridd

Criteria 3 – is of a high standard of design and makes a positive contribution to the townscape in the defined town centre

Criteria 4 – contributes to the enhancement of Ynysangharad Park

Criteria 5 – integrates positively with the existing built form

Criteria 6 – promotes opportunities for new retail, leisure and tourism development

Criteria 7 – promotes walking and cycling

Criteria 8 - promotes accessibility to services by a range of sustainable transport modes

Policy SSA16 – defines the retail centre of Pontypridd as a Principal Town Centre, at the head of the hierarchy of retail centres

Policy SSA17 – gives criteria for Class A uses in Pontypridd retail centre

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 – Design in Town Centres (March 2011)

Rhondda Cynon Taf LDP SPG – The Historic Built Environment (March 2011)

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

Rhondda Cynon Taf LDP SPG – Planning Obligations (December 2014)

Rhondda Cynon Taf LDP SPG – Employment and Skills (June 2015)

National Guidance

Planning Policy Wales (8th Edition, January 2016)

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

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.

Section 6.1 (at para. 6.1.2) confirms that local planning authorities have an important role in securing the conservation of the historic environment while ensuring that it accommodates and remains responsive to present day needs.

Section 6.5 sets out policy in respect of development management and the historic environment. At para 6.5.4 it is confirmed that local planning authorities may impose condition/s requiring that an archaeological watching brief is carried out

Para 6.5.9 confirms that where a development proposal affects a listed building or its setting, the primary material consideration is the statutory requirement to have special regard to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest which it possesses.

Para 6.5.6 confirms that local planning authorities are required to consult the Welsh Government on any development proposal that is likely to affect the site of a scheduled ancient monument.

Para 6.5.17 states that should any proposed development conflict with the objective of preserving or enhancing the character or appearance of a conservation area, or its setting, there will be a strong presumption against the grant of planning permission. In exceptional cases the presumption may be overridden in favour of development deemed desirable on the grounds of some other public interest. The Courts have held that the objective of preservation can be achieved either by development which

makes a positive contribution to an area's character or appearance, or by development which leaves character and appearance unharmed.

Para 6.5.25 indicates that local planning authorities should protect parks and gardens and their settings included in the first part of the 'Register of Landscapes, Parks and Gardens of Special Historic Interest in Wales'.....The effect of proposed development on a park or garden contained in the Register of Landscapes, Parks and Gardens of Special Historic Interest in Wales, or on the setting of such a park or garden, may be a material consideration in the determination of a planning application.

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

Para 7.1.3 states that the planning system should support economic and employment growth alongside social and environmental considerations within the context of sustainable development. To this end, the planning system, including planning policies, should aim to ensure that the growth of output and employment in Wales as a whole is not constrained by a shortage of land for economic uses. Local planning authorities should aim to facilitate the provision of sufficient land required by the market, except where there are good reasons to the contrary. In addition, wherever possible local planning authorities should seek to guide and control economic development to facilitate regeneration and promote social and environmental sustainability. In so doing, they should aim to:

- co-ordinate development with infrastructure provision;
- support national, regional, and local economic policies and strategies;
- align jobs and services with housing, wherever possible, so as to reduce the need for travel, especially by car;
- promote the re-use of previously developed, vacant and underused land; and
- deliver physical regeneration and employment opportunities to disadvantaged communities.

Para 7.1.5 effective planning for the economy requires local planning authorities to work strategically and co-operatively steering development and investment to the most efficient and most sustainable locations, regardless of which local authority area they are in. In addition, travel-to-work patterns do not necessarily respect local authority boundaries and it is essential that local planning authorities identify and make adequate provision for their role in the regional and sub-regional economies of Wales.

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.

Para. 8.7.1 indicates that when determining a planning application for development that has transport implications, local planning authorities should take into account:

- the impacts of the proposed development on travel demand;
- the level and nature of public transport provision;
- accessibility by a range of different transport modes;
- the opportunities to promote active travel journeys, and secure new and improved active travel routes and related facilities, in accordance with the provisions of the Active Travel (Wales) Act 2013;
- the willingness of a developer to promote travel by public transport, walking or cycling, or to provide infrastructure or measures to manage traffic, to overcome transport objections to the proposed development (payment for such measures will not, however, justify granting planning permission to a development for which it would not otherwise be granted);
- the environmental impact of both transport infrastructure and the traffic generated (with a particular emphasis on minimising the causes of climate change associated with transport); and
- the effects on the safety and convenience of other users of the transport network.

Para. 8.7.2 indicates that Transport Assessments (TA) are an important mechanism for setting out the scale of anticipated impacts a proposed development, or redevelopment, is likely to have. They assist in helping to anticipate the impacts of development so that they can be understood and catered for.

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

Para. 11.1.3 confirms that sport and recreation contribute to our quality of life and that the Welsh Government supports the development of sport and recreation, and the wide range of leisure pursuits which encourage physical activity. These activities are important for the well-being of children and adults and for the social and economic life of Wales.

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 13.12 deal with development management and improving the quality of water and air

Para 13.12.1 The potential for pollution affecting the use of land will be a material consideration in deciding whether to grant planning permission. Material considerations in determining applications for potentially polluting development can include (amongst others) the risk and impact of potential pollution from the development, insofar as this might have an effect on the use of other land and the surrounding environment (the environmental regulatory regime may well have an interest in these issues, particularly if the development would impact on an Air Quality Management Area 'AQMA').

Para 13.12.2 Local planning authorities should work closely with pollution control authorities when determining planning applications.

Para 13.12.3 Planning authorities may use planning conditions or obligations to meet planning aims to protect the environment where these are pertinent to the development proposed. It is important for planning authorities to understand the scope and purpose of conditions that can be imposed by pollution authorities so as to ensure that planning conditions neither duplicate nor conflict with such conditions. Proposed development should be designed wherever possible to prevent adverse effect to the environment but as a minimum to limit or constrain any effects that do occur.

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)

TAN4: Retailing and Town Centres (1996)

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)
- TAN23: Economic Development (2014)

Government Circulars

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

Planning (Listed Buildings and Conservation Areas) Act 1990

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

This application proposes a significant major development and accordingly it raises a wide range of planning considerations which require careful assessment prior to determination of the application. However, it is considered that the main issues in this case relate to the physical design, scope and size of the development and the likely impacts for the site itself and the wider townscape of Pontypridd; the proximity of historic designations and heritage assets; implications for highways/traffic/parking and sustainable travel modes; potential implications for nearest residential properties; interests of ecology/biodiversity; drainage and the potential for flooding; geotechnical matters and potential contamination; and, the potential for the development to act as a catalyst for wider economic and regeneration benefits for Pontypridd and the surrounding area.

Design

As was recognised when Cabinet considered the Taff Vale site report in July 2016 the issue of prime importance in looking to develop a successful scheme for the Taff Vale site is that it is deliverable. For a host of reasons previous schemes on this site, whilst having been seen as acceptable in planning terms, have not proved deliverable in commercial terms.

However, in tandem with being deliverable the scheme needs to be exciting and distinctive in order that it can bring something different to the town which will have the wider benefits of breeding confidence in the town centre and wider area. At the same time the development needs to respond appropriately to the context of its setting, paying particular regard to the close proximity of two conservation area designations and a number of listed buildings (one of which, the Old Bridge is grade I listed and also a scheduled ancient monument (SAM)).

At this outline stage details of scale, layout and appearance are reserved for future determination. However, the application submission does provide a comprehensive package of supporting information which it is considered provides a clear route map as to the intended outcome for the scheme.

The larger two buildings A and B are of a more regular form with dimensions that provide commercially viable floor plate spaces for office use occupation. The orientation of these two buildings (east-west across the site) respects the predominant grain of Taff Street, with buildings of relatively short street frontage but with longer deep sides running perpendicular to the street.

It is anticipated that the frontage/corner entrance building A the south western corner of the site, opposite the YMCA at the Taff Street/Crossbrook Street junction, would form the most important point of arrival at the development for pedestrians coming from the train station and town centre and be a natural focal point of the scheme.

Building C, at the northern end of the site, is anticipated to be the most individually distinctive and architecturally expressive building of the three. At its northern end the building will respect the scale of the Old Bridge and the listed Pontypridd Museum/Cultural Centre building and be of a comparable height.

The intention to develop a building at the northern end of the site which is clearly a modern contemporary design, as opposed to a scheme which seeks to focus on and replicate the historic forms of the existing buildings is supported and considered to be appropriate. It is considered that a contemporary design as opposed to a more traditionally focused scheme will generate a forward looking development, which can only be positive for the town as a whole.

The choice of external finishing materials will be very important in executing a successful development. At this stage it is anticipated that the scheme will focus on the use of two main key materials – red brick and metal cladding.

Buildings A and B are anticipated to be of a more 'standard' form and their frames might be constructed from brick, whilst metal cladding could be used for the extended sections of office space, for example on the southern side of building A. It is intended that building C will provide an open attractive interior with an envelope structure wrapping around the building. The illustrations provided suggest that this could have a curved form and be finished in a type of metal cladding (which could be larger sections or smaller components/shingles).

In developing the scheme and having regard to WG sustainability principles, consideration has been given to desire to control passive solar gain. It is anticipated that the southern (side) elevation and both end elevations of building A will be fitted with brise-soleil, which will act almost like external blinds and control the amount of direct sunlight entering the building across these elevations. In addition the Class A3 uses are likely to be located in the positions that will benefit most from an aspect that maximises direct sunlight, to make likely outdoor seating areas pleasant to use.

The proposed development does include areas of public access/circulation/realm between the buildings, together with frontages to Taff Street and the River Taff. It is considered that the treatment of these areas is another important element in securing an attractive and successful scheme.

The fact that the proposed scheme opens up views from Taff Street to the river and park beyond is seen as a real positive of the development. It will afford views that are currently restricted and give far greater visual connection between the river, park and town centre.

It is envisaged that the public realm areas will be predominantly finished with hard landscaping, although it is anticipated that there will be examples of tree/shrub planting within the overall scheme. It is anticipated that the scheme will provide the opportunity to integrate the use of innovative lighting to illuminate these areas. Further, the incorporation of well designed features such as seating, cycle storage provision and steps will all add to the sense of place and encourage pedestrian accessibility and use.

The comments of the South Wales Police (Designing Out Crime Officer) have been noted in respect of the concerns raised regarding the potential for the areas of public realm to provide opportunities for crime and anti-social behaviour. However, it has been clarified with the Designing Out Crime Officer that the current application is submitted in outline, with all matters reserved for future consideration and that the points raised have been passed onto the architect in order that they can be considered when progressing the scheme to the level of detail required for a detailed submission.

In order to ensure that the design evolution and intention for the site have been given full and proper consideration the Council has taken the scheme through the Design

Commission for Wales (DCfW) Design Review procedure. Whilst this is not a statutory requirement it demonstrates 'good practice' and is considered appropriate given the scale and importance of the scheme.

The DCfW Design Review was held at the DCfW Offices in Cardiff Bay on 22 September 2016 and a full copy of DCfW's Design Review Report is attached as **APPENDIX A** to this report.

DCfW clearly recognise that the Taff Vale site presents a very important regeneration opportunity for Pontypridd, given its scale, prominence and location within the town centre. Due recognition is also given to the Council for having the ambition to drive forward the proposed scheme. It is recognised that because the application is made in outline, with all matters reserved, not all aspects of the scheme can be yet considered in full detail as they are unknown at this stage. However, DCfW do clearly stress the need to ensure that design quality is paramount within the development and that the 'design quality' is reflected not only in the buildings themselves, but also the surrounding areas of public realm.

In respect of the proposed buildings DCfW indicate that in their overall view the scale of the development seems to be appropriate, albeit it is considered in their view that some further exploration is required to demonstrate an appropriate relationship with the buildings on Taff Street.

DCfW do highlight and give some prominence in their Review Report to the importance of the public realm areas within the scheme. They stress the need for the development to ensure that these spaces become positive and welcoming areas, with careful thought given to the arrangement of uses, glimpses of activity, location of entrances and continuity with the riverside frontage. Further, the incorporation of soft landscaping within the areas of public realm would be encouraged.

DCfW support the Council's view that a move away from a large commercial, retail led scheme for the site provides the opportunity for the proposed development to be more responsive to the unique features of the site and the character of the town.

In conclusion DCfW suggest that the development represents a positive and confident approach to an important scheme for Pontypridd. The need to ensure that design quality is followed through to the detailed planning stage is stressed and it is confirmed that DCfW would welcome the opportunity to again see the scheme again at that detailed stage of design.

Heritage Assets and Historic Designations

The site itself does not lie within a conservation area. However, it does lie in very close proximity to a number of historic designations and heritage assets.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that a LPA in considering whether to grant permission for development which affects a listed building or its setting, has special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

National planning policy, as set out in Planning Policy Wales (PPW) confirms that it is important that the historic environment – encompassing archaeology and ancient monuments, listed buildings, conservation areas and historic parks, gardens and landscapes – is protected. PPW also confirms that the desirability of preserving an ancient monument and its setting is a material consideration in determining a planning application.

In relation to conservation areas, PPW states that, should any proposed development conflict with the objective of preserving or enhancing the character or appearance of a conservation area, or its setting, there will be a strong presumption against the grant of planning permission. In exceptional cases however, the presumption may be overridden in favour of development deemed desirable on the grounds of some other public interest.

PPW also sets out that LPAs should protect parks and gardens and their settings included in the first part of the Register of Landscapes, Parks and Gardens of Special Historic Interest in Wales. The effect of proposed development on such a park or garden or on its setting may be a material consideration in the determination of a planning application.

Immediately to the north the site abuts the Pontypridd (Taff) Conservation Area; to the west and south west (on the opposite side of Taff Street) lies the Pontypridd (Town Centre) Conservation Area and to the east on the opposite side of the River Taff Ynysangharad Park is a Registered Historic park. To the north lies the grade I listed building (which is also a scheduled ancient monument (SAM)) William Edwards Old Bridge; the grade II listed Pontypridd Museum/Cultural Centre and a grade II listed red telephone box.

To the west of the site in Gelliwastad Road, but somewhat further from the site are the Municipal Buildings (Grade II* Listed) and a little further to the south west in Gelliwastad Road the Muni Arts Centre (Grade II Listed).

Further to an initial meeting to discuss the proposals with representatives of Cadw the scheme architects produced an illustrative response document in order that Cadw could fully appreciate the scheme having regard to the heritage assets of the scheduled ancient monument, listed buildings and the registered Ynysangharad Park. This document included visual illustrations from 6 viewpoints, which had been identified by Cadw as being appropriate. These were:

- 3 viewpoints along Sion Street, to the north (enabling views of the scheme with the Old Bridge (SAM and grade I listed) in the foreground;
- 1 viewpoint on Morgan Street, by the Police Station building;
- 1 viewpoint from Ynysangharad Park, from the east looking across the River Taff;
- 1 viewpoint from Bridge Street, outside Ceridwen Terrace opposite the Malsters Arms PH

Cadw have a statutory role as consultee in respect of the Old Bridge, given its SAM status.

Cadw acknowledge that the submitted information allows them to provide detailed advice regarding the impact of the proposed development on the setting of scheduled monument Pontypridd Bridge (GM015).

Pontypridd Bridge (GM015) comprises a single arch bridge with its spandrels pierced by 3 circular holes. This was a unique design by William Edwards that produced the widest span bridge in Britain in 1756. When built the bridge was in a rural setting, with the construction of Pontypridd taking place around it following the construction of the Glamorgan Canal in the late 18th century. The monument is of national importance for its potential to enhance our knowledge of post-medieval construction techniques and transportation systems. It retains significant archaeological potential, with a strong probability of the presence of associated archaeological features and deposits. The structure itself may be expected to contain archaeological information concerning chronology and building techniques. Therefore the ability to view the bridge, the width of the river it crosses and the general topography of the area, assist the observer in understanding the engineering challenges that were overcome when it was constructed.

The proposed development will be visible in all views of Pontypridd Bridge from the north. It will, in Cadw's opinion, be seen as bulky development behind the bridge, but the impact will be reduced by the form of the northern building with its sloping roof. In comparison with the former Taff Vale Centre the development will be further away from the bridge and lower. Consequently, Cadw consider that it will have a lesser impact on the view of the bridge from the north. Likewise in views from the east and west along Bridge Street the illustrative curvilinear form of the northern building along with its sloping roof will lessen the impact of the modern buildings on the bridge.

Cadw consider that the development will have an impact on the setting of the bridge, especially when considered against the current situation, with the proposed development site cleared of buildings and thus being closer to the setting of Pontypridd Bridge when it was constructed. However, it is necessary to consider that the site has been developed for over 200 years and in our opinion the proposed development is less dominating than the previous shopping centre. Consequently

Cadw consider that the proposed development will have a moderate impact on the setting of Pontypridd Bridge (GM015).

The impact of the proposed development on the setting of Ynysangharad Park could be a material consideration in the determination of this application. Currently there is little relationship between the two as views are blocked by a row of dense tall trees. Cadw do not consider that the proposal will have an impact on the setting of Ynysangharad Park, largely due to the fact that views between the two sites are blocked by a row of dense tall trees. However, Cadw do recognise that the scheme provides a real opportunity to help re-integrate the town with the park.

Having regard to LDP policy AW7 and supporting para 5.49, national policy and guidance and the comments of Cadw it is not considered that the proposed scheme would cause direct harm or harm to the settings of the identified heritage assets to any substantive degree. It is however, recognised that careful consideration will need to be given to these issues again at the detailed planning stage, when full details of appearance, scale, design and use of materials can be assessed.

Visual Impact and Townscape

It is recognised that a full assessment of vantage points from where views of the site will be most apparent will be worked up for the detailed planning stage. However, at this stage it is anticipated, surprisingly for a large site in the town centre, that the scheme may only be seen in its entirety from a small number of key viewpoints:

- From within Ynysangharad Park and the Taff footbridge
- From the Old Bridge
- From the northern end of Taff Street / Berw Road
- From the Gas Road car park
- From some of the hillsides surrounding the town.

It is considered that the scheme would be largely 'hidden' away from almost all of Taff Street south of the site. Pedestrians walking north along Taff Street will almost have to enter Crossbrook Street before the new buildings come into view.

The highest building proposed at its maximum extent is not likely to be significantly higher than many existing buildings on Taff Street, although the modern commercial floor/floor dimensions may exaggerate this. However, this is not seen as an unreasonable relationship. Nevertheless, it is indicated that building B has its top floor inset, so that in many views there is a clear and understandable step in heights from south to north, which is seen as a key aim of the scheme.

The view west across the Old Bridge is an important consideration. The proposed scheme fronts up to the listed Pontypridd Museum/Cultural Centre building with a with an elevation of comparable scale. The option of using glazing to this elevation is

likely to be explored, thereby reflecting the listed building façade, whilst maintaining the scale of the surroundings.

Views from surrounding high points will be important considerations. Building C's organic form is proposed so that it can offer a fifth façade (the roof) and treat it as importantly as its elevations, by using the form to hide roof plant.

It is recognised that the Taff Vale site has previously supported tall buildings. The proposed scheme is certainly lower than and lesser in massing than the 2006 retail led commercial scheme and is considered that its scale, massing and form would create a positive addition to the existing townscape of Pontypridd.

Highways/Traffic/Access/Parking Issues

A Transport Assessment (TA) and Interim Employment Travel Plan have been submitted as part of the planning application submission. The Council's Transportation Section have fully reviewed the TA and Travel Plan in assessing the proposal. Overall, they have raised no objections to the application, subject to the imposition of conditions (*conditions 5, 6 and 7*).

The submitted application documentation and plans indicate vehicular access into the basement parking and servicing area via a point to/from Crossbrook Street, just short of the access point into Gas Road car park (on the southern side of Crossbrook Street). The indicative plans show the provision of 56 car parking spaces (inc. 15 disabled user spaces), together with provision for bike/motorcycle spaces and secure bike storage.

On points of detail it is noted that the indicated arrangements for refuse and recycling collection will potentially result in the loss of a minimum of 5 ordinary pay and display parking bays from Crossbrook Street. Further, in order to facilitate the provision of a service bay along the Taff Street frontage. However, they confirm that the removal of the bus stops and provision of loading bay/s, with the necessary prohibition of parking would require public consultation and amendments to Traffic Orders to facilitate the necessary restrictions.

The parking shown would be intended for use by the occupiers of building A only. Buildings B and C will only incorporate parking for impaired mobility users.

The parking standards within the SPG document indicate the following maximum requirements for offices of 1 space per 40-60sq.m. The proposed scheme seeks up to 9,935sq.m. of office floorspace. Accordingly, this would generate a maximum parking requirement of between 166 – 248 spaces. The requirements for the D1, D2 and A3 uses can only be accurately calculated when the end users are known. However, in many cases A3, D1 and D2 uses would only require a relatively limited number of spaces and which it is considered would not be significant against the office requirement element.

It is acknowledged that the car parking provision is low at 56 spaces in relation to the SPG but has been designed to promote the most sustainable forms of transport whilst at the same time ensuring the scheme remains economically attractive. The site is in the most sustainable location in the whole of the County Borough, with easy access to bus and rail, walking and cycling routes and public car parks at Gas Road, Berw Road, The Goods Yard, Sardis Road and Catherine Street all nearby.

The level of parking provision is justified by the adoption of a travel plan and provision of cycle parking to encourage use of sustainable means of transport. At the present time 12/13 trains per hour arrive at Pontypridd railway station and of the order of 70 buses arrive every hour during the peak times for travel demand at the adjacent bus station. Increased patronage on bus services will help to sustain and possibly generate additional services.

As part of the Metro enhancements, it is currently envisaged that there will be four trains per hour linking each of the tops of the three valleys north of Pontypridd with Pontypridd and similar return journeys from Cardiff. This will increase the availability of opportunities to travel by rail to and from Pontypridd by providing of the order of 24 trains per hour arriving at Pontypridd. This will further enhance Pontypridd as one of the most well-connected and highly accessible destinations outside the main cities in south east Wales.

A travel plan secured by condition (*condition 7*) should be challenged with encouraging a high percentage of journeys to be made by sustainable modes of travel.

In respect of concerns related to car parking demand and notwithstanding the exceptional potential for sustainable travel, it should be noted that there is underutilisation of long stay car parks within the town centre. Current average monthly demand in long stay car parks is as follows;

- Sardis Road 35% of capacity utilised 65% available
- Berw Road 57% of capacity utilised 43% available
- Millfield 71% utilised 29% available
- Goods Yard 80% utilised 20% available

Typically, there are 150 spaces available in council managed and maintained long-stay car parks on an average week day. When combined with the 56 on-site spaces and the added availability of parking in private car parks at Goods Yard and Catherine Street, it is clear that any additional demand can be adequately accommodated.

Impacts on Residential Amenity

The nearest residential properties to the site are those upper floors (in residential occupation) of some of the properties on the western side of Taff Street opposite the site. To the south are some examples similar residential upper floor uses in Taff Street, whilst to the north and northeast area the more traditional residential properties in Ceridwen Terrace and Sion Street.

Whilst the outlook of some properties, in particular those located on the upper floors of some of the properties on the western side of Taff Street opposite the site, will be impacted upon, particularly by the larger buildings A and B it is not considered that those impacts would be so detrimental as to justify a substantive objection to the application.

It is considered that the detailed scheme would be able to retain a sufficient distance between the elevations of the properties on the western side of Taff Street and the new buildings to ensure that any issues of overlooking, with resulting concerns regarding a potential loss of privacy, would not be so significant as to justify a substantive objection to the application. Further, it should be noted that the previous 2006 scheme proposed an overall building of a far greater mass and scale, which went up to 7 levels in part.

Ecology/Biodiversity

The River Taff, which adjoins the eastern boundary of the site is designated as a SINC (Site of Interest for Nature Conservation) under policy AW8 of the LDP (site no. AW8.142).

A Bat and Otter Survey Report has been submitted with the application.

The bat surveys undertaken, which included a combination of building inspection, manual detector and automated activity surveys did not identify any evidence to suggest the presence of roosting bats associated with the remaining basement car park on the site. It is therefore considered, on the basis of the survey findings, unlikely that the demolition of the existing basement car park would require an EPS (European Protected Species Licence).

The otter survey undertaken confirmed the presence of Otter along the corridor of the River Taff and of greatest relevance to the current proposal the suitability of the western bank at the foot of concrete flood defence wall, adjacent to the site, as a lying up (temporary shelter) spot for Otter. This suitability is based on the combination of dense cover provided by Japanese Knotweed and the vertical concrete wall separating the river from the car park and town centre to the west. Any redevelopment of the site would need to ensure that appropriate measures be implemented during construction and operation to limit any disturbance of any animals present.

No evidence of nesting birds was noted during the surveys.

Typically the presence of Japanese Knotweed requires a scheme of treatment/eradication. However, in this case given the function it provides in providing cover for Otter an approach should be agreed with the Council's Ecologist and NRW as an alternative strategy may be considered more appropriate (*condition 32*).

The Council's Ecologist has considered the proposals and has raised no objections, subject to the imposition of a condition and NRW, as part of their overall response have requested that a condition be imposed that the recommendations set out in Section 6 of the Bat and Otter Survey Report be adhered to (*condition 33*).

Drainage and Flooding Issues

Flood Consequences Assessment (FCA) and Drainage Strategy documents were submitted with the application.

Appropriate consultation has been undertaken with NRW, Dwr Cymru/Welsh Water and the Council's Flood Risk Management Section and no objections have been received, subject to the imposition of appropriate conditions (*conditions 8, 9, 10, 11 and 12*).

NRW have confirmed that the application site lies partially within Zone C1 as identified on the Development Advice Map (DAM). They confirm that they are satisfied with the information provided in the submitted FCA and that the concrete flood wall provides adequate protection in a 1000 year flood event. However, one of the conditions sought by NRW is that the flood wall is inspected by a suitably qualified person in order to ensure that it is structurally sound.

Welsh Water sewers are located in Taff Street to the west of the site. These discharge into a combined sewer overflow, which runs beneath Crossbrook Street down to the 300mm cast iron sewer which runs along the western bank of the river. At this stage it is proposed to connect the foul drainage from the scheme into the sewer running south beneath Crossbrook Street.

Surface water run-off from the development would discharge to the River Taff. However, because the public realm areas are anticipated to be on two levels some form of attenuation is likely to be required on the lower level. Although yet to be designed in detail is envisaged that such a 'storage' facility will be provided beneath the riverside area of public realm, at the basement level.

Welsh Water have sought, through a suitably worded condition, that a full drainage scheme (providing for the disposal of foul, surface and land water) for the site be submitted and agreed by the LPA.

Geotechnical Issues

A Geotechnical Desk Study Report has been submitted with the report. This document considers issues of geology, hydrogeology, hydrology, past coal mining and potential contamination in respect of the site. Attached as appendix 'D' within the report is a mining report obtained from The Coal Authority which confirms that based on available Coal Authority records that the property is not within the zone of likely physical influence on the surface from past or present underground workings, i.e. a 'High Risk' area. Accordingly, in this case a Coal Mining Risk Assessment (CMRA) is not required as part of the application submission.

The submitted Geotechnical Report does recommend that further exploratory work is undertaken in order to fully identify the potential for geotechnical and geo-environmental hazards

NRW in their response to the application have identified the site as being environmentally sensitive as it lies directly adjacent to the River Taff. As a consequence of its location, previous land uses and potential for areas of contamination, together with the fact that the site is underlain by a layer of made ground NRW have requested the imposition of a number of conditions to address the identified issues and potential concerns (*conditions 16, 17, 18, 19, 20 and 21*).

In respect of potential geotechnical and contamination RCT Public Health & Protection have also recommended the imposition of conditions (*conditions 13, 14 and 15*).

Other Issues

Air Quality

As noted earlier in this report the northern part of the site does fall within the Pontypridd Town Centre Air Quality Management Area (AQMA). To address this issue an Air Quality Assessment Report has been submitted as part of the application. The outcome of the assessment was that there would be a moderate adverse impact on Air Quality and in order to mitigate this impact a number of measures have been suggested in order to reduce the impact of the use of vehicles on local air quality. These mitigation measures have been considered by RCT Public Health & Protection and are considered to be appropriate and achievable means by which to overcome the moderate adverse impact. Such measures include the provision of car share parking areas and electric car charging points and a condition is recommended which requires the suggested mitigation measures to be incorporated into the scheme at detailed design stage (*condition 34*)

Noise

The issue of noise is a material planning consideration relevant to the consideration of development at this site. At this stage the principal of development only is being

sought and no end users/occupiers have been identified for the floorspace and buildings proposed. However, at the detailed stage an Acoustic Assessment Report will be required and the need for such a report suitably conditioned (*condition 31*).

Third Party Responses

As can be noted from the 'Publicity' section, earlier in this report only two third party responses have been received in respect of the application, these being from two Pontypridd Town Councillors.

The points main raised in those responses refer to the mix of uses proposed, the need to have regard to the heritage assets in proximity of the site and the issue of car parking. It is considered that the report has dealt with these issues in detail.

Constructional Activity/Management

The site lies within a busy built up area of the town and consequently the constructional development of the site will not be without its challenges in terms of mitigating impacts on existing properties (residential and commercial), pedestrians and highway traffic (buses, cars, delivery vehicles etc).

It is recommended that constructional issues of access, impacts on existing network (access down to Gas Road car park), noise, dust, hours of operation, use of artificial lighting etc be covered under an appropriate condition requiring the submission and approval of a Construction Management Plan (CMP) (*condition 5*).

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

This application represents a significant development and investment opportunity for the Principal town of Pontypridd. It is considered that the delivery of the redevelopment scheme proposed will not only safeguard and maximise the opportunities from existing investment, but will also act as a catalyst for future economic opportunities presented by the site and the town centre to be realised. The redevelopment of the former Taff Vale site is considered to be a key component of the regeneration of Pontypridd town centre. The delivery of this investment will provide a major boost to the town centre by developing a major site at a key gateway into the town, providing significant job opportunities for local people, new facilities

and services, an increase in footfall with subsequent opportunities for increasing spend in the town centre economy. The successful delivery of the redevelopment should increase investor confidence in the Pontypridd area leading to further development opportunities resulting in a more vibrant and viable local economy.

As highlighted in PPW and TAN23: Economic Development it should not be assumed that economic objectives are necessarily in conflict with social and environmental objectives. Often these different dimensions point in the same direction. Planning should positively and imaginatively seek such 'win-win' outcomes, where development contributes to all dimensions of sustainability. It is considered that the proposed squarely falls within these stated WG aims.

The proposed parking provision of 56 car parking spaces is driven by the commercial needs of the development. Whilst this is not in strict compliance with the SPG, development at this sustainable location should be focussed on enabling travel by sustainable modes with any additional parking demand being capable of easily being accommodated within the Council's public car parks

No objections have been raised by any statutory consultees and it is considered that with appropriate controls (achieved via suggested conditions) securing control over issues identified by the likes of NRW, Highways and PH&P to name but a few the development will incorporate itself well within the townscape of Pontypridd without detriment to existing interests.

The application is considered to comply with the relevant policies of the Council's LDP and national planning policy and is supported with a positive recommendation that outline planning permission be granted.

RECOMMENDATION: Grant

1. (a) Approval of the details of the access, appearance, layout and scale and the landscaping (hereinafter called "the reserved matters") of the development shall be obtained from the Local Planning Authority in writing prior to the commencement of any development.

(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) The submitted 'reserved matters' details shall accord with the broad principles, parameters and objectives laid out in the Illustrative Plans and the Design and Access Statement (July 2016) unless any deviation is first agreed in writing by the Local Planning Authority.

Reason: To safeguard the rights of control of the Local Planning Authority

in respect of the reserved matters and to comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved , whichever is the later.

Application for approval of all the reserved matters required for the implementation of the development hereby permitted shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: In order to comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

3. This permission grants the development of a scheme for the site which includes provision of three buildings accommodating the following uses and quantum of floorspace (figures expressed in total gross internal floorspace terms):

- Up to 9,935sq.m. of Class B1(a) Office floorspace
- Up to 1,145sq.m. of Class D1 (Non-Residential Institution) floorspace
- Up to 1,145sq.m. of Class D2 (Assembly and Leisure) floorspace
- Up to 450sq.m. of Class A3 (Food and Drink)

Reason: To ensure that the development is carried out in accordance with the submitted details and to ensure that the quantum of building/floorspace keeps within the parameters assessed.

4. The reserved matters to be submitted for the approval in writing by the Local Planning Authority pursuant to Condition 1 above shall include details of finished floor levels for building and finished site levels (for all hard surfaced and landscaped areas) in relation to existing site levels. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure a satisfactory form of development in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

5. No development shall take place, including any works of site clearance/preparation until a Construction Method Statement/Management Plan has been submitted and approved in writing by the Local Planning Authority to provide for:

- the means of access into and egress from the site for all construction

- traffic;
- the timing of all HGV delivery and construction traffic to and from the site;
- the parking of vehicles of site operatives and visitors;
- the management of vehicular and pedestrian traffic;
- loading and unloading of plant and materials;
- wheel washing facilities;
- hours of working;
- the suppression of dust;
- the sheeting of lorries leaving the site;
- details of plant and equipment;
- methods and types of ground compaction;
- mitigation measures for the control of noise;
- mitigation measures to limit disturbance to any animal species on or adjacent to the site;
- location of site compounds;
- use of artificial lighting.

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

Reason: In the interests of the safe and free flow of traffic and in order to ensure that the amenities of residents in proximity to the site are not unduly impacted upon in accordance with policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

6. Notwithstanding the submitted layout plans, alterations to Taff Street including removal of bus bays, widening of footway and provision of the proposed commercial vehicle loading bay at Taff Street, the means of access to the basement parking area, together with details of refuse and recycling collection bay shall be laid out in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site. The approved details shall be implemented to the satisfaction of the Local Planning Authority prior to first beneficial occupation of the development.

Reason: To ensure the adequacy of the proposed development, in the interests of highway safety in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

7. Within 6 months of beneficial occupation of each building on the site a Travel Plan shall be submitted (for each building if the buildings are occupied independently of each other) to and be approved in writing by the

Local Planning Authority. The Plan shall include:

- a) details of the building's Travel Plan Co-ordinator;
- b) confirmation of targets for the reduction of road traffic and single occupancy car use, the promotion and delivery of more sustainable travel such as walking, cycling and use of public transport;
- c) a management strategy for monitoring and delivering the objectives;
- d) details of a Review Process and fallback position if stated targets within the Travel Plan have not been met;
- e) financial penalties and fallback position if the targets set have not been achieved.

The Travel Plan(s) shall be implemented within one month following its/their approval and maintained and monitored thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To encourage sustainable modes of travel and reduce single car occupancy in the interests of highway safety and the free flow of traffic, having regard to national planning policy and policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

8. No development shall commence until a comprehensive drainage scheme for the site has been submitted to and approved by in writing the Local Planning Authority. The scheme shall provide for the disposal of foul, surface and land water and include an assessment of the potential to dispose of surface and land water by sustainable means. Also, the scheme shall demonstrate how the development is to comply with the requirements of section 8.3 of Planning Policy Wales TAN15: Flooding. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation first beneficial occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

9. Beneficial occupation of any building within the development shall not take place until a grease trap has been fitted in accordance with details that have been first submitted to and been approved and approved in writing by, the Local Planning Authority. Thereafter the grease trap(s) shall be maintained so as to prevent grease entering the public sewerage system.

Reason: To protect the integrity of the public sewerage system and to ensure the free flow of sewage, in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

10. The basement level car park entrance must be set at or above 56.38mAOD (metres Above Ordnance Datum).

Reason: To reduce the risk of flooding to the proposed car park, in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

11. Prior to works commencing on site the existing flood wall defence standing along the eastern boundary of the site to the western bank of the River Taff shall be inspected by a qualified person to confirm its structural adequacy, particularly under extreme overtopping conditions (i.e. that flood with a probability of occurrence of 0.1%). Following the inspection a written report shall be submitted, highlighting the need for any remedial work and if found necessary and the timetable for undertaking and completing such work, for the written approval of the Local Planning Authority.

Reason: To reduce the risk of flooding to the proposed car park, in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

12. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: There is an increased potential for pollution of controlled waters from inappropriately located infiltration systems such as soakaways, unsealed porous pavement systems or infiltration basins, having regard to policy AW10 of the Rhondda Cynon Taf Local Development Plan.

13. No development shall commence on site, unless otherwise agreed in writing by the Local Planning Authority, until a scheme to deal with contamination has been submitted and approved in writing by the Local Planning Authority. The scheme shall include all the following measures unless the Local Planning Authority dispenses with any such requirement specifically and in writing:

- a desk-top study carried out by a competent person to identify and evaluate all potential sources and impacts of contamination relevant to the site. The Desk-top Study should contain a Conceptual site model. A copy of the Desk-top Study shall be submitted to the Local Planning Authority without delay on completion.
- 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.

- a written method statement for the remediation of contamination affecting the site shall be agreed in writing with the Local Planning Authority prior to commencement and all requirements shall be implemented and completed to the satisfaction of the Local Planning Authority by a competent person. No deviation shall be made from this scheme without the express written agreement of the Local Planning Authority.

Reason: To ensure that the site is safe and suitable for its proposed use, in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

14. No building within development hereby permitted shall be occupied and/or operated until the measures approved in the scheme (referred to in condition 13) have been implemented. A suitable validation report of the proposed scheme is to be submitted and approved by the Local Planning Authority.

Reason: To ensure that the site is safe and suitable for its proposed use, in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

15. If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals then revised contamination proposals shall be submitted for the written approval of the Local Planning Authority.

Reason: To ensure that the site is safe and suitable for its proposed use, in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

16. Prior to the commencement of development hereby permitted by this planning permission, the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

- A preliminary risk assessment which has identified:
 - * all previous uses
 - * potential contaminants associated with those uses
 - * a conceptual model of the site indicating sources, pathways and receptors
 - * potentially unacceptable risks arising from contamination at the

site.

- A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

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

Reason: Natural Resources Wales considers that the controlled waters at this site are environmentally sensitive and contamination is suspected at the site due to historic use of the site, having regard to policy AW10 of the Rhondda Cynon Taf Local Development Plan.

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

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

18. Prior to first beneficial occupation of any development on the site reports on monitoring, maintenance and any contingency action carried out in accordance with a long-term monitoring and maintenance plan shall be submitted to the Local Planning Authority as set out in that plan. On completion of the monitoring programme a final report demonstrating that

all long- term site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that longer term remediation criteria relating to controlled waters have been met. This will ensure that there are no longer remaining unacceptable risks to controlled waters following remediation of the site in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

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

Reason: Given the close proximity of previous contaminative land uses (gasworks) to the site boundary, it is considered possible that there may be unidentified areas of contamination at the site that could pose a risk to controlled waters if they are not remediated, in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

20. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the written agreement of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.

(In respect of this condition the applicant/developer is advised to refer to The Environment Agency Document 'Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention' and Environment Agency Document 'Piling in layered ground: risks to groundwater and archaeology'.

Reason: There is an increased potential for pollution of controlled waters from inappropriate methods of piling, having regard to policy AW10 of the Rhondda Cynon Taf Local Development Plan.

21. Prior to commencement of development a scheme for any in river and river bank works is shall be submitted to and approved in writing by the Local Authority. The development shall proceed in strict accordance of the approved scheme to ensure that any polluted surface water does not enter the adjacent watercourse.

Reason: To protect the watercourse from pollution in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

22. The landscaping of the development, the subject of the particular reserved matters submission pursuant to condition 1, shall be carried out in accordance with a scheme to be first approved in writing by the Local Planning Authority in the first planting and seeding season following the completion of that phase of the development. Any vegetation planted which within a period of 5 years from the date planted, dies, is removed or becomes seriously damaged or diseased, shall be replaced in the next planting season with other(s) of similar size and species unless the Local Planning Authority gives its 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 reserved matters referred to in condition 1 shall include, where relevant, details of all areas of public realm within the development. These areas shall be provided in accordance with the approved details. The timetable for the full implementation of the areas of public realm shall be agreed in writing by the Local Planning Authority prior to the occupation of the first building within the development and the identified area/s shall be used for no other purpose other than as areas of public realm, unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure that the new development makes the necessary and appropriate provision for public realm in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

24. There shall be no beneficial occupation of any floorspace within development hereby approved, until a Management Strategy for the maintenance of all areas of public realm has been submitted to and approved in writing by the Local Planning Authority. The Management Strategy shall be implemented in accordance with the approved details.

Reason: To ensure that the new development makes the necessary and appropriate provision for areas of public realm in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

25. No works of construction comprising the erection of any building shall commence in before a Sustainable Development Strategy (SDS) report has been submitted to and approved in writing by the Local Planning Authority. The SDS report shall have regard to matters of energy efficiency and the efficient use of other resources and seek to minimise the use of non-renewable resources and minimise the generation of waste and pollution, where practically possible and viable; the conclusions of the report shall be implemented in full within the development.

Reason: In order to secure accordance with policy AW6 of the Rhondda Cynon Taf Local Development Plan.

26. The reserved matters referred to in condition 1 where this relates to Class A3 uses (as defined under the Town and Country Planning (Use Classes) Order 1987 as applicable to Wales on the date of this planning permission) on the site shall include details of ventilation and extraction equipment together with intended proposals for the prevention of waste cooking oils, fats, grease and solid waste, such as food waste entering the foul drainage system. Prior to first use of any such Class A3 the ventilation and extraction equipment and method of 'grease trap' operation shall be installed in accordance with the approved details and thereafter maintained as such.

Reason: In the interests of neighbouring amenity and in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

27. A plan (at a scale to be first agreed) indicating the positions, design, materials (including, where necessary, samples) and type of boundary treatments to be erected as part of the development shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall be completed in accordance with the approved details as soon as practicable following the completion of the development, or in any event prior to the first beneficial occupation of any building within the scheme.

Reason: In the interests of the security of the site and the visual amenities of the area in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

28. Notwithstanding the details submitted as part of the application, no development shall be occupied until such time as details of all external lighting and measures that will be put in place to reduce impacts of light fall from the buildings and areas of public realm onto the adjacent River Taff SINC and the wider area have been submitted to, and approved in writing by, the Local Planning Authority. Any lighting installed shall be operated in accordance with the approved scheme unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that residents and wildlife living in close proximity to the site are not unduly affected by the levels of light emanating from the proposed development. In accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

29. Prior to occupation of any building within the development a scheme shall

be submitted to, and approved in writing by, the Local Planning Authority, detailing measures to be incorporated into the design, construction and operation of the scheme for the prevention of crime (by design). The development shall comply with the details contained in the approved scheme.

Reason: In order to comply with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan and the requirements of TAN12: Design and Planning Policy Wales.

30. Detail and Method Statement for the traffic management and operation of the basement car parking area must be submitted to and agreed in writing by the Local Planning Authority prior to occupation of any building within the development.

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

31. The reserved matters referred to in condition 1 where these relate to Class A3 and D2 uses (as defined under the Town and Country Planning (Use Classes) Order 1987 as applicable to Wales on the date of this planning permission) on the site shall include provision of an accompanying Acoustic Report. This report shall detail any works of noise mitigation measures required and such measures shall be installed in accordance with the approved details and thereafter maintained as such.

Reason: In the interests of neighbouring amenity and in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

32. Prior to the commencement of any development a detailed method statement for the long-term management and/or removal/eradication of Japanese knotweed on western bank of the River Taff, at the foot of the flood defence wall running along the eastern boundary of the site shall be submitted to and approved in writing by the Local Planning Authority. Development shall proceed in accordance with the approved method statement.

The applicant/developer is advised that in preparing a scheme advice should be obtained from Natural Resources Wales (NRW) and the Council's Ecologist given the presence of a European Protected Species in the area.

Reason: Japanese knotweed is an invasive plant, the spread of which is prohibited under the Wildlife and Countryside Act 1981. Without measures to prevent its spread from the development there would be the risk of an offence being committed, and avoidable harm to the environment occurring.

33. Prior to any beneficial occupation of the development the mitigation measures for interests of ecology and biodiversity set out in Section 6 of the Soltys Brewster Bat and Otter Survey Report (10 November 2015) shall be implemented in full accordance with the recommendations made, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of ecology and biodiversity and having regard to policy AW8 of the Rhondda Cynon Taf Local Development Plan.

34. Prior to the first beneficial use of the basement car park full details the mitigation measures suggested in respect of air quality as recommended in Section 8.2 of the Arup Air Quality Assessment Report (29 September 2016) shall be submitted to and agreed in writing by the Local Planning Authority. The measures shall be implemented in full accordance with the agreed scheme.

Reason: In order to ensure that the scheme does not have an adverse impact on air quality, having regard to policy AW10 of the Rhondda Cynon Taf Local Development Plan.

35. The development hereby approved shall be carried out in accordance with the following approved plans/drawing nos.

- 16013/GA(AX)100 – Red Line Boundary Plan

and the broad design principles for the site as set out in the submitted Design and Access Statement (dated 29 July 2016) prepared by Gaunt Francis Architects and the other supporting application documents.

Reason: In order to define the extent of the permission hereby granted and in order to ensure that the reserved matters reflect the broad principles of the development as expressed in the outline application submission.

36. Should the applicant/developer wish to implement the scheme hereby approved on a phased basis then full phasing details (including a detailed phase specific plan confirming the extent of the phase(s) and the design approach for each phase(s) within the context of the site as a whole shall be submitted in relation to each phase(s) of the development on which reserved matters approval is being sought) shall be first submitted to and agreed in writing by the Local Planning Authority prior to any works being undertaken.

Reason: In order to ensure that the development proceeds in accordance with the criteria requirements of policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

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APPLICATION NO: 16/0878/10 (HW)
APPLICANT: TEDS Development Ltd
DEVELOPMENT: Change of use of the upper floors to residential use to provide 12 units, and a single ground floor retail unit with associated internal and external alterations.
LOCATION: BOOT HOTEL, VICTORIA SQUARE, ABERDARE, CF44 7LB
DATE REGISTERED: 28/07/2016
ELECTORAL DIVISION: Aberdare East

RECOMMENDATION: Approve

REASONS: It is considered desirable to find a new use for this listed building to both secure its long term future and to improve the surrounding physical environment and thus contribute to the ongoing regeneration of Aberdare Town Centre.

The key considerations in achieving this are whether this proposal for the conversion of the building can be accommodated without adversely impacting on the important features of the listed building, its setting and the Conservation Area. It is considered that the impacts in this respect are acceptable, and therefore it is recommended that planning permission is granted.

REASON APPLICATION REPORTED TO COMMITTEE

This is required to be reported to the Committee as it involves the creation of more residential units than can be considered under delegated powers.

APPLICATION DETAILS

Full planning permission is sought for the conversion of the ground floor of the Boot Hotel (including the existing A1 "IQ Clothing" shop) into one A1 unit, with 12 one and two bedroom flats on the two upper floors. All flats will be accessible via a separate entrance to the upper storeys on Victoria Square and a separate access to the rear of the building is also proposed to allow access to the bin store.

The elevations are proposed to be altered at ground floor level to create a new shop front. The greatest level of alteration will be carried out to the existing A1 clothes shop on the corner of the building, to create a modern full-length glazed shop front on this corner. Some fabric is also proposed to be removed on the front elevation to create full-length glazed windows in the location of the existing windows.

Some demolition is proposed as part of the application - the existing modern link building which forms part of the annexe at the back is proposed to be demolished and rebuilt as part of the proposal.

As well as the plans, a Planning/Design and Access Statement, a Flood Consequences Report, Bat Survey and a Structural Report have been submitted with this application.

A corresponding listed building consent application (16/0813/12) is also included on this agenda.

SITE APPRAISAL

The Boot Hotel is a large, 3 storey, prominent Grade II listed building at the bottom (north east end) of Victoria Square, Aberdare, and forms the corner of Victoria Square and Market Street. Apart from IQ Clothing, which currently occupies the corner of the building, the building is empty, and its last use was as a public house.

There is a rear annexe at the side of this along the north west boundary of the site, which gives the building an L-shaped footprint. Access to the rear is gained via the back lane to the north.

Adjacent to the building fronting Market Street are the Boot Chambers Buildings which accommodate smaller shops and other business premises. "Ladbrookes" is immediately behind the building, and "Bet Fred" is adjacent to the frontage on Victoria Square.

Aberdare Town Centre is also a Conservation Area, and there has been considerable investment recently in the regeneration of the town centre.

PLANNING HISTORY

14/1170/12	External works and fire escape.	Granted 06/01/15
14/0879/10 & 14/0880/12	Refurbishment, alterations and reinstatement of lost details.	Granted 18/09/14
07/0532/10 & 07/0534/12	Extension, refurbishment and subdivision.	Refused 11/06/07
06/1275/12 & 06/1276/10	Extension, refurbishment and subdivision.	Granted 22/02/08

PUBLICITY

The application has been advertised by means of site notices and a press notice due to it affecting the setting of a listed building and a Conservation Area, and by direct notification of neighbours by letter. No objections have been received.

CONSULTATION

Highways Development Control - no objection, subject to condition in respect of the provision of cycle stands.

Countryside - no objection, subject to a condition in respect of bat mitigation.

Public Health and Protection - no objection, subject to a condition restricting the hours of construction.

Land Reclamation and Engineering - recommend a condition in respect of drainage details. Have suggested that further information should be provided in the Flood Consequences Report.

Natural Resources Wales - no objection.

Wales and West Utilities - none of their plant must be built over nor any of their apparatus enclosed.

South Wales Police - have made design recommendations.

Dwr Cymru/Welsh Water - no comments made.

Western Power Distribution - no comments made.

Fire Service - no comments made.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan (LDP)

The site is within the settlement boundary and within the town centre of the principle town of Aberdare.

Policy AW5 - New Development.

Policy AW7 - Protection and Enhancement of the Built Environment.

Policy AW8 - Protection And Enhancement Of The Natural Environment.

Policy AW10 - Environmental Protection and Public Health.

Policy NSA11 - Affordable Housing.

The following Supplementary Planning Guidance (SPG) is also considered relevant to this application:

Design in Town Centres
Historic Built Environment
Development of Flats
Planning Obligations

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 6 (Historic Environment) is considered relevant to the determination of this application.

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.

The conversion of this building is considered desirable as it is a large listed building that has been under used for sometime, and thus its condition has deteriorated. In addition, this under use and dilapidated and derelict appearance is detrimental to the appearance to the physical environment of Aberdare Town Centre which is a Conservation Area. Considerable investment has been made in Aberdare Town Centre through various Council led regeneration schemes in recent years to improve the environment and economic performance of the town, and the reuse of this building would be a significant contribution to this. In respect of planning policy, the use of the ground floor as an A1 unit with residential use at upper floor levels is considered acceptable.

The benefits a conversion would bring need to be balanced against the impacts of the alterations to the building on its special architectural and historic qualities which have resulted in it being considered worthy of listing. The internal alterations proposed are discussed as part of the report on the listed building consent. The key external alterations are considered to be the demolition of the link building, the new shop front, the creation of the full length windows on the front elevations, the new roof lights to the former function hall, the new bin store access at the rear and the restoration of the exterior, including replacement natural slate roof and replacement of missing chimney stacks.

The link building is not considered to have much historic or architectural value, and therefore its demolition and rebuilding are considered to be acceptable. The creation of the two full length windows through the lowering of sills is considered to be relatively minor and it is accepted that this is required to give sufficient presence to shoppers. The proposed shop front is located where the IQ Clothing shop front currently is, and as this has already been significantly altered to accommodate a shop, this is considered acceptable.

The proposed roof lights will not be visible from the street scene, and it is accepted that they are required to allow for residential accommodation in this area of the building. The bin store and associated access and steps from first floor level are considered necessary to allow the building to function. The general restoration of the building that the conversion allows for is considered welcome, as it will considerably improve the appearance of the building from its current dilapidated state.

Therefore, the conversion is considered acceptable in terms of its impact on the listed building, and it is considered particularly welcome that the proposal will allow for the improvement of its appearance through its restoration.

OTHER ISSUES

In respect of the guidance contained with the Development of Flats SPG, it is noted that the flats lack access to an outdoor amenity area although a residential bin store is proposed in the retail service area to the rear as there is no other feasible location for it. This means that there is no area to provide the cycle stands requested by Highways Development Control. While this lack of amenity area would not be considered acceptable in a lot of cases, here it is accepted due to the desirability of bringing the building back into use. Aside from the lack of amenity space, the quality of accommodation provided is considered to be satisfactory. No parking is proposed, but this is considered acceptable due to being in a town centre well served by public transport.

It is understood that a Housing Association will be managing the flats as a social rented scheme, and a condition is proposed in this case to ensure that the development will provide social housing in accordance with NSA11 of the Local Development Plan, regardless of the tenure/management arrangements in the future for the building (condition 5).

The standard hours of construction condition has not been added in this case due to the town centre location.

In respect of Land Reclamation and Engineering's comments, as this is an existing building, the drainage arrangements will be as existing, so drainage conditions are not considered necessary in this case. The development will not increase flood risk as it is an existing building and the proposed retail use at ground floor level is

considered to be of lower vulnerability to flood consequences. The residential units will be on upper floors. It is however considered that a condition for a flood emergency plan would be beneficial (condition 4).

As the Bat Survey has concluded there are unlikely to be bat roosts present, and the Council's Ecologist has accepted this conclusion, it is considered that the standard bat informative note can address Countryside's request for a condition.

The Police's recommendations have been forwarded to the applicant for advice.

Community Infrastructure Levy (CIL) Liability

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

The application for residential development is 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.

A1 retail development would normally be liable for a CIL charge in the north of the County Borough. However, as part of the building is currently in an A1 use and the change of use from an A3 to an A1 use is permitted development, no CIL is payable on this element of the development in this case.

CONCLUSION

The proposed development is considered welcome as it would bring the Boot Hotel back into full use, would secure a long term future for the building and would contribute to the regeneration of Aberdare Town Centre.

RECOMMENDATION Approve subject to the following conditions:

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

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

2. The development hereby approved shall be carried out in accordance with the approved plan(s) no(s) A100 rev A - A111 rev A, and documents received by the Local Planning Authority on 28th July 2016, and plans A109 rev B and A112 rev B received by the Local Planning Authority on 4th October 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 development shall be carried out in accordance with the materials specified in Plans A111 rev A and A112 rev B. In addition, and notwithstanding the submitted plans, prior to the commencement of development, the following details shall be submitted to and approved in writing by the Local Planning Authority, and development shall be carried out in accordance with the approved conditions:
 - a. A schedule of repair for window replacement, rainwater good, fascias and soffits;
 - b. Details showing the relocation of fanlights to ground floor entrance to elsewhere within this development;
 - c. Detailed specification of the following:
 - Shopfront details
 - Natural slate specification
 - Replacement window specification (including glazing)
 - Cleaning and repainting of exterior masonry
 - Replica chimney structures
 - Ridge tiles (not collared)
 - Ventilation and flues (at eaves and rear not roof)
 - Section and profiles of new apertures at street level
 - Roof light fittings

Reason: To ensure the integrity of the listed building, in accordance with Policy AW7 of the Rhondda Cynon Taf Local Development Plan.

4. Prior to the commencement of any development a scheme shall be submitted to, and approved in writing by, the Local Planning Authority detailing the provision of a Flood Management Plan.

The Flood Management Plan shall be prepared in consultation with Rhondda Cynon Taf County Borough Council's Emergency Planning Team and the Emergency Services. The Plan should, as a minimum, include:

- Details to confirm that occupiers of the development are signed up to the Natural Resources Wales flood warning service and are aware of the flood consequences.
- Arrangements for vacating those parts of the site shown to be at

highest risks of flooding where the risks to people and property could be significant on receipt of a flood warning.

- Arrangements for evacuating the site if necessary.
- Arrangements for post event clear up and recovery which should also include inspection of any infrastructure that may have been damaged during the flood to ensure that it is safe before the site is re-occupied.

The Flood Management Plan shall be implemented in accordance with the approved details and prior to the first beneficial use of the building.

Reason: In the interests of public safety having regard to the location of the site within a C2 Flood Zone, and in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

5. No works of conversion shall 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:

- i) the numbers, 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/bed spaces;
- ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- iii) the arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing (if no RSL involved);
- iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- v) 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: In order to ensure an appropriate level of affordable housing contribution is provided, in accordance with the requirements of policy NSA11 of the Local Development Plan and Technical Advice Note 2: Planning and Affordable Housing

6. Notwithstanding the submitted details, prior to the commencement of development full details of bins storage for both the flats and the retail units shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented in accordance with the approved details prior to beneficial use of the building.

Reason: To ensure suitable bin storage in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

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APPLICATION NO: 16/0910/10 (GW)
APPLICANT: Mr S Martin
DEVELOPMENT: Proposed change of use of former bar / restaurant / nightclub to 6 no. self contained apartments.
LOCATION: APOLLO BUILDING, ABER-RHONDDA ROAD, PORTH, CF39 0LD
DATE REGISTERED: 11/08/2016
ELECTORAL DIVISION: Porth

RECOMMENDATION: GRANT

REASONS: The site is a large building within the settlement boundary as identified in the Rhondda Cynon Taf Local Development Plan and is not allocated for any specific use. Its former lawful commercial use has ceased some time ago and the building is vacant. The re-development of the building for an active residential use would be beneficial for the area.

The proposed residential use of the building is considered would not have a significant detrimental impact on residential amenity or on the character of the area.

A suitable level of parking is considered would be provided for the amount of dwellings being proposed.

The development would not have a significant detrimental impact on ecology issues (i.e. bats).

REASON APPLICATION REPORTED TO COMMITTEE

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

APPLICATION DETAILS

The application seeks full planning permission for the conversion of the former bar/restaurant /nightclub at Aberrhondda Road in Porth to provide six residential properties. Part of the building, to the rear of the site, would be demolished to make way for the development.

The plans detail the provision of two three bedroom flats at ground floor level. These would have direct access to private amenity space at the rear of the building. Four three bedroom flats would be provided on the upper floors and would be accessed via the main central access and a communal foyer area. Individual storage units would be provided in the foyer for pushchairs etc.

Six parking spaces would be provided and accessed from an adopted lane to the side of the building. A communal bin store would be provided adjacent the parking areas.

The application is supported by:

- A Design and Access Statement; and
- Photos of roof space for the purposes of bat assessment.

SITE APPRAISAL

The Apollo building is located on Ty-Newydd Square junction in Porth where Rheola Road meets Aberrhondda Road and Cemetery Road. The building is a large prominent traditional former hotel type building that fronts the street and curves around the junction linking into other properties along Cemetery Road. It is currently boarded up. To the side of the building is a lane that provides access to the rear. This lane also provides access to the rear of adjacent properties on Rheola Road, Cemetery Road and some garages. Behind the rear boundary of the lane is Pont Newydd Medical Centre.

Traditional residential terrace dwellings are located adjacent and opposite. Adjacent to the part of the building on Cemetery Road is located a cafe, other shops and further residential dwellings. On the opposite side of the junction is the entrance to a bus depot and residential dwellings and a bar/restaurant are located opposite the building.

PLANNING HISTORY (Relevant to application)

None relevant.

PUBLICITY

The application has been advertised via the erection of site notice and by direct neighbour notification. One email of correspondence has been received at the time of writing this report and the comments are summarised below:

- Parking bays 5 & 6 would not be accessible for the residents as the lane at the side of no 8 Aberrhondda Road is already full at night and is used by houses 5 / 7 / 8 as well as the residents of Bar X and the adjoining house.

- We already have to park cars in the lane behind no 7 & 8. When people are unable to park, cars are already getting damaged (wing mirrors kicked / knocked off).

CONSULTATION

Countryside Section – The photographs with the application show a very clean loft which matches the description of the roof being re-made 10 years ago: the bat roost potential looks low. Given this and the nil SewBrec search the application would not trigger a bat survey requirement. In that case the applicant can be progressed without any specific bat work, but it is recommended the bat informative note is appended to any planning permission.

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

Flood Risk Management – no objection.

Public Health and Protection – no objection subject to conditions on demolition of existing dwellings, hours of operation, noise and dust.

Transportation Section – no objection, taking into account the previous use would have required a far greater car parking requirement than the proposed residential use and the development is in a sustainable location close to a variety of local amenities, public transport with both bus and rail stops within easy walking distance on-balance the proposal is acceptable. The provision of cycle stands at one space per apartment is suggested.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The site is within settlement boundaries as defined by the Rhondda Cynon Taf Local Development Plan and is unallocated.

Policy CS1 - sets out criteria for achieving strong sustainable communities including: promoting residential development in locations which support the role of principal towns and settlements and provide high quality, affordable accommodation that promotes diversity in the residential market.

Policy AW1 - residential development proposals will be expected to contribute to meeting local housing needs and the supply of new housing will include the conversion of suitable structures to provide housing.

Policy AW2 - development proposals will only be supported in sustainable locations, including sites within the defined settlement boundary, which would not unacceptably conflict with surrounding uses, have good accessibility by a range of sustainable

transport options, have good access to key services and facilities and support the roles and functions of the Principal Towns.

Policy AW5 - sets out criteria for new development and requires the scale, form and design of new development to have an acceptable effect on the character and appearance of the site and surrounding area and existing features of the built environment to be retained. Development must have no significant impact on the amenities of neighbouring properties, be compatible with other uses in the locality and to design out the opportunity for crime and anti social behaviour. Development must be sustainable, have safe access and provide car parking in accordance with the Council's Supplementary Planning Guidance (SPG).

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 NSA12 – details criteria for housing development within and adjacent to settlement boundaries.

Policy NSA13 – Conversion of large buildings for residential purposes will be permitted provided: the site is within the settlement boundaries, the building is of historic or architectural importance and makes a valuable contribution to the townscape and there is no economically viable alternative use.

Supplementary Planning Guidance

Access Circulation and Parking

Design and Placemaking

Development of Flats

Nature Conservation

Planning Obligations

National Guidance

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

Planning Policy Wales Chapter 2 (Development Plans), Chapter 3 (Making and Enforcing Planning Decisions), Chapter 4 (Planning for Sustainability), Chapter 5 (Conserving and Improving Natural Heritage and the Coast), Chapter 7 (Economic Development), Chapter 8 (Transport), Chapter 9 (Housing), sets out the Welsh Government's policy on planning issues relevant to the determination of the application, Chapter 12 (Infrastructure and Services) and Chapter 13 (Minimising and Managing Environmental Risks and Pollution).

Other relevant policy guidance consulted:

PPW Technical Advice Note 5: Nature Conservation and Planning;
PPW Technical Advice Note 11: Noise;
PPW Technical Advice Note 12: Design;
PPW Technical Advice Note 18: Transport;
PPW Technical Advice Note 23: Economic Development; and
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.

Principle of the proposed development

The application proposes the conversion of a former bar/restaurant/nightclub that has been vacant for some time, to create 6 three bedroom flats. A new or alternative economic use has not carried on at the building and it is considered this would be less likely due to its physical condition and location out of the town centre.

The Council's supplementary planning guidance on the development of flats generally supports schemes which makes a positive contribution to housing choice, result in a sustainable form of development and which is well designed.

The building is currently vacant and is located within the settlement development limits of Porth. Its conversion to flats of the size being proposed (three bedrooms) would provide beneficial residential accommodation and would visually improve the buildings appearance through its re-use.

The property is located approximately 500 metres from the centre of Porth with its shops, facilities, and public transport links. In light of this the site is considered to be sustainably located.

Therefore, it is considered the principle of a residential use of this building would be acceptable subject to the following material planning considerations, which are discussed below.

Character and appearance of the area

The building is currently vacant and boarded up. It is considered that the proposed conversion of such a visually prominent building in the street scene could have a beneficial impact on the character of the area.

The main external changes include replacing the building's roof covering with an artificial slate, the replacement of windows and doors and the blocking up an entrance. It is considered these works could be carried out sympathetically with the existing traditional character of the building if suitable materials are used that match the existing.

A condition is suggested to ensure materials such as the slate and replacement stone and brick are similar to the existing used in the building. Whilst the replacement windows would not be the same design and materials as in the original building, it is considered they would not significantly detract from the character of the building and area to warrant a refusal reason.

Impact on residential amenity

Members should note the previous uses of the building included a bar, restaurant and a nightclub. As such a residential use is considered would not have a significantly greater impact than the previous use.

In terms of the occupiers of the dwellings the proposed flats are considered of sufficient size for the number of bedrooms. There is some amenity space to the rear of the building for the ground floor flats and some space for the upstairs flats to store bins off the pavements and store other items such as push chairs. The accesses are from the main road and well overlooked. As such, in these terms, it is considered the proposal would accord with guidance within the Council's Supplementary Planning Guidance for flat development.

It is therefore considered that the development would not have a significant detrimental impact on the amenity of the occupiers of the proposed dwellings and on surrounding residents.

Ecology (bats)

The development includes the development of the upper roof space for flats and replacement of the roof covering. Photos of the internal spaces of the roof have been submitted for assessment. The Council's Ecologist considers there is a low potential for bats and does not require any further survey work. A bat informative will be appended if permission is granted.

Access and highway safety

The development would provide one parking space per flat at the rear of the building. The site is also close to the shops, services, public transport links within Porth. No objection has been raised by the Transportation Section as detailed above.

A comment has been submitted by a local resident suggesting some of the parking spaces being proposed may not be used as residents use the lane for parking and this would block the parking spaces. In responding to this, it is noted that on street parking is restricted to the front of the site and that parking in the lane maybe seen as the most convenient place by some local residents. Members are advised, the lane is however not a formal parking place and should not be blocked. As such, if on site parking spaces are blocked, this would be an issue of enforcement by the relevant authority.

The condition requiring cycle stands that is suggested by the Transportation Section is appreciated; however secure storage space for the upstairs flats can be provided within the storage areas in the main foyer of the building. The two ground floor flats have secured outside space and one has a relatively large lobby that could be used for such storage. Furthermore with the car parking and bin store taking up the majority of the communal area outside the building; there is not adequate space for additional outside storage. Therefore space for cycle storage is considered already adequately provided for and additional space would not be necessary.

Therefore, it is considered that the development would be acceptable in these terms.

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 Section Comments

Whilst the comments raised by the Public Health and Protection Section are appreciated, it is considered demolition, noise, dust, waste and lighting matters can be more efficiently controlled by other legislation. An appropriate note can be added to any permission regarding these issues.

Drainage

Dwr Cymru /Welsh Water require that surface water should not drain to the public sewerage system. Whilst their comments are appreciated the conversion is to an existing building that has existing drainage. It is considered an appropriate drainage system can be controlled through Building Regulations.

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

The application is considered to comply with the relevant policies of the Local Development Plan in respect of the principle of development, the impact on the character and appearance of the area, the impact on residential amenity, ecology and parking and highway safety (Policies AW1, AW2, AW5, AW6, AW7 AW8, NSA12 and NSA13).

RECOMMENDATION: Grant

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

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

2. The development hereby approved shall be carried out in accordance with the approved plan(s) no(s)

- Location Plan received 11th August 2016
- Drawing no. 2815 04 Proposed ground and first floor plans received 11th August 2016.
- Drawing no. 2815 05 Proposed second floor plan received 11th August 2016.
- Drawing no. 2815 06 Proposed elevations received 11th August 2016.

and documents received by the Local Planning Authority on 11th August 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. Before the development is brought into use the means of access, together with the parking facilities for 6 vehicles, shall be laid out in accordance with the details on the submitted plan 2815 04 received on 11th August 2016. The car parking spaces shall be retained for the parking of vehicles thereafter.

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

4. The external materials of the proposed slate roof covering, stone and brick

walling materials shall match as near as possible the materials of the existing building.

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

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APPLICATION NO: 16/1019/15 (DJB)
APPLICANT: Mr Robert Baron
DEVELOPMENT: 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
LOCATION: CYNON VALE MEDICAL PRACTICE, CARDIFF ROAD, MOUNTAIN ASH, CF45 4EY
DATE REGISTERED: 07/09/2016
ELECTORAL DIVISION: Mountain Ash East

RECOMMENDATION: Approve (Temporary for a further 12 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 12 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 previous application (15/0667) Committee requested that any subsequent application seeking an extended period in which to retain the units be brought back to Development Control Committee for Members consideration.

APPLICATION DETAILS

Permission is sought to vary the 12 month maximum time period stipulated in condition 1 of planning permission 15/0667, which expires on 23 October 2016.

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.

The application sought permission to retain the 12no. modular units for a period of 3 years. In considering the application however, Members of this Committee determined that in granting temporary permission that the permission only be for 12 months and not the 3 years sought.

The application is supported by Cwm Taf University Health Board who in support of the application have indicated they are currently in discussions in respect of progressing a scheme for a new facility for the provision primary health care facilities in Mountain Ash. In view of the work being undertaken in respect of that proposal they request that the Council look favourably on the application made by Cynon Valley Medical Practice to retain for the temporary accommodation for a further 12 month period.

SITE APPRAISAL

Cynon Vale Medical Practice is accommodated within 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

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 04/12/015
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

Transportation Section – no objections are raised.

RCT Flood Risk Management Section (Drainage) – no comments to make.

Natural Resources Wales – no comments to make.

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 – 8th Edition, January 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 4.10 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

Background

Application 15/0667 was initially presented to the 20 August 2015 meeting of this Committee. At that meeting Members resolved to defer determination of the application in order that a Committee site visit could be held. The site visit was held on 28 August 2015 and the application subsequently reported back to the 17 September 2015 meeting. At that meeting Members resolved that they were minded to refuse planning permission for the reasons that the proposed addition was unsuitable by reason of its design and that due to a lack of parking there was the potential for congestion and highway problems. Accordingly, the application was

deferred in order that Members could receive a further report upon the strengths and weaknesses of taking a decision contrary to the recommendation. The application was further considered 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.

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 12m 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 12 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.

In terms of its impact on residential amenity it is noted that the occupiers of the former Nazareth Church have not raised objection to this application. They did raise objection to the original 15/0667 application.

Having regard to policy AW5 of the Local Development Plan it remains the view that the proposed units would 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 12 month period.

In respect of highway/access/parking issues the Council's Transportation Section has considered the application do not raise any objections to the retention of the units for the further period.

In respect of drainage/flooding issues no comments have been made by either NRW or the Council's Flood Risk Management (FRM) Section.

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 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 15/0667 application at Committee last year. However, it is not considered that the retention of the accommodation for a further period of 12 months will result in any further adverse impacts and accordingly the application is recommended for approval (for a maximum of 12 months, i.e. until 23 October 2017).

RECOMMENDATION: Grant

1. The permission hereby granted is for a temporary period (maximum of 12 months up until 23 October 2017) 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 2017. 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.

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LOCAL GOVERNMENT ACT 1972

as amended by

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

LIST OF BACKGROUND PAPERS

DEVELOPMENT CONTROL COMMITTEE

20 OCTOBER 2016

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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