



PLANNING & DEVELOPMENT COMMITTEE

16 DECEMBER 2021

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 21/1310/10 (GH)
APPLICANT: Cynon Taf Community Housing
DEVELOPMENT: Demolition and redevelopment to provide residential dwellings and associated works. (Historic Building Recording Report received 22nd November 2021)
LOCATION: PENYGRAIG INFANTS SCHOOL, HENDRECAFN ROAD, PEN-Y-GRAIG, TONYPANDY, CF40 1LJ
DATE REGISTERED: 24/09/2021
ELECTORAL DIVISION: Penygraig

RECOMMENDATION: GRANT SUBJECT TO CONDITIONS AND SECTION 106 AGREEMENT

REASONS: The site layout and the design of the development would provide an attractive and appropriate use of the former school site and would be of an appearance and scale sympathetic to the surrounding properties and street scene.

Furthermore, the 100% affordable dwellings would also provide a helpful contribution towards local housing needs as identified by the Council's Local Housing Market Assessment 2017-2023.

Given the position of the site within the settlement boundary, its sustainable location and the beneficial re-use of this previously developed land, the development would comply with the Northern Strategy Area policies of the Rhondda Cynon Taf Local Development Plan and align with the National Sustainable Placemaking Outcomes set out within PPW11.

REASON APPLICATION REPORTED TO COMMITTEE

The proposal constitutes major development, which is not covered by determination powers delegated to the Director of Prosperity & Development

APPLICATION DETAILS

Full planning consent is sought for the demolition of the former Penygraig Infants School, Hendrecafn Road, and the construction of 12 affordable dwellings on behalf of a Registered Social Landlord (RSL).

It is proposed to provide the following accommodation:

Block 1: 4 x one-bedroom apartments

Block 2: 4 x one-bedroom apartments

Block 3: 1 x three-bedroom 'Bariatric' ground floor apartment
2 x two-bedroom apartments

Bungalow: 1 x three-bedroom adapted for wheelchair use

The apartment blocks would be aligned with the northern and western site boundaries adjacent to Station Street and Hendrecafn Road. They would be of two storey height and walk-up type, i.e., each apartment would have its own external front door rather than a communal entrance. In respect of the bungalow, this would occupy the southern, narrowest part of the site.

The proposed vehicular access would be from Hendrecafn Road, and this would lead to a small car park providing fourteen off-street spaces. Pedestrians could also enter the site at this point, in addition to a new pedestrian access onto Station Street. The submitted details also includes space for a cycle store and a communal drying area.

Although the bungalow would benefit from a separate enclosed garden, the proposed site layout plan incorporates three rain gardens and a bio-retention swale. Alongside a number of specimen trees and grassed areas, these features would provide amenity space and interest for residents as well as delivering the required elements for the sustainable drainage scheme.

With regard to external finishes, the development's elevations would comprise larch cladding over white render, with the structures to be enclosed by a dark grey standing seam metal roof. Fenestration and fascias would be light grey PVCu. Each first floor flat would also benefit from a small balcony.

In addition to the plans and elevation drawings accompanying the application, the following supporting documents have been submitted:

- Preliminary Ecological Assessment
- Ecological Impact Assessment
- Bat Surveys
- Heritage Statement
- Pre-Demolition Survey
- Asbestos/Refurbishment Demolition Survey Report
- Pre-Application Consultation Report (PAC)
- Planning Design and Access Statement
- Drainage Strategy

- Geotechnical/Geo-environmental Reports
- Historic Building Recording Report

SITE APPRAISAL

The application property is a large, Victorian school building located in the centre of the settlement of Penygraig. The property formerly accommodated Penygraig Infants School, but since closure has become vacant.

This prominent structure, which comprises an irregular, h-shaped footprint, occupies the northern end of this constrained site; whilst that to the south of the building is of hardstanding and was previously used as a playground.

The former school is characterised by the surrounding topography in that there is a marked fall towards the north-east. The school boundaries are formed by Hendrecafn Road to the south-west and Station Street to the north, and to the eastern side, by the properties located along Tylacelyn Road.

The majority of the properties in close proximity to the site are typical Victorian terraces, mostly in residential use and with some retail units. However, the rear elevation of the listed Pysgah Chapel almost intersects with the rearmost wing of the School building.

The site, which is within the defined settlement boundary, is located within a High Risk Coal Area, and part of a Registered Landscape of Outstanding Historic Interest in Wales.

PLANNING HISTORY

The most recent or relevant applications on record associated with this site are:

19/5041/41: Pre-application advice – residential development.
Decision: 01/07/2019, Raise No Objections.

PUBLICITY

The application has been advertised by direct notification to twenty-nine neighbouring properties and notices were displayed on site in four places.

Furthermore, in accordance with the Development Management Procedure Order (Wales) the relevant press notice was published on 11th October 2021 identifying that the proposal constitutes major development.

One letter of objection has been received raising concerns about the number of dwellings being proposed and that insufficient parking provision would cause overspill onto local roads that are already oversubscribed by parking demand.

CONSULTATION

Highways and Transportation

No objection subject to conditions in respect of site access and parking, a construction method statement, surface water drainage, and footway reinstatement.

Flood Risk Management

The proposal concerns the demolition and redevelopment of Pen-y-Graig Infants School, Hendrecafn Road to provide residential dwellings. A total site area of 1784 sq. metres has been identified by the applicant.

Natural Resources Wales' Surface Water Flood Risk maps have been used to review the site's surface water flood risk, as per Paragraph 8 of Tan 15. The review concluded that the site is not within an area of surface water flood risk.

Given the total construction area is greater than 100m², under Schedule 3 of the Flood and Water Management Act 2010, the applicant will be required to submit an application to the SuDS Approval Body (SAB). The applicant is also required to comply with Part H of the Building Regulations.

Whilst the applicant has effectively outlined how surface water will be managed and disposed of at the site, the applicant will also need to provide detailed drainage calculations to support the proposed scheme. Therefore, I would recommend that the application be conditioned in that regard.

Public Health and Protection

No objection although conditions are recommended in respect of demolition, noise, dust, waste, and lighting. However, given that these matters will fall within either the scope of existing Public Health powers, or a Construction Method Statement, it is considered that an informative note is appropriate.

Glamorgan Gwent Archaeological Trust

The submitted Historic Building Recording Report is appropriate and will be added to the GGAT Historic Environment Record (HER). There is no need for a condition in this regard.

Natural Resources Wales

No objection to the development as submitted.

NRW notes that the report submitted in support of the application has identified that bats are present at the application site but does not consider that the development is likely to be detrimental to the maintenance of the population of the species concerned, at a favourable conservation status in its natural range.

No conditions are recommended; however, an informative note should be appended to any planning permission to advise that a European Protected Species Licence is required for this development.

Dwr Cymru Welsh Water

Dwr Cymru Welsh Water has confirmed it has been previously informed of the proposed development and consulted, as a 'Specialist Consultee', in accordance with Schedule 1C Article 2D of the Town & Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016.

DCWW has reviewed the information submitted as part of this application with particular focus on the Drainage Layout Drawing No. S.7700-06 revision E and advises that foul water flows can be accommodated in the public sewer system.

However, a condition is recommended for the submission of details in respect of a potable water scheme for approval, together with an advisory note in respect of sewer provision.

Western Power Distribution

A new connection or service alteration will require a separate application to WPD.

Streetcare – Waste and Recycling

It is not known whether vehicles could access the internal part of the site and the Waste Team advises that bin collection points can be reviewed as work progresses.

Countryside – Ecologist

The Council's Ecologist has reviewed the various ecology surveys for this site including the January 2020 and August 2021 bat surveys and the September 2021 Ecological Impact Assessment, all produced by Ecological Services Ltd. The building also supports small common and soprano pipistrelle bat roosts. A NRW European Protected Species Licence will therefore be required.

Consequently, the Ecologist has advised that enough survey work has been done, and the application can proceed subject to a condition for all ecological mitigation/enhancement measures identified in the ecology reports, together with replacement roost/nest provision for both tawny and barn owls.

The Coal Authority

The application site falls within the defined Development High Risk Area and The Coal Authority advises that its records indicate that within the application site and surrounding area there are coal mining features and hazards, which need to be considered in relation to the determination of the planning application – specifically that the site has been subject to historic recorded underground shallow coal mining.

The Coal Authority notes the supporting Geotechnical and Geo-environmental Report (April 2019, prepared by Terra Firma Ltd), the contents of which confirm the results of an intrusive site investigation undertaken. On the basis that the boreholes identified sufficient competent rock cover above the shallow coal mine workings, the Coal

Authority is satisfied the site is safe and stable to accommodate the proposed development and has no objections to this planning application.

No other consultation responses have been received within the statutory period.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies within the settlement boundary for Penygraig

Policy CS1 - Emphasises sustainable growth in the northern strategy area, achieved by promoting residential development in locations which support and reinforce the roles of Key Settlements, and ensuring the removal and remediation of dereliction by promoting the re-use of previously developed land.

Policy CS5 - Identifies that there is a need to provide 1770 affordable housing units over the plan period.

Policy AW1 - Concerns the supply of new housing within the Borough and stipulates that the supply will be met by the development of unallocated land within the defined settlement boundaries of the Principal Towns, Key Settlements and Smaller Settlements.

Policy AW2 - Provides for development in sustainable locations which are within the settlement boundary; would not unacceptably conflict with surrounding uses; and have good accessibility by a range of sustainable transport options.

Policy AW4 - Identifies a range of community infrastructure and planning obligations that may be sought, including affordable housing.

Policy AW5 – Identifies the appropriate amenity and accessibility criteria for new development proposals. It expressly states that the scale, form, and design of the development should have no unacceptable effect on the character and appearance of the site and the surrounding area. There should also be no significant impact upon the amenities of neighbouring occupiers and should, where appropriate, retain existing features of natural environmental value. The development would require safe access to the highway network and provide parking in accordance with the Council's SPG.

Policy AW6 - Supports development proposals that are of a high standard of design that reinforce attractive qualities and local distinctiveness. Additionally, proposals must be designed to protect and enhance landscape and biodiversity.

Policy AW8 - Seeks to protect the natural environment from inappropriate development unless there would be no unacceptable impact upon the features of importance to landscape or nature conservation, including locally distinctive trees and woodland.

Policy AW10 - Prevents development which could cause or result in a risk of unacceptable harm to health or local amenity due to land instability or any other identified risk to local amenity and public health.

Policy NSA10 - Stipulates that the net residential density must be a minimum of 30 dwellings per hectare, and lists criteria where lower density levels are permitted.

Policy NSA11 - Seeks a provision of at least 10% affordable housing on sites of 10 or more units.

Policy NSA12 - Requires housing development within the settlement boundary to be accessible to local services by a range of sustainable transport modes without

adversely affecting the highway network or provision of car parking in the surrounding area. Contaminated land must also be adequately remediated.

Supplementary Planning Guidance

- Design and Place-making
- Access, Circulation and Parking Requirements
- Affordable Housing
- Planning Obligations
- The Historic Built Environment
- Nature Conservation
- Development of Flats

National Guidance

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

Planning Policy Wales Edition 11 (PPW) was issued on 24th February 2021 in conjunction with Future Wales: The National Plan 2040 (FW2040). PPW incorporates the objectives of the Well-being of Future Generations (Wales) Act into town and country planning and sets out Welsh Government's (WG) policy on planning issues relevant to the determination of all planning applications. FW2040 sets out the National Development Framework for Wales (NDF), WG's current position on planning policy at regional and national level.

It is considered that the proposed development is consistent with the key principles and requirements for placemaking set out in PPW; and is also consistent with the Well-being of Future Generations (Wales) Act's sustainable development principles through its contribution towards the Welsh Ministers' well-being objectives of driving sustainable development and building healthier communities and better environments.

It is also considered the proposed development is compliant with the NDF, with the following policies being relevant to the development proposed:

- Policy 1 – Where Wales will grow – Employment / Housing / Infrastructure
- Policy 2 – Shaping Urban Growth – Sustainability / Placemaking

SE Wales Policies

- Policy 33 – National Growth Areas Cardiff Newport & the Valleys – SDP/LDP/large schemes.

Other relevant national policy guidance consulted:

PPW Technical Advice Note 2: Planning and Affordable Housing
PPW Technical Advice Note 5: Nature Conservation and Planning

PPW Technical Advice Note 12: Design
PPW Technical Advice Note 18: Transport

Manual for Streets

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

Principle of the proposed development

Permission is sought to demolish the former Penygraig Infants School and develop 12 dwellings in its place. The development would consist of 8 one-bed flats, 2 two-bed flats, 1 three-bed flat, and 1 three-bed bungalow.

The site is situated in the Northern Strategy Area within the defined settlement boundary as per Policy NSA 12. Consequently, a minimum provision of 10% affordable housing is required in order to comply with Policy NSA11.

The applicant is proposing 100% of the units to be affordable dwellings, and the Council's Housing Strategy Team has advised that the unit mix and tenure would accord with the Local Housing Market Assessment 2017/23. This clearly satisfies the requirements of Policy NSA11 and makes a contribution to the affordable housing need identified by policy CS5.

The minimum net residential density permitted by Policy NSA10 is 30 dwellings per hectare. The site is approximately 0.178 hectares, therefore resulting in a net residential density of approximately 78 dwellings per hectare. The proposal subsequently complies with Policy NSA10.

The development of unallocated sites within the defined settlement boundary is supported by Policies AW1 and AW2. The proposal also complies with Policy CS1 and PPW11, particularly in relation to the national sustainable placemaking outcomes, both of which promote the redevelopment of previously used land in preference to Greenfield sites.

The site is within the defined settlement boundary and is accessible by sustainable transport modes including bus, foot and bicycle. The site also has good access to key services and facilities, being located close to the retail centre of Penygraig. The site can therefore be considered a sustainable location in accordance with the other relevant criteria of Policy AW2.

In principle therefore, the development would be considered acceptable, subject to the consideration of the material matters below.

Impact on the character and appearance of the area

It is noticeable that the footprint of the four buildings which comprise the proposed housing scheme are comparable with that of the former school, and thus the space around the buildings and proportions of undeveloped land are similar.

Therefore, since all but one of the new units are flats and the site is in an urban location the density of the development, at approximately 78 dwellings per hectare, is appropriate to the setting and there is no sense of overdevelopment.

Likewise, the massing of the development would also compare well with the school buildings since none of the new dwellings exceed two storeys. Blocks 1 and 2 in particular, would be set back from and below the level of Hendrecafn Road, with some defensible space between the elevations of habitable rooms and the boundary with the highway.

In terms of the latter, the stone boundary walls are proposed to be retained as per the existing, or where the school elevations were directly adjacent to footways, these would be lowered and topped with metal railings, thus preserving some of the character of the site, and softening the impact of the contemporary development design.

As seen from Station Road, the falling land levels towards the east means that Block 3 will appear to rise above the boundary, as is currently the case for the school, whereas the dwellings on the opposite side are staggered so they sit at ground level. Nonetheless, given the domestic scale and dimensions of the block, it would not be considered to appear incongruous. With regard to the bungalow, its single storey height means that it would have minimal impact on the street scene and would mostly be screened from adjoining land.

The internal arrangement of the development would see the four new buildings set around a car park with planted areas as part of the sustainable drainage scheme. Both this and the variety of surface finishes would create an interesting and attractive shared space and represent a considerable improvement on the current appearance of the site. This outlook and provision of natural light and drying space accords with the aims of the Council's SPG for the development of flats.

Consideration was also given to the impact of the development on the neighbouring Pispah Chapel which, as outlined above, is a Listed Building. The current school elevations are very close to the rear of the Chapel and obscure views. However, post development this would no longer be the case, which would be considered to a betterment to its setting.

Consequently, the proposed development is considered to be acceptable in terms of its design, siting, massing, scale, materials, and overall visual appearance.

Impact on neighbouring occupiers

The physical relationship between the school buildings and surrounding dwellings at this site is long established and given that the proposed new buildings are of a similar scale and mass to those which would be demolished, there are few concerns that their replacements would result in unacceptable detriment to outlook or create overshadowing.

However, whilst there is no question about the compatibility of having one residential land use alongside another, the development of the site for this purpose still requires careful consideration.

School buildings tend only to be occupied at certain times of the day during term time, unlike dwellings. Therefore, whether a classroom window overlooks a garden or benefits from intrusive views towards habitable rooms of neighbouring dwellings is less of a concern than it might be if those views were from another house or flat.

At their closest point the elevations of Block 1 would be 13m away from the existing houses on the opposite side of Hendrecafn Road. Nevertheless, the ground floor of Block 1 would have a datum level of 160.55, which means that its first floor would be at a similar level as the ground floor of those houses (estimated at a minimum of 162.78) and therefore no intrusive views from the flats, or their small balconies, could occur.

In respect of the properties at Tylacelyn Road to the east, the closest part of the new development, other than the bungalow, would be Block 3. Block 3 would be positioned side-on to their rear gardens so only very skewed views might be possible from a first floor flat. The distance from the closest flat to the rear elevations of no's 99-100 Tylacelyn Road is estimated at around 20m, which given the angle of skew, is considered sufficient to prevent harm to amenity.

Lastly, there are six terraced properties opposite the northern site boundary on Station Street immediately adjacent to the highway. Five of these appear to be dwellings and the sixth a veterinary practice. Blocks 2 and 3 would directly face those dwellings and both new and existing development would have reciprocal views, which causes some concern when the gap between opposing elevations would be no greater than 14m.

Nonetheless, given the small number of relevant windows and affected properties, and in the absence of any neighbour representations to the contrary, these concerns are not considered to be of significant detriment set against the wider benefits of the scheme. It is also noted that this relationship of opposing elevations separated only by the width of the highway is commonplace within the surrounding area.

Subsequently, the application is considered acceptable in terms of the potential impact on the amenity and privacy of neighbouring residents.

Access and highway safety

Access

There are two existing access points onto the site for both vehicles and pedestrians, one from Station Street and one from Hendrecafn Road. The application proposes direct pedestrian access from Station Street with vehicular and pedestrian access off Hendrecafn Road, and with vehicular parking served via a private parking court.

Hendrecafn Road

This has a carriageway width of 6.3m with footway width varying between 1.6m-1.8m, which is acceptable for safe vehicular and pedestrian movement. There are existing Traffic Regulation Orders on Hendrecafn Road preventing on-street car parking on the opposite side to maintain the free flow of traffic, and restrictions for car parking outside peak times which are appropriate to remain.

The proposed vehicular access from Hendrecafn Road is acceptable, having taken into account the horizontal geometry of Station Street and the high on-street car parking demand opposite the entrance, where a residential permit holder parking scheme operates.

There is an existing vehicular crossover serving the school which will become redundant as part of the proposal and should therefore be reinstated in full footway construction, for which a condition is recommended.

Station Street

Station Street measures 6.1m in width, has parking restrictions on the development side and resident only car parking opposite. There is high on-street car parking demand due to the surrounding terraced dwellings having no off-street car parking provision or opportunity to provide any.

Pedestrian access to the site would be gained via 1.8m wide continuous footways which is acceptable for safe movement. However, similar to that on Hendrecafn Road, there is an existing vehicular crossover which would become redundant as part of the proposal and the aforementioned condition will also secure footway reinstatement here.

Internal Layout

The applicant has submitted a scheme for 12 dwellings with a parking court providing 14 off-street car parking spaces. The access serving this would be 4.8m wide which is acceptable for safe two-way vehicular movement. Circulation within the car parking court is acceptable with a 6m reversing aisle width for safe vehicular movement.

The access off Hendrecafn Road should provide un-controlled pedestrian crossing facilities, demarcation kerbing to denote the extent of adopted highway and vision splays of 2.4m x 25m in accordance with Manual for Streets for a 20mph speed limit area, for which a condition is recommended.

Parking

The proposed development provides accommodation for 8 x one-bed apartments, 2 x two-bed apartments and 2 x three-bed units (bungalow & apartment), for which the Council's SPG identifies a maximum off-street car parking provision of 26 spaces for residents and 2 spaces for visitors (28 spaces).

The proposed off-street car parking comprises 1 space per one and two-bed apartment (10 spaces) and 2 x spaces per three-bed units (4 spaces), in addition to the potential for short term visitor parking on the access road whilst maintaining vehicular access.

Since the site is located within a sustainable location within easy walking distance of public transport links and Penygraig retail area, the proposed 14 off-street parking spaces are considered to be acceptable.

Cycle Parking

The proposed development provides for secure cycle storage to promote sustainable modes of transport.

Active Travel

Planning Policy Wales and the Active Travel (Wales) Act 2013 set out walking, cycling and public transport at the top of their hierarchy of sustainable modes of travel. As a former school site the proposed housing development is within an area with good links to public transport with safe walking routes, which would accord with the aim to promote sustainable modes of transport.

SAB Layout (Drainage)

The Highways and Transportation Section has noted that the manhole proposed to connect to the surface water drainage to is a combined Dwr Cymru Welsh Water manhole and connection / approval should be sought from that statutory undertaker. The Section is not aware of any highway surface water drain within the vicinity.

National Sustainable Placemaking Outcomes

Chapter 2 of PPW11 emphasises that development proposals should demonstrate sustainable placemaking, to ensure that the right development is achieved in the right place, and states that development proposals should be assessed against the national sustainable placemaking outcomes.

PPW acknowledges that not every development proposal will be able to demonstrate that they can meet all of the outcomes, or that it can be proved that an attribute of a proposal will necessarily result in a particular outcome.

It is also recognised that the interpretation of the relevant criteria will depend upon the detail and context of the proposal and the application site, and in the planning balance, that greater material weight may be given to some attributes rather than others.

Therefore, in addition to consideration of the placemaking merits of the scheme within the sections of the report further above, the proposed development is considered to align particularly well with the following national sustainable placemaking outcomes:

- **Creating and Sustaining Communities:** The development density is appropriate for an urban location and would contribute to the overall housing requirement within the Northern Strategy Area. As a social housing scheme, it is of particular relevance in meeting a society need.
- **Facilitating Accessible and Healthy Environments:** The application site is close to a bus route with some services and facilities located within walking distance and being within the settlement boundary is considered to be a sustainable location.
- **Making Best Use of Resources:** The development accords with the aim to prioritise the use of previously developed land.
- **Growing Our Economy in a Sustainable Manner:** The development would have a small but positive effect in terms of construction jobs and create footfall for local businesses.
- **Maximising Environmental Protection:** The development would include biodiversity enhancement measures by way of bat and owl roosting provision.

In respect of the other national outcomes listed the development would be considered to have a neutral impact.

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 site lies within Zone 1 of Rhondda Cynon Taf's Residential Charging Zones, where a £nil charge is applicable. Therefore no CIL would be payable.

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 S106) may only legally constitute a reason for granting planning permission if it is:

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

Welsh Office Circular 13/97 Planning Obligations provides procedural guidance on the role of planning obligations in mitigating the site-specific impacts of unacceptable development to make it acceptable in planning terms. The Welsh Government Development Management Manual also advises planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition and when it meets the three tests above. 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 only intended to form the basis of negotiations between all parties.

The Section 106 requirements in this case

In this case the proposed development, on behalf of the Registered Social Landlord Cynon Taf Community Housing, would provide 100% affordable housing for social rent.

Therefore, a S106 agreement will be required to ensure that the dwellings are established and maintained as affordable units in perpetuity, for the continued purpose of meeting identified local housing needs.

Conclusion

The application site is located within the settlement boundary and the principle of residential development would therefore be acceptable and accord with both the Core, Area Wide and Northern Strategy Area policies of the Rhondda Cynon Taf Local Development Plan.

The proposed redevelopment of the School site is considered to be acceptable in principle and the new dwellings would be compatible with neighbouring mixed land uses. Furthermore, the proposed housing development has been designed for and in accordance with a registered social landlord and will provide beneficial re-use of an existing brownfield site in a sustainable location.

RECOMMENDATION: GRANT SUBJECT TO SECTION 106 ABOVE AND CONDITIONS BELOW

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 completed in accordance with the approved drawings and documents:
 - A002 Rev C
 - A003 Rev B
 - A004 Rev B
 - A005 Rev B

- A006 Rev C
- A007 Rev B
- A008 Rev C
- A009 Rev B
- A010 Rev C
- A011 Rev B
- A012 Rev C
- Landscape Planting LA.02
- Site Cross Sections S.7700-10

and details and documents received on 24th September 2021 and 22nd November 2021.

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

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

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

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

4. No development shall commence, other than demolition, until a potable water scheme to serve the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate that the existing water supply network can suitably accommodate the proposed development. If necessary, a scheme to reinforce the existing public water supply network in order to accommodate the site shall be delivered prior to the occupation of the first unit. Thereafter, the agreed scheme shall be constructed in full and remain in perpetuity.

Reason: To ensure the site is served by a suitable potable water supply, in accordance with Policies AW2 and AW10 of the Rhondda Cynon Taf Local Development Plan.

5. No development shall commence, other than demolition, until details of how the development will comply with the requirements of Section 8.3 of PPW Technical Advice Note 15 have been submitted to and approved by the Local Planning Authority. The development shall be undertaken in accordance with the approved details and prior to beneficial occupation of the first unit.

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

6. No development shall commence, other than demolition, until design and details of the following have been submitted to and approved in writing by the Local Planning Authority:

i) Reinstatement in full footway construction of the two existing vehicular crossovers.

ii) The new vehicular access, to include:

a) vision splays of 2.4m x 25m with no planting or obstruction above 0.9m within the vision splay area.

b) demarcation kerbing and un-controlled pedestrian crossing point have been submitted to and approved in writing by the Local Planning Authority.

The approved details shall be implemented prior to beneficial occupation of the first unit.

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

7. Prior to beneficial occupation of the development, the means of access, together with the parking and turning facilities, shall be laid out in accordance with layout drawing A002 and surfaced in permanent materials. The car parking spaces shall remain for the parking of vehicles thereafter.

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

8. All species mitigation and enhancement measures identified within Sections 4 and 5 of the Ecological Impact Assessment (Ecological Services Ltd, dated 20th September 2021), shall be provided and implemented on site, including the temporary and permanent roost/nest measures relating to tawny and barn owls (as identified within an email from Liam Griffiths of Asbri Planning to the Local Planning Authority, dated 4th November 2021).

All permanent mitigation and enhancement measures shall be provided prior to the beneficial occupation of the first unit and maintained in good order in perpetuity.

Reason: In the interests of biodiversity and nature conservation in accordance with PPW11 and Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

9. No surface water run-off from the proposed development shall discharge onto the public highway or be connected to any highway drainage system.

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