

PLANNING & DEVELOPMENT COMMITTEE

6 OCTOBER 2022

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 22/0587/10 (JE)
APPLICANT: Rhondda Cynon Taf County Borough Council
DEVELOPMENT: Install floodlighting and new boundary fencing
LOCATION: PENYRENGLYN CHANGING ROOMS, BAGLAN STREET, TREHERBERT, TREORCHY, CF42 5AW
DATE REGISTERED: 15/07/2022
ELECTORAL DIVISION: Treherbert

RECOMMENDATION: APPROVE

REASONS:

The proposal is considered to provide an enhanced sporting facility in the local community and would not result in any adverse impact upon the character and appearance of the surrounding area or the amenities of surrounding residents. As such, the application is considered to comply with the relevant policies of the Local Development Plan (Policies AW5, AW6 and AW10).

REASON APPLICATION REPORTED TO COMMITTEE

The application has been submitted by, or on behalf of the Council or involving land owned by the Council, where the Council's interest is of more than a minor nature.

APPLICATION DETAILS

Full planning permission is sought for the retention of works consisting of the installation of floodlights and new boundary fencing at Penyrenghlyn Changing Rooms, Baglan Street, Treherbert.

With regard to the floodlights, the application seeks to retain of 6no. 15 metre masts which would illuminate the main football pitch. The floodlights are positioned at 47 metre intervals with 3no. lights located on each side of the pitch. In addition, the application also seeks permission for an additional 10no. 6 metre masts positioned at 27 metre intervals that would illuminate the 5-a-side pitches to the south of the main pitch.

The boundary treatments to be retained consist of 4.5 metre high metal fencing with 0.5 metre high retaining boards along the site boundaries, which have replaced previous perimeter fencing along the northern and eastern boundaries and is a new feature along southern and western boundaries. The proposal also includes the retention of 1.2 metre high fencing with 0.2 metre high retaining boards enclosing the main pitch, inside of the site boundary.

The lights and fencing are part of wider improvements to the sports field which include an upgrade to a 3G pitch and creation of 3no. 5 a side pitches. The wider improvements also include an extension to the existing changing room block which is currently subject of a separate planning application, ref. 22/0739/10.

SITE APPRAISAL

The application site is an irregular shaped parcel of land located to the west of Baglan Street, Treherbert that contains a long established sports pitch and associated changing facilities. Pedestrian access to the site can be gained via Baglan Street and the access road to the north and north west whilst the site benefits from an area of off street parking alongside the changing rooms to the south.

The site is bounded by Penyreglyn Primary School to the south east, the highway at Baglan Street (A4061) to the north and east, an unnamed highway serving surrounding properties to the north west and an access road serving Treherbert Recycling Centre and a commercial premises to the west. The closest neighbouring properties are located along Baglan Street to the north and east of the site.

Members are advised that at the time of the Officer's site visit works had commenced on site with the floodlighting columns and perimeter fencing in place. However, the development under consideration has subsequently been completed during the application process.

PLANNING HISTORY

There are no recent planning applications on record associated with the application site.

PUBLICITY

The application has been advertised by direct notification to neighbouring properties as well as notices displayed at the site.

No letters of objection have been received following consultation.

CONSULTATION

Countryside (Ecology): No objection.

Public Health and Protection: No objection although conditions recommended in relation to lighting hours, hours of construction, noise, dust and waste.

Flood Risk Management (Drainage): No objection.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

Members will be aware that the current LDP's lifespan was 2011 to 2021, that it has been reviewed and a replacement is in the process of being produced. The Planning (Wales) Act 2015 introduced provisions specifying the period to which a plan has effect and providing that it shall cease to be the LDP at the end of the specified period. These provisions were commenced on 4th January 2016 but do not have retrospective effect. Therefore, the provisions do not apply to LDPs adopted prior to this date and plans adopted before 4th January 2016 will remain the LDP for determining planning applications until replaced by a further LDP. This was clarified in guidance published by the Minister on 24th September 2020. Subsequently, Members are advised that the existing Plan remains the development plan for consideration when determining this planning application.

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

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

Policy AW2 - supports development in sustainable locations.

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

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

Policy AW10 - development proposals must not result in any harm to public health, the environment or local amenity.

Supplementary Planning Guidance

- Design and Placemaking

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) sets out the Welsh Government's (WG) current position on planning policy. The document incorporates the objectives of the Well-being of Future Generations (Wales) Act into town and country planning and sets out the WG's policy on planning issues relevant to the determination of all planning applications. Future Wales: The National Plan 2040 (FW2040) sets out guidance for development at both regional and national level within Wales, with the thrust and general context also aimed at sustainable development.

It is considered that the proposed development is consistent with the key principles and requirements for placemaking set out in PPW; and is 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.

Given the minor scale of the proposed development and its relationship with only the immediate surrounding area, there are limitations to the extent such a scheme can have in promoting planning objectives at a national scale. As such, whilst the scheme aligns with the overarching sustainable development aims of FW2040, it is not considered the policies set out in the document are specifically relevant to this application.

Other national policy guidance considered:

PPW Technical Advice Note 12 - Design

PPW Technical Advice Note 16 – Sport Recreation and Open Space

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

Principle of the proposed development

The application seeks consent for the retention of new floodlights and boundary fencing as part of wider upgrading works that will improve the facilities at the site and enable year-round use of the existing recreation ground.

It is considered the works align with the relevant National Planning Policy requirements, inasmuch as TAN 16 supports the improvement of recreational facilities, playing fields and open spaces where their poor condition places a constraint on their use, specifically noting the following:

Paragraph 3.7 states “Playing fields and green open spaces have special significance for their recreational and amenity value and particularly in towns and cities, for their contribution to the urban environment and for supporting biodiversity. Playing fields and green spaces add interest and vitality to living and working environments.”

Paragraph 3.8 states that “Sometimes, the retention and enhancement of facilities may best be achieved through the redevelopment or rehabilitation of a small part of a site, particularly where this would be related to playing field use, for example the provision of changing facilities, which would not adversely affect the quantity or quality of remaining pitches, or their use.”

Paragraph 4.8 states that “The provision of floodlighting at sport and outdoor recreational facilities can allow for more efficient use of such facilities through extended opening hours”.

It is therefore considered that in principle, the proposal is acceptable, subject to an assessment of the following criteria.

Impact on the character and appearance of the area

The application site consists of established sports fields and other associated recreation facilities. Although it is acknowledged the proposed floodlight columns project higher than any of the other structures within the site, and that the lighting would create some prominence within the hours of darkness, it is considered that the columns add very little mass on account of their narrow width. As such, any visual impact on the character of the site and adjoining street scene is minimised.

Furthermore, given the recreational nature of site, and that most of the surrounding dwellings are set back away from the boundary of site with lighting designed to face the pitch only, it is unlikely that the lighting would introduce a feature that could be considered incongruous or out of keeping, and thus be harmful to the character and setting of the area.

With regard to the fencing, this has largely replaced existing fencing at the site and is not considered to result in any adverse impact upon the character and appearance of the area. In addition, such features are of a typical design and scale to existing structures seen at a number of sports facilities across the Country Borough.

As such, the application is considered acceptable in this regard.

Impact on residential amenity

The site is already well established and well used by the community and it is likely that the nearest residents of the area would have become accustomed to the activities generated by the use of its facilities, which provide health and social benefits to the local community.

However, on account of the dwellings located around the perimeter of the site, any potential impacts upon the amenities of nearby residents should be considered.

Whilst it is accepted that the installation of floodlighting would extend the use of the sports pitch into the evening in the winter months, it is considered that the intensity of the use and traffic movements would be no greater than that generated during the summer months. In addition, following confirmation from the applicant that the pitch would not operate beyond 9pm and would be manned by a staff member, no objection was raised to the proposal by the Council's Public Health and Protection Section, subject to a condition being added to any consent restricting the use of the flood lights to between the hours of 08:00 and 21:00 hours Monday to Sunday should Members resolve to approve the application.

When considering the impact of the fencing, this has largely replaced existing fencing at the site and would be sufficiently separated from neighbouring properties as not to result in any adverse impact upon the amenity of residents.

Subsequently, it is considered that the proposal is acceptable in this regard.

Public Health

Following consultation, the Council's Public Health and Protection Section suggested a number of conditions in relation to construction hours, noise, waste and dust. Whilst these comments are appreciated, it is considered that issues relating to construction hours, noise, dust and waste can be more efficiently controlled by other legislation and the suggested conditions are not considered necessary. An appropriate informative note is considered to be sufficient in this instance.

Ecology

The Council's Ecologist was consulted during the application process in order to provide comments on the ecological impacts of the development. Whilst concern was initially raised with regard to the potential impact upon bats, the existing highway to the west of the site is already illuminated by tall street lighting and as such, it is not considered that floodlighting of the pitch, which will be directed downwards, would likely have any greater impact than that which already exists in the area. In addition, the pitch which is being illuminated is open ground poor quality bat foraging habitat which bats are not likely to be crossing or using. As such, the Ecologist confirmed that no assessment is required in this instance and the application is considered acceptable in this regard.

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 not CIL liable under the CIL Regulations 2010 (as amended).

Conclusion

Having taken account of all of the issues outlined above, the application proposal is considered to represent an appropriate balance between the need to provide enhanced sporting facilities (in this case the ability to use existing sports fields for longer hours during winter months) and maintaining the character of the application site and amenities of neighbouring residents. As such, the application is considered to comply with the relevant policies of the Local Development Plan (Policies AW5, AW6 and AW10).

RECOMMENDATION: GRANT SUBJECT TO THE BELOW CONDITIONS:

1. The development hereby approved shall be carried out in accordance with the approved plans
 - Proposed Floodlighting
 - Proposed Fence Layout
 - DRG No. 024558-02
 - 15 Metre Column Plan
 - AL-MUK2603-05

and documents received by the Local Planning Authority on 15/07/2022, 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.

2. The lighting columns hereby approved shall not be operated when the sports pitch is not in use or outside of the hours of 08:00 and 21:00 on any day, unless agreed otherwise in writing by the Local Planning Authority.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity of the site are protected, in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.