

PLANNING & DEVELOPMENT COMMITTEE

17 August 2023

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 22/0734/10 (JE)
APPLICANT: Rhondda Cynon Taf County Borough Council
DEVELOPMENT: Extension of existing brick/ block traditional build changing rooms. (Bat and Bird survey received 07/11/22)(Bat Activity Survey Received 14/07/23)
LOCATION: PENYRENGLYN CHANGING ROOMS, BAGLAN STREET, TREHERBERT, TREORCHY, CF42 5AW
DATE REGISTERED: 14/07/2023
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 the Council 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 construction of an extension to the existing changing rooms at Penyrenglyn Changing Rooms, Baglan Street, Treherbert. The proposed extension would be located on the north west side elevation of the existing building and would measure a width of 11.7 metres by a depth of 7 metres. The proposed extension would have a dual pitched roof design with gable end on its side elevation measuring a maximum height of 4.8 metres to match the existing building.

The proposed addition would be finished in face brickwork, steel roof tiles and Kirncroft security doors to match the existing structure.

The application is supported by:

- Bat and Bird Survey
- Bat Activity Survey

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 and additional access alongside the changing rooms to the south. The changing block is located outside of the perimeter of the adjacent sports fields and is within an area enclosed by palisade fencing. The site is bounded by Penyrenghlyn Primary School to the east, the sports pitch to the north, associated car parking to the west and an unnamed highway serving Treherbert Recycling Centre and a commercial premises to the south. The closest neighbouring properties are located along Baglan Street to the north of the site.

The adjacent sports field has been subject to recent improvements works with the creation of a 4G pitch and the installation of flood lighting and new boundary fencing approved under application 22/0587/10.

PLANNING HISTORY

The most recent planning applications on record associated with the application site are:

22/0587/10: PENYRENGLYN CHANGING ROOMS, BAGLAN STREET, TREHERBERT, TREORCHY, CF42 5AW
Install floodlighting and new boundary fencing
Decision: 11/10/2022, Grant

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 subject to condition.

Natural Resources Wales: No objection although informative note suggested to inform applicant of the requirement to obtain a Protected Species License.

Public Health and Protection: No objection raised although conditions suggested with regard hours of construction, noise, dust, waste and contamination.

Dwr Cymru/Welsh Water: No objection although condition recommended in relation to surface water drainage.

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 Treherbert and isn't allocated for a 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 overcome 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 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 relates to an extension to an existing changing block at an established sports facility within the settlement boundary for Treherbert. The proposal would improve current facilities to the benefit of users and the local community.

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.”

As such, the principle of development is therefore acceptable subject to the criteria set out below.

Impact on the character and appearance of the area

The development proposes a modest extension to an existing changing room block. The extension is of a standard design to match the existing building and would be viewed within the wider setting of Penyreglyn Sports Pitch.

The extension is considered to have an acceptable visual appearance and is of a scale commensurate to its use in support of a community facility. The siting of the proposed building alongside the existing changing room would only see the loss of an area of verge and no area of the sports pitch would be lost. As such, the proposal would not impact on the open nature of the wider site.

Therefore, it is considered that the proposal would be acceptable in this regard.

Impact on residential amenity and privacy

The site is located to the south (rear) of existing sports facility. The proposed building would be over 120 metres from the closest neighbouring residential properties. As such, it is considered that due to the distance between the site and neighbouring properties and the scale and nature of the building proposed, there would be no adverse impact caused by the proposal.

Whilst the new changing unit is designed to enhance sporting facilities at the site, which may increase the use of the adjacent sports pitch, the proposal would not introduce a new use to the site or extend the current operating hours of the facility.

It is also noted that there have been no objections following consultation with neighbouring occupiers. Subsequently, it is considered that the proposal is acceptable in this regard.

Ecology

The Bat and Bird Nesting Survey submitted in support of the application set out that evidence of bat activity was found in the building and therefore further bat survey work is needed to confirm if there is an active bat roost and what necessary mitigation measures will be required. As such, following initial consultation with the Council's Ecologist the Lingard Farrow Styles, Bat Activity Survey, July 2023 was submitted in support of the application. This report set out that whilst no bats were recorded in the activity surveys, it is likely that the roof void has been used by bats. As such, following consultation with NRW, whilst no objection to the application was raised, it was indicated that works would require a European Protected Species (EPS) Licence which was also supported by the Council's Ecologist. Nevertheless, as the Bat Activity Survey lacks details of any enhancement measures a condition for the submission of these details is set out below should Members be minded to approve the application.

Drainage

Following consultation, no objection to the proposal was raised by the Council's Flood Risk Management Team. However, a condition in relation to surface water disposal was requested by Welsh Water. In this instance the proposal would be required to comply with Part H of the Building Regulations which would cover this issue. As such, it is not considered that this condition would be necessary.

Public Health and Protection

The Council's Public Health and Protection Division have raised no objection to the proposal, however a number of conditions have been suggested in relation to hours of operation, noise, waste and dust. Whilst these comments are appreciated, it is considered that these issues can be more effectively controlled by other legislation and the suggested conditions are therefore not necessary. An appropriate informative note would be sufficient.

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

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).

RECOMMENDATION: GRANT SUBJECT TO THE BELOW 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 plans:

- 3866-90402-00-B1-2D-B-20:20:40-004-D2
- 3866-90402-00-B1-2D-B-20:20:40-005-D2
- 3866-90402-00-B1-2D-B-20:20:40-006-D2
- 3866-90402-00-B1-2D-B-20:20:40-007-D2

and documents received by the Local Planning Authority on 14/07/23, unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

3. No Development shall take place until a scheme for biodiversity enhancement has been submitted to and agreed in writing by the Local Planning Authority. The Development shall be carried out in accordance with the approved details.

Reason: To ensure a positive impact upon biodiversity in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan.