



CYNGOR BWRDEISTREF SIROL
RHONDDA CYNON TAF
COUNTY BOROUGH COUNCIL

GWŶS I GYFARFOD PWYLLGOR

C Hanagan
Cyfarwyddwr Gwasanaeth y Gwasanaethau Democrataidd a Chyfathrebu
Cyngor Bwrdeistref Sirol Rhondda Cynon Taf
Y Pafiliynau
Parc Hen Lofa'r Cambrian
Cwm Clydach, CF40 2XX

Dolen gyswllt: Jess Thomas - Uned Busnes y Cyngor - Gwasanaethau Llywodraethol
(01443 424110)

Bydd cyfarfod o'r **Pwyllgor Cynllunio a Datblygu** yn cael ei gynnal yn **Siambr y Cyngor, Y Pafiliynau, Parc Hen Lofa'r Cambrian, Cwm Clydach, Tonypany, CF40 2XX** ar **DYDD IAU, 23AIN IONAWR, 2020** am **5.00 PM**.

MAE MODD I AELODAU NAD YDYN NHW'N AELODAU O'R PWYLLGOR AC AELODAU O'R CYHOEDD OFYN I ANNERCH Y PWYLLGOR YN YSTOD Y CYFARFOD SY'N YMWNEUD Â'R MATER SYDD WEDI'I NODI. RYDYN NI'N GOFYN EICH BOD CHI'N RHOI GWYBOD AM EICH BWRIAD I SIARAD DRWY E-BOSTIO **GWASANAETHAUCYNLLUNIO@RCTCBC.GOV.UK** ERBYN 5PM AR DYDD MAWRTH, 21 IONAWR 2020, GAN NODI A FYDDWCH CHI'N SIARAD YN GYMRAEG NEU'N SAESNEG.

MAE'N BOSIB BYDD TREFN YR AGENDA'N NEWID ER MWYN HWYLUSO BUSNES Y PWYLLGOR.

AGENDA

Tudalennau

1. DATGAN BUDDIANT

Derbyn datganiadau o fuddiannau personol gan Aelodau, yn unol â gofynion y Cod Ymddygiad.

Nodwch:

1. Mae gofyn i Aelodau ddatgan rhif a phwnc yr eitem mae eu buddiant yn ymwneud ag ef a mynegi natur y buddiant personol hwnnw; a
2. Lle bo Aelodau'n ymneilltuo o'r cyfarfod o ganlyniad i ddatgelu buddiant sy'n rhagfarnu, mae **rhaid** iddyn nhw roi gwybod i'r Cadeirydd pan fyddan nhw'n gadael.

2. DEDDF HAWLIAU DYNOL 1998 A PHENDERFYNIADAU RHEOLI DATBLYGU

Nodi y dylai Aelodau o'r Pwyllgor, wrth benderfynu materion rheoli datblygu ger eu bron, roi sylw i'r Cynllun Datblygu ac, i'r graddau y bo hynny yn berthnasol, i unrhyw ystyriaethau perthnasol eraill. Rhaid i Aelodau, wrth ddod i benderfyniadau, sicrhau nad ydyn nhw'n gweithredu mewn modd sy'n anghyson â'r Confensiwn Ewropeaidd ar Hawliau Dynol fel y'i hymgorfforwyd mewn deddfwriaeth gan Ddeddf Hawliau Dynol 1998.

3. DEDDF LLESIANT CENEDLAETHAU'R DYFODOL (CYMRU) 2015

Nodi bod Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015 yn gosod dyletswydd ar gyrff cyhoeddus i gynnal datblygiadau cynaliadwy yn unol â'r egwyddor datblygu cynaliadwy, ac i weithredu mewn modd sy'n anelu at sicrhau y caiff anghenion y presennol eu diwallu heb amharu ar allu cenedlaethau'r dyfodol i ddiwallu eu hanghenion hwythau.

4. COFNODION

Cadarnhau cofnodion cyfarfod y Pwyllgor Cynllunio a Datblygu a gynhaliwyd ar 5 Rhagfyr, 2019, yn rhai cywir.

5 - 22

CEISIADAU A ARGYMHELLIR AR GYFER EU CYMERADWYO GAN Y CYFARWYDDWR MATERION FFYNIANT A DATBLYGU

5. RHIF Y CAIS: 15/1640

Codi byngalo ar dir ger Rhif 40 Teras Ardwyn, y Gelli (Derbyniwyd cynlluniau diwygiedig 24/10/19), tir ger rhif 40, Teras Ardwyn, y Gelli.

23 - 36

6. RHIF Y CAIS: 19/1185

Trosi Hen Siambrau'r Banc i 9 fflat (llawr cyntaf, ail a thrydydd llawr) (Defnydd Ddosbarth C3 - Tai Anedd), Hen Siambrau'r Banc, Stryd y Farchnad, Pontypridd.

37 - 48

CEISIADAU WEDI'U GOHIRIO

7. RHIF Y CAIS: 18/1419/13

Datblygiad preswyl hyd at 350 o anheddau, tir ar gyfer ysgol gynradd newydd bosibl, siop leol a gwaith cysylltiedig gan gynnwys man agored cyhoeddus, isadeiledd gwyrdd, tirlunio a chreu dau fan mynediad newydd oddi ar Heol Dowlais.

8. RHIF Y CAIS: 19/0814/10

Newid defnydd o anheddau preswyl (Dosbarth C3) i 8 o fflatiau myfyrwyr preswyl hunangynhwysol (Sui Generis) gan gynnwys estyniad deulawr yn y cefn.

ADRODDIAD ER GWYBODAETH**9. GWYBODAETH I AELODAU SY'N YMWNEUD Â'R CAMAU GWEITHREDU WEDI'U CYMRYD O DAN BWERAU DIRPRWYEDIG**

Rhoi gwybod i Aelodau am y canlynol, ar gyfer y cyfnod 06/12/2019 a 10/01/2020.

Penderfyniadau Cynllunio a Gorfodi – Apeliadau a Dderbyniwyd.
Penderfyniadau Dirprwyedig – Ceisiadau wedi'u cymeradwyo a'u gwrthod gyda rhesymau.
Trosolwg o Achosion Gorfodi.
Phenderfyniadau Gorfodi Dirprwyedig.

10. MATERION BRYS

Trafod unrhyw faterion sydd, yn ôl doethineb y Cadeirydd, yn rhai brys yng ngoleuni amgylchiadau arbennig.

Cyfarwyddwr Gwasanaeth y Gwasanaethau Democrataidd a Chyfathrebu**Cylchrediad:-****Aelodau o'r Pwyllgor Cynllunio a Datblygu:**

Cadeirydd ac Is-gadeirydd y Pwyllgor Materion Rheoli Datblygu
(Y Cynghorydd S Rees a Y Cynghorydd G Caple)

Y Cynghorydd J Bonetto, Y Cynghorydd P Jarman, Y Cynghorydd D Grehan,
Y Cynghorydd G Hughes, Y Cynghorydd J Williams, Y Cynghorydd S Powell,
Y Cynghorydd W Owen, Y Cynghorydd R Yeo ac Y Cynghorydd D Williams

Cyfarwyddwr Gwasanaeth y Gwasanaethau Democrataidd a Chyfathrebu
Cyfarwyddwr Materion Ffyniant a Datblygu
Pennaeth Datblygu Mawr a Buddsoddi
Pennaeth Cynllunio
Rheolwr Datblygu Priffyrdd a Mabwysiadu Priffyrdd
Pennaeth y Gwasanaethau Cyfreithiol

tudalen wag

PWYLLGOR CABINET CYNGOR RHONDDA CYNON TAF PWYLLGOR CYNLLUNIO A DATBLYGU

Cofnodion o gyfarfod y Pwyllgor Cynllunio a Datblygu a gynhaliwyd Dydd Iau, 5 Rhagfyr 2019 am 5.00 pm ym Siambr y Cyngor, Y Pafiliynau, Parc Hen Lofa'r Cambrian, Cwm Clydach, Tonypany, CF40 2XX.

Y Cyngorwyr Bwrdeistref Sirol - Pwyllgor Cynllunio a Datblygu Aelodau oedd yn bresennol:-:-

Y Cyngorydd S Rees (Cadeirydd)

Y Cyngorydd G Caple Y Cyngorydd J Bonetto
Y Cyngorydd J Williams Y Cyngorydd S Powell
Y Cyngorydd R Yeo Y Cyngorydd D Williams

Swyddogion oedd yn bresennol

Mr C Jones, Pennaeth Datblygu Mawr a Buddsoddi
Mr J Bailey, Pennaeth Cynllunio
Mr S Zeinali, Rheolwr Datblygu Priffyrdd a Mabwysiadu Priffyrdd
Mr S Humphreys, Pennaeth y Gwasanaethau Cyfreithiol
Mr P Nicholls, Cyfarwyddwr Gwasanaeth – Gwasanaethau Cyfreithiol

Y Cyngorwyr Bwrdeistref Sirol eraill oedd yn bresennol

Y Cyngorydd J Elliott
Y Cyngorydd Owen-Jones
Y Cyngorydd L Walker

Y Cyngorydd J James
Y Cyngorydd S Powderhill

140 DATGAN BUDDIANT

Yn unol â Chod Ymddygiad y Cyngor, cafodd y datganiadau o fuddiant canlynol eu gwneud:

- Datganodd Pennaeth y Gwasanaethau Cyfreithiol fuddiant personol mewn perthynas ag Eitem 9 – Cais 18/1419/13. "Mae fy rhieni yn byw yng nghyffiniau'r cais arfaethedig. Felly, gadawaf y siambr tra bydd yr eitem hon yn cael ei hystyried."

141 DEDDF HAWLIAU DYNOL 1998 A PHENDERFYNIADAU RHEOLI DATBLYGU

PENDERFYNWYD nodi y dylai Aelodau o'r Pwyllgor, wrth benderfynu ar faterion rheoli datblygu ger eu bron, roi sylw i'r Cynllun Datblygu ac, i'r graddau y bo hynny yn berthnasol, i unrhyw ystyriaethau perthnasol eraill. Rhaid i Aelodau, wrth ddod i benderfyniadau, sicrhau nad ydyn nhw'n gweithredu mewn modd sy'n anghyson â'r Confensiwn Ewropeaidd ar Hawliau Dynol fel y'i hymgorfforwyd mewn deddfwriaeth gan Ddeddf Hawliau Dynol 1998.

142 DEDDF LLESIANT CENEDLAETHAU'R DYFODOL (CYMRU) 2015

PENDERFYNWYD nodi bod Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015 yn gosod dyletswydd ar gyrff cyhoeddus i gynnal datblygiadau cynaliadwy yn unol â'r egwyddor datblygu cynaliadwy, ac i weithredu mewn modd sy'n anelu at sicrhau y caiff anghenion y presennol eu diwallu heb amharu ar allu cenedlaethau'r dyfodol i ddiwallu eu hanghenion nhw.

143 COFNODION

PENDERFYNWYD cadarnhau'r cofnodion o gyfarfod y Pwyllgor Cynllunio a Datblygu a gynhaliwyd ar 17 Hydref 2019 yn rhai cywir.

144 NEWID I DREFN YR AGENDA

Cytunodd y Pwyllgor y byddai'r agenda yn cael ei hystyried mewn trefn wahanol yn unol â'r manylion yn y cofnodion isod.

145 CAIS: 18/0986

Trosi llawr cyntaf ac ail lawr tafarn o un fflat, ystafell achlysuron ac ystafell ategol i ddau fflat ac un fflat deulawr. Tafarn y Boar's Head, Stryd Fawr, Tonyrefail, y Porth.

PENDERFYNWYD gohirio'r cais uchod er mwyn cynnal Ymweliad Safle gan y Pwyllgor Cynllunio a Datblygu, i ystyried effaith y datblygiad arfaethedig ar yr eiddo cyfagos a materion y priffyrdd.

146 CAIS: 18/1419/13

Datblygiad preswyl hyd at 350 o anheddau, tir ar gyfer ysgol gynradd newydd bosibl, siop leol a gwaith cysylltiedig gan gynnwys man agored cyhoeddus, isadeiledd gwyrdd, tirlunio a chreu dau fan mynediad newydd oddi ar Heol Dowlais. Fferm Cwm Isaf, Heol Dowlais, Efail Isaf, Pontypridd, CF38 1BD.

Noder: Ar ôl datgan buddiant yn gynharach, gadawodd Pennaeth y Gwasanaethau Cyfreithiol y cyfarfod cyn i'r Aelodau ystyried yr eitem, a chymerodd Cyfarwyddwr y Gwasanaethau Cyfreithiol ei le (Cofnod Rhif 140)

Yn unol â'r gweithdrefnau a gafodd eu mabwysiadu, derbyniodd y Pwyllgor y siaradwyr cyhoeddus canlynol a gafodd bum munud yr un i annerch yr Aelodau ynglŷn â'r cynnig uchod:

- Mr Darren Parker (Asiant)
- Ms Dawn Thomas (Gwrthwynebydd)
- Mr Robert Smith (Gwrthwynebydd)
- Mr Dennis Roe (Gwrthwynebydd)
- Mr Robert Davis (Gwrthwynebydd)
- Mr Tim Morgan (Gwrthwynebydd)

Nododd y Pwyllgor nad oedd Mr Jools Jones (Gwrthwynebydd) a oedd wedi gofyn am gael annerch yr Aelodau ynglŷn â'r cais yn bresennol i wneud hynny.

Arferodd yr Asiant, Mr Darren Parker, yr hawl i ymateb i'r sylwadau a wnaed gan y gwrthwynebwyr.

Siaradodd yr Aelod Lleol, Cynghorydd y Fwrdeistref Sirol J. James, nad yw'n aelod o'r Pwyllgor, am y cais gan fynegi ei wrthwynebiad i'r datblygiad arfaethedig.

Amlinellodd y Rheolwr Materion Rheoli Datblygu gynnwys 3 llythyr 'hwyr' a ddaeth i law oddi wrth drigolion yn gwrthwynebu'r cais.

Aeth y Rheolwr Materion Rheoli Datblygu ymlaen i gyflwyno'r cais i'r Pwyllgor. Argymhellwyd bod Amod 14 yn cael ei ddiwygio i ofyn am groesfan twcan wedi'i rheoli i ddarparu mynediad ar draws Heol Dowlais, pe bai'r Aelodau'n bwriadu cymeradwyo'r cais ger eu bron.

Yn dilyn trafodaeth hir, roedd yr Aelodau o blaid gwrthod y cais yn groes i argymhelliad y Cyfarwyddwr Materion Ffyniant a Datblygu, gan fod yr Aelodau o'r farn nad yw'r safle'n gynaliadwy. Yn ogystal â hynny, mae'r safle y tu allan i ffin yr anheddiad ac yn groes i CDLI y Cyngor; a byddai cymeradwyo'r datblygiad yn arwain at golli safle maes glas. O ganlyniad i hynny, caiff y mater ei ohirio tan y cyfarfod priodol nesaf o'r Pwyllgor Cynllunio a Datblygu fel bod modd derbyn adroddiad gan y Cyfarwyddwr Materion Ffyniant a Datblygu, a gaiff ei lunio drwy ymgynghori â Chyfarwyddwr y Gwasanaethau Cyfreithiol yn ôl yr angen. Bydd yr adroddiad yn tynnu sylw at y cryfderau a'r gwendidau posibl sydd ynghlwm â gwneud penderfyniad yn groes i argymhelliad swyddog, neu unrhyw reswm arfaethedig neu reswm cynllunio dros wneud penderfyniad o'r fath. Caiff yr adroddiad yma ei ystyried cyn dod i benderfyniad ar y mater.

Nodwch: Roedd Cynghorydd y Fwrdeistref Sirol J. Williams am gofnodi ei bod hi wedi pleidleisio yn erbyn cymeradwyo'r cais uchod.

Nodwch: Yn dilyn y penderfyniad ynglŷn â'r cais, dychwelodd Pennaeth y Gwasanaethau Cyfreithiol i'r cyfarfod.

147 CAIS: 19/0623

Adeilad symudol un-llawr i'w ddefnyddio fel Meithrinfa Dechrau'n Deg a Chlwb gyda'r Nos i blant. (Derbyniwyd Ffin ddiwygiedig y Llinell Goch ar 03/09/18) (Derbyniwyd y Cynlluniau Diwygiedig ar 03/09/19). (Derbyniwyd Cynllun Bloc/Safle Diwygiedig ar 14/11/19). Ysgol Babanod Gwauncelyn, Heol Deg, Ton-teg, Pontypridd.

Yn unol â'r gweithdrefnau a gafodd eu mabwysiadu, derbyniodd y Pwyllgor Mr Mark Woods (Gwrthwynebydd). Cafodd e bum munud i annerch yr Aelodau ynglŷn â'r cynnig uchod.

Nododd y Pwyllgor nad oedd Mr Steve Breakspear (Ymgeisydd) na Ms Lowri Woods (Gwrthwynebydd), a oedd wedi gofyn am annerch yr Aelodau ar y cynnig, yn bresennol i wneud hynny.

Cyflwynodd y Rheolwr Materion Rheoli Datblygu y cais uchod i'r Pwyllgor. Ar ôl trafod y cynnig, **PENDERFYNODD** yr Aelodau gymeradwyo'r cais yn unol ag

argymhelliad y Cyfarwyddwr Materion Ffyniant a Datblygu.

148 CAIS: 19/0950

Dymchwel hen Ysgol Gynradd Pen-y-graig, ailddatblygu'r safle ar gyfer 27 cartref fforddiadwy a gwaith cysylltiedig. Ysgol Iau Pen-y-graig, Heol Hendre-cafn, Pen-y-graig, Tonypanyd.

Yn unol â'r gweithdrefnau a gafodd eu mabwysiadu, derbyniodd y Pwyllgor y siaradwyr cyhoeddus canlynol a gafodd bum munud yr un i annerch yr Aelodau ynglŷn â'r cynnig uchod:

- Mr Oliver Hanney (dirprwy i Mr Jon Hurley) (Asiant)
- Ms Alison John (Gwrthwynebydd)

Aferodd yr Asiant, Mr Oliver Hanney, yr hawl i ymateb i'r sylwadau a wnaed gan y gwrthwynebwyr.

Siaradodd yr Aelod Lleol, Cynghorydd y Fwrdeistref Sirol D. Owen-Jones, nad yw'n aelod o'r Pwyllgor, am y cais gan fynegi ei bryderon o ran y datblygiad arfaethedig.

Parhaodd y Rheolwr Materion Rheoli Datblygu trwy gyflwyno'r cais i'r Pwyllgor, ac awgrymodd y diwygiadau canlynol i'r Amodau, pe bai'r Aelodau'n bwriadu cymeradwyo'r cais:

- Dileu Amod 12 am nad oedd ei angen.
- Ychwanegu'r Amod canlynol:
"Ni fydd unrhyw ddatblygiad yn cychwyn nes bod y canlynol wedi eu cyflwyno i'r Awdurdod Cynllunio Lleol a'u cymeradwyo'n ysgrifenedig:
i) Manylion cynllun ar gyfer gosod ffenestri sydd wedi'u cymylu, â chyfyngiad o ran faint y gallan nhw agor, ar y llawr isaf a'r llawr cyntaf yng nghefn lleiniau 14-17;
ii) Manylion, gan gynnwys uchder, safle a deunyddiau ar gyfer y driniaeth arfaethedig i'r ffin rhwng cefn plotiau 14-17 ac 118 Heol Hendre-cafn.
Rhaid i'r datblygiad gael ei wneud yn unol â'r manylion cymeradwy a'i gynnal felly am byth.
Rheswm: Er amwynder a phreifatrwydd preswylwyr cyfagos yn unol â Pholisi AW5 Cynllun Datblygu Lleol Rhondda Cynon Taf.'

Yn dilyn trafodaeth, **PENDERFYNODD** y Pwyllgor gymeradwyo'r cais yn unol ag argymhellion y Cyfarwyddwr Materion Ffyniant a Datblygu, yn ddibynnol ar ychwanegu'r Amodau sydd wedi'u hamlinellu uchod a chwblhau cytundeb Adran 106. Bydd y cytundeb Adran 106 yn gofyn bod: -

- 100% o'r tai yn dai fforddiadwy ar gyfer rhentu cymdeithasol; a
- Cynllun cyflogaeth a sgiliau yn cael ei ddarparu.

149 CAIS 18/1402

Cais amlinellol ar gyfer Datblygiad Preswyl (gyda phob mater wedi'i gadw ac eithrio mynediad) gyda mannau agored cyhoeddus cysylltiedig, tirlunio a gwaith cysylltiedig arall. Hen Safle Clariant, Ffordd Llantrisant, Llanilltud Faerdref.

Yn unol â'r gweithdrefnau a gafodd eu mabwysiadu, derbyniodd y Pwyllgor Mr Paul Williams (Gwrthwynebydd). Cafodd e bum munud i annerch yr Aelodau ynglŷn â'r cynnig uchod.

Siaradodd yr Aelod Lleol, Cynghorydd y Fwrdeistref Sirol J. James, nad yw'n aelod o'r Pwyllgor, am y cais gan fynegi ei gefnogaeth i'r datblygiad arfaethedig.

Cyflwynodd y Rheolwr Materion Rheoli Datblygu y cais i'r Pwyllgor a dywedodd fod adroddiad diwygiedig gydag Amodau wedi'u diweddarau wedi'i gyhoeddi ar wefan y Cyngor a'i fod ger eu bron i'w ystyried.

Yn dilyn trafodaeth **PENDERFYNODD** yr Aelodau gymeradwyo'r cais yn unol ag argymhelliad y Cyfarwyddwr - Materion Ffyniant a Datblygu, yn amodol ar yr Amodau isod ac ar gwblhau Cytundeb Adran 106. Byddai'r cytundeb Adran 106 yn ei gwneud hi'n ofynnol i'r ymgeisydd gyfrannu at:

- Darparu 7% ar ffurf tai fforddiadwy
- Darparu Ardal Chwarae Leol, yn unol â Chanllawiau Cynllunio Atodol y Cyngor
- Darparu cyfraniad o £10K tuag at gynlluniau teithio llesol yn RhCT.
- Darparu cynllun cynnal a chadw a rheoli ecoleg tymor hir
- Cytuno ar gynllun hyfforddi sgiliau cyflogadwyedd.

Amodau:

1. (a) Rhaid i Gynllunio Lleol gyflwyno manylion y Fynedfa (ac eithrio'r prif fodd o fynediad i'r safle), ymddangosiad, tirlunio, cynllun a graddfa (a elwir yn "faterion neilltuedig" o hyn allan) yn ysgrifenedig gan y Cynllunio Lleol. Awdurdod cyn i unrhyw ddatblygiad ddechrau a rhaid i'r datblygiad gael ei wneud fel y'i cymeradwywyd.

(b) Rhaid cyflwyno cynlluniau a manylion y materion wedi'u cadw'n ôl y cyfeirir atynt yn (a) uchod sy'n ymwneud â chynllun, graddfa ac ymddangosiad unrhyw adeilad sydd i'w godi, y dull o gael mynediad i'r safle a thirlunio'r safle yn ysgrifenedig i'r Awdurdod Cynllunio Lleol, a rhaid cyflawni'r gwaith fel y'i cymeradwywyd.

(c) Gwneir ceisiadau i gymeradwyo materion wedi'u cadw'n ôl cyn i dair blynedd o ddyddiad y caniatâd hwn ddod i ben.

(ch) Dechreuir y datblygiad a ganiateir drwy hyn cyn pa un bynnag yw'r olaf o naill ai (i) ddiwedd 5 mlynedd o ddyddiad y caniatâd hwn neu (ii) diwedd 2 flynedd o gymeradwyaeth derfynol y materion wedi'u cadw'n ôl, neu yn achos cymeradwyo ar wahanol ddyddiadau, cymeradwyaeth derfynol y mater olaf o'r fath i'w gymeradwyo.

Rheswm: Cydymffurfio ag Adrannau 92 o Ddeddf Cynllunio Gwlad a Thref 1990.

2. Cyn cyflwyno'r cais i gymeradwyo materion wedi'u cadw'n ôl, rhaid cyflwyno adroddiad manwl ar ymchwiliadau safle i'r Awdurdod Cynllunio Lleol a'i gymeradwyo'n ysgrifenedig. Dylai'r adroddiad fod yn ddigon manwl i nodi a oes angen unrhyw ragofalon daear mewn perthynas â'r datblygiad arfaethedig a'r rhagofalon y dylid eu rhoi ar waith wrth ddylunio ac adeiladu'r datblygiad

arfaethedig er mwyn lleihau unrhyw ddifrod a allai godi o ganlyniad i gyflwr y ddaear. Bydd y datblygiad sy'n cael ei ganiatáu drwy hyn yn cael ei gyflawni yn unol â'r adroddiad archwilio safle sydd wedi'i gymeradwyo.

Rheswm: Gall y safle fod yn ansefydlog ac o'r herwydd, mae angen adroddiad sefydlogrwydd yn unol â Pholisi AW10 o Gynllun Datblygu Lleol Rhondda Cynon Taf.

3. Bydd yr holl faterion plannu, hadu neu dywarchu yn y manylion tirlunio sydd wedi eu cymeradwyo yn cael eu cyflawni yn ystod y tymor plannu a hadu cyntaf ar ôl meddiannu'r adeilad/adeiladau neu gwblhau'r datblygiad, pa un bynnag yw'r cynharaf. Bydd unrhyw goed neu blanhigion sydd naill ai'n marw, neu'n cael eu torri i lawr, neu'n cael eu difrodi'n ddifrifol, neu'n troi'n afiach – o fewn cyfnod o bum mlynedd o gwblhau'r datblygiad – yn cael eu hamnewid â choed eraill o faint a rhywogaeth debyg yn ystod y tymor plannu nesaf, oni bai bod yr Awdurdod Cynllunio Lleol yn caniatáu unrhyw amrywiad mewn ysgrifen.

Rheswm: Sicrhau bydd y datblygiad newydd yn ddeniadol yn weledol o ran amwynder yn unol â Pholisiau AW5 a AW6, Cynllun Datblygu Lleol Rhondda Cynon Taf.

4. Ni fydd unrhyw waith datblygu yn digwydd nes bod Cynllun Amddiffyn Bywyd Gwyllt ar gyfer Adeiladu wedi'i gyflwyno i'r Awdurdod Cynllunio Lleol a'i gymeradwyo'n ysgrifenedig. Bydd y cynllun yn cynnwys:

- a) Cynllun graddfa priodol yn dangos 'Parthau Amddiffyn Bywyd Gwyllt' lle mae gweithgareddau adeiladu wedi'u cyfyngu a lle bydd mesurau amddiffynnol yn cael eu gosod neu'u gweithredu;
- b) Manylion y mesurau amddiffynnol (mesurau corfforol ac arferion gwaith sensitif) i osgoi effeithio ar fywyd gwyllt yn ystod y gwaith adeiladu;
- c) Amserlen sy'n nodi gweithgareddau adeiladu graddol er mwyn osgoi cyfnodau o'r flwyddyn pan mae modd niweidio bywyd gwyllt sensitif (fel tymor adar sy'n nythu).
- d) Personau cyfrifol:
 - i) Cydymffurfio â chydysyniadau cyfreithiol sy'n ymwneud â chadwraeth natur;
 - ii) Cydymffurfio ag amodau cynllunio sy'n ymwneud â chadwraeth natur;
 - iii) Gosod mesurau amddiffyn corfforol yn ystod y gwaith adeiladu;
 - iv) Defnyddio arferion gwaith sensitif yn ystod y gwaith adeiladu;
 - v) Archwilio a chynnal a chadw mesurau amddiffyn corfforol yn rheolaidd, yn ogystal â monitro arferion gwaith yn ystod y gwaith adeiladu;
 - vi) Darparu hyfforddiant a gwybodaeth am bwysigrwydd y 'Parthau Diogelu Bywyd Gwyllt' i'r holl bersonél adeiladu ar y safle.

Dylai'r holl weithgareddau adeiladu gael eu rhoi ar waith gyda manylion ac amseriad cymeradwy'r cynllun oni bai fod yr Awdurdod Cynllunio Lleol yn nodi fel arall yn ysgrifenedig.

Rheswm: Darparu diogelwch ar gyfer rhywogaethau planhigion ac anifeiliaid yn unol â Pholisiau AW5 ac AW8, Cynllun Datblygu Lleol Rhondda Cynon Taf.

5. (a) Cyn cychwyn ar unrhyw waith galluogi, rhaid cyflwyno'r lefelau presennol a phwrpasol (gan gynnwys yr adrannau perthnasol) sy'n ymwneud ag adfer y safle i'r Awdurdod Cynllunio Lleol, a rhaid iddo gytuno arnynt yn ysgrifenedig.

(b) Ar ôl cytuno ar y lefelau y cyfeirir atynt yn (a) gall gwaith galluogi ddechrau

(oni bai ei fod wedi'i gyfyngu fel arall gan amodau eraill y caniatâd hwn).

(c) Rhaid i unrhyw gais i gymeradwyo materion wedi'u cadw'n ôl gynnwys manylion y lefelau gorffenedig ar gyfer y safle (gan gynnwys yr adrannau perthnasol).

(ch) At ddibenion yr amod hwn, bydd gwaith galluogi fel y cyfeirir ato uchod yn golygu -

- Clirio, gwella ac adfer y safle
- Unrhyw weithiau ecolegol angenrheidiol.
- Ffensys dros dro ar y ffiniau i ddiogelu'r safle nes ei fod wedi'i drosglwyddo i adeiladwr tŷ.
- Uwchraddio/leinio (os oes angen) yr arllwysfa aflan yng nghornel ddeheuol y safle (siambr ar ffin y safle i garthffos DCWW yn unig) - (gan ddefnyddio pibell gollwng elifiant masnach flaenorol i garthffos DCWW).
- Adleoli is-orsaf drydanol WPD;
- Adleoli porthiant nwy.

Rhesymau: Diogelu amwynder preswyl a gweledol, ac uniondeb unrhyw fesurau adfer safle yn unol â Pholisïau AW5, AW6 ac AW10 o Gynllun Datblygu Lleol Rhondda Cynon Taf.

6. Ni fydd y gwaith adeiladu yn dechrau nes bod samplau o'r deunyddiau allanol i'w defnyddio wedi eu cyflwyno i'r Awdurdod Cynllunio Lleol, a'u cymeradwyo mewn ysgrifen, a bydd yr holl ddeunyddiau sy'n cael eu defnyddio yn cydymffurfio â'r samplau wedi eu cymeradwyo.

Rheswm: Sicrhau bydd golwg allanol y datblygiad arfaethedig yn gweddu i gymeriad yr ardal a'r adeiladau cyfagos er mwyn amwynder gweledol yn unol â Pholisïau AW5 ac AW6, Cynllun Datblygu Lleol Rhondda Cynon Taf.

7. (i) Cyn dechrau'r datblygiad (gan gynnwys unrhyw waith clirio neu adfer safle) rhaid cyflwyno Cynllun Rheoli Dŵr Wyneb Adeiladu i'r Awdurdod cynllunio lleol, a rhaid iddo gytuno arno yn ysgrifenedig. Bydd y cynllun yn manylu ar y mesurau lliniaru a roddwyd ar waith i sicrhau nad oes unrhyw effaith niweidiol ar risg llifogydd dŵr wyneb i'r ardal gyfagos o ganlyniad i unrhyw waith adfer

(ii) Ni fydd unrhyw waith adeiladu llety preswyl yn cael ei wneud cyn cyflwyno'r trefniadau draenio i'r Awdurdod Datblygu Lleol, a rhaid iddo gytuno arno yn ysgrifenedig. Ni chaniateir ymdreiddio draeniad dŵr wyneb i'r ddaear ac eithrio gyda chaniatâd ysgrifenedig penodol yr Awdurdod Cynllunio Lleol. Mae modd i hwn gael ei roi ar gyfer y rhannau hynny o'r safle lle dangoswyd nad oes unrhyw risg annerbyniol o ganlyniad i ddyfroedd sydd wedi'u rheoli. Caiff y datblygiad ei gyflawni yn unol â'r manylion sydd wedi'u cymeradwyo.

Rheswm: Sicrhau gwaredu digonol o ran draeniad dŵr brwnt a dŵr wyneb yn unol â Pholisi AW10, Cynllun Datblygu Lleol Rhondda Cynon Taf.

8. Ni fydd unrhyw annedd yn cael ei feddiannu cyn cwblhau'r gwaith draenio yn unol â'r cynlluniau wedi eu cymeradwyo.

Rheswm: Sicrhau gwaredu digonol o ran draeniad dŵr brwnt a dŵr wyneb yn unol â Pholisi AW10, Cynllun Datblygu Lleol Rhondda Cynon Taf.

9. Heblaw am waith clirio, adfer a pharatoi'r safle, ni fydd y datblygiad yn cychwyn nes bydd dyluniad peirianyddol llawn a manylion y fynedfa i'w

hadeiladu o Ffordd Llantrisant B4595, arosfannau bysiau, estyniad y droedffordd ddeheuol i ymuno â'r droedffordd bresennol yn Llanilltud Faerdref a chroesfan cerddwyr rheoledig (Pâl), gan gynnwys croestoriadau hydredol a chroestoriad, manylion am oleuadau stryd, draenio dŵr wyneb, dargyfeirio neu amddiffyn gwasanaethau, gan gynnwys manylion adeiladu ac Archwiliad Diogelwch ar y Ffyrdd, wedi'u cyflwyno i'r Awdurdod Cynllunio Lleol, a rhaid iddo eu cymeradwyo nhw'n ysgrifenedig. Caiff y manylion cymeradwy eu rhoi ar waith yn llawn cyn meddiant buddiol unrhyw annedd a gymeradwyir drwy hyn, oni bai fod tystiolaeth ysgrifenedig bod yr Awdurdod Cynllunio Lleol yn nodi fel arall.
Rheswm: Hwyluso mynedfa ac allanfa ddiogel o'r datblygiad arfaethedig er budd diogelwch priffyrdd.

10. Heblaw am waith clirio, adfer a pharatoi safle, ni fydd unrhyw waith o gwbl yn cychwyn ar y safle nes bod cynllun ar gyfer darparu Gorchymyn/Hysbysiad Rheoleiddio Traffig mewn perthynas â'r groesfan dan reolaeth i gerddwyr yn B4595 Ffordd Llantrisant wedi'i chwblhau oni bai fod yr Awdurdod Cynllunio Lleol yn rhoi caniatâd ysgrifenedig sy'n nodi fel arall.
Rheswm: Er Diogelwch ar y Priffyrdd.

11. Rhaid i'r mynediad i gerbydau i'r safle gael ei osod, ei adeiladu a'i gynnal a'i gadw wedi hynny gyda thaenau golwg 2.4m x 70m ar hyd Ffordd Llantrisant.
Rheswm: Sicrhau bod digon o welededd er budd diogelwch y priffyrdd.

12. Heblaw am waith clirio, adfer a pharatoi'r safle, ni fydd y datblygiad yn cychwyn nes bydd dyluniad peiranyddol llawn a manylion cynllun mewnol y ffordd, goleuadau stryd a draeniad dŵr wyneb, strwythurau priffyrdd a mesurau tawelu traffig, gan gynnwys rhannau hydredol a manylion adeiladu a rhaglen weithredu, wedi cael eu cyflwyno i'r Awdurdod Cynllunio Lleol a'u cymeradwyo'n ysgrifenedig. Caiff y datblygiad ei gyflawni yn unol â'r manylion sydd wedi'u cymeradwyo.
Rheswm: Sicrhau bod y datblygiad arfaethedig yn ddigonol o ran diogelwch y priffyrdd.

13. Rhaid i'r ddarpariaeth parcio ar y stryd gydymffurfio â Chanllawiau Cynllunio Atodol Rhondda Cynon Taf ar Gyflwyno Gofynion Cylchrediad a Pharcio Mynediad Dylunio a Gwneud Lle (Mawrth 2011)
Rheswm: Sicrhau bod cyfleusterau parcio digonol yn cael eu darparu o fewn cwrtillau'r safle er budd diogelwch priffyrdd.

14. Ni fydd dŵr wyneb o'r datblygiad arfaethedig yn llifo i'r briffordd gyhoeddus nac i unrhyw system ddraenio'r briffordd, oni bai fod yr Awdurdod Cynllunio Lleol wedi cytuno fel arall a nodi hynny'n ysgrifenedig.
Rheswm: Er mwyn atal gorlwytho'r system ddraenio priffyrdd bresennol a llifogydd posib ac er budd diogelwch y priffyrdd.

15. Ni fydd unrhyw ddatblygiad, gan gynnwys unrhyw waith clirio safle, yn digwydd nes bod Datganiad Dull Adeiladu wedi'i gyflwyno i'r Awdurdod Cynllunio Lleol a'i gymeradwyo'n ysgrifenedig. Bwriad hyn yw darparu ar gyfer:

- Y dull o gael mynediad i'r safle ar gyfer yr holl draffig adeiladu,
- Parcio cerbydau gweithwyr safle ac ymwelwyr,
- Rheoli traffig ar ffurf cerbydau a cherddwyr,
- Llwytho a dadlwytho peiriannau a deunyddiau,

- e) Storio peiriannau a deunyddiau a gaiff eu defnyddio i adeiladu'r datblygiad,
- f) Cyfleusterau glanhau olwynion,
- g) Gorchuddio lorïau sy'n gadael y safle.

Rhaid cadw at y datganiad dull adeiladu cymeradwy trwy gydol y broses ddatblygu oni chytunir fel arall yn ysgrifenedig gan yr Awdurdod Cynllunio Lleol.

Rheswm: Er diogelwch a llif y traffig.

16. Bydd y datblygwr yn darparu cynllun teithio/pecyn croeso i ddeiliad pob annedd, a ddylai gynnwys y canlynol,

a) Darparwyr gwasanaethau bysiau/trenau, eu manylion cyswllt, amlder y gwasanaeth, yr amserlen, arosfannau bysiau/gorsafoedd trên, costau tocynnau cyfredol a chymhellion ariannol i annog defnydd o drafnidiaeth gyhoeddus.

b) Cyfleusterau parcio a theithio/parcio a rhannu a chostau a chyfyngiadau cysylltiedig ar ddefnyddio cyfleusterau o'r fath.

c) cysylltiadau cerddwyr â gwasanaethau trafndiaeth gyhoeddus, cyfleusterau lleol, ardaloedd cyflogaeth, addysg a hamdden,

d) Llwybrau beicio lleol a chenedlaethol; ac,

e) Unrhyw fesurau eraill a fyddai'n annog pobl i ddefnyddio dulliau teithio cynaliadwy.

Rheswm: Sicrhau bod traffig ar y ffyrdd yn cael ei leihau, a hyrwyddo dulliau teithio cynaliadwy yn unol â'r polisiâu cynllunio cenedlaethol a lleol perthnasol.

17. Cyn dechrau ar y gwaith adeiladu sydd wedi'i gymeradwyo drwy hyn (neu unrhyw ddyddiad neu gam arall yn y datblygiad y cytunwyd arno yn ysgrifenedig gan yr Awdurdod Cynllunio Lleol), rhaid cyflwyno'r cydrannau canlynol o gynllun i ddelio â'r risg sy'n gysylltiedig â halogi'r safle i'r Awdurdod Cynllunio Ysgrifenedig, a rhaid iddo gael ei gymeradwyo'n ysgrifenedig.

Asesiad risg rhagarweiniol sydd wedi nodi;

a) Pob defnydd blaenorol;

b) Halogion posib sy'n gysylltiedig â'r defnyddiau hynny;

c) Model cysyniadol o'r wefan yn nodi ffynonellau, llwybrau a derbynyddion;

d) Risgiau a allai fod yn annerbyniol yn deillio o halogiad ar y safle.

Cynllun ymchwilio safle i ddarparu gwybodaeth ar gyfer asesiad manwl o'r risg i'r holl dderbynyddion a allai gael eu heffeithio, gan gynnwys y rhai oddi ar y safle.

Canlyniadau'r ymchwiliad safle a'r asesiad risg manwl y cyfeiriwyd atynt uchod ac, yn seiliedig ar y rhain, strategaeth arfarnu ac adfer opsiynau sy'n rhoi manylion llawn y mesurau adfer sy'n ofynnol a sut y dylid eu cynnal.

Adroddiad gwirio sy'n darparu manylion y data a gesglir er mwyn dangos bod y gwaith a nodir yn y strategaeth adfer yn gyflawn ac yn nodi unrhyw ofnyion ar gyfer monitro cysylltiadau llygredd, cynnal a chadw a threfniadau ar gyfer gweithredu wrth gefn yn y tymor hwy.

Mae angen caniatâd penodol yr Awdurdod Cynllunio Lleol ar gyfer unrhyw newidiadau.

Gweithredir y cynllun fel y'i cymeradwywyd ac yn unol â'r ddogfen ddiwygiedig - Cwmpas y Gwaith Gwella, Adfer a Galluogi, a dderbyniwyd 19/09/2019

Rheswm: Mae'r dyfroedd rheoledig ar y safle o sensitifwydd amgylcheddol uchel ac rydyn ni'n gwybod/amau'n gryf fod halogiad ar y safle o'r defnydd

blaenorol o'r safle fel gwaith prosesu cemegol. Hefyd, bydd hyn yn cyd-fynd â Pholisi AW10 Cynllun Datblygu Lleol Rhondda Cynon Taf.

18. Cyn i unrhyw ran o'r datblygiad a gymeradwyir drwy hyn gael ei feddiannu am y tro cyntaf, bydd angen cyflwyno adroddiad dilysu sy'n dangos cwblhau'r gwaith a nodir yn y strategaeth adfer gymeradwy ac effeithiolrwydd yr adferiad i'r Awdurdod Cynllunio Lleol, a rhaid iddo ei gymeradwyo'n ysgrifenedig. Bydd yr adroddiad yn cynnwys canlyniadau samplu a monitro a gynhaliwyd yn unol â'r cynllun gwirio cymeradwy i ddangos bod y meini prawf adfer safle wedi'u bodloni. Bydd hefyd yn cynnwys unrhyw gynllun ("monitro a chynnal a chadw hirdymor") ar gyfer monitro cysylltiadau llygryddion, cynnal a chadw a threfniadau ar gyfer gweithredu wrth gefn yn y tymor hwy fel y'u nodwyd yn y cynllun gwirio ac ar gyfer riportio hyn i'r Awdurdod Cynllunio Lleol. Gweithredir y cynllun monitro a chynnal a chadw tymor hir fel y'i cymeradwywyd.

Rheswm: Dangos bod y meini prawf adfer sy'n ymwneud â dyfroedd rheoledig wedi'u bodloni a sicrhau monitro ansawdd dŵr daear yn y tymor hwy. Bydd hyn yn sicrhau nad oes unrhyw risgiau annerbyniol ar ôl i ddyfroedd rheoledig yn dilyn adfer y safle yn unol â Pholisi AW10 Cynllun Datblygu Lleol Rhondda Cynon Taf.

19. Rhaid cyflwyno adroddiadau ar fonitro, cynnal a chadw ac unrhyw gamau wrth gefn a wneir yn unol â chynllun monitro a chynnal a chadw tymor hir i'r Awdurdod Cynllunio Lleol fel sy'n ofynnol yn y cynllun hwnnw. Ar ôl cwblhau'r rhaglen fonitro, bydd adroddiad terfynol sy'n dangos bod yr holl feini prawf adfer safle tymor hir wedi'u bodloni ac yn dogfennu'r penderfyniad i roi'r gorau i fonitro yn cael ei gyflwyno i'r Awdurdod Cynllunio Lleol a'i gymeradwyo'n ysgrifenedig.

Rheswm: Sicrhau bod meini prawf adfer tymor hwy sy'n ymwneud â dyfroedd rheoledig wedi'u bodloni. Bydd hyn yn sicrhau nad oes unrhyw risgiau annerbyniol i ddyfroedd rheoledig yn dilyn adfer y safle yn unol â Pholisi AW10 Cynllun Datblygu Lleol Rhondda Cynon Taf.

20. Os canfyddir bod halogiad datblygu na nodwyd yn flaenorol yn bresennol ar y safle, yna ni fydd unrhyw ddatblygiad pellach yn digwydd nes bod y datblygwr wedi cyflwyno strategaeth adfer sy'n manylu ar sut mae ymdrin â'r halogiad annisgwyl hwn, a chael cymeradwyaeth ysgrifenedig gan yr Awdurdod Cynllunio Lleol. Gweithredir y strategaeth adfer fel y'i cymeradwywyd.

Rheswm: O ystyried maint a chymhlethdod y safle, ystyrir ei bod yn bosibl y gallai fod ardaloedd sydd wedi'u halogi ond heb eu nodi ar y safle, a allai beri risg i ddyfroedd rheoledig os na chânt eu hadfer, ac i gyd-fynd â pholisi AW10 o Gynllun Datblygu Lleol Rhondda Cynon Taf.

21. Ni fydd unrhyw ddatblygiad, ac eithrio gwaith galluogi fel y'i diffinnir yn amod 5 uchod (ac eithrio gwaith gwella ac adfer) yn cychwyn tan

- a) Yn dilyn canfyddiadau a chasgliad yr Astudiaeth Geotechnegol/Geoamgylcheddol ac Adroddiad Model Safle Cysyniadol dyddiedig Ebrill 2019 (Cyfeirnod adroddiad 11797/ RB/19/DS) a Dogfen Map Ffordd y Strategaeth Adfer a Gwella Rhagarweiniol (Cyfeirnod yr adroddiad: 11797/RB/18/RMD Rev A), rhaid cyflwyno asesiad risg rhagarweiniol yn nodi'r holl ddefnyddiau blaenorol; halogion posib sy'n gysylltiedig â'r defnyddiau hynny; model cysyniadol o'r wefan sy'n nodi ffynonellau, llwybrau a derbynyddion; risgiau a allai fod yn annerbyniol yn deillio o halogiad ar y safle. Rhaid cyflwyno cwmpas y ddogfen Ymchwilio Safle sy'n manylu ar yr angen i ymchwilio i'r holl gysylltiadau halogion posibl yn ysgrifenedig yr Awdurdod Cynllunio Lleol. Ni chynhelir ymchwiliad safle heb gymeradwyaeth ysgrifenedig i gan yr Awdurdod

Cynllunio Lleol.

- b) Rhaid cyflwyno Adroddiad Ffeithiol a Deongliadol o ganfyddiadau'r Ymchwiliad Safle a gymeradwywyd o dan a) i'r Awdurdod Cynllunio Lleol a'i gymeradwyo'n ysgrifenedig. Bydd yr adroddiad deongliadol yn cynnwys canlyniadau'r Ymchwiliad Safle, unrhyw ddiwygiadau i'r Model Safle Cysyniadol ac Asesiad Risg Meintiol llawn.
- c) Dylid defnyddio canfyddiadau'r Asesiad Risg Meintiol i baratoi adroddiad Gwerthuso Opsiynau'r Strategaeth Adfer a fydd yn cael ei gyflwyno i'r Awdurdod Cynllunio Lleol a'i gymeradwyo'n ysgrifenedig i sicrhau bod y dull mwyaf effeithiol yn cael ei ddefnyddio.
- d) Unwaith y cytunir ar opsiwn/opsiynau, rhaid cyflwyno Strategaeth Adfer a Chynllun Gweithredu manwl (i gynnwys targedau glanhau priodol) i'w cymeradwyo'n ysgrifenedig gan yr Awdurdod Cynllunio Lleol cyn ei weithredu. Bydd y cynllun gweithredu yn dangos i'r Awdurdod Cynllunio Lleol ei bod yn amlwg bod modd cyflawni'r adferiad arfaethedig. Os oes angen, rhaid cynnwys llinell amser ar gyfer gweithredu mesurau adfer, o fewn y strategaeth adfer, sy'n nodi pryd y bydd pob un o'r elfennau'n cael eu gosod. Gwneir adferiad yn unol yn llwyr â'r Strategaeth Adfer gymeradwy oni chytunir yn wahanol yn ysgrifenedig gyda'r Awdurdod Cynllunio Lleol.
- e) Rhaid cyflwyno a chymeradwyo Strategaeth Ddilysu yn ysgrifenedig gan yr Awdurdod Cynllunio Lleol. Bydd y strategaeth Ddilysu yn darparu manylion y data a gesglir er mwyn dangos bod y gwaith a nodir yn y Strategaeth Adfer yn gyflawn. Dylid nodi unrhyw ofynion ar gyfer monitro cysylltiadau llygryddion yn y tymor hwy ynghyd â manylion y rhaglen gynnal a chadw a threfniadau ar gyfer gweithredu wrth gefn. Os yw dull fesul cam wedi'i gynnwys yn y strategaeth adfer yna dylai fod yn glir pa ran o'r gwaith adfer sy'n cael ei riportio i'w gymeradwyo gan yr Awdurdod Cynllunio Lleol.

Ni fydd unrhyw ran o ardal y cytunwyd arni o'r datblygiad a ganiateir trwy hyn yn cael ei meddiannu nes bod Adroddiad Gwirio yn cadarnhau bod adferiad, a gynigiwyd gan y datblygwr tir, ar gyfer yr ardal y cytunwyd arni yn cael ei wneud yn unol â'r manylion a gymeradwywyd o dan amod 1 d) Adfer a Gweithredu Mae'r Cynllun wedi'i gymeradwyo'n ysgrifenedig gan yr Awdurdod Cynllunio Lleol. Rhaid i'r adeiladwr tai gyfleu a deall cyfrifoldeb gweithredu'r strategaeth adfer.

Rheswm: Er mwyn sicrhau yr ymdrinnir yn ddigonol ag unrhyw halogiad ar y safle er budd iechyd pobl ac i gyd-fynd â gofynion Polisi AW10 Cynllun Datblygu Lleol Rhondda Cynon Taf

22. Rhaid rhoi gwybod i'r Awdurdod Cynllunio Lleol am unrhyw halogiad ychwanegol neu annisgwyl y daethpwyd ar ei draws yn ystod y datblygiad (gan gynnwys yn ystod ailweithio wyneb a gwaith tynnu strwythur tanddaearol) cyn gynted ag sy'n ymarferol. Os canfyddir, yn ystod y datblygiad, halogiad nas nodwyd yn flaenorol ar y safle, yna ni fydd unrhyw ddatblygiad pellach (oni chytunir fel arall yn ysgrifenedig gyda'r awdurdod cynllunio lleol) nes bod y datblygwr wedi cyflwyno, a chael cymeradwyaeth ysgrifenedig gan y lleol awdurdod cynllunio ar gyfer, strategaeth adfer sy'n manylu ar sut yr ymdrinnir â'r halogiad annisgwyl hwn.

Rheswm: Er mwyn sicrhau yr ymdrinnir yn ddigonol ag unrhyw halogiad ar y safle er budd iechyd pobl ac i gyd-fynd â gofynion Polisi AW10 Cynllun Datblygu Lleol Rhondda Cynon Taf

23. Ni fydd unrhyw ddatblygiad yn digwydd ar unrhyw gam a nodwyd yn y datblygiad, (gan gynnwys unrhyw gam adfer, adfer a galluogi) nes bod Cynllun Adeiladu a Rheoli Amgylcheddol (CEMP) safle-benodol wedi'i gyflwyno i'r Cyngor a'i gymeradwyo'n ysgrifenedig.

Rhaid i elfen rheolaeth amgylcheddol y cynllun ddangos mabwysiadu a defnyddio'r dulliau ymarferol gorau i leihau effeithiau sŵn, dirgryniad, llwch a goleuadau safle. Dylai'r cynllun gynnwys ond heb fod yn gyfyngedig i:

- Gweithdrefnau ar gyfer cynnal cysylltiadau cyhoeddus da, gan gynnwys rheoli cwynion, ymgynghori â'r cyhoedd a chysylltu.
- Trefniadau ar gyfer cysylltu â Thîm Rheoli Llygredd y Cyngor.
- Dim ond rhwng yr oriau canlynol y bydd yr holl waith a gweithrediadau ategol sy'n glywadwy ar ffin y safle, neu mewn unrhyw le arall y cytunwyd arno gyda'r Awdurdod Cynllunio Lleol, yn cael ei wneud:
- 08 00 awr a 18 00 awr o ddydd Llun i ddydd Gwener ac 08 00 awr a 13 00 awr ar ddydd Sadwrn ac ar unrhyw adeg ar ddydd Sul a gwyliau banc neu wyliau cyhoeddus.
- Dim ond o fewn yr oriau a ganiateir y manylir arnynt uchod y mae'n rhaid cludo a symud peiriannau, offer, peiriannau a gwastraff o'r safle.
- Mesurau lliniaru fel y'u diffinnir yn BS 5528: rhannau 1 a 2: Defnyddir Rheoli Sŵn a Dirgryniad 2009 ar Adeiladu a Safleoedd Agored i leihau aflonyddwch sŵn o waith adeiladu.
- Gweithdrefnau ar gyfer gwyrriad brys o'r oriau gwaith y cytunwyd arnynt.
- Mesurau rheoli ar gyfer llwch a llygryddion eraill a gludir yn yr awyr. Rhaid i hyn hefyd ystyried yr angen i amddiffyn unrhyw breswlydd lleol a allai fod yn agored iawn i lygryddion a gludir yn yr awyr.
- Mesurau ar gyfer rheoli'r defnydd o oleuadau safle p'un a oes eu hangen ar gyfer gweithio'n ddiogel neu at ddibenion diogelwch.

Rheswm: Er mwyn diogelwch a llif y traffig ac er budd trigolion lleol yn unol â Pholisi AW5, Cynllun Datblygu Lleol Rhondda Cynon Taf.

24. Mae'r caniatâd a roddir drwy hyn yn ymwneud â'r cynlluniau canlynol -

- Cynllun safle'r lleoliad, darlun rhif: 1819-LP01

Rheswm: Er mwyn osgoi amheuaeth ynghylch y cynlluniau cymeradwy

25. Er gwaethaf darpariaethau Atodlen 2 Rhan 1 Dosbarthiadau A, D ac E neu ran 2 dosbarth A o Orchymyn Cynllunio Gwlad a Thref (Datblygiad a Ganiateir Cyffredinol) 1995, (fel y'i diwygiwyd ar gyfer Cymru) (neu unrhyw orchymyn sy'n dirymu neu'n ailddeddfu'r gorchymyn hwnnw gydag addasiad neu hebdo), ni chaniateir codi unrhyw adeiladau ac eithrio'r rhai a awdurdodir yn benodol gan y caniatâd hwn neu unrhyw grant caniatâd cynllunio dilynol neu gymeradwyo materion a gadwyd yn ôl.

Rheswm: Cynnal unrhyw fesur lliniaru wedi'i osod ac i gyd-fynd â Pholisi AW10 Cynllun Datblygu Lleol Rhondda Cynon Taf.

150 CAIS: 17/0885

Adeilad newydd i gynnwys bar cyhoeddus a lolfa, cawod ac ystafelloedd newid. (Derbyniwyd Aseiad Risg Mwyngloddio Glo a chynllun bloc diwygiedig 18 Medi 2019). Clwb Rygbi Llanilltud Faerdref, Parc Canol, Pentre'r Eglwys, Pontypridd.

Siaradodd yr Aelod Lleol, Cynghorydd y Fwrdeistref Sirol L. Walker, nad yw'n aelod o'r Pwyllgor, am y cais gan fynegi ei gefnogaeth i'r datblygiad arfaethedig.

Parhaodd y Rheolwr Materion Rheoli Datblygu trwy gyflwyno'r cais i'r Pwyllgor, ac awgrymodd y diwygiadau canlynol i'r Amodau, pe bai'r Aelodau'n bwriadu cymeradwyo'r cais:

- Dileu Amod 9 oherwydd nad oes ei angen.

PENDERFYNODD y Pwyllgor gymeradwyo'r cais yn unol ag argymhellion y Cyfarwyddwr Materion Ffyniant a Datblygu, yn amodol ar ddileu'r amod sydd wedi'i nodi uchod.

151 CAIS: 18/1403

Dymchwel yr adeiladau presennol a chodi 18 o gartrefi fforddiadwy, gwaith gwella priffyrdd, man parcio wedi'i dirlunio a gwaith cysylltiedig. (Derbyniwyd manylion am fynediad diwygiedig i'r briffordd, mesurau arafu traffig, cynllun y safle a chynlluniau lleoliad safle ar 18 Medi 2019). Hen Ddepo Bysiau Iard Gelynnog, Ffordd Castellau, Y Beddau, Pontypridd.

Cyflwynodd y Rheolwr Materion Rheoli Datblygu y cais i'r Pwyllgor, ac awgrymodd y diwygiadau canlynol i'r Amodau, pe bai'r Aelodau'n bwriadu cymeradwyo'r cais:

- Amod 14 – newid i:
'Ni fydd y datblygiad yn cael ei feddiannu nes bod y Gorchymyn Rheoleiddio Traffig (TRO) i gyflwyno mesurau arafu traffig a lleihau cyflymder ar hyd Ffordd Castellau wedi'i fodloni.
Rheswm: Sicrhau bod modd cyflawni mesurau a chyfyngiadau Rheoli Traffig er mwyn cynnal diogelwch ar y priffyrdd yn unol â Pholisi AW5 Cynllun Datblygu Lleol Rhondda Cynon Taf."

Yn dilyn trafodaeth, **PENDERFYNODD** yr Aelodau gymeradwyo'r cais yn unol ag argymhelliad y Cyfarwyddwr Materion Ffyniant a Datblygu, yn amodol ar fodloni'r amod uchod a chwblhau Cytundeb Adran 106, a fydd yn gofyn bod:

- 100% o'r tai yn dai fforddiadwy ar gyfer rhentu cymdeithasol; a
- Cynllun Rheoli Lliniaru Coed, Tirwedd, Cynefin a Rhywogaethau yn ei le am byth.

152 CAIS: 19/0387

Adeiladu 17 o fyngalos a gwaith tirlunio, SUDs a gwaith ychwanegol cysylltiedig (derbyniwyd cynlluniau diwygiedig ar 18/09/19). Hen Ysgol Gynradd Cwm-bach, Bridge Road, Cwm-bach, Aberdâr.

Siaradodd yr Aelod Lleol, Cynghorydd y Fwrdeistref Sirol J. Elliot, nad yw'n aelod o'r Pwyllgor, am y cais gan fynegi ei bryderon ynglŷn â'r datblygiad arfaethedig.

Parhaodd y Rheolwr Materion Rheoli Datblygu trwy gyflwyno'r cais i'r Pwyllgor, ac awgrymodd y diwygiadau canlynol i'r Amodau, pe bai'r Aelodau'n bwriadu cymeradwyo'r cais:

- Amod 10 – newid i:
'Ni chaniateir i unrhyw annedd gael ei feddiannu nes i'r Gorchymyn Rheoli Traffig (TRO) i ddileu'r llinellau igam-ogam ac unrhyw arwyddion cysylltiedig ar Bridge Road gael ei fodloni.
Rheswm: Diogelwch ar y briffordd a llif y traffig yn unol â Pholisi AW5 Cynllun Datblygu Lleol Rhondda Cynon Taf.

Yn dilyn trafodaeth **PENDERFYNODD** yr Aelodau gymeradwyo'r cais yn unol ag argymhelliad y Cyfarwyddwr Materion Ffyniant a Datblygu, yn ddibynnol ar ddiwygio'r amod uchod ac yn amodol ar gwblhau Cytundeb Adran 106. Bydd y cytundeb Adran 106 yn ei gwneud yn ofynnol i'r ymgeisydd sicrhau bod o leiaf 10% o'r unedau ar y safle yn dai fforddiadwy yn unol â Pholisi NSA11 y CDLI.

153 CAIS: 19/0814

Newid defnydd o anheddau preswyl (Dosbarth C3) i 8 o fflatiau myfyrwyr preswyl hunangynhwysol (Sui Generis) gan gynnwys estyniad deulawr yn y cefn. Tai Heddlu 1 a 2, Stryd y Nant, Trefforest, Pontypridd.

Siaradodd yr Aelod Lleol, Cynghorydd y Fwrdeistref Sirol S. Powderhill, nad yw'n aelod o'r Pwyllgor, am y cais gan fynegi ei wrthwynebiad i'r datblygiad arfaethedig.

Cyflwynodd Rheolwr Materion Rheoli Datblygu y cais i'r Pwyllgor. Ar ôl trafod y cynnig, penderfynodd yr Aelodau wrthod y cais yn groes i argymhelliad y Cyfarwyddwr Materion Ffyniant a Datblygu. Roedd yr aelodau o'r farn bod y datblygiad arfaethedig yn groes i ysbryd Canllawiau Cynllunio Atodol y Cyngor ar Dai Amlfeddiannaeth (HMOs) a Deddf Llesiant Cenedlaethau'r Dyfodol, ac y byddai'n cael effaith andwyol ar amwynder yr ardal leol ac y byddai'n achosi problemau parcio a phroblemau ar y priffyrdd. O ganlyniad i hynny, caiff y mater ei ohirio tan y cyfarfod priodol nesaf o'r Pwyllgor Cynllunio a Datblygu fel bod modd derbyn adroddiad gan y Cyfarwyddwr Materion Ffyniant a Datblygu, a gaiff ei lunio drwy ymgynghori â Chyfarwyddwr y Gwasanaethau Cyfreithiol yn ôl yr angen. Bydd yr adroddiad yn tynnu sylw at y cryfderau a'r gwendidau posibl sydd ynghlwm â gwneud penderfyniad yn groes i argymhelliad swyddog, neu unrhyw reswm arfaethedig neu reswm cynllunio dros wneud penderfyniad o'r fath. Caiff yr adroddiad yma ei ystyried cyn dod i benderfyniad ar y mater.

154 CAIS: 19/0866

Wyth cartref fforddiadwy 2 ystafell wely a phedair fflat fforddiadwy 1 ystafell wely, parcio ceir, tirlunio a gwaith ategol. Tir i'r gorllewin o 74 Stryd Howard, Cwm Clydach, Tonypany

Amlinellodd y Rheolwr Materion Rheoli Datblygu gynnwys dau lythyr 'hwyr' a dderbyniwyd; roedd un ohonynt gan breswlydd lleol yn gwrthwynebu'r cynnig a'r ail gan Dŵr Cymru, a oedd yn argymhell cynnwys amodau a nodiadau cynghori wrth roi caniatâd cynllunio.

Parhaodd y Rheolwr Materion Rheoli Datblygu trwy gyflwyno'r cais i'r Pwyllgor, ac awgrymodd y diwygiadau canlynol i'r Amodau, pe bai'r Aelodau'n bwriadu cymeradwyo'r cais:

- Dileu Amod 13 gan nad oes ei angen.

Yn dilyn trafodaeth, **PENDERFYNODD** yr Aelodau gymeradwyo'r cais yn unol ag argymhelliad y Cyfarwyddwr Materion Ffyniant a Datblygu, yn ddibynnol ar ddileu'r amod uchod ac yn amodol ar gwblhau Cytundeb Adran 106. Rhaid i'r cytundeb Adran 106 sicrhau bod 100% o'r anheddau'n cael eu sefydlu a'u cynnal fel unedau fforddiadwy ar gyfer rhentu cymdeithasol, at y diben parhaus o ddiwallu anghenion tai sydd wedi'u nodi yn yr ardal leol.

155 CAIS: 19/0895

Creu cyfleuster parcio oddi ar y stryd gyferbyn â rhifau 78 - 106 Park Street, Cwm Clydach. Tir gyferbyn â 78 - 106 Park Street, Cwm Clydach, Tonypany.

Cyflwynodd Rheolwr Materion Rheoli Datblygu y cais uchod i'r Pwyllgor. Ar ôl trafod y cynnig, **PENDERFYNODD** yr Aelodau gymeradwyo'r cais yn unol ag argymhelliad y Cyfarwyddwr Materion Ffyniant a Datblygu.

156 CAIS: 19/0311/10

Adeilad storio a phrosesu gwastraff newydd, pont bwysu, ystafell les a storfa, parcio ceir (rhan ôl-weithredol) (derbyniwyd FCA, manylion draenio safle a chynlluniau wedi'u cywiro/cynlluniau ychwanegol ar 25/07/2019), Canolfan Ailgylchu Project Red, Fferm Ystrad Barwig Isaf, Crown Hill, Llanilltud Faerdref, Pontypridd.

Yn unol â chofnod 136 o Gyfarfod y Pwyllgor Cynllunio a Datblygu a gynhaliwyd ar 7 Tachwedd 2019, ystyriodd y Pwyllgor adroddiad y Cyfarwyddwr Gwasanaeth – Gwasanaethau Democraataidd a Chyfathrebu. Amlinellodd yr adroddiad ganlyniad yr ymweliad safle, a gynhaliwyd ar 19 Tachwedd 2019 mewn perthynas â'r cais. Roedd y Cyfarwyddwr Materion Ffyniant a Datblygu wedi argymhell cymeradwyo'r cais yma.

Cyflwynodd y Rheolwr Materion Rheoli Datblygu y cais i'r Pwyllgor ac yn ystod y drafodaeth, argymhellodd yr Aelodau y dylid sefydlu Pwyllgor Cyswllt ar gyfer preswylwyr a'r datblygwr, i fynd i'r afael â materion yn ymwneud â diffyg cydymffurfio a gorfodi. **PENDERFYNODD** y Pwyllgor gymeradwyo'r cais yn unol ag argymhellion Cyfarwyddwr Materion Ffyniant a Datblygu.

157 CAIS: 18/1423/10

Datblygiad preswyl o 76 o anheddau ynghyd â gwaith cysylltiedig

(derbyniwyd cynlluniau diwygiedig ar 17/05/19), The Meadows, Coed-elái, Tonyrefail.

Cyflwynodd y Rheolwr Materion Rheoli Datblygu y cais a gafodd ei gyflwyno ddiwethaf i'r Pwyllgor ar 7 Tachwedd 2019, lle'r oedd yr Aelodau wedi gwrthod y cais, yn groes i argymhelliad y Cyfarwyddwr Materion Ffyniant a Datblygu. Roedd yr Aelodau o'r farn nad oedd y fynedfa arfaethedig na'r fynedfa frys yn ddiogel nac yn dderbyniol, ac nid oedd y datblygiad mewn lleoliad cynaliadwy gan ei fod y tu allan i ffiniau'r aneddiad gyda chysylltiadau trafndiaeth cyfyngedig. Hefyd, nid oedd yn dderbyniol yn unol â Pholisi AW2, a byddai'r datblygiad yn cael effaith ar yr amgylchedd a'r Safle o Ddiddordeb Gwyddonol Arbennig cyfagos. Nid oedd yn dderbyniol yn unol â Pholisïau AW7 ac AW8 ac ar ben hynny nid oedd y dwysedd tai yn dderbyniol yn unol â Pholisi SSA11.

Rhoddodd yr Aelodau ystyriaeth i'r adroddiad pellach, a oedd yn tynnu sylw at gryfderau a gwendidau posibl gwrthod cais yn groes i argymhelliad swyddogion ac yn dilyn trafodaeth, **PENDERFYNWYD** gwrthod y cais yn groes i argymhelliad y Cyfarwyddwr Materion Ffyniant a Datblygu, am y rhesymau canlynol:

1. Mae'r datblygiad arfaethedig yn cynrychioli datblygiad nad oes modd ei gyfiawnhau y tu allan i ffin yr anheddiad diffiniedig mewn lleoliad anghynaliadwy. Mae'r cynnig felly'n groes i Bolisïau CS2, AW2, AW5 ac SSA11 Cynllun Datblygu Lleol Rhondda Cynon Taf a nodau llunio lleoliad Polisi Cynllunio Cymru (PPW) ac mae'n annerbyniol mewn egwyddor.
2. Mae gwybodaeth annigonol wedi'i darparu i gyfiawnhau datblygiad o tua 19 o anheddau yr hectar. Felly nid yw'r datblygiad arfaethedig yn cydymffurfio â Pholisi SSA11 Cynllun Datblygu Lleol Rhondda Cynon Taf yn yr ystyr nad yw'n cynnig yr isafswm dwysedd rhagnodedig o 35 annedd yr hectar.
3. Mae'r rhwydwaith priffyrdd lleol sy'n gwasanaethu fel mynedfa sylfaenol a mynedfa frys i'r safle datblygu arfaethedig yn annigonol oherwydd y galw am barcio ar y stryd a geometreg y briffordd, a fyddai'n gwaethygu ymhellach oherwydd nifer y teithiau ychwanegol y byddai preswylwyr y dyfodol yn gyfrifol amdanynt. Byddai'r datblygiad arfaethedig felly'n arwain at effaith niweidiol ar ddiogelwch holl ddefnyddwyr y briffordd a llif traffig, yn groes i Bolisi AW5 Cynllun Datblygu Lleol Rhondda Cynon Taf.
4. Byddai'r datblygiad arfaethedig yn cael effaith niweidiol ar goed/ecoleg ar y safle ac ar Safle o Ddiddordeb Gwyddonol Arbennig (SSSI) Rhos Tonyrefail gerllaw, yn groes i Bolisi AW8 Cynllun Datblygu Lleol Rhondda Cynon Taf.
5. Byddai cymeriad ac ymddangosiad y datblygiad arfaethedig yn cael effaith niweidiol ar amwynder gweledol yr ardal wrth edrych arno o'r Hawliau Tramwy Cyhoeddus gerllaw, yn groes i Bolisi AW7 Cynllun Datblygu Lleol Rhondda Cynon Taf.

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GWYBODAETH I AELODAU SY'N YMWNEUD Â'R CAMAU GWEITHREDU WEDI'U CYMRYD O DAN BWERAU DIRPRWYEDIG

PENDERFYNODD yr Aelodau dderbyn adroddiad y Cyfarwyddwr Gwasanaeth – Materion Cynllunio mewn perthynas â'r Penderfyniadau Apeliadau Cynllunio a Gorfodi a ddaeth i law, Cymeradwyaethau Penderfyniadau a Gwrthodiadau Dirprwyedig gyda rhesymau, Trosolwg o Achosion Gorfodi a Phenderfyniadau

Gorfodi Dirprwyedig ar gyfer y cyfnod 8 Tachwedd 2019 ac 22 Tachwedd 2019.

Daeth y cyfarfod i ben am 7.35 pm

**Y Cynghorydd S Rees
Cadeirydd.**

tudalen wag

PLANNING & DEVELOPMENT COMMITTEE

23 JANUARY 2020

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 15/1640/10 (KL)
APPLICANT: Mr Roach
DEVELOPMENT: Erection of a bungalow on land adjacent to No 40 Ardwyn Terrace, Gelli (Amended plans received 24/10/19).
LOCATION: LAND ADJACENT TO 40, ARDWYN TERRACE, GELLI
DATE REGISTERED: 24/10/2019
ELECTORAL DIVISION: Ystrad

RECOMMENDATION: Approve

REASONS: The application site is located in a sustainable location and within an area that is predominantly characterised by residential properties. The site is currently vacant and un-maintained and its development for residential purposes is therefore considered to be acceptable.

The proposed dwelling is of an acceptable scale and design which would not detract from the character and appearance of the surrounding area and a sufficient distance and an existing fence line at the boundary would be maintained to ensure that the dwelling would not have a detrimental impact on the amenity and privacy of surrounding properties. Finally, whilst the proposal would remove the possibility for residents to turn their vehicles and exit the street in a forward gear, the site is in private ownership and could essentially be fenced off to prevent turning in any case. As such, the proposal is considered to be acceptable in terms of the impact it would have on highway safety in the vicinity of the site.

REASON APPLICATION REPORTED TO COMMITTEE

- A request has been received from Councillor Lorraine Jones for the matter to come to Committee in order for Members to consider the impact of the proposal on highway safety;

APPLICATION DETAILS

Full planning permission is sought for the construction of a single dwelling (bungalow) on a vacant parcel of land adjacent to no. 40 Ardwyn Terrace, Gelli.

The proposed dwelling would be sited towards the most north-eastern corner of the plot and in line with the existing line of properties along the southern side of the road. It would measure 7.9 metres in width by 11.6 metres in depth with a pitched roof design that would measure a maximum of 5.1 metres in height to the ridge and 3.2 metres in height to the eaves. Due to the sloping nature of the site, this would be reduced to 4.5 metres and 2.5 metres at the rear respectively. It is proposed that the dwelling be finished with render, concrete roof tiles and uPVC windows and doors.

Internally, the dwelling would comprise of a living room, kitchen, bathroom and two bedrooms. Two off-street parking spaces would be located to the north-western side of the property with access directly off Ardwyn Terrace to the north-east. Private amenity space would be provided at the front and rear of the dwelling.

The proposal also includes the continuation of the existing 1.8 metre wide pedestrian footway along the front of the site.

SITE APPRAISAL

The application site relates to a vacant parcel of land that is located towards the north-western end of Ardwyn Terrace, Gelli. Being of an irregular shape and measuring approximately 320 square metres, the site is bound by the road at Ardwyn Terrace to the north-east, the road at Rock Drive to the south-west and the curtilage of residential properties to the south-east (no. 40 Ardwyn Terrace) and north-west (no. 9 Gelli Fron). Due to differences in ground level in the area, the site slopes upwards in a south-westerly direction, resulting in Rock Drive being at a notably higher ground level, no. 40 Ardwyn Terrace being located at a slightly higher ground level and no. 9 Gelli Fron being located at a slightly lower ground level.

The surrounding area is predominantly characterised by residential properties with those in Ardwyn Terrace being of a traditional, two-storey terrace design. No. 9 Gelli Fron, which is located immediately to the north-west of the site, is of a more modern construction and single storey. Whilst it forms part of an adjacent street, it benefits from a vehicular entrance adjacent to the site, off Ardwyn Terrace.

PLANNING HISTORY

None within the last 10 years.

PUBLICITY

The application has been advertised by means of direct neighbour notification to 7 neighbouring properties and through the erection of site notices in the vicinity of the site. Two letters of objection have been received in relation to the proposal and are summarised below:

- Concern with regard to the space available to turn our cars;
- Some people already park their cars on this site with no thought for other road users;
- Ardwyn Terrace is already congested with parked cars;
- Should the proposed dwelling have a drive then this would cause a problem with even less room to park;
- There is only one entrance to the street and we have had to reverse quite considerable lengths on a number of occasions. This is far from ideal and dangerous;
- The proposed development would have a serious impact on our standards of living;
- The proposed site of development is at such a height that the primary amenity area of our garden and kitchen and rear bedroom windows would be severely overlooked from the living room window and front door;
- There is a question over the ownership of part of the land;
- The proposed development is a direct contravention of RCTCBC's planning policies;
- The development does not afford adequate privacy, particularly with regard to the quiet enjoyment of our garden;
- The Human Rights Act Protocol 1, Article 1 states that a person has the right to peaceful enjoyment of all their possessions which includes the home and other land;
- The proposed development would have a dominating impact on us and our right to the quiet enjoyment of our property;
- Article 8 of the Human Rights Act states that a person has the substantive right to respect for their private and family life;
- We are not totally against the proposal and suggest that the Council reassess the application to remove the living room window from the western elevation and to reposition the front door and bathroom.

Following the submission of additional plans (cross sections and existing and proposed site layout plans) and documents (amended ownership certificates and evidence of advertisement in the local press), further consultation was undertaken with local residents. Two further letters of objection have been received from the authors of the original letters received however, these raise the same points as summarised above.

CONSULTATION

Countryside, Landscape & Ecology – No objection or condition suggested

Flood Risk Management – No comments received at the time of writing the report. Any comments received will therefore be reported orally at the Committee.

Highways and Transportation – No objection, subject to conditions

Public Health and Protection – No objection, subject to conditions

Wales and West Utilities – advises that WWU has pipes in the area and that their apparatus may be affected and at risk during construction. The developer is advised to contact WWU directly prior to any works commencing on site. Should diversion works be required these will be fully chargeable.

Western Power – No comments received

Welsh Water – No objection, subject to conditions and advisory notes

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The following policies are considered to be relevant to the application:

Policy CS1 - the emphasis is on sustainable growth that benefits Rhondda Cynon Taf as a whole.

Policy AW1 – outlines how the housing land requirement will be met.

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

Policy AW4 – details the types of planning obligations that may be sought in order to make the proposal acceptable in land use planning terms and that Community Infrastructure Levy contributions might apply.

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 AW8 – sets out the criteria for the protection and enhancement of the natural environment.

Policy NSA12 – identifies the criteria for assessment of development proposals within and adjacent to settlement boundaries in the Northern Strategy Area.

Supplementary Planning Guidance

Design and Placemaking
Access Circulation and Parking
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 Edition 10 sets out the Welsh Government's current position on planning policy, which incorporates the objectives of the Wellbeing of Future Generations Act in to planning.

It is considered that the current proposals meet the seven wellbeing of future generation's goals inasmuch as they relate to the proposed development and the site is being brought forward in a manner consistent with the five ways of working.

It is considered that the proposed development is consistent with the key principles and requirements for placemaking as defined by chapter 2 people and places: Achieving Wellbeing through Placemaking of the policy document and that the proposal is also consistent with the following insofar as they relate to the development proposed –

Chapter 2 achieving wellbeing through placemaking
Chapter 3 strategic and spatial choices.
Chapter 4 active and social places
Chapter 6 distinctive and natural places.

Other relevant policy guidance consulted:

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:

The application proposes the construction of a single residential dwelling on a parcel of land that is located within an established residential area and inside the defined settlement boundary. As such, it is considered that the key considerations in the determination of any planning application will be whether the principle of residential development at the application site is acceptable in

the first instance, and if so, whether the site is capable of accommodating the proposed dwelling, associated means of access/parking/turning facilities and sufficient amenity space without resulting in a detrimental impact upon the amenity and privacy of neighbouring properties; the character and appearance of the surrounding area; and highway safety in the vicinity of the site.

Principle of the proposed development

In the assessment of any application for residential development, the first consideration must be the location of the site in planning policy terms. In the case of this proposal, the application site is located inside the defined settlement boundary and within an established residential area and so the residential use of the site would not conflict with surrounding uses. The site is also accessible by a range of sustainable transport options and has good access to key services and facilities. The site is therefore considered to be in a sustainable location, as defined Policy AW2 of the Rhondda Cynon Taf Local Development, and the proposal would therefore comply with this policy. It would also comply with Policies AW1 and NSA12 which both support development within the defined settlement boundaries.

As such, the principle of developing the site for residential purposes is considered to be acceptable, subject to an assessment of the criteria set out below.

Visual Impact

The site represents the construction of a dwelling on a vacant parcel of land that is largely un-maintained. As such, the redevelopment of the site would offer some benefits in this regard.

The proposed dwelling would be situated towards the north-eastern part of plot and broadly in line with the existing terrace of properties along the southern side of the road. Whilst the majority of properties in the vicinity of the site are predominantly two-storey in scale, the property immediately to the north-west (no. 9 Gelli Fron) is single storey and it is therefore not considered that the proposed dwelling would result in a harmful impact upon the character and appearance of the street scene or the wider area.

As such, the application would comply with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

Residential amenity

The application site sits between two existing residential properties; no. 40 Ardwyn Terrace to the south-east and no. 9 Gelli Fron to the north-west. It is therefore noted that a new dwelling in this location would have some impact on the residents of those two properties. However, given the position of the dwelling and its single storey height, it is not considered that it would have

such a significant impact on the amenity and privacy of neighbouring properties that it would warrant the refusal of the application.

Being sited immediately adjacent to the side elevation of no. 40 Ardwyn Terrace, the proposed dwelling would not give rise to any overbearing or overshadowing impact that would unacceptably harm the amenity of that property. Furthermore, the two windows that would be positioned within the south-eastern side elevation of the proposed dwelling and would not result in the loss of any privacy.

It is noted that the application site sits on a slope which results in the rear of the site being at a higher ground level to the road at Ardwyn Terrace. It is also noted that the adjacent bungalow, no. 9 Gelli Fron, is at a slightly lower ground level. Whilst there is potential for the development to have some impact on no. 9 Gelli Fron, the proposed dwelling would essentially be cut into the slope which would limit its overall impact. The plans submitted with the application indicate that the proposed dwelling would be approximately 1.3 metres greater in height than the adjacent bungalow at its closest point (at the north-western corner) and this, along with the distance between the proposed dwelling and no. 9 (approximately 10 metres), would reduce any potential overbearing and overshadowing impact to an acceptable level. Furthermore, there is an existing boundary fence at the boundary with no. 9 that increases in height with the slope of the land immediately below it which would provide an adequate screen and limit any potential for an unacceptable level of overlooking to occur. As such, the proposal complies with Policy AW5 of the Rhondda Cynon Taf Local Development Plan in this respect and it is therefore not considered that the objectives of the Human Rights Act 1998 have been contravened.

It is noted that an objector suggests that the proposal be amended to remove the window and door from the side elevation to remove any potential overlooking opportunities however, for the reasons set out above, it is not considered that the proposal would give rise to significant levels of overlooking. It is therefore not considered necessary to request amendments to the scheme or impose any conditions in this regard.

Access and highway safety

One letter of objection has been received from a local resident which raises concern with regard to the impact of the proposal on highway safety in that the site is currently used by residents to turn their vehicles so that they can exit the street in a forward gear. The Council's Highways and Transportation section have raised some concern in this regard, stating that the removal of the turning area, albeit informal, would result in vehicles reversing a considerable distance to turn and/or exit Ardwyn Terrace. However, the application site is in private ownership and could potentially be fenced off by the landowner to prevent residents from using it as a turning area regardless of the outcome of this application. Furthermore, the land is not subject to a covenant for a turning area to be provided and, as such, the application is considered to be acceptable in this regard.

The Highways Section also comments that the proposed development is served by existing 1.9m wide footways, although this does not extend along the site frontage. The developer has proposed to set the site boundary back to provide a 1.8m wide footway/vehicular cross-over which would be acceptable and a condition has been recommended accordingly (condition 4 refers).

The proposed bungalow requires up-to a maximum of 2 off-street parking spaces and, with two off-street spaces proposed, is considered acceptable. However, it is noted that there is a Western Power Column located to the front of the proposed parking spaces which will obstruct access of the spaces. A condition has therefore been recommended to secure the re-siting of the column (condition 7 refers).

Taking the comments received from the Highways Section into consideration, the proposal would not have a significant impact on highway safety in the vicinity of the site and the application would therefore comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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

The Council's Public Health & Protection Section have raised no objections 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 issues relating to hours of operation, 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.

The application site has also been identified as being within 250m of a landfill site and the Public Health & Protection Section considers that there is potential for contamination to exist on site. As such, standard contaminated land/site investigations conditions are recommended (conditions 8, 9 & 10 refer).

Flood Risk Management

No comments had been received at the time of writing the report. Therefore, any comments received will be presented orally at the meeting. The standard drainage conditions are recommended in any case.

Other issues raised by objectors

One objector raises a question over the ownership of a small section of the application site. Following discussions with the applicant, it was established that a section of the site that lies adjacent to no. 9 Gelli Fron is not in the applicant's control. Searches were subsequently carried out at Land Registry and an advert placed in the local press in order to determine the ownership of the land. However, these attempts were both unsuccessful in establishing the landowner. As such, the application was amended to include Certificate D of the ownership certificates, which is sufficient to proceed with the application. Any issues that could arise as a result of the construction of the proposed dwelling on land outside of the applicant's control would be a private matter.

A number of residents have made reference to various other bodies of legislation, legal guidance and accepted conventions claiming that allowing the proposals would be contrary to their requirements. The legislation and documents cited are as follows –

- The Human Rights Act 1998

The planning system by its very nature respects all legislation that influences it and the rights of the individual and child whilst acting in the interest of the wider community. It is an intrinsic part of the decision-making process for the Council to assess the effects that a proposal will have on individuals, including children, and weigh these against the wider public interest in determining whether a development should be allowed to proceed. In carrying out this balancing exercise the Council will of course wish to be satisfied that it has acted proportionately. In the present case, as detailed in this report, officers have considered and balanced those material considerations relevant to the application in making the recommendation to Committee.

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 site is located inside the defined settlement boundary and within an established residential area. The principle of the proposal is therefore considered to be acceptable. Furthermore, the proposed dwelling would be of an acceptable scale and design and would not detract from the character and appearance of the surrounding or have a detrimental impact on the amenity and privacy of surrounding properties. Finally, whilst the proposal would remove the possibility for residents to turn their vehicles and exit the street in a forward gear, the site is in private ownership and could essentially be fenced off to prevent turning in any case. As such, the proposal is

considered to be acceptable in terms of the impact it would have on highway safety in the vicinity of the site.

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 drawing numbers and documents received by the Local Planning Authority on 24th December 2016 & 5th November 2019, unless otherwise to be approved and superseded by details required by any other condition attached to this consent:

- Proposed Site Location Plan, Proposed Elevation Plans & Proposed Floor Plans (Rec. 24th December 2016);
- Proposed Site Layout Plan (Rec. 5th November 2019);
- Proposed Cross-sections (Rec. 5th November 2019).

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, shall be laid out in accordance with the submitted plan dated 24th October 2019 and approved by the Local Planning Authority. The car parking shall remain for use of the dwelling thereafter.

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

4. The site boundary fronting Ardwyn Terrace shall be set back from the edge of the existing carriageway to provide for a 1.8 metres wide footway / vehicular crossover, in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented to the satisfaction of the Local Planning Authority prior to development being brought into beneficial occupation.

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

5. Prior to the commencement of development, details of traffic management and wheel washing facilities shall be provided on site in accordance with details to be submitted to and approved in writing by the Local Planning

Authority. The approved details shall be implemented and maintained throughout the construction period unless otherwise agreed in writing by the Local Planning Authority.

Reason: the interests of highway and pedestrian safety and to ensure that mud and debris are not deposited onto the public highway, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

6. HGV's used during construction shall be restricted to 09:00am to 16:30pm weekdays, 09:00am to 13:00pm Saturdays with no deliveries on Sundays and Bank Holidays unless otherwise agreed in writing with 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.

7. The street lamp column / Western Power Distribution pole affected by the proposed car parking shall be relocated in a position to be agreed in writing by the Local Planning Authority and statutory undertakers prior to any works commencing on site.

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

8. The development hereby permitted shall not begin until a scheme to deal with contamination has been submitted and approved in writing by the Local Planning Authority. The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement specifically and in writing:

- 1) 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.
- 2) 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 (1) above.
- 3) 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: In the interest of health and safety and environmental amenity and so as to accord with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

9. The development hereby permitted shall not be occupied and/or operated until the measures approved in the scheme have been implemented and a suitable validation report of the proposed scheme has been submitted to and approved in writing by the Local Planning Authority. Any validation report shall be carried out by a competent person.

Reason: In the interest of health and safety and environmental amenity and so as to accord with Policy AW10 of the Rhondda Cynon Taf Local Development Plan

10. 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 work shall cease and revised contamination proposals shall be submitted to and approved in writing by the Local Planning Authority prior to the work recommencing. Any revised contamination proposals shall be carried out by a competent person.

Reason: In the interest of health and safety and environmental amenity and so as to accord with Policy AW10 of the Rhondda Cynon Taf Local Development Plan

11. Prior to the commencement of the development hereby approved, the developer shall submit to the Local Authority details of all retaining walls to be built as part of the development, including drawings and structural calculations. The submitted details shall be accompanied by a certificate from an appropriately accredited independent consulting engineer confirming that the proposed retaining wall(s) are acceptable from a structural perspective. The approved retaining wall(s) shall be built in accordance with the agreed details. Following construction of the retaining wall(s), additional certification from an independent suitably accredited engineer confirming that the works have been constructed in accordance with the agreed details and that they are physically fit for their intended purpose shall be supplied to the Local Planning Authority.

Reason: In the interests of amenity and public safety, in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

12. Building operations shall not be commenced until details of the finishing materials proposed to be used have been submitted to and approved in writing by the Local Planning Authority. The proposed dwelling shall be finished in accordance with the approved details.

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

13. No development shall take place until there has been submitted to and

approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building is occupied. Development shall be carried out in accordance with the approved details.

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

14. No development shall take place until full drainage details 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.

15. The dwelling hereby approved shall not 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.

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PLANNING & DEVELOPMENT COMMITTEE

23 JANUARY 2020

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 19/1185/10 (KL)
APPLICANT: Trivallis
DEVELOPMENT: Conversion of Old Bank Chambers to 9 no. apartments (first, second and third floors) (Use Class C3 - dwellinghouses).
LOCATION: OLD BANK CHAMBERS, MARKET STREET, PONTYPRIDD, CF37 2SU
DATE REGISTERED: 19/11/2019
ELECTORAL DIVISION: Town (Pontypridd)

RECOMMENDATION: Approve

REASONS: The proposal would result in the conversion of the upper floors of an existing building within Pontypridd Town Centre to 9 self-contained flats that would all be offered for affordable housing. The conversion would present an opportunity to bring back in to use an under used space, whilst also encouraging a sustainable form of living which would benefit the daytime and evening economy of the town and add to the vibrancy and vitality of the town.

Whilst no off-street parking is proposed as part of the proposal, the site is located in a highly sustainable location and, subject to the provision of secure cycle parking, is considered to be acceptable in terms of the impact it would have on highway safety in the vicinity of the site. Furthermore, no alterations would be made to the external appearance of the building, thus having no impact on the conservation area or upon the amenity and privacy of surrounding units.

As such, the proposal is considered to comply with the relevant policies of the Rhondda Cynon Taf Local Development Plan.

REASON APPLICATION REPORTED TO COMMITTEE

- The proposal is not covered by determination powers delegated to the Director of Prosperity & Development

APPLICATION DETAILS

Full planning permission is sought for the conversion of the first, second and third floors of the Old Bank Chambers on Market Street, Pontypridd to 9 affordable residential apartments (Use Class C3) and associated works.

The proposal would not result in any external alterations to the building and the existing retail units on the ground floor (fronting Taff Street) would be retained. The apartments would be accessed from the existing entrance at Market Street to the western elevation. A total of 4 apartments would be provided at first and second floors with 1 apartment at third floor. Each flat would consist of an open-plan living room and kitchen, a bathroom and one bedroom. Due to the town centre location of the site, no off-street parking provision is proposed.

The application is accompanied by the following:

- Planning Statement;
- Noise Impact Assessment;
- Coal Risk Mining Assessment;
- Flood Consequences Assessment;
- Bat Survey.

SITE APPRAISAL

The application site relates to an existing split-level, five-storey building that is located within the Principal Town Centre of Pontypridd. The building incorporates 3 retail units at lower ground floor level which directly fronts Taff Street to the east. A further two retail units and office space are located at ground floor which directly front Market Street to the west. The remaining first, second and third floors are currently vacant office space with access from Market Street.

The surrounding area, given its town centre location, is predominantly characterised by retail and commercial uses (A1, A2 & A3 Use Classes) at ground floor level however, there are a number of offices (B1 Use Class) and residential flats (C3 Use Class) at first and second floors.

The application site is located within the defined settlement boundary and within the main retail area of Pontypridd Town Centre. It is located entirely within Pontypridd Town Conservation Area and is within a C1 flood zone. It is not subject to any other material constraint.

PLANNING HISTORY

16/0498	Vodafone, 6 Taff Street, Pontypridd	Install TV aerial onto the side elevation of the	Granted 26/08/16
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		building	
12/0774	6 Taff Street, Pontypridd	Replacement windows, doors and shopfronts and associated external repairs/improvements	Granted 04/09/12
04/0574		Proposed fascias and projecting signs	Granted 19/05/04
00/2510		2 Facia signs externally lit and 1 double sided projecting sign externally illuminated	Granted 20/07/00
00/2330		Proposed refurbishment of existing greengrocers to form Vodafone retail outlet	Granted 01/06/00

PUBLICITY

The application has been advertised by means of direct neighbour notification, the display of site notices in the vicinity of the site and through advertisement in the local newspaper. No letters of objection have been received.

CONSULTATION

Countryside, Landscape & Ecology – No objection, subject to condition

Dwr Cymru/Welsh Water – No objection subject to conditions/advisory notes

Flood Risk Management – No comments received as yet

Highways and Transportation – No objection, subject to condition

Natural Resources Wales – No objection

Pontypridd Town Council – No comments received as yet

Public Health and Protection – No objection subject to condition

South Wales Fire and Rescue – No objection, subject to advisory notes

The Coal Authority – No objection

Waste Services – No comments received as yet

Western Power – A separate application will need to be made to WPD if a new connection or service alteration is required.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

Core Policies

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

Policy CS4 – concerned with housing requirement, stating that land will be made available for new dwelling in sustainable locations.

Policy CS5 – expects housing requirements identified in CS4 to contribute to established community housing need by providing affordable housing.

Area Wide Policies

Policy AW1 – sets out criteria for new housing proposals, including the conversion of suitable structures to provide housing; and the provision of affordable housing.

Policy AW2 – supports development in sustainable locations and includes sites that are accessible by a range of sustainable transport modes and would not unacceptably conflict with surrounding uses.

Policy AW4 – details the criteria for planning obligations including the Community Infrastructure Levy (CIL).

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 AW7 – states that developments which impact upon sites of architectural and/or historical merit will only be permitted where it can be demonstrated that the proposal would preserve or enhance the character and appearance of the site.

Policy AW8 – seeks to protect RCTs distinctive natural heritage. Proposals that would affect protected and priority species will be required to demonstrate what measures are proposed for the protection and management of the species and the mitigation and compensation of potential impacts.

Policy AW10 – development proposals must overcome any harm to public health, the environment or local amenity as a result of flooding.

Southern Strategy Area Policies

Policy SSA1 – supports proposals that reinforce the role of Pontypridd at a Principal Town.

Policy SSA11 – sets a minimum residential density level of 35 dwellings per hectare.

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

Policy SSA13 – permits development within the defined settlement boundary where it can be demonstrated that the development is accessible to local services by a range of modes of sustainable transport and the proposed

development does not adversely affect the provision of car parking in surrounding areas.

Policy SSA17 – promotes new and improved retail facilities and other uses that are appropriate within the town centres where the proposal would provide retail or provide a shop front with a display function and entrances which relate well to the design of the host building and to the street scene and its setting.

Supplementary Planning Guidance

Design and Placemaking
The Historic Built Environment
Design in Town Centres
Affordable Housing
Nature Conservation
Development of Flats
Planning Obligations
Access Circulation and Parking

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 10 sets out the Welsh Government's current position on planning policy, which incorporates the objectives of the Wellbeing of Future Generations Act in to planning.

It is considered that the current proposals meet the seven wellbeing of future generation's goals inasmuch as they relate to the proposed development and the site is being brought forward in a manner consistent with the five ways of working.

It is considered that the proposed development is consistent with the key principles and requirements for placemaking as defined by chapter 2 people and places: Achieving Wellbeing through Placemaking of the policy document and that the proposal is also consistent with the following insofar as they relate to the development proposed –

Chapter 2 achieving wellbeing through placemaking
Chapter 3 strategic and spatial choices.
Chapter 4 active and social places

Other relevant 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 11: Noise;

PPW Technical Advice Note 12: Design;
PPW Technical Advice Note 15: Development and Flood Risk;
PPW Technical Advice Note 18: Transport;
PPW Technical Advice Note 21: Waste;
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

The application site is located within the defined settlement boundary and within the defined retail centre of Pontypridd Town Centre which offers a range of services and facilities including convenience stores, supermarkets, retail stores, post office, places of worship, leisure facilities, public open spaces etc. The town is also well-served by a range of sustainable transport options with both bus and train stations offering travel to a range of local and regional destinations located within walking distance of the site. The site is therefore considered to be highly sustainable and therefore compliant with Policies CS2, AW2, SSA1 and SSA13.

Whilst the town is predominantly characterised by retail and commercial uses, PPW 10 encourages mixed-use centres and there are already a number of residential flats above shops in existence across the town. It is considered that mixed use centres will provide a sustainable form of living whilst also contributing to the daytime and evening economy of the centre and subsequently adding to the vitality and viability of the town. It is not considered that the residential use of the site would unacceptably conflict with the predominantly retail character of the town.

The proposal would provide 9 flats on a site measuring approximately 0.022 hectares which would provide a housing density of approximately 409 dwellings per hectare. All of the flats would be offered as affordable housing. This would comply with Policies SSA11 and SSA12 respectively.

The proposal would not result in any changes to the external appearance of the building and the existing retail units at the ground floor on both Taff Street and Market Street would be retained. The only physical alterations would be made internally to provide residential flats on the upper floors (1st, 2nd and 3rd).

The existing access off Market Street would be retained and would not affect access to the existing retail units. This would comply with Policy SSA17, which seeks to retain shopfronts with a display feature and entrances which relate well to the design of the host building and to the streetscene and its setting. Furthermore, the flats are of a suitable size to provide space for the intended number of residents and they would all have a good outlook and have a reasonable level of natural daylighting and ventilation. Whilst the proposal would not provide any outdoor space, the site is located in close proximity to Ynysangharad War Memorial Park which provides good quality public open space. The proposal is therefore considered to comply with the Council's Supplementary Planning Guidance: Development of Flats.

Taking the above into consideration, the principle of the proposal is considered to be acceptable subject to consideration of the criteria set out below.

Impact on residential amenity and privacy

The proposal would provide 9 residential flats which would inevitably result in some degree of activity in terms of comings and goings and general noise and disturbance normally associated with this type of use. However, the site is located within a busy town centre location in which there is a range of other uses that operate throughout the day and night. It is therefore not considered that the proposal would have an adverse impact on any existing residential flats in the vicinity as residents would already be accustomed to some level of noise and disturbance.

Access and highway safety

The proposal has been assessed by the Council's Highways and Transportation Section however, no objection has been raised in relation to the impact of the proposal on highway safety in the vicinity of the site.

The comments received acknowledges that the proposal would require a total of 9 off-street car parking spaces however, no off-street parking is proposed nor is there any scope for any to be provided. It is also acknowledged that the proposal lacks provision of secure cycle parking, which gives cause for concern. However, the application site is located within a sustainable town centre location, the proposed change of use to residential flats has a lower parking requirement than the existing business use and the provision of secure cycle storage can be secured by condition (condition 6 refers).

As such, the proposal is considered to be acceptable in terms of the impact it would have on highway safety in the vicinity of the site and it would comply with Policy AW5.2 of the Rhondda Cynon Taf Local Development Plan.

Impact on the character and appearance of the area

The proposal would not result in any physical changes to the external appearance of the building. It would therefore not impact upon the character

and appearance of the site or the wider Pontypridd Town Conservation Area. It would therefore comply with Policies AW5, AW6 and AW7 of the Rhondda Cynon Taf Local Development Plan.

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.

Flood Zone

The application proposes highly vulnerable development within an area that is confirmed to be entirely within Zone C1 of the Development Advice Map (DAM) contained in TAN15: Development and Flood Risk. The policy guidance set out in TAN15 clearly emphasises that all new development should only be permitted within Zone C1 where it is considered to be justified in that location i.e. its location in Zone C is necessary to assist or be part of a regeneration initiative, it concurs with the aims of PPW and meets the definition of previously developed land and, the potential consequences of a flooding event for the particular type of development have been considered and found to be acceptable.

The proposal is considered to be justified in that the proposal would help to regenerate Pontypridd Town Centre, the site would result in the conversion of an existing building and the Flood Consequences Assessment submitted with the application successfully demonstrates that the risks and consequences of flooding are manageable to an acceptable level. Furthermore, the FCA has been assessed by NRW who raise no objection to the proposal. The comments received indicate that although the proposal would result in highly vulnerable development within an area of flood risk, this will be elevated above the flood risk. There would also be no change in vulnerability use at ground or lower ground floor.

As such, the proposal is considered to comply with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

Public Health and Protection

The application is accompanied by a Noise Impact Assessment which has been assessed by the Council's Public Health and Protection Team. The response received raises no objection to the proposal however, a condition is recommended to secure detailed information in relation to any external wall, roof, glazing and ventilation specifications offered as noise mitigation (condition 4 refers).

Further conditions are also recommended in relation to hours of operation, noise, waste and dust. Whilst these comments are appreciated, it is considered that issues relating to hours of operation, 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 application is accompanied by a bat survey which has been assessed by the Council's Ecologist and Natural Resources Wales (NRW). The survey includes a data search, which identifies an historic maternity bat roost has been recorded close to the application building, a thorough building inspection and two bat emergence surveys in ideal survey conditions and time periods. No evidence of bat roost was recorded.

However, the report recommends that, due to difficulties in accessing the roof and due to the nearby historic bat roost, any works that would impact upon the roof line or roof would need to be supervised by a suitably qualified ecologist. The Council's Ecologist and NRW therefore recommend that this be included as a condition, should Members be minded to approve the application (condition 5 refers).

Natural Resources Wales have also assessed the bat survey and welcome the recommendations made in the report that any works to the roofline or roof be under direct ecological supervision by a suitably qualified ecologist.

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. The application lies within Zone 2 of Rhondda Cynon Taf's Residential Charging Zones, where there is a liability of £40 / sqm for residential development, however as the proposed development involves the change of use of the existing building/s the CIL (including indexation) for this development is expected to be £0.

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:

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.

The Welsh Government Development Management Manual and 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 intended to form the basis of negotiations between all parties.

The Section 106 requirements in this case

The proposal would provide 100% affordable housing for social rent, which would accord with Policy SSA 12.

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

Conclusion

Overall, the application is considered to comply with the relevant policies of the Rhondda Cynon Taf Local Development Plan in respect of the principle of the proposed development, the impact it would have on the amenity and privacy of surrounding properties, the impact it would have on highway safety in the vicinity of the site and the impact it would have on the character and appearance of the surrounding area and the Pontypridd Town Conservation Area. The application is therefore recommended for approval, subject to conditions.

RECOMMENDATION: Approve

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:
 - Drawing no. A100: Site Location Plan;
 - Drawing no. A103: Proposed Floor Plan;
 - Drawing no. A104: Propose Elevation Plan;

and documents received by the Local Planning Authority on 6th November

2019 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. Prior to commencement of development, details of any communal areas; including drying areas and bin storage, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details and these areas retained as such thereafter.

Reason: In the interests of residential amenity of future occupiers, in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

4. Prior to the commencement of development, the developer shall provide detailed information that indicates the external wall, roof, glazing and ventilation specifications offered as noise mitigation to any proposed residential property identified as to be situated within Noise Exposure Category (NEC) B (as defined in Technical Advice Note (TAN 11)) (and as detailed in Noise Impact Assessment – Old Bank Chambers, Pontypridd, Reference: 7945/FD), so as to achieve internal noise levels in compliance with BS8233:2014. The approved mitigation measures shall be implemented in accordance with the approved details prior to the first occupation of any dwelling to which the measures apply.

Reason: To ensure that the proposal would not result in a risk of unacceptable harm to health and/or local amenity in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

5. Any conversion works that would involve works to the roof or roof line of the building shall be supervised by a suitably qualified bat consultant, as recommended in Section 9.3 of Bat Survey: Old Bank Chambers, Market Street, Pontypridd, CF37 2SU prepared by Ecological Services Ltd, dated August 2019. A summary of the findings of any works supervised shall be submitted to the Local Planning Authority within 10 working days of the works.

Reason: In the interests of maintaining biodiversity in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

6. Notwithstanding the submitted plans, development shall not commence until details providing for secure cycle parking in compliance with RCT's Supplementary Planning Guidance on Delivering Design and Placemaking: Access, Circulation & Parking Requirements (March 2011) have been submitted to and approved in writing by the local planning authority. The approved details shall be implemented on site prior to beneficial use of the development.

Reason: To ensure that adequate parking facilities are provided within the curtilage of the site, in the interests of highway safety in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

PLANNING & DEVELOPMENT COMMITTEE

23rd January 2020

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below

APPLICATION NO: **18/1419/13 - RESIDENTIAL DEVELOPMENT OF UP TO 350 DWELLINGS LAND FOR POTENTIAL PRIMARY SCHOOL, LOCAL SHOP AND ASSOCIATED WORKS INCLUDING PUBLIC OPEN SPACE, GREEN INFRASTRUCTURE, LANDSCAPING AND THE CREATION OF TWO NEW ACCESS POINTS OFF HEOL DOWLAIS.**

1. PURPOSE OF THE REPORT

Members are asked to consider the determination of the above planning application.

2. RECOMMENDATION

That Members consider the report in respect of the application and determine the application having regard to the advice given.

3. BACKGROUND

This planning application was reported the meeting of the Planning and Development Committee meeting held on 5th December 2019 with a recommendation of approval subject to conditions and the applicants entering into a Section 106 agreement. (a copy of the original report is attached as Appendix A). At that meeting, Members resolved that they were minded to refuse the planning application contrary to the recommendation of officers as they considered that –

- The application site is an unsustainable location
- The site is outside of the settlement limits as defined by the Local Development Plan and therefore contrary to policy.

Therefore, in accordance with adopted procedure, the determination of the planning application was deferred to the next appropriate meeting of the Planning and

Development Committee for a report of the Director of Prosperity and Development , if necessary in consultation with the Director of legal Services, to highlight the potential strengths and weaknesses of making a decision contrary to the recommendation of an officer or any proposed or possible planning reason for such a decision prior to determining the matter.

4. PLANNING ASSESSMENT

The considerations regarding the issues detailed above are set out in full within the original report, however, a brief summary on the issues that concern Members is provided below:

Sustainability

Planning Policy Wales 10 (PPW 10) puts placemaking at the heart of the sustainability agenda and this issue was covered in some depth in the initial report to Members on 5th December 2019. Members are reminded that PPW 10 advises that sustainable development means the process of improving the economic, social, environmental and cultural of Wales by taking action in accordance with the sustainable development principle meeting the needs of the present without compromising the ability of future generations to meet their own needs.

In considering the placemaking and sustainability issue, the proposals were evaluated at length against the requirements of PPW 10 and Local Development Plan Policies CS2 and AW2. The analysis concluded that whilst the proposed development performed reasonably against some key criteria (such as the potential to broaden facilities within the village and the provision of formal and informal public open space), there were other areas where the proposals gave a lesser response (such as public transport provision). There were also areas of uncertainty where provision of facilities though desirable could not be guaranteed (such as the provision of the school and its associated facilities or the putative increase in bus services). This approach accords with the advice contained in PPW 10 and how it should be used favouring proposals which contribute to the sustaining of, or creation of sustainable places.

In concluding on this issue, officers took an on balance view that reflected the fact that the scheme had many positive features but at the same time would not fully satisfy the placemaking/sustainability agenda. In the circumstances, with policy requirements relating to sustainability being partially met by the current planning application, the relative weight given to each aspect of the issue can be interpreted differently, though caution is advised on this point given the demonstrated lack of harm that the detailed information submitted in support of application demonstrates.

Principle of Development

As indicated in the report to Members of the Planning and Development Committee on 5th December 2019; Section 38(6) of the Planning & Compulsory Purchase Act 2004 states 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 plan in this instance is the Rhondda Cynon Taf Local Development Plan 2006 – 2021.

The applicants have always acknowledged that the planning application site lies outside of settlement limits and that they are promoting the site based on the low housing land supply within the County Borough. This issue is addressed in detail in the 5th December 2019 report and that report dealt in detail with the housing land supply issue and the relative weight that can be associated with it. The report also makes clear the ministerial position that it is a matter for the Local Planning Authority as to how much weight should be attached the lack of a five year housing land supply. Officers in their advice to Members have given substantial weight to the housing land supply situation. Members though are perfectly entitled to disagree in respect of the weight to be given to the housing land supply issue in the decision making process, and have done so with regard to the current proposals. Members also consider that the proposal does not comply with the requirements of Local Development Plan Policies CS2 and AW2. Consequently, the proposed development would not in the view of Members, deliver the objectives of the plan, representing the development of an unallocated site in an unsustainable location.

Policy CS2 aims to protect the culture and identity of communities by focussing development within defined settlement limits and promoting the reuse of underused and previously developed land. The proposed development would if allowed take place outside of settlement limits on improved farmland and as such does not meet this policy requirement and given the issues identified around public transport would do little to prevent or reduce daily out commuting by car. However, there are aspects of Policy CS2 that the development of the site does comply with such as the requirement for a development with a sense of place that is clearly promoted through the masterplan details submitted in support of the proposals. The proposed development also represents a significant inward investment in the area though admittedly not on a site located within settlement limits. In other aspects of Policy CS2 the proposals are neutral or the policy requirements themselves have no bearing.

Policy AW2 is particularly relevant in striking a balance in this case as from the outset of the plan it was designed to provide flexibility to identify new sites should they be required over the lifetime of the plan. The first requirement of policy AW2 is that any site coming forward for consideration should be within the defined settlement boundary which this site is not. Whilst the current proposals are demonstrably compliant with AW2 in terms of compatibility with surrounding land uses, flooding and the availability of utilities, it has less strength in other areas. The argument in terms of accessibility by a range of sustainable transport options is variable given the paucity of bus services and the lack of certainty around any increased provision. It follows that access to key services and facilities and particularly employment opportunities would largely be car reliant. Whilst some day-to-day facilities are in the village or within a reasonable walking distance of the village many are not. In promoting the application, the applicants have not presented any argument to demonstrate how the proposed development would support the roles and functions of Principal Towns, Key Settlements and Small Settlements. Similarly, the applicants have not demonstrated how the proposals would support the development of the eight strategic sites identified in the plan. Indeed it might be

argued that in targeting this site the applicants are actively hindering the prospects of the nearby former Cwm Coke Works and Colliery Site.

Conclusion

The planning application has been recommended for approval subject to conditions and the completion of a Section 106 agreement as outlined in the original report, and that remains the view of officers in this matter. There is a pressing need to improve the housing land supply in the County Borough and this is clear from the Local Development Plan Annual Monitoring Report, which recognises the need to bring more development sites forward to resolve the problem. There is also a need to acknowledge that there will be a gap between the current Local Development Plan ending and a new plan being adopted which would be in the order of two years and the gap in terms of housing provision will need to be bridged. Whilst the current proposals do not meet all of the sustainability criteria required by policy it does meet many of them. It is the degree of conformity with the policy position and the lack of harm in planning terms that led officers to make a positive recommendation in respect of the planning application. However, if Members remain of a mind to reject the current proposals then the following reason for refusal is considered to reflect the concerns originally expressed.

1. The proposed development represents unjustified development located outside of the defined settlement boundaries in an unsustainable location. The proposal is therefore considered to be contrary to the requirements of policies CS2 and AW2 of the Rhondda Cynon Taf Local Development Plan and the placemaking objectives of Planning Policy Wales 10 and is unacceptable in principle.



PLANNING & DEVELOPMENT COMMITTEE

5 DECEMBER 2019

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 18/1419/13 (GD)
APPLICANT: Taylor Wimpey (UK) Limited
DEVELOPMENT: Residential development of up to 350 dwellings, land for a potential new primary school, local shop and associated works including public open space, green infrastructure, landscaping and the creation of two new access points off Heol Dowlais.
LOCATION: CWM ISAF FARM, HEOL DOWLAI, EFAIL ISAF, PONTYPRIDD, CF38 1BD
DATE REGISTERED: 21/12/2018
ELECTORAL DIVISION: Llantwit Fardre

RECOMMENDATION: Approve, subject to a S.106 Agreement

REASONS:

The principle of the proposed development is considered acceptable even though the site is located outside of settlement limits within a Special Landscape Area. It is considered, on balance, that any shortcomings in terms of conformity with specific LDP policies are outweighed by the pressing need to approve and deliver more housing within the County Borough. Considering all the elements of the proposal, it represents a reasonably sustainable development, in a reasonably sustainable location, which in the main is otherwise compliant with the aims and principles of PPW 10 and relevant Local Development Plan policy.

REASON APPLICATION REPORTED TO COMMITTEE

- The proposal is not covered by determination powers delegated to the Director of Prosperity and Development;
- Three or more letters of objection have been received;

APPLICATION DETAILS

The proposal seeks outline planning permission for the development of Cwm Isaf Farm with all matters other than the two access points reserved for future consideration. The proposal seeks consent for up to 350 homes, including affordable housing, land for a new primary school, local shop, public open space pedestrian and cycle access and the retention of existing landscape features where possible.

Whilst the description of development includes a local shop, the applicants are clear that they regard this as an option only that is subject to operator interest. In terms of detail, they indicate that it would be a local facility of no more than 2000 sq ft. (185.6 sq m) net floor space.

The intention is to create a residential development immediately south west of Efail Isaf. The parameters plan which accompanies the planning application as an element of the Design & Access Statement (DAS) indicates that higher density elements would be confined to the eastern and southern boundaries of the site in buildings of up to three-storey height. Whilst the balance of the site would be to a lower density and typically in two to two and a half storey height. The applicants have indicated the dimensional parameters for the proposed dwellings as follows –

;

House type	Width (front)		Length (depth)		height	
	min	max	min	max	min	max
Terraced houses	4.5m	6m	7.5m	9m		
Semi-detached	5m	9m	7m	9m		
Detached	6m	11m	7m	11m		
2 storey					8m	9.5m
2.5 storey					10m	10.5m
3 storey					10.5m	11.5m

The application is accompanied by the following suite of supporting information/reports:

- Planning Statement
- Design and Access Statement:
- Pre Application Consultation Report
- Statement of Community Involvement
- Transport Assessment

- Travel Plan
- Environmental Noise Assessment
- School Application Noise Assessment
- Residential Application Noise Assessment
- Surface Water Drainage Strategy.
- Landscape & Visual Appraisal
- Preliminary Ecological Appraisal
- Nature Conservation Management Strategy
- Preliminary Arboricultural Assessment
- Precautionary Dormouse Mitigation Strategy
- Water Vole & Otter Survey
- Great Crested Newt Survey
- Agricultural Land Classification Assessment.
- Flood Consequences Assessment.
- Bat Activity Report
- Archaeological Desk Based Assessment

SITE APPRAISAL

The application site comprises some 15.4 hectares of land with an irregular shape located to the south west of Efail Isaf. The site is entirely agricultural in nature and comprises a series of fields defined by well-established hedgerow. There are also occasional agricultural outbuildings on the site and a pond. The topography of the site generally slopes from its north east corner downwards in a broadly southerly direction with an overall fall across the site of nearly 30m. The site is crossed by electricity lines and pylons and a main sewer and gas main cross the site

The site is defined to the north and west by Heol Dowlais whilst to the south lies the Nant Y Felin with countryside beyond and the eastern boundary sits on a former railway cutting with agricultural land again beyond that.

The site lies to the south of the Church Village bypass road and would be accessed from Heol Dowlais on the sites western boundary.

PLANNING HISTORY

03/0243	Change of use from agricultural use of workshop to agricultural and commercial use	Approved 15 th August 2003
94/0515	Change of use to haulage transport yard	Approved 6 th March 1995

The following application also border the site or were found to intersect spatially with the site boundary.

18/5001	Pre application advice – residential development	Advice forwarded 1 st February 2018
09/0560	Application for a certificate of appropriate alternative development – residential development	Refused 10 th July 2009
08/1362	Church Village bypass (additional details and amendments as a result of public consultation)	Approved 9 th January 2009
08/0234	Variation of conditions relating to the construction of the Church Village bypass	Approved 21 st April 2008
05/2222	Construct Church Village bypass	Approved 6 th July 2006

PUBLICITY

The application has been advertised by means of a press notice, site notices and neighbour notification letters. This has led to the submission of a total of 187 letters of objection. Additionally two petitions with 274 and 108 signatures respectively have also been submitted. The following issues have been raised.

Local Development Plan, Planning Policy & Housing Land Supply Issues

- *The site was originally proposed for inclusion within the Local Development plan and was rejected due to its location and it being unrelated to any settlement.*
- *The site lies within the Efail Isaf, Garth and Nantgarw Western Slopes Special Landscape Area, designated amongst other things to maintain its farmland character and restrict the spread of development around Efail Isaf as per policy SSA23 of the local Development plan.*
- *Under the Local Development Plan Efail Isaf has been designated an unsustainable settlement and it cannot take the scale of development proposed by the current planning application.*
- *Developments outside of settlement limits have been resisted for the last 20 years and allowing the current proposals would set a dangerous and unwanted precedent*
- *One of the aims of the Local development Plan was to reduce the number of people flowing from RCT into Cardiff for work*
- *The application site is within a green wedge.*

- *Planning Policy Wales requires planning authorities to reduce exposure of populations to air and noise pollution.*
- *Given the situation with healthcare provision in the locality greater regard should be had to Planning Policy Wales, which requires that health impacts should be minimised in all instances and particularly where new development could have an adverse impact on health amenity and wellbeing.*
- *The development would if allowed represent the spread of development into a Special Landscape Area which was created specifically to avoid the kind of development now proposed from happening.*
- *The settlement boundary should not be relocated simply for the benefit of a housing developer.*
- *Planning policy at the local and national level encourages the use of previously developed land ahead of the use of green field sites. There is plenty of brownfield land within a mile of this site that should be developed first*
- *This is green belt land and its development should not be allowed*

Sustainability

- *The location and major constraints that the site presents makes its development for housing unsustainable.*
- *The site is unplanned and the village cannot take the scale of development proposed*
- *The isolated nature of the site means that it is unable to meet the demands of the Wellbeing of Future Generations (Wales) Act 2015*
- *To claim that the site is within walking distance of key services and employment opportunities is misleading as there is no local park, no doctors surgery leisure centre or gym that is within walking distance and employment opportunities are entirely outside of the locality in the major population centres.*
- *A robust assessment of sustainability is not possible without considering the cumulative impacts of developments in the same locality, particularly given the approvals at Cefn Y Hendy and the Former Cwm Coke Works and the potential development at Ystrad Barwig, and such an assessment is needed here.*
- *A sustainable decision cannot be made without the voice of healthcare providers being heard. Before further large scale planning applications for the area can be considered a full strategic risk assessment on the impact of the delivery of core services should be undertaken engaging primary healthcare providers before a decision is taken.*

- *The inclusion of schools, doctors surgeries and dental practices to sweeten the deal on these planning applications is inappropriate and what is required is a cohesive strategy for the village*

Flooding Issues

- *The site lies in close proximity to a C2 designated floodplain.*

Social & Physical Infrastructure Issues

- *Existing surgeries are already oversubscribed with patients and this development would exacerbate the situation. Parc Canol surgery is cited as having a shortfall of 300 appointments a week and further housing will exacerbate this situation. The University Health Board have previously indicated that they do not have the funds to build a new surgery and the difficulties in attracting new GP's to the area are well documented.*
- *The development would have an adverse impact on local infrastructure.*
- *Similarly, the Royal Glamorgan Hospital is struggling to cope with long waiting times at A & E being cited in particular which this application will exacerbate should it proceed.*
- *There will be a detrimental impact on access to all local services.*
- *The health board has rejected a previous application.*
- *Though there is a school proposed it must be remembered that schooling in the area is under considerable pressure and any development would need to ensure that there is sufficient space within the catchment to allow children from the proposed development an education.*

Highways & Transportation Issues

- *There will be a detrimental impact on access to the wider transport/traffic network as a result of the development, which would be contrary to the objectives of the Regional Transport Plan*
- *Increased congestion will result from the development to the detriment of local amenity, particularly when considered in conjunction with other proposals in the area.*
- *During busier times traffic backs up from both Llantrisant and Treforest on the bypass road and this proposal will make this situation worse.*
- *The highway infrastructure within the village and where it meets the bypass road is incapable of accommodating the proposed development. Particularly so during the rush hour.*

- *The benefit that the building of the Church Village bypass brought with it has been lost to the development that has taken place since and allowing the development would only add to and exacerbate the situation with increased pressure on infrastructure.*
- *Many residents already use the community path and this development would have the potential to adversely affect that amenity.*
- *The development would lead to increased car borne journeys through the village and this has safety implications given that there are areas on the main road which have no footway or have footway of substandard width. Whilst the Transport Assessment indicates that there have been no accidents there have been a number of near misses which are important in gauging and preventing future accidents. Increased traffic through the village will result in increased risk to pedestrians and particularly school children*
- *Until the congestion issue in the immediate locality is properly resolved RCT should not consider allowing further housing.*
- *Current public transport provision is minimal and the increase that the developer proposes is an inadequate response.*
- *Cardiff's LDP has added 10,000 new homes in north west Cardiff with no improvements to local public transport other than a few buses. These developments feed on to the A4119 and this affects residents of RCT.*
- *Heol Criegiau is increasingly used as a short cut away from larger roads to the detriment of the amenity of the residents of Criegiau/Pentyrch. This will continue for the foreseeable future as Cardiff are redesigning the A4119 to become a holding area for traffic in NW Cardiff and will continue to put pressure on unsuitable county roads.*
- *If the development is to be allowed the crossing point by the garden centre can be moved and upgraded to a Zebra to better facilitate active travel particularly in relation to walkers and cyclists.*
- *The developer should provide a separate footway and cycleway between the SW link and the school.*
- *The developer should recognise the desire line between the footbridge and the end dwelling on Heol Dowlais (no.54) and provide a tarmac link.*
- *The cycleway/path that leads to the school should extend as far as the rail alignment whether the line becomes a cycle path or a tram/train route.*
- *Every house on the development should be provided with cycle storage as well as car parking space.*

- *There should be no barriers to active travel on this site staggered barriers and motorbike barriers should not be used as they obstruct the lawful use of paths by disabled trike and trailer users.*

The Physical Environment

- *This is a conservation area where there are a number of species that need to be conserved.*
- *The proposals will drastically change the character and appearance of the village*
- *The development will also result in increased detriment to amenity through increased pollution particularly when considered in conjunction with other developments in the area.*
- *The Llantwit Fardre Air Quality Management Area was revoked in 2017 with a caution that indicated the need for continued vigilance to assess the impact of local urbanisation – the development if allowed would jeopardise this position.*
- *The area around Upper Boat roundabout exceeded legal levels of nitrogen dioxide last year and more cars from this development will exacerbate that situation*
- *Given the lack of alternative transport modes the potential for traffic exclusion zones around the proposed school would be compromised*
- *Air quality in the area of Heol Dowlais around the site access points will also be adversely affected by the proposals and serve to exacerbate the adverse health of local residents*
- *Allowing the development would exacerbate drainage problem that already exist along Heol Dowlais particularly as the existing drainage system is operating at or near capacity.*
- *The ground is not suitable to support residential development*

The Natural Environment

- *The applicants own ecology report highlights the importance of the application site. Identifying several habitats of principal importance along with a number of Section 7 and UK BAP (Biodiversity Action Plan) habitats and species.*
- *The applicant's themselves also highlight the development proposed would encroach extensively into SINC and SINC potential designated land*
- *The site is near a locally designated nature conservation area.*
- *One of the species identified are dormice which receive full protection under The conservation of Habitats and Species Regulations 2010 and the Wildlife & Countryside Act 1981*

- *Greater Crested Newts are also alleged to be present on site and they also benefit from a similarly high level of protection to the dormouse and it is a Species of Principal Importance for Conservation in Wales.*
- *The development if allowed would result in a large area of green space being consumed by development reducing the capacity to absorb pollution that would otherwise remain to the detriment of all residents animal and human.*
- *The developer's plans show green spaces but the site is already a green space that should not be destroyed.*

Other Matters

- *If the development goes ahead, can it be guaranteed that the houses would be fit for purpose given the problems associated with modern housing being of substandard build quality, too small and overpriced with the added expense to buyers of additional leasehold costs?*
- *There is no need for the development*
- *The lives of existing residents will not be improved if the development is allowed.*
- *Development should be directed to northern and central RCT where it is needed not to Efail Isaf where it is not needed.*
- *The provision of 20% affordable housing is not needed*
- *No social housing exists in the area and allowing it would change the character of the village immeasurably.*
- *Efail Isaf does not have the transport links or amenities that users of social housing need.*
- *This is not an application for 350 dwellings but one for 700, which is what will happen with the introduction of a second phase of development.*
- *Promises by builders on other developments to provide a school have not been delivered upon.*
- *Allowing the development would deter residents from using the community path and rights of way reducing wellbeing.*
- *There will then be a consequent knock on effect to the local economy.*
- *Public open space and routes have no protection and should be designated village green and Public Rights of Way.*
- *Some of the supporting documentation is misleading e.g. the design and access statement in referencing terraced housing and Llantwit Fardre deliberately gives the impression that the site is urban in character when to residents it is a rural village. Similarly, pictures of Chandlers Reach are misleading as a description of the locality and in terms of its proximity to the site.*

- *The Council have already refused planning permission for a smaller development of 150 dwellings on the site (15/1386) in 2016 due to the unsustainability of the site contrary to Planning Policy Wales and Local development Plan Policy CS2*
- *Proposals are currently being prepared and ground testing taking place to develop the farm at Heol Ffrwd Philip which will link with the current proposals*

Non Planning Matters

- *This is about money and other considerations fall by the wayside as long as the proposals would deliver increased income for the Council.*
- *Views across the site will be lost.*
- *Views of the wider countryside particularly from the community path would also be lost if the site is developed.*
- *Members are voted in by the people and they should make decisions having regard to the concerns of the people who voted for them.*
- *Nobody resident in the village or living near to it actually wants the development to take place.*
- *Faceless individuals with no connection to the area should not be allowed to destroy people's lives from a distance in the interests of making a profit and give nothing back in return.*
- *Do current politicians want to be remembered as those that put meeting so called targets ahead of health, wellbeing and beauty of our stunning landscape?*
- *Efail Isaf is a village, which is why residents pay a premium to live there.*

CONSULTATION

Transportation Section – No objections subject to conditions and the developer entering into a S106 agreement to secure a £50,000 contribution towards a feasibility study, assessment and delivery of sustainable transport hierarchy as set out in PPW 10 and Active Travel (Wales) Act 2013 to encourage sustainable modes of travel.

Flood Risk Management – Raise no objections subject to conditions

Public Health & Protection – No objections subject to the inclusion of conditions relating to pollution control in its various forms being applied to any consent that might be issued.

Countryside – The landscape and visual appraisal supporting the current application is acceptable in terms of its content and conclusions in these areas of study. The green infrastructure parameter plan is also satisfactory but where possible the following amendments should be considered –

- Central woodland area retained with a minimum 15m buffer around the perimeter.
- 10m buffer from the eastern boundary SINC edge
- 6m native hedgerow planting
- 2/3m wide boundary hedgerow
- Zone of native scrub planting established through natural regeneration
- Natural landscape areas to offer more informal green space & Omit wildflower meadows.
- Attenuation ponds and basins to be sown down with artificial grass seed mix to stabilise the ground and enable colonisation by local native species.

Buffer works and protection measures need to be put in place before development commences and be suitably protected through the course of development. Management of these areas should be secured through the long term via a management agreement.

Education – Would require the land shown on the site illustrative layout plan for the provision of a school, and would need to agree with the developer details timescales and logistics for the land being made available for school development.

Natural Resources Wales – Raise no objections subject to conditions relating to ecology and land contamination being included in any consent that might be issued.

Dwr Cymru Welsh Water – Advise that a public sewer crosses the site, that an adequate water supply can be provided to the development and that sewer system, and treatment works have the capacity to deal with the proposed development. As such, no objections are raised to the proposed development subject to conditions.

Western Power Distribution – advise that should the developer require a new connection or service diversion the consent of WPD would be required.

Wales & West Utilities – Advise that they have no objections to the proposed development and that their apparatus may be at risk during construction works and therefore the developer is advised to discuss their proposal with

WWU before commencing development. WWU also advise with regard to the presence of their apparatus near the site and safe working practices to be adopted when working in proximity to it.

South Wales Fire & Rescue Service – Raise no objection to the proposed development subject to the developer ensuring adequate water supplies are provided on site for firefighting purposes and that the site is designed with adequate access for emergency fire fighting appliances.

Cwm Taf University Health Board – The air quality assessment has demonstrated that there is unlikely to be an adverse impact to local air quality with pollutant concentrations well within local air quality objectives. We have no grounds for objection based upon the public health considerations contained within the application.

We note that the proposed site is currently poorly served by public transport and acknowledge the proposal to divert the bus service through the proposed site. Whilst also increasing frequency. To minimise the burden on air quality and in line with PPW10, we would encourage measures to maximise all sustainable forms of transport for on site residents thereby meeting the sustainable transport hierarchy. The effectiveness and impact of the plan should be monitored and formally evaluated.

It is important that robust measures be put in place to reduce overall noise pollution from the site to create a soundscape that does not cause on site nuisance to residents.

In line with PPW10 it is a requirement that the development obtains approval from the sustainable drainage system (SuDS) approval body prior to construction. It is important that this is formally endorsed by planning conditions

The Coal Authority – Raise no objections to the development subject to appropriate account being taken of the underlying ground conditions in the development of the site.

Glamorgan Gwent Archaeological Trust – there is unlikely to be an archaeological restraint to the proposed development, and consequently, as the archaeological advisors to your Members, we have no objection to the positive determination of this application.

However, in regard to phase 2 of the development, it is possible that archaeological mitigation will be required in order to reduce the impact of the development upon the archaeological resource.

South Wales Police – Have no objection in principle to the proposed development and go on to advise with regard to detailed design, site permeability and meeting secured by design standards

Community Council – no observations received.

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 – Identifies the land required to meet housing need for the period of the Local Development Plan

Policy CS5 – Affordable housing.

Policy AW 1 – The policy outlines the methods followed to meet the housing land requirement of 14,385 units.

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

Policy AW4 – indicates that planning obligations will be sought to make development proposals acceptable in land use planning terms.

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 AW7 – requires that development proposals which affect public rights of way should only be allowed where the loss can be replaced with an equivalent or greater provision in the immediate locality or the development enhances an existing facility.

Policy AW8 – aims to protect the natural heritage of the County Borough by ensuring that proposals would not have an unacceptable impact on features of importance to landscape or nature conservation

Policy AW10 - development proposals must overcome any harm to public health, the environment or local amenity as a result of flooding.

Policy AW14(2) – aims to safeguard the sandstone resource within the County Borough.

Policy SSA11 – requires development in the south of the County Borough to achieve a density of 35 dwellings per hectare unless material factors justify a lower density.

Policy SSA12 – requires that 20% affordable housing be provided on sites of five or more units.

Policy SSA 13 – Housing Development Within Settlement Boundaries – Gives criteria for suitable development within the defined settlement boundaries

Policy SSA23(8) – designates virtually the whole site as part of a wider special landscape area and seeks to ensure the highest design standards within them.

Paragraph 4.13 of the LDP states that topographical constraints mean that significant growth will be difficult to accommodate within the Town of Pontypridd. Land for residential development to accommodate the needs of the growing population of Pontypridd will be provided in the nearby settlements of Church Village, Llantwit Fardre, Treforest and Beddau.

Supplementary Planning Guidance

- Design and Placemaking
- Delivering Design & Placemaking: Access, Circulation & Parking Requirements
- Planning Obligations
- Affordable Housing
- Employment Skills Training Plans.

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.

PPW 10 sets out the Welsh Government's current position on planning policy, which incorporates the objectives of the Well-being of Future Generations (Wales) Act 2015 into planning and puts the objective of placemaking at the heart of the planning decision making process

Section 2- People and Places: Achieving Well-being through placemaking

Paragraph 2.8 - Planning policies, proposals and decisions must seek to promote sustainable development and support the well-being of people and communities across Wales.

Paragraph 2.9 of PPW requires the planning system to adopt a placemaking approach to plan making, planning policy and decision taking.

Paragraph 2.10 sets out that the principle of sustainable development and the approach to decision making contained in the five ways of working are matters that the planning system can and must improve in. The identified 5 ways of working include collaboration, prevention, long term, involvement and integration.

Paragraph 2.13 sets out the 5 Key Planning Principles

- Growing our economy in a sustainable manner;
- Making best use of resources;
- Facilitating accessible and healthy environments;
- Creating and sustaining communities;
- Maximising environmental protection and limiting environmental impact.

Paragraph 2.15: ' The national sustainable placemaking outcomes... should be used to inform the preparation of development plans and the assessment of development proposals. The outcomes provide a framework which contains those factors which are considered to be the optimal outcome of development plans and individual developments. These outcomes, whilst highlighting the sustainable features of the place development plans and decisions help create, should be the starting point for plan makers and decision takers and be considered at the earliest **possible** opportunity'

Paragraph 2.20: 'Not every development or policy proposal will be able to demonstrate they can meet all of these outcomes, neither can it necessarily be proved at the application or policy stage that an attribute of a proposal will necessarily lead to a specific outcome. However, this does not mean that they should not be considered in the development management process to see if a proposal can be improved or enhanced to promote wider well-being. It is for developers and planning authorities to identify these opportunities and act upon them.'

Section 3 Strategic & Spatial Choices

This section sets out the main considerations of appropriate locations of development and key design principles.

Paragraph 3.3 of Planning Policy Wales (PPW) emphasises good design is fundamental to creating sustainable places where people want to live, work and socialise. PPW defines good design as promoting sustainable means of transport; ensuring ease of access for all; sustaining or enhancing the local character; creating attractive and safe environments; and achieving efficient use and protection of natural resources. Section 4 of PPW defines 'active and social places' as those which promote social, economic, environmental and cultural well-being by providing well connected cohesive communities.

Section 4- Active and Social Places

Paragraph 4.1.9 States that the planning system has a key role to play in reducing the need to travel and supporting sustainable transport, by facilitating developments which:

- are sited in the right locations, where they can be easily accessed by sustainable modes of travel and without the need for a car;
- are designed in a way which integrates them with existing land uses and neighbourhoods; and
- Make it possible for all short journeys within and beyond the development to be easily made by walking and cycling.

Paragraph 4.1.10 requires that development proposals must seek to maximise accessibility by walking, cycling, and public transport, by prioritising the provision of appropriate on-site infrastructure and, where necessary, mitigating transport impacts through the provision of off-site measures, such as the development of active travel routes, bus priority infrastructure and financial support for public transport services.

Paragraph 4.1.11 confirms that it is Welsh Government policy to require the use of a Sustainable Transport Hierarchy in relation to new development. The hierarchy should seek to minimise the need to travel, and then should prioritise walking and cycling, followed by public transport, and ultra-low emission vehicles ahead of other private motor vehicles.

Paragraph 4.1.12 stated that the sustainable transport hierarchy should be used to reduce the need to travel, prevent car dependent development in unsustainable locations and support the delivery of schemes located, designed and supported by infrastructure which prioritises access and movement by active and sustainable transport.

Paragraph 4.1.13 - the sustainable transport hierarchy must be a key principle in the preparation of development plans, including site allocations, and when considering and determining planning applications.

Paragraph 4.1.20 identifies that well integrated green infrastructure not only creates a pleasant environment but can also achieve a range of other benefits, including pollutant filtering, urban cooling, water management and habitat creation.

Paragraph 4.1.30 - Planning authorities must support active travel by ensuring new development is fully accessible by walking and cycling. The aim should be to create walkable neighbourhoods, where a range of facilities are within

walking distance of most residents, and the streets are safe, comfortable and enjoyable to walk and cycle.

Paragraph 4.1.32 – Planning authorities should also seek to assist in the completion of the national cycle network and key links to and from the network. These measures should, where appropriate be aligned with approaches to secure green infrastructure.

Paragraph 4.1.35 - The availability of public transport is an important part of ensuring a place is sustainable. It enables people to undertake medium and long journeys without being dependent on having access to a car. The planning system should facilitate this by locating development where there is, or can be, good access by public transport.

Paragraph 4.1.39 – The planning system should encourage and support the provision of ULEV charging points as part of new development.

Paragraph 4.2.15 - Planning authorities must ensure that sufficient land is genuinely available or will become available to provide a five-year supply of land for housing judged against the general objectives, scale and location of development required in the development plan.

Section 6 Distinctive and Natural places

Paragraph 6.3.12 – Special Landscape Areas are non-statutory designations that define local areas of high landscape importance, which may be unique, exceptional or distinctive to the area.

Paragraph 6.4.5 – requires Local Planning Authorities to maintain and enhance biodiversity in the exercise of their functions... development should not cause any significant loss of habitat or population species , locally or nationally and must provide a net benefit for biodiversity.

Paragraph 6.4.9 – sets out the methodology for assessing the ecosystem resilience of a site which is to be maintained or enhanced post development.

Paragraph 6.4.20 sets out the need to give adequate protection to non-statutory designations such as Sites of Interest to Nature Conservation.

Paragraph 6.4.21 sets out a step-wise approach to maintain and enhance biodiversity and build resilient ecological networks by ensuring that any adverse environmental effects are firstly avoided, then minimized, mitigated, and as a last resort compensated for; enhancement must be secured wherever possible.

Other relevant policy guidance consulted:

PPW Technical Advice Note 1: Joint Housing Land Availability Studies*

PPW Technical Advice Note 2: Planning and Affordable Housing;

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 15: Development and Flood Risk;

PPW Technical Advice Note 16: Sport Recreation and Open Space;

PPW Technical Advice Note 18: Transport;

PPW Technical Advice Note 23: Economic Development

Manual for Streets

**(Note for Members: On 18 July 2018 Lesley Griffiths AC/AM (the former) Cabinet Secretary for Energy, Planning and Rural Affairs wrote to all Heads of Planning across Wales confirming, that with immediate effect, the dis-application of paragraph 6.2 of Technical Advice Note 1. She further confirmed in her letter that “it will be a matter for decision makers to determine the weight to be attributed to the need to increase housing land supply where an LPA has a shortfall in its housing land”).*

In a recent letter from the Chief Planner of the Planning Directorate of the Welsh Government the importance of biodiversity and ecosystem resilience was emphasised. The letter stresses that where biodiversity enhancement is not proposed as part of an application significant weight will be given to its absence and unless other significant material considerations indicate otherwise it will be necessary to refuse permission

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.

(Note: Members are advised that as the current proposals are not fully in accord with the adopted Local Development Plan, if they are minded to support the recommendation to approve the current application, that it will

have to be referred to the Welsh Government under the requirements of paragraphs 16–18 of The Town & Country Planning (Notification) (Wales) Direction 2012.

Notwithstanding the above referral requirement, in addition Members are advised that Welsh Government have confirmed in a letter received in March 2019 that they have received a request/s to consider a call-in of the application. In such circumstances should Members resolve to grant outline planning permission the matter would need to be referred to WG. No permission could be issued until such time as WG confirmed they were content for the Council to do so).

Main Issues:

In considering the current planning application it is considered that the following represent the key determining factors in the decision making process as it relates to this planning application –

- The planning policy position and sustainability
- Planning policy and the principle of the proposed development
- Impact on the character and appearance of the area
- Impact on residential amenity and privacy
- Impact of the proposed development on access and highway safety
- Impact on ecology
- Impact on social and physical infrastructure

Planning Policy & Sustainability/Placemaking

A fundamental principle of planning policy is that any planning application would be expected to accord with its compliance with the Local Development Plan which would demonstrate that it is in a sustainable location in association with existing settlements, communities, facilities and also sustainable transport opportunities. This would be in relation to physical proximity to existing settlements and the physical urban form of the extended settlement. This sits alongside the principle of 'Placemaking', which has evolved into the overarching national land use planning objective through PPW10, which has in turn filtered down from the Well-being of Future Generations (Wales) Act 2015 and the Planning Act in particular.

Paragraph 2.10 of PPW 10 sets out that the principle of sustainable development and the approach to decision making contained in the five ways of working are matters that the planning system can and must improve in. The

identified 5 ways of working include collaboration, prevention, long term, involvement and integration.

Paragraph 2.13 sets out the 5 Key Planning Principles

- Growing our economy in a sustainable manner;
- Making best use of resources;
- Facilitating accessible and healthy environments;
- Creating and sustaining communities;
- Maximising environmental protection and limiting environmental impact.

The site adjoins and is associated with the Local Development Plan identified Smaller Settlement of Efail Isaf. The village has some facilities, including limited local bus service, village shop, public house, village hall and chapel. The furthest of these facilities are less than a kilometre from the site, for the most part. Access to these facilities will be dependent on the final layout appropriately linking with the Public Right of Way that travels through the north east of the site to Heol Dowlais (along the track leading to Cwm Uchaf farm) and the roads and footways leading along Heol Dowlais into the centre of the village. These footways are not continuous and must be made so as part of any future approved development, the details of which should be submitted as part of any future Reserved Matters application. This requirement would ensure that a safe route exists from the site to the village shop, pub and community centre, whilst enabling existing residents of the village to walk to the site and the school and associated community uses there.

Further facilities are then available in the nearby settlement of Llantwit Fardre – through the underpass, or the footbridge over the Church Village bypass. There is a pub (The Ship Inn PH) approximately 500 metres from the site, a community centre and gym some 800 metres away, whilst the few shops (including a Tesco metro) and pub around the junction to the top of Crown Hill, are just over a kilometre away. Employment, public open space and education are otherwise lacking in Efail Isaf itself or in close proximity to this site.

The application seeks to address various elements of the sustainability credentials of the village, and consequently, the appropriateness of this development in expanding it. Firstly, land for a new primary school is proposed on the outer edge of the development and this can be secured through a Section 106 agreement. As stated above, the necessary safe and appropriate pedestrian link to this school between the existing village and the development must be provided. This would clearly have a positive influence on the sustainability of the village, not to mention the contribution that it would

also make to the placemaking agenda in the locality. However, no formal assurance is or can be provided at this stage that the school will be developed on the site, and can come forward alongside the development of the housing on the site as this will be a matter for the Council's Education Department and the priorities they have for education in the area. The applicants take the view that this is what the site delivers insofar as it can.

It needs to be fully agreed and ensured with the Council's Education Department that the school can be delivered on site. Community Infrastructure Levy (CIL) contributions will be provided from the development; these and other necessary funding need to be available to ensure delivery of the school.

The associated school playing field it is proposed will be made available for use by the community outside school hours, this would clearly contribute to the provisions of much needed formal recreational space facilities in the village, and contribute to placemaking and building sustainability within the village.

The potential sustainability of the development is enhanced by the proposal making potential provision for a local shop that will help to meet some of the day-to-day needs of the residents of the proposed development and those of existing residents. However, this is tempered somewhat by the conditional nature of the offer as described above. However, the existing village shop would benefit from greater usage if this shop was not to be forthcoming.

Furthermore, the design and access statement identifies a development approach which suggest the incorporation of considerable areas of informal public open space provision on the site, along with areas of more natural open space, including a small wooded area and wetland retained on the site. These would be a welcome addition within the housing development whilst the linked access routes would allow for use by existing residents in Efail Isaf.

The overriding sense is that residents of the expanded village would still have to travel out to meet the majority of their day-to-day employment and other needs, and that the local bus service is likely to be perceived as inadequate to provide an attractive alternative to private car use.

The applicant is suggesting that improved bus services are incorporated into Efail Isaf through this development. However, this can not be guaranteed or secured through this application and it is considered to be uncertain as to whether third party bus companies would invest in improved routes and frequencies through the area.

The Local Development Plan policy most associated with this aspect of the proposal is policy AW2, in relation to sustainable locations. Clearly, the proposal is contrary to criterion 1 of the policy in relation to its locations outside the settlement boundary.

With regards to criterion 2 (conflict with surrounding land uses), on one side, the residential development would not conflict with the residential village of Efail Isaf, nor overly so on the agricultural land to the south and east, which is separated from it by the disused railway line. There is a designated Site of Interest for Nature Conservation (SINC) bordering the south of the site, presenting ecological considerations associated with the suitability of the school and residential dwellings in close proximity to it (as illustrated on the current supporting illustrative detail see references to ecology and the Council's Ecologist elsewhere in this report). The north and west of the site is bordered by Heol Dowlais and the Church Village bypass beyond it. In this respect, the Council's Public Health and Protection Section and Public Health Wales are content that these highways would not have an unacceptable effect on the proposed uses on the site, regarding noise in accordance with TAN 11, and also with regard to air quality.

As there are currently limited public transport options serving Efail Isaf, which would not be fully in accordance with criterion 3 (accessibility by a range of sustainable transport options), of Policy AW2. However, and partly in line with the Sustainable Transport Hierarchy set out in PPW10, there are certain facilities in walking distance or cycling distance of the site (as set out above), and more so if the school, open space and improved access on Heol Dowlais are forthcoming under any future submission of reserved matters for the final development. In this respect there would be fair access to some key services and facilities, partly in line with criterion 4 (access to key services and facilities) of Policy AW2. The site is also well connected to the nearby Church Village cycle route, allowing access to Pontypridd and Llantrisant and also linking to the regional cycleway routes and network. The only part of policy AW2 that the current proposal contradicts is the requirement for development to take place within settlement limits. In this context, as a development on a greenfield site outside of settlement limits the proposals are clearly contrary to policy.

Criterion 5 of AW2 does not apply. In increasing the population of the village and providing further facilities, the proposals can be perceived to be supporting the roles and functions of Efail Isaf. Finally, the site is understood to be well related to existing infrastructure, in accordance with the remaining relevant criteria – see the comments of relevant statutory undertakers above.

It is therefore considered that although the site meets elements of policy AW2, and partly meets others, it is clearly contrary to another in that it is outside the settlement boundary.

Policy CS2 of the Local Development Plan seeks to achieve sustainable growth in the Southern Strategy Area, where the proposal is located. This is sought through *protecting the culture and identity of communities by focussing development within defined settlement boundaries and promoting the reuse of under used and previously developed land*. Again, the proposal is contrary to this relevant element of the core policy.

Giving consideration to all the above features of the site, and its local context, and the proposed additional features and facilities associated with the application, it is considered that the proposal aligns with a range of the principles of National Planning Policy as summarised above from sections 3 and 4 of PPW 10. This is would nevertheless be subject to that which is required to be submitted in detail at a future Reserved Matters stage. The proposal should subsequently meet many of the national sustainable placemaking outcomes, including;

- Creating and sustaining communities through providing necessary homes to meet societies' needs whilst providing and strengthening community based facilities and services.
- Growing our economy in a sustainable manner through providing necessary homes in close proximity to major existing and growing employment centres at Treforest Industrial Estate, Llantrisant and Pontypridd.
- Maximising environmental protection and limiting environmental impacts through ensuring that all such issues have been appropriately considered and proposals are acceptable in this regard.
- Facilitating accessible and healthy environments through incorporating accessible and high quality green space in the development layout of the site. This should ultimately promote physical and mental health and wellbeing for future residents and exiting residents of the village. The development will also support a diverse population, in a location with good connections to a wide variety of employment and social facilities.

However, again, it is recognised that there are some deficiencies concerning public transport options and consequently to access some of these wider employment opportunities in this manner, that the current planning application does not address.

Should the current planning application prove successful, any future detailed reserved matters application would need to be in accordance with further detailed PPW 10 guidance, and indeed the detailed design, access and placemaking policy contained (in particular) in policies AW5 and AW6 of the Local Development Plan.

Planning Policy and the Principle of the Proposed Development

Members will note from the above that the proposed development produces a mixed response to the issues of sustainability and placemaking particularly when weighed against planning policy. There are though quite clearly other planning policy considerations that need to be evaluated and these are also key considerations in determining the acceptability or otherwise of the proposed development. However, it should be recognised that current planning policy it is not delivering housing for the County Borough in the manner or at the pace anticipated when these policies were adopted.

PPW 10 requires that *“planning authorities must ensure that sufficient land is genuinely available or will become available to provide a five-year supply of land for housing judged against the general objectives, scale and location of development required in the development plan.”* This is emphasised in Technical Advice Note 1, whilst also requiring that the calculation is determined in association with the formal Joint Housing Land Availability Study (JHLAS) process. Over recent years, Rhondda Cynon Taf has experienced that its housing land supply has fallen well below this necessary requirement, to as little as 1.3 years in the JHLAS for 2019.

Policies CS4 and AW1 of the Local Development Plan (LDP) state that in order to meet housing requirements, land must be made available in RCT to provide 14,385 new dwellings during the LDP plan period of 2006 - 2021. Both of these policies list criteria and methods on how this figure should be met, although none of these includes land outside the defined settlement boundary in the Southern Strategy Area for market housing.

For reference, as of April 2019, a significant 6,299 dwellings have been completed in Rhondda Cynon Taf since 2006, although this is clearly a sizeable shortfall from the required and expected figure. Indeed, in recent years there has been reduced housing delivery, from a high of 716 in 2016/17, to 552 in 2017/18, to 386 in 2018/19. The Local Development Plan is likely to have a substantial shortfall on housing delivery by the end of its life in 2021 given that to meet the stated target it would need to deliver a further 8086 homes in two years.

A major factor for the lower housing completions is that certain allocations in this area have not come forward as expected during this Local Development Plan (LDP) period to date. Foremost in this application area is the former Cwm Coking Works Strategic Site, which faces major physical and financial constraints in relation to its clearance and reclamation. In addition, the outline permission granted for circa 460 houses at the Cefn yr Hendy site has been complicated by an application by residents to have the site designated under Village Green status and this has delayed progress in delivery on the site. The Ridings site in Church Village has only partly come forward, albeit allocated in the LDP, for a number of reasons.

There remains a strong demand for new housing in this part of the county borough, and applications on non allocated sites outside the settlement boundary continue to forward. Furthermore, paragraph 4.13 of the LDP states that topographical constraints mean that significant growth will be difficult to accommodate within the Principal Town of Pontypridd... Land for residential development to accommodate the needs of the growing population of Pontypridd will be provided in the nearby settlements of Church Village, Llantwit Fardre, Treforest and Beddau.

As confirmed earlier in this report, in July 2018, Welsh Government executed the disapplication of paragraph 6.2 of TAN 1 to remove the reference to attaching considerable weight to the lack of a five-year housing land supply as a material consideration in determining planning applications. In the Cabinet Secretary's letter regarding the matter, she stated that local planning authorities should now determine the matter of how much weight should be attached to a lack of a five-year land supply.

Accordingly, given the low housing land supply in Rhondda Cynon Taf, aligned with the recent and forecast significantly reduced housing delivery and the continuing shortfall affecting both private and social housing, it is considered that the need to increase the housing supply carries considerable positive weight in the consideration of this planning application.

Members will no doubt be aware that Local Development Plan Policy SSA12 requires the provision of 20% affordable housing on sites of 5 hectares or greater. As this application is being promoted as a viable residential development aimed at addressing in part the housing land supply shortfall in the County Borough, this requirement must be strictly adhered to. The indication that the site would deliver up to 350 new houses would deliver approximately 70 affordable homes as part of the scheme.

Regarding Local Development Plan Policy AW14(2) which relates to the protection of the sandstone resource, that resource is already sterilized by

proximity to existing residential development and would form no basis for the refusal of the current application.

Compliance with policy will at least be incumbent upon the developer being able to demonstrate the following at the Reserved Matters application stage –

- That a site is made available for the school within the site to ensure the sustainability credentials of the development and to increase the general sustainability of the village.
- Safe and full and appropriate pedestrian links are provided within the development and into the village to ensure that access is provided to the facilities within the village and conversely, existing residents can safely walk to the school and its facilities and utilise the much needed, proposed open greenspaces in the development (of which there are few in the village now).
- Further consideration is given to increasing public transport within the village.
- Any future submissions demonstrating full deliverability of the site in terms of CIL and planning obligations, and within reduced time frames for the delivery of the development.
- Compliance with ecological requirements – policy AW8
- Compliance with requirements on noise and air pollution
- Development of the site at an appropriate density, policy SSA11
- General compliance with the requirements of policies AW5, AW6 and SSA23.

Matters pertinent to ecology, noise and air quality, density of development and the impact on the Special Landscape Area are dealt with under separate headings below

Impact on the character and appearance of the area

The impact of the proposed development on the character and appearance of the site and wider area is difficult to fully evaluate at the outline application stage as the acceptability of the proposal in this context will depend on detailing to a large extent. From the detail that is available there is clearly some merit in the proposal in that it is contiguous with the existing built form of Efail Isaf and if appropriate detailing is applied at the Reserved Matters submission phase (should this proposal gain outline planning permission) it has the potential to become a well designed and logical addition to the village.

Whether or not it could become a coherent addition to the village will depend on the detailing and the relationship of the new dwellings with established

homes. Equally, to prove a good fit for the village embracing the comments of the countryside section relating to woodland maintenance and buffer zones will also be key in delivering a development that is sympathetic to the character and appearance of the area.

Members will note that the site lies wholly within the Efail Isaf, Garth and Nantgarw western slopes Special Landscape Area (SLA) and is designated as such by policy SSA23.8 of the Local Development Plan. The policy is not designed to prevent all development within a designated area; rather, it requires the highest standards of design be applied within the designated area. That said a major housing development of the size currently proposed constitutes something of a rare circumstance. The application site sits on the north western edge of the SLA occupying much lower ground than much of the rest of the designation. Contours show levels in the south of the site at approximately 80m whilst Garth Hill stands at 300m. The site rises from west to east such that the element of the site adjacent to the built development of Efail Isaf up to an elevation of 110m.

Whilst relatively low lying the site is open greenfield land and would be viewed as such, particularly by traffic using the Church Village bypass road. As such, any development of the site would be readily visible from that road which again emphasises the importance of achieving a quality design if the site is to be developed. Again here, compliance with the Design and Access Statement and the principles that it embodies will be fundamental to the delivery of a successful development if Member's are minded to support the planning application.

Other, longer distance views of the site established by the landscape and visual assessment submitted with the planning application reinforce the fact that the site occupies lower ground than other residential settlements nearby or in the wider backdrop.

Consequently, there is some substance in the argument that this particular part of the SLA is not as prominent and does not play such an important role in the wider context of this particular designation which extends as far as the Taff Valley edges above Treforest Industrial Estate. This view is supported by the Council's Landscape Architect who has raised no objection to the proposals, subject to appropriate detailing at the design stage (should this application prove successful). There are no grounds for opposing the current application on the basis of what policy SSA23.8 offers. As such whilst the development of the site might be considered an erosion of the SLA its impact is minor and would not carry sufficient weight to justify a refusal of the proposals as submitted.

Impact on residential amenity and privacy

Given that this is an outline planning application, it is difficult to assess what the full impact of the development on residential amenity or privacy would be. However, the Design and Access Statement (DAS) and its related illustrative plans that accompany the current application strongly suggest that the site

could be developed in a manner where the impact of the proposals on existing dwellings would be acceptable in planning terms.

Objectors to the proposals have raised the issue that the Llantwit Fardre Air Quality Management Area was revoked in 2017 with a caution that indicated the need for continued vigilance to assess the impact of local urbanisation – claiming the development if allowed would jeopardise this position. The applicants, in support of their proposals, have submitted an Air Quality Assessment that has been independently vetted by the Council's Public Health & Protection team and by Public Health Wales. The Air Quality Assessment concludes that the resulting air quality effects of the proposed development are considered to be not significant overall, either in the immediate vicinity of the site or at some of the more distant areas referenced by objectors. The relevant consultees agree that the Air Quality Assessment has demonstrated that there is unlikely to be an adverse impact to local air quality with pollutant concentrations within air quality objectives. As such, the impact of the development is considered acceptable in the context of Policy AW10 insofar as it relates to the air quality issue.

A number of objectors have also indicated that traffic generated by the proposed development would adversely impact residential amenity. Whilst this has been claimed, no evidence has been produced to support such a stance. Whilst the development would increase traffic and trips in the immediate locality it has to be kept in mind that the application is supported with a full Transport Assessment that takes into account not just the proposed site but also the traffic flows from other committed sites in the locality. In that the Transport Assessment is deemed acceptable in terms of its impact on the highway network its subsidiary effect on residential amenity has to be deemed tolerable and as such, this issue would be compliant with Policy AW5 insofar as it relates to impacts on residential amenity

Noise and residential amenity – the applicants have submitted a noise assessment where the survey work is to be used as the basis to assess noise levels impinging on the proposed residential development as well as assessing noise impact on and from the proposed primary school. Subject to conditions the noise issue does not present a problem if the site is to be developed. Consequently there is no conflict with Local Development Plan Policy AW10 in this regard.

Access and highway safety

Understandably, the impact of the proposed development on the highway network has been the subject of some concern for many objectors to the current proposal. However, the application is supported with a full Transport Assessment that in the view of the applicants demonstrate that the proposal has an acceptable impact on the highway network in terms of the extent of existing development and other development consented to. The Transport Assessment has been the subject of careful scrutiny by the Transportation Section and they have had full regard to the elements that relate to highways in other supporting documents such as the accompanying Planning

Statement. Though this is an outline planning application, details of the principal access points for development from Heol Dowlais are to be considered at this stage.

In considering the proposals the Transportation Section team have had particular regard to the following issues.

- Base traffic flow
- Trip generation
- Trip distribution
- Future traffic flows
- Committed development (including Base traffic flow
- Trip generation
- Trip distribution
- Future traffic flows
- Committed development (including Ystrad Barwig).
- Final future traffic flows
- Traffic Impact
- Accident analysis
- Access
- Internal road layout
- Parking provision]
- Sustainable modes of travel
- Safer routes to school/learner travel; and,
- Travel plan

Having given careful consideration to the content of the Transport Assessment the Transportation Section are of the view that subject to conditions the proposed development is acceptable in highway terms as any necessary improvements can be delivered through the highway improvements required by condition or through CIL.

Ecology

The impact of the proposed development on the ecology of the site itself and the wider area has been a source of some concern for many people who have taken the trouble to comment on this planning application particularly with regard to protected species that are known to inhabit or use the locality. The applicants have been sensitive to the ecological concerns and the application when initially submitted was supported with the following documentation –

- Preliminary ecological appraisal
- Nature conservation management strategy
- Preliminary aboricultural assessment
- Precautionary dormouse mitigation strategy
- Water vole & otter survey
- Greater Crested Newt survey, and
- Bat activity report

As a result of further concerns expressed by both the Council's Ecologist and Natural Resources Wales further survey work has been undertaken with regard to bats, dormouse and Great Crested Newts.

With regard to the Greater Crested Newt further fieldwork and DNA surveys undertaken in 2019 concludes that they are not present at the site and the evidence now firmly points to the positive 2017 result being the product of water birds transferring DNA to the on site ponds rather than the newts actually being present

The onsite ponds are still regarded as being important for amphibians and the pond mitigation identified in the Design and Access Statement (DAS) and other supporting documentation remains a justified requirement.

Turning to the issue of bats and bat tree surveys, ground and where necessary climbing inspections have not recorded anything higher than low bat roost potential within trees on site. This too represents a robust conclusion and the bat assessment work is complete and represents a robust basis for any decision that might be made on the application insofar as it relates to this particular protected species.

Work relating to the dormouse potential for the site has been subject to extensive survey work as recently as September 2019. All work undertaken indicates that no evidence of dormouse presence within the proposed development site has been found and subject to conditions Natural Resources Wales regard this issue as having been adequately addressed.

Members will note that the Countryside Section in their observations have mentioned specific criteria that they would expect to be met for the proposed development to be acceptable. These are issues of detail that the developer would need to be aware of at the detailed design stage rather than matters of principle to be dealt with under this application. Further, the suite of suggested conditions below will along with the S106 agreement secure these issues at acceptable tolerances.

In October 2019 the Chief Planner of the Welsh Government Planning Directorate wrote to the Heads of Planning across Wales to remind them of their duty with regard to securing biodiversity enhancements. In that regard, it is appropriate to evaluate the current submission against paragraph 4.6.9 of PPW10.

It first has to be kept in mind that a considerable amount of work has been undertaken in evaluating the ecological worth of the application site. Members will note from the above that in terms of key species the application site can be adequately managed. Further, as for the most part the site is improved or semi improved agricultural land it has little ecological/biodiversity value other than at its fringes where there are mature trees and hedgerows. Hence, any loss would be minimal and the Design and Access Statement (DAS) and other supporting documentation clearly illustrates a capacity for recolonization post development that represents a net benefit for ecology/biodiversity.

Similarly Members will note the comments from the Countryside Section promoting the retention of woodland, hedgerow and ponds with enhancements and the creation of buffer zones all of which will aid the development of green/blue networks and linkages between habitats via a central spine of green infrastructure running through the site. As such, the proposals do not compromise the condition of local ecosystems; rather they facilitate the opportunity to build diversity through the retention and enhancement of important features and the creation of central green areas and ponds.

In supporting biodiversity the maintenance of connectivity between habitats is key. Whilst the site itself, other than in the areas mentioned above, is of relatively low ecological value areas around it do have higher value. As such, it is important that the development does not adversely affect these areas. The development of the site in the manner described in the Design and Access Statement (DAS) aims to maintain and enhance connectivity. This will be achieved by the creation of buffer zones and the central green areas, the retention and enhancement of hedgerows and the protection of woodland areas.

Whilst none of the application site benefits from any statutory or non-statutory designations in terms of ecology/biodiversity, the site can be protected from the adverse impacts of change and particularly climate change thereby helping to maintain biodiversity. Members should note that in addition to some demanding planning conditions relating to ecology, as part of the suite of Section 106 requirements a long-term habitat management plan is also required. Together these features will help to secure and enhance green infrastructure in the long term building ecosystem resilience in accordance with the requirements of the Environment Act (Wales) 2016 and facilitating social and economic resilience as per the aspirations of the Well-being of Future Generations (Wales) Act 2015.

Social & Physical Infrastructure

Despite the claims made by objectors to the proposals, Dwr Cymru Welsh Water and the Council's own Flood Risk Management team have considered the issue of water supply and disposal and subject to conditions have not raised any concerns with regard to either issue in their consultation responses.

Regarding the issues surrounding the provision of health services in the area, Members are advised that the University Health Board have been consulted in respect of the current proposals and the full extent of their response is reported above. It is clear from the response that they are fully aware of the situation with regard to healthcare provision in the locality in terms of primary care services and the local hospitals. The University Health Board are not objecting to the proposals and are working with other parties towards resolving issues with regard to health care provision in the locality.

The primary schools that currently serve the catchment area have levels of surplus capacity less than the Welsh Government's recommended level of 10% to allow for flexibility for in year movement. There are also the potential housing developments that are currently being progressed in the vicinity of these schools that will inevitably take up any spare capacity within them. A new primary school is needed to accommodate the new school places that would be generated by this development.

The size of primary school required to cater for this and other local developments in the immediate area is a school of 240 total pupil places including nursery places. However, if a second phase to this development and other potential developments in the area come forward then the school would need to retain the capacity to expand to 360 spaces.

In addition, the recently approved school organisation proposals affecting the in catchment secondary school, requires an increase in the school capacity to facilitate a large sixth form provision which will open in September 2022. the proposed development will therefore also have an impact on the in catchment secondary school.

In conclusion, the requirement is that suitable land be allocated within the development site boundary for the construction of a new primary school to comply with BB99 it is anticipated that the school will be constructed by the Council through in part, income generated by CIL. Discussion with the developer pertaining to site design, timescales and access would be required before such detail could be finalised. Additionally CIL contributions will be required to improve and increase the capacity of the local secondary school.

The transfer of the land for the building of the school to the Council can be secured through the Section 106 agreement (see below) and the expectation is that construction costs will be met in part through Community Infrastructure Levy contributions.

On the issue of play area provision if Members are minded to support the current planning application then the requirement will be that the developer makes on site provision in accordance with adopted Supplementary Planning Guidance – Planning Obligations.

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.

A number of residents have made reference to various other bodies of legislation, citing amongst others The Well-being of Future Generations (Wales) Act 2015 and The Environment (Wales) Act 2016, claiming that allowing the proposals would be contrary to their legislative requirements. The planning system by its very nature respects all legislation that influences it

and the rights of the individual whilst acting in the interest of the wider community. It is an intrinsic part of the decision-making process for the Council to assess the effects that a proposal will have on individuals, and weigh these against the wider public interest in determining whether a development should be allowed to proceed. The latest iteration of Planning Policy Wales was drafted to specifically incorporate the requirements of the Well-being of Future Generations (Wales) Act 2015 into planning. In carrying out this balancing exercise, the Council will of course wish to be satisfied that it has acted proportionately. In the present case, as detailed in this report, this has been considered and balanced those material considerations relevant to the application in making the recommendation to Committee.

A number of residents raise the issue that the development is not needed. No evidence is offered to support such a position and given the current housing land supply position in the County Borough and the latent demand for social housing in this area in particular, all the evidence is that new housing is very much needed.

The claim that the lives of existing residents would not be improved by the development is not evidenced and misses the point as the true test is whether the proposed development is acceptable in planning terms.

A number of objectors have referred to diverting development to the central and northern area of the County Borough where they believe it is needed. Given the housing land supply situation in the County Borough the fact of the matter is that new housing needs to come forward to meet demand in all parts of the County Borough including the southern part.

Objectors also claim that there is no need or requirement for the provision of 20% affordable housing within the development if it is consented to. No evidence is offered to support the claim. In reality under the current Local Housing Market Assessment the site falls within the Central Taf area where there is an identified net annual need for 94.86 new dwellings a year across all social housing tenure types, (i.e. general needs social rent, accessible social rent sheltered social rent and intermediate and low cost home ownership).

No evidence is offered to support the assertion that as no social housing exists in the area introducing it would alter the character of the village immeasurably. Generally, variety in home ownership options and a broader demographic are regarded as beneficial. In any event seeking to retain the homogeneity of a village can form no basis for the refusal of a planning application.

To suggest that Efail Isaf does not possess the transport links and amenities that users of social housing need presupposes that the writer knows what

they do. In this regard, Members attention is drawn to the comments above on sustainability which addresses the amenities available in Efail Isaf and the wider locality and those that the development of this site has the potential to deliver

Some objectors have suggested that this is an application for 700 rather than 350 dwellings as that is what will come with a second phase. The application as submitted is for up to 350 dwellings and should a second phase follow then it will fall to be determined on its own merits at that time.

The alleged failure of other developers on other sites to deliver promised schools are no basis for refusing the current planning application.

No evidence is offered to support the claim that the proposal would deter locals from using the community path. The development would on the whole improve accessibility by the improvements it would bring to the local footpath network and an increased population would in all likelihood increase the use of these facilities. This would improve the knock on effects to the local economy.

None of the current site is public open space or village green it is farmland and the proposals aim to incorporate the existing Public Right of Way network.

Criticism of the submitted Design and Access Statement is understandable, but it is not the purpose of that document to confine its commentary to the immediate environs around the application site and the vast majority of references are within the Llantwit Fardre Ward where the application site is located.

Planning application 15/1386 for 150 dwellings and a health centre at Cwm Uchaf Farm was not refused as the agent chose to withdraw the application in light of a recommendation to Committee that it should be refused

If ground testing is taking place on the farm at Heol Ffrwd Philip it has no bearing on the consideration of the planning application currently before Members

Non-Planning Issues

As Members will note from the detail and issues considered and contained in this report this is a complex case where the issue of additional income from Council Tax or any other source is not material to the determination of the planning application.

The loss of a private view is not a material planning consideration and while the proposals would alter the view of the site from the community path this is not of itself a reason for refusing the planning application.

Members of the Committee will no doubt vote as they see fit having full regard to the planning considerations of the case.

Whether residents want the application or not is not a material planning consideration.

The fact that the applicant company is a national volume housebuilder is not material to the consideration of the planning application and to suggest that nothing would be given back in return overlooks the fact that the developer will be making land available for a school, the financial contribution that will be delivered via the Community Infrastructure Levy and the other benefits that the proposed Section 106 agreement will bring.

Delivering housing when there is a housing land supply shortage is one of the best ways to improve health and well being as it affords people the opportunity to live in modern homes where that opportunity might not otherwise be available to them.

Whether or not residents pay a premium to live somewhere is in itself debatable and is not a reason that can be raised opposing proposed development.

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) As planning permission first permits development on the day of the final approval of the last of the reserved matters CIL is not payable at outline stage, but will be calculated for any reserved matters or full applications.

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:

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.

The Welsh Government Development Management Manual and Welsh Office Circular 13/97 Planning Obligations provide 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 intended to form the basis of negotiations between all parties.

The Section 106 requirements in this case

- The provision of 20% affordable housing
- The transfer of land for the provision of the school to the Council
- Details of the provision, delivery and reporting of “in perpetuity” management and monitoring of the species, habitat and public open spaces, attenuation features, and areas of trees and scrub , in order to integrate ecological, drainage and landscape requirements into a single management delivery programme.
- Provision of play areas for management and maintenance in accordance with the Councils Supplementary Planning Guidance on planning obligations
- The agreement of an employment skills training plan

Conclusion

In planning policy terms, the proposal is a departure from the adopted Local Development Plan (CS2, AW1, AW2.1 and SSA13) in that it proposes residential development outside the settlement boundary in the Southern Strategy Area. Clearly, enough evidence has been produced and subjected to sufficient scrutiny to determine that there are areas of policy where requirements are met e.g. highways, impacts on the landscape and character and appearance of the area, public health impacts etc. Similarly, the site scores well in the consideration of sustainability and the stated objective of

placemaking, although it is recognised that connectivity to the eastern part of Efail Isaf is not ideal.

A further positive influence in weighing the considerations that impact this planning application is the fact that Rhondda Cynon Taf has such a low short term housing land availability supply (1.3 years). This represents a considerable shortfall from the Local Development Plan's target for housing delivery, and is exacerbated by low and decreasing housing completions. It is considered significant weight should be given to this when balancing the policy arguments of developing outside the settlement boundary.

The situation relating to housing land supply being low is exacerbated by the fact that sites allocated for residential development in and around Llantwit Fardre have failed to come forward for development. Most notable of these is the Cwm Cokeworks and Colliery site that was expected to deliver up to 850 homes. This also weighs in favour of allowing the current proposals in the consideration of planning balance.

Considering all the elements of the proposal, it represents a reasonably sustainable development, in a reasonably sustainable location, in line with the aims of PPW 10 and relevant Local Development Plan policy. Although many day to day facilities are in reasonable walking distance, it is nonetheless acknowledged that there are deficiencies in public transport provision for access to wider employment opportunities. The assessment above illustrates the degree of compliance with planning policy at the local and national level upon which the following recommendation is made.

This planning application has raised a wide range of complex issues in its consideration and it is inevitable that an application of this size and complexity different elements will pull in different directions. The consequence is that any decision in the matter has to be made "on balance" and in this instance it is the view that the balance falls in favour of allowing the application

RECOMMENDATION: Approve

1. Details of the access (other than the two principal access points consented to under this approval), appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

Any application for the approval of reserved matters shall be made to the Local Planning Authority not later than one year from the date of this

permission

The development shall be begun either before the expiration of three 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.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

2. Before the submission of the application for the approval of reserved matters, a detailed site investigations report shall be submitted to and approved in writing by the Local Planning Authority. The report should be sufficiently detailed to establish if any ground precautions are necessary in relation to the proposed development and the precautions that should be adopted in the design and construction of the proposed development in order to minimise any damage which might arise as a result of ground condition. The development, hereby permitted, shall be carried out in accordance with the approved site investigations report.

Reason: The site may be unstable and as such, a stability report is required in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

3. 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.

4. Prior to the commencement of development, details for the provision of bat boxes (incorporated within the development scheme) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details and maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest nature conservation in accordance with Policies AW5 and AW8 of the Rhondda Cynon Taf Local Development Plan

5. Before any works start on site, existing and proposed levels (including relevant sections) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reasons: To protect residential and visual amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

6. 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

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

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 development shall take place until a Species and Habitat Protection Plan for Construction has been submitted and approved in writing by the local planning authority. The plan shall include:

- a) An appropriate scale plan showing Protection Zones' where construction activities are restricted and where protective measures will be installed or implemented;
- b) Details of protective measures (both physical measures and sensitive working practices) to avoid impacts during construction;
- c) A timetable to show phasing of construction activities to avoid periods of the year when sensitive wildlife and species could be harmed
- d) Details of specific species and habitat mitigation measures for key species including bats, birds, dormouse, badger, amphibians and reptiles,
- e) Details of wildlife sensitive lighting proposals
- f) Details of water pollution control measures
- g) An agreed scheme of progress reporting to the Council during the construction programme.

Persons responsible for:

- i) Compliance with legal consents relating to nature conservation;
- ii) Compliance with planning conditions relating to nature conservation (Ecological Clerk of Works);

- iii) Installation of physical protection measures and management during construction;
- iv) Implementation of sensitive working practices during construction;
- v) Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction;
- vi) Specific species and Habitat Mitigation measures
- vii) Provision of training and information about the importance of the 'Protection Zones' to all construction personnel on site.

All construction activities shall be implemented with the approved details and timing of the plan unless otherwise approved in writing by the local planning authority'.

Reason in the interests of maintaining and promoting biodiversity in accordance with policy AW8 of the Rhondda Cynon Taf Local Development Plan.

9. No development shall take place until a Tree Management Plan for Construction has been submitted and approved in writing by the Local Planning Authority. The plan shall include
- a) An appropriate scale plan showing 'Protection Zones' where construction activities are restricted and where protective measures will be installed or implemented;
 - b) Details of protective measures (both physical measures and sensitive working practices) to avoid impacts during construction, and the maintenance of those features during construction;
 - c) Details of pre-construction tree management works.
 - d) Pre-construction reporting to the LPA with evidence that tree protection measures are in place, and a scheme of monitoring reporting to the LPA during construction.
 - e) Details of the persons responsible for compliance with all elements of the tree condition works.

All construction activities shall be implemented with the approved details and timing of the plan unless otherwise approved in writing by the local planning authority'.

Reason in the interests of maintaining and promoting biodiversity in accordance with policy AW8 of the Rhondda Cynon Taf Local Development Plan.

10. No development shall take place until details of the Species, Habitat, Landscape, and Tree Mitigation Plan (to include the Public Open Space) has been submitted to and approved in writing by the Local Planning

Authority.

The Mitigation Plan shall include details ;

- i) Purpose, aim and objectives of the scheme;
- ii) A review of the plans ecological potential and constraints (ensuring integration with ecological and tree recommendations);
- iii) Details of the species, habitat and landscaping schemes, including;
 - a) species composition
 - b) Bat and Bird boxes on trees and bat and bird bricks and boxes on houses
 - c) source of material (all native planting to be of certified British provenance and no wildflower rich seeds to be used),
 - d) techniques and methods of vegetation establishment (natural restoration),
 - e) method statements for site preparation and establishment of target habitat features;
 - f) extent and location of proposed works;
 - g) invasive plant control
 - h) aftercare and long term management;
 - i) personnel responsible for the work;
 - j) timing of the works;
 - k) monitoring;
 - l) disposal of waste arising from the works;

All landscape works shall be carried out in accordance with the approved details, unless otherwise approved in writing by the Local Planning Authority.

Reason in the interests of maintaining and promoting biodiversity in accordance with policy AW8 of the Rhondda Cynon Taf Local Development Plan.

11. No development shall take place until details of attenuation features have been submitted to and approved in writing by the Local Planning Authority, to include provision of pollution control measures and ecology/ marshy grassland mitigation.

All works shall be carried out in accordance with the approved details, unless otherwise approved in writing by the Local Planning Authority.

Reason in the interests of preventing pollution and maintaining and promoting biodiversity in accordance with policies AW8 and AW10 of the Rhondda Cynon Taf Local Development Plan.

12. Notwithstanding the submitted plans full engineering design and details of

the new junction accesses off Heol Dowlais, including highway drainage, street lighting, signage road markings and longitudinal and cross sections and contoured junction plan of the tie in to Heol Dowlais, shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site. The junction design shall incorporate:-

- a) Southern access consisting of the junction of southern estate distributor road (bus route) with Heol Dowlais must incorporate 10m junction radii, 6.3m wide carriageway with 3m wide shared use pedestrian cycle paths each side of the carriageway.
- b) Northern access consisting of a state approach road with Heol Dowlais shall incorporate 6m junction radii, 5.5m carriageway with 2m wide footways on both sides of the carriageway
- c) Both junctions must be designed to provide and maintain 2.4m x 70m vision splays.

The approved details shall be fully implemented prior to the beneficial occupation of the first dwelling unless otherwise agreed in writing with the Local Planning Authority.

Reason To ensure the adequacy of the access to the proposed development in the interests of highway and pedestrian safety.

13. Notwithstanding the submitted plans, prior to the construction of the first dwelling, full engineering design and details of the proposed pedestrian/cycle links between the development site, Heol Dowlais and community route, as well as into the existing village centre of Efail Isaf, including details of vertical and horizontal alignment, widths, marking signage, street lighting, drainage and construction shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in accordance with a schedule to be submitted to and approved in writing by the Local planning Authority and all works shall be completed and available for use prior to the beneficial occupation of the 175th dwelling.

Reason: To ensure the adequacy of pedestrian and cycle access to the proposed development in the interests of highway and pedestrian safety and encouraging sustainable modes of travel.

14. No works other than site clearance, preparation and remediation works, shall take place on site until details of new bus stop facilities, including shelter, pole, raised bus border, kerbs and road markings together with uncontrolled crossing facilities to provide access across Heol Dowlais have been submitted to and approved in writing by the Local planning Authority.

The highway works shall be fully implemented in accordance with the approved engineering details prior to beneficial occupation of the development unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a reduction in road traffic and promotion of sustainable modes of travel in accordance with Planning Policy Wales 10 and Policy AW5 of the Rhondda Cynon Taf Local Development Plan and the safe location of facilities in the interests of highway safety.

15. Notwithstanding the submitted plans no works whatsoever shall commence on site until full engineering design and detail of the internal estate roads layout including traffic calming, footpath links cycle/footways, street lighting surface water drainage, and highway structures including longitudinal and cross sections, contoured highway plan and construction details have been submitted to and approved in writing by the Local Planning Authority. The internal highway infrastructure shall be as follows:-

- a) Distributor road (bus route) 6.3m carriageway, 10m junction radii 3m wide shared use cycle/footway on both sides. Distributor road must also provide a link between the site access and Heol Dowlais to facilitate provision of suitable routes for public transport.
- b) Approach road – 5.5m wide carriageway 6m junction radii, 2m wide footway on both sides.
- c) Cul De Sac (flexible material construction) – 5.5m wide carriageway, 6m junction radii, 2m wide footway on both sides.
- d) Cul; De Sac (block paving/mews court) – 5.5m carriageway 2m wide footway to one side 1m wide hard margin to the other, road edge formed by paving sets providing 50mm upstand.
- e) Private shared access serving up to 5 dwellings – 4.5m wide shared surface as RCT standard details 102,103, with access formed as a vehicular crossover in accordance with RCCT standard detail 111.

The highway works shall be fully implemented in accordance with the approved engineering details prior to the first occupation of any dwelling that it is intended to serve.

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

16. Prior to the beneficial occupation of the first dwelling a safe route from the development site to each school which serves the catchment area shall be identified and assessed in accordance with Learner Travel requirements and any necessary mitigation measures to make the route available and

safe shall be fully implemented unless the local planning Authority gives its written consent to any variation. Such routes leading to the proposed school on the site from the existing village of Efail Isaf should also be identified and assessed. Routes to access local amenities and facilities in the village of Efail Isaf as well as Llantwit Fardre shall be identified and assessed in accordance with Active Travel (Wales) Guidance and any necessary mitigation measures fully provided for unless the Local Planning Authority gives its consent to any variation.

Reason: To ensure the availability of safe routes for children to walk to and from school and for users to safely access local amenities and facilities in accordance with planning policy and in the interests of the safety of all road users.

17. Parking provision shall be in accordance with the latest adopted supplementary planning guidance and parking spaces shall be constructed in permanent materials and retained for the purpose of parking only, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that vehicles are parked off the highway in the interests of highway safety.

18. HGV deliveries during the construction period shall take place via the A473/Heol Criegiau/Heol Dowlais unless otherwise agreed in writing by the Local Planning Authority.

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

19. Surface water runoff from the proposed development shall not discharge on to the public highway or be connected to any highway drainage system unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent overloading of the existing highway drainage system and potential flooding in the interests of highway safety.

20. No development shall take place, including any works of site clearance, until a Construction Environmental Management Plan has been submitted and approved in writing by the Local Planning Authority to provide for;

- a) the means of access to and egress from 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.
- h) a scheme to treat and remove suspended solids from surface water runoff during construction works
- i) the suppression of dust.
- j) Details of plant and equipment.
- k) Methods and types of ground compaction.
- l) Mitigation measures for the control of noise.
- m) Location of site compounds.
- n) Use of artificial lighting
- o) Measures to be used during the development to minimise environmental impact of the works.
- p) Construction Methods.
- q) Pollution protection measures with particular reference to runoff and silt

The approved plan 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 and the protection of water bodies wildlife and supporting habitat

21. The Developer shall provide the occupier of each dwelling with a Travel Plan/Welcome Pack which should contain the following:-

- (a) Bus/Train Service providers, their contact details, frequency of service, timetable, bus stops/train stations, current ticket costs and financial incentives to encourage use of public transport;
- (b) Park and Ride/Park and Share facilities and associated costs and restrictions on use of such facilities;
- (c) Pedestrian links to public transport services, to local facilities, areas of employment, education and leisure;
- (d) Local and national cycle routes;
- (e) Sustainability voucher; and
- (f) Any other measures that would encourage use of sustainable modes of travel.

Reason: To ensure reduction of road traffic and promotion of sustainable modes of travel in accordance with the relevant National and Local Planning Policies.

22. The development shall be carried out in accordance with the following approved plans:-

- a) Site Location Plan Drawing No: JPW0759-007 Rev D
- b) Northern access junction Drawing no: 17148.OS.108.01
- c) Southern access junction Drawing No: 17148.OS.108.02

Unless otherwise modified by other conditions of this consent.

The development shall be carried out in broad accordance with the design principles set out in the concept block plan drawing no:JPW0759-006 Rev K and the submitted design and access statement.

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

23. The details to be submitted for approval pursuant to condition 1 shall be in accordance with the design principles, landscape strategy and development framework identified in the design and access statement supporting this application and illustrated in the following plans –

- a) Land use parameters plan drawing no.JPW0759-10 Rev: M
- b) Concept block plan drawing no. JPW0759-006 Rev: K
- c) Movement parameters plan drawing no. JPW0759-012
- d) Green infrastructure parameters plan drawing no. JPW0759-011

Compliance must be demonstrated through the submission of design statements accompanying any submission for the approval of reserved matters (whether in full or in a phased manner) which accord with the requirements of Technical Advice Note (TAN) 12 Design.

Reason: To ensure appropriate design throughout the development and to accord with Local Development Plan Policies AW5 & AW6 and Technical Advice Note (TAN) 12 Design.

24. The development hereby permitted shall not begin until a scheme to deal with contamination has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include all of the following measures unless otherwise agreed in writing by the Local Planning Authority:

1. A desk-top study 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.
2. A site investigation shall be carried out 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 agreed in writing with the Local Planning Authority.
3. A written method statement for the remediation of contamination affecting the site

Reason: In the interest of health and safety and environmental amenity and so as to accord with Policy AW10 of the Rhondda Cynon Taf Local Development Plan

25. No dwelling, hereby permitted, shall not be occupied until the measures approved in the scheme (referred to in Condition 24) have been implemented and a suitable validation report of the proposed scheme has been submitted to and approved in writing by the Local Planning Authority

Reason: In the interest of health and safety and environmental amenity and so as to accord with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

26. If during development works any contamination is 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 work shall cease and revised contamination proposals shall be submitted to the Local Planning Authority. The development shall not re-commence until the additional proposals have been agreed in writing by the Local Planning Authority.

Reason: In the interest of health and safety and environmental amenity and so as to accord with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

27. Any topsoil (natural or manufactured), or subsoil, to be imported on to the site shall be assessed by a competent person for chemical and other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Subject to the approval of the scheme of investigation, sampling of the material received at the development site to verify that the imported soil is free from contamination shall be undertaken by a competent person in accordance with a scheme and timescale to be agreed in writing with the Local Planning Authority. Only material approved by the Local Planning Authority shall be imported.

Reason: In the interest of health and safety and environmental amenity and so as to accord with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

28. 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 program, 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 the 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 and to accord with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

29. The school and its associated playing fields and play areas shall be designed and constructed such that BS8233:2014 internal noise levels are achieved in all residential properties approved as part of the development.

Reason: In the interest of health and safety and environmental amenity and so as to accord with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

30. The shop hereby approved shall have a net floor space of no more than 2000 square feet (185.6 square metres).

Reason: To define the extent of the consent hereby granted and to ensure compliance with Policy AW6 of the Rhondda Cynon Taf Local Development Plan.

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PLANNING & DEVELOPMENT COMMITTEE

23 JANUARY 2020

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 19/0814/10 - CHANGE OF USE FROM RESIDENTIAL DWELLINGS (CLASS C3) TO 8 NO. SELF-CONTAINED RESIDENTIAL STUDENT FLATS(SUI GENERIS) INCLUDING TWO-STOREY EXTENSION TO REAR, 1 & 2 POLICE HOUSES, BROOK STREET, TREFOREST, PONTYPRIDD

1. PURPOSE OF THE REPORT

Members are asked to consider the determination of the above planning application.

2. RECOMMENDATION

That Members consider the report in respect of the application and determine the application having regard to the advice given.

3. BACKGROUND

This application was reported to the 5th December 2019 Planning and Development Committee meeting with an officer recommendation of approval. A copy of the original report is attached as **Appendix A**. At the meeting, Members resolved that they were minded to refuse the application against officer recommendation. Members considered that the proposed development was contrary to the spirit of the Council's SPG on Houses in Multiple Occupation (HMO's) and the Wellbeing of Future Generation Act and would have an adverse impact on the amenity of the local area and would cause highways and parking issues (minute no. 153 refers).

As a consequence it was resolved to defer determination of the application for a further report to highlight the potential strengths and weaknesses of taking a decision contrary to officer recommendation.

4. PLANNING ASSESSMENT

The officer considerations regarding the principle of the development are outlined in the original report however, a brief summary is provided below:

The property is located within the defined settlement boundary and within an established residential area that is located in close proximity to the Treforest Campus of University of South Wales. The area is well served by public transport links with bus stops and a train station that provide frequent services to the local and wider area. The retail centre of the village which offers a range of amenities and facilities is also located within walking distance of the site. As such, the site is considered to be a sustainable location and the proposal would comply with Policies AW2 of the Rhondda Cynon Taf Local Development Plan. Policies CS2 & AW1 also encourage residential development within defined settlement boundaries with Policy AW1 further supporting the conversion of suitable structures to provide housing.

Planning Policy Wales 10 seeks to incorporate the objectives of the Well-being of Future Generations (Wales) Act 2015 which places a duty on public bodies to carry out sustainable development, which focuses on achieving 7 well-being goals. One of the 7 well-being goals relates to a Wales of cohesive communities, which is also referred to in section 1.2 of SPG: Houses in Multiple Occupation. This section recognises that HMOs are heavily clustered around the University of South Wales campus in Treforest and that the clustering and high concentrations of HMOs in one particular area has the potential to have a significant detrimental effect on community cohesion. However, this application relates to the conversion of an existing building to 8 self-contained student flats and not a HMO. There is no policy or SPG that would restrict the number of self-contained flats in one particular area and it would therefore be difficult to defend an appeal on this basis.

In terms of the impact of the proposal on highway safety, it is noted that there is a shortfall in the number of off-street car parking spaces. However, the application site is located in a sustainable location and in close proximity to the University of South Wales. The proposal also includes two off-street car parking spaces as well as secure storage for 8 cycles within the site. Furthermore, a further 3 spaces can be secured within the site via a suitably worded condition. As such, the short fall in the number of off-street car parking spaces is considered to be acceptable and the proposal is acceptable in terms of the impact it would have on highway safety in the vicinity of the site. The application would therefore comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

5. RECOMMENDATION

If, having considered the above advice, Members remain of a mind to refuse planning permission, it is suggested that the following reasons for refusal would be appropriate:

1. The proposal does not constitute sustainable development as it fails to satisfy the well-being goals set out in Planning Policy Wales 10 inasmuch as it does not contribute to a Wales of cohesive communities and would subsequently have an adverse impact on the amenity of the

local area. The proposal would therefore be contrary to Supplementary Planning Guidance: Houses in Multiple Occupation and Planning Policy Wales 10.

2. The proposed development will generate a greater intensity of indiscriminate parking to the detriment of highway safety in the vicinity of the site. It would therefore be contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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PLANNING & DEVELOPMENT COMMITTEE

5 DECEMBER 2019

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 19/0814/10 (KL)
APPLICANT: Taylor Louis Ltd
DEVELOPMENT: Change of use from residential dwellings (Class C3) to 8 no. self-contained residential student flats(Sui Generis) including two-storey extension to rear.
LOCATION: 1 & 2 POLICE HOUSES, BROOK STREET, TREForest, PONTYPRIDD, CF37 1TW
DATE REGISTERED: 31/07/2019
ELECTORAL DIVISION: Treforest

RECOMMENDATION: APPROVE

REASONS:

The application site is located in a highly sustainable location and in an area that is predominantly residential in character. Whilst the conversion of the building to 8 self-contained student flats would inevitably intensify the use of the building, it is not considered that the potential occupation of the property would be significantly greater than that which could currently occur as two single residential units.

The proposal would include a two-storey extension in order to facilitate larger flats however, the extension is considered to be of a modest scale and an acceptable design which would not adversely affect the character and appearance of the existing building and surrounding area or significantly impact upon the amenity and privacy currently enjoyed by surrounding properties. Furthermore, the site is capable of providing adequate off-street car parking provision which can be secured by condition and it is therefore not considered that the proposal would have an adverse impact on highway safety in the vicinity of the site.

As such, the proposal is considered to comply with the relevant policies of the Local Development Plan and Supplementary Planning Guidance: Development of Flats.

REASON APPLICATION REPORTED TO COMMITTEE:

- The proposal is not covered by determination powers delegated to The Director of Prosperity and Development;

APPLICATION DETAILS

Full planning permission is sought for the conversion of a pair of semi-detached residential dwellings (Use Class C3) to 8 no. self-contained student flats (Sui Generis). The proposal also includes the construction of a two-storey extension at the rear.

The current application represents the resubmission of a previously refused scheme (planning ref. 18/1260). The previous application, which sought permission for the conversion of the two dwellings to 8 student studio flats and the construction of a single storey extension, was refused for the following reason:

The proposed development would place significant pressure on the plot, representing an over-intensive use and overdevelopment of the site; and in trying to accommodate as many self-contained flats as possible within such a small building, would result in the creation of cramped and poor quality living accommodation for future occupiers.

The current scheme has been submitted to address the above reason for refusal. Although the proposal includes the same number of residential units as the previously refused scheme, a two-storey extension would be constructed at the rear of the building to facilitate flats with a greater floor area than those previously refused. The extension would measure 13.9 metres in width by 2.5 metres in depth with a part hip and part flat roof design that would measure a maximum of 6.8 metres in height to the ridge and 5 metres to the eaves/flat roof. All external materials would match those of the existing building.

The proposed flats would be accessed via the existing entrances to the dwellings within the eastern and western elevations. Two separate communal entrances would be formed internally, each serving 4 flats (2 ground floor and 2 first floor).

The following table indicates the proposed and previous floor areas of the proposed flats:

Flat	Proposed Floor Area (M ²)	Previous Floor Area (M ²)
Flat 1 (GF)	25.8 (studio)	25.8 (studio)
Flat 2 (GF)	27.7 (studio)	27.7 (studio)
Flat 3 (GF)	27.7 (studio)	27.7 (studio)
Flat 4 (GF)	25.8 (studio)	25.8 (studio)
Flat 5 (FF)	23.4 (studio)	19.0 (studio)
Flat 6 (FF)	23.4 (studio)	18.5 (studio)
Flat 7 (FF)	30.7 (1 Bed)	18.5 (studio)

Flat 8 (FF)	30.7 (1 bed)	19.0 (studio)
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The rear garden would be retained as a communal amenity area for future occupants. It is also noted that an existing detached double garage at the north-western corner of the site would be demolished and replaced with 2 no. off-street parking spaces. Separate cycle and bin stores would be located centrally along the northern boundary of the site.

SITE APPRAISAL

The application site relates to a pair of semi-detached residential dwellings that are set within an irregular shaped plot measuring approximately 546m². The dwellings are located towards the southern end of the plot but are set back from the footway at Brook Street by a small amenity area. Further enclosed gardens are located to the rear and side elevations. A detached double garage is located at the north-western corner of the site with access off Oxford Street to the western boundary. The remainder of the site is bound by 59 Oxford Street and its residential curtilage to the north and a service lane to the east which separates the site from the rear gardens of properties in the adjacent residential street, King Street.

The surrounding area is predominantly residential in character comprising of mainly linear rows of traditional, two-storey terraced dwellings. It is noted however that Pontypridd Fire Station is located to the north-west, a large student accommodation block to the south-west and the University of South Wales, Treforest Campus to the south. It is also noted that many of the surrounding dwellings are occupied as houses in multiple occupation in association with the nearby university.

PLANNING HISTORY

18/1260	1 & 2 Police Houses, Brook Street, Treforest	Change of use of 1 & 2 Police Houses, Brook Street from residential dwellings (C3) to 8 no. self-contained student flats (Sui Generis) including single storey extension to rear	Refused 30/05/19
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PUBLICITY

The application has been advertised by means of direct neighbour notification and site notices. No letters of objection or representation have been received.

CONSULTATION

Fire Safety – No objection

Flood Risk Management – No objection

Highways and Transportation – No objection, subject to conditions

Public Health – No objection, subject to condition

Street Care – No objection

Wales & West Utilities – No objection, subject to conditions

Welsh Water – No objection subject to condition and advisory notes

Western Power – No objection

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies inside the defined settlement boundary and is not allocated for any specific purpose. The following policies are considered to be relevant to this case:

Policy CS2 – emphasis on sustainable growth in the southern strategy area, achieved by promoting residential development that respects the character and context of the Key Settlements.

Policy AW1 – sets out methods used to meet the housing land requirement, including the conversion of suitable structures to provide housing.

Policy AW2 – ensures that development proposals are only supported when located in sustainable locations. Such locations: 1) are within a defined settlement boundary; 2) would not unacceptably conflict with surrounding uses; 3) have good accessibility by a range of sustainable transport options; 4) have good access to key services and facilities.

Policy AW5 – sets out criteria for appropriate amenity and accessibility on new development sites.

Policy AW6 – requires development to involve a high quality design and are appropriate to the local context in terms of siting, appearance, scale, height, massing, elevational treatment, materials and detailing.

Policy SSA13 – supports residential development within the defined settlement boundary if the development is accessible to local services by a range of sustainable transport modes and does not adversely affect the provision of car parking in the surrounding area.

Supplementary Planning Guidance

Access, Circulation and Parking
Design and Placemaking
Development of Flats
Houses in Multiple Occupation (HMOs)

Licensing of Houses in Multiple Occupation: A Landlords Guide to Standards in HMOs (2019).

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.

The Welsh Government published Planning Policy Wales 10 on 5th December 2018, and the document aims to incorporate the objectives of the Well-being of Future Generations (Wales) Act into Town and Country Planning.

It is considered that this proposal meets the seven goals set out in the Well-being of Future Generation's (Wales) Act inasmuch as they relate to the proposed development and that the site has been brought forward in a manner consistent with the five ways of working.

It is considered that the proposed development is consistent with the key principles and requirements for placemaking as set down in Chapter 2 People and Places: Achieving Well-being through Placemaking, of PPW10 and is also consistent with the following inasmuch as they relate to the development:

Chapter 3 Strategic and Spatial Choices (good design and better places, promoting healthier places, sustainable management of natural resources)

Chapter 4 Active and Social Places (moving within and between places, transport, living in a place, housing)

Chapter 5 Productive and Enterprising Places (economy, energy, minerals and use of material resources)

Chapter 6 Distinctive and Natural Places (green infrastructure, landscape, biodiversity and ecological network, water and flood risk, air quality and soundscape, lighting)

Other relevant policy guidance consulted:

PPW Technical Advice Note 11: Noise;

PPW Technical Advice Note 12: Design;

PPW Technical Advice Note 18: Transport.

Welsh Government: Houses in Multiple Occupation – Practice Guidance.

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

Full planning permission is sought for the change of use of a pair of semi-detached residential dwellings to 8 no. self-contained flats (Sui Generis) to be occupied by students of the nearby University of South Wales.

The property is located within settlement limits, in an established residential area of Treforest and in close proximity to the nearby University of South Wales. It is located within walking distance of the retail centre of the village which provides various amenities and facilities and has easy access to public transport links with a train station and bus stops located in close proximity. As such, the site is located within a sustainable location, as defined in Policy AW2 of the Rhondda Cynon Taf Local Development Plan and the proposal would therefore comply with this policy. Furthermore, Policies CS2 & AW1 encourage residential development in such locations.

Supplementary Planning Guidance: Development of Flats permits accommodation that would provide an acceptable quality of accommodation for residents. It states that poor quality accommodation can cause health, safety and welfare issues for occupants due to small, cramped accommodation, with lack of natural light and poor outlook.

The previous application was refused as it was considered that the number of units proposed would place significant pressure on the plot, representing an over intensive use of the buildings and overdevelopment of the site; and, in trying to accommodate as many units as possible within such a small building would result in the creation of cramped and poor quality living accommodation for future occupiers to the detriment of their health and wellbeing. The scheme has since been amended to include a two-storey rear extension in order to increase the floor area of the flats proposed. The smallest flat would now have a floor area of 23.4 m², which is an increase of 4.9m² (or 26.5%) in comparison to the previously refused scheme, and it is considered that the increase is considered to be acceptable in terms of the level and quality of accommodation proposed. The Council's adopted guidance 'Licensing of Houses in Multiple Occupation (HMO): A Landlord's Guide to Standards in HMOs 2019, states that a single persons unit of accommodation with some shared basic facilities (e.g. bedsits) consisting of 1 room only with kitchen facilities should measure a minimum of 13.m². The level of accommodation proposed within 6 of the 8 flats proposed are very similar to a bedsit in that living/sleeping/kitchen accommodation is provided within a single room. The smallest units would measure 19.5m² without their en-suite bathroom facility and this is evidently greater than the minimum standard required for a bedsit. In terms of the 1 bedroom flats, which would contain a living room/kitchen and a bedroom over 2 rooms, these are also above the minimum requirements for a bedsit made up of 2 or more rooms where the minimum requirements are 11.15 m² (living/kitchen) and 6.50m² (13.4m² and 10m² proposed respectively).

Furthermore, all of the flats would have good natural light, good outlook and good ventilation and, as such, it is considered that the quality of accommodation is acceptable and therefore compliant with the guidance set out in the SPG: Development of Flats and Licensing of Houses in Multiple Occupation (HMO): A Landlord's Guide to Standards in HMOs.

Taking the above into consideration, the principle of the proposal is acceptable, subject to compliance with other policies of the Local Development Plan and other material considerations, as detailed below.

Residential amenity and privacy

As detailed above, the proposed conversion would involve the construction of a two-storey extension at the rear of the building with all other works being undertaken through internal alterations. The proposed extension is considered to be of a modest scale with an appropriately designed hipped/flat roof that would limit any potential overbearing/overshadowing impact on the nearest neighbouring properties. Whilst the extension would introduce new windows that would be closer to the boundary with no. 59 Oxford Street, these would not result in a significantly greater level of overlooking that would be detrimental to the privacy currently enjoyed by the occupants of that property.

It is noted that the proposed use of the property as 8 no. self-contained flats may result in an intensification of use in comparison to that of the two existing dwellings, resulting in some additional noise and disturbance. However, whilst intensive in respect of the number of occupants and the associated comings and goings and general noise and disturbance normally associated with such a residential use, it is not considered that the total number of occupants would be any greater than that which could currently occupy the 2 no. properties as traditional residential dwellings. Consequently, it is not considered any potential impact in this respect would be any greater than that which currently occurs.

As such, the proposal would comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Highway Safety

The application has been assessed by the Council's Highways and Transportation Section and no objection has been raised in relation to the proposal. The response received is summarised as follows:

Access

The application site is located on Brook Street which has sufficient width to accommodate 2-way traffic flow and adequate provision of segregated pedestrian footway facilities. Brook Street has regulated on-street parking

provision in the form of limited waiting parking bays subject to 2 hours waiting with no return within 4 hours, with an exemption for resident permit holders.

The proposed development would take advantage of the existing access arrangements, which is considered to be acceptable.

Parking

The proposal would result in the dwellings being converted to 8 no. self-contained residential flats. In accordance with the Council's adopted SPG, house conversions to bedsits or self-contained apartments have a maximum off-street parking requirement of 1 space per bedroom, plus 1 space per 5 units for visitors, resulting in a total maximum requirement of 10 spaces. There are two spaces proposed, which would result in a shortfall of 8 spaces and gives cause for concerns, particularly when considering the substantial on-street parking demand in Treforest.

However, there is scope for a further 3 spaces to be provided within the site curtilage, served off the un-adopted lane to the east of the site, which would reduce the shortfall in spaces to 5. This can be secured via a suitably worded planning condition.

Furthermore, on the basis that the proposed development has regulated on-street parking provision, is located in a sustainable location and is within walking distance of the University of South Wales, the shortfall of 5 spaces would, on balance, be considered acceptable.

It is also noted that the planning statement advises that secure storage for 8 cycles is also proposed, although the layout plan indicates 6. It is recommended that this be secured via a suitably worded planning condition.

Taking the above comments into consideration, the proposal is considered to be acceptable in terms of the impact it would have on highway safety in the vicinity of the site and the application would therefore comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan in this regard.

Visual Amenity

The proposal would involve the construction of a two-storey extension at the rear of the building. The extension is considered to be modest in terms of its scale and, given that it would be externally finished with appropriate matching materials, it would not form an overly prominent addition to the surrounding area.

As such, the proposal is considered to be acceptable in terms of the impact it would have on the character and appearance of the application property and the wider area and the application would therefore comply with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan in this regard.

Public Health

The Council's Public Health & Protection Section have raised no objections 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 issues relating to hours of operation, 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.

The Public Health & Protection Section also noted that should planning permission be granted, the conversion works would have to be carried out in accordance with relevant, current Building Regulations, otherwise the building would fall into the definition of Section 257 of the Housing Act 2004 and would require separate licensing by the Council as a house in multiple occupation (HMO).

Other Issues:

Community Infrastructure Levy 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.

Conclusion

The change of use of the properties from residential dwellings to a number of self-contained flats is generally considered to be acceptable. Furthermore, whilst an intensification of use may occur which could result in some additional impact upon the amenity standards currently enjoyed by surrounding residents, it is considered any additional impact would be minimal and not harmful enough to warrant the refusal of the application. Whilst there is some concern in respect of the shortfall in off-street parking provision within the site, this can be addressed through the imposition of a planning condition and, subsequently, it is not considered that the proposed conversion would have a significant impact upon highway and pedestrian safety in the vicinity of the site.

In terms of the level and quality of accommodation proposed, a two-storey extension would be constructed at the rear to facilitate flats with a larger floor area than those previously refused under planning application ref. 18/1260. The two smallest units would have a greater floor area than the figure stated in Licensing of Houses in Multiple Occupation: A Landlords Guide to Standards in HMOs (2019) and, as such, it is considered that the scheme has been sufficiently amended and the reason for the previous refusal has been overcome.

RECOMMENDATION: APPROVE, SUBJECT TO 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 and documents received by the Local Planning Authority on unless otherwise to be approved and superseded by details required by any other condition attached to this consent:
 - Drawing No. AL (90)00: Site Location Plan;
 - Drawing No. AL(90)01: Proposed Layout;
 - Drawing No. AL (99)01: Proposed Floor Plans;
 - Drawing No. AL (99)02: Proposed Elevations.

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

3. Notwithstanding the submitted plans, development shall not commence until details providing for an additional 3 no. parking spaces within the site curtilage have been submitted to an approved in writing by the Local Planning Authority. The approved details shall be implemented prior to beneficial use of the development.

Reason: To ensure that vehicles are parked off the public highway, in the interests of highway safety, in accordance with PolicyAW5 of the Rhondda Cynon Taf Local Development Plan.

4. Notwithstanding the submitted plans, development shall not commence until details providing for the secure storage of 8 cycles have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to beneficial use of the development.

Reason: To encourage a sustainable mode of travel, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

5. The parking spaces indicated on submitted drawing no. AL(90)01 shall be laid out on site in permanent materials prior to beneficial occupation. The spaces shall remain for the purpose of the parking of vehicles only.

Reason: To ensure that vehicles are parked off the public highway, in the interests of highway safety, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

6. Prior to any works of conversion, a scheme shall be submitted to, and approved in writing by, the Local Planning Authority setting out how the

record of student tenants within the flats will be kept. It shall include (as a minimum) the name of the student, the number of the flat being occupied and the course of study being undertaken at the University.

The record shall be made available to the Local Planning Authority for inspection at all reasonable times and retained for a period of one year after the student has vacated the property.

The development hereby permitted shall not be used or occupied for any purpose other than as Student Accommodation.

Reason: To ensure compliance with the approved plans and documents and to enable the Local Planning Authority to verify (with the University) the tenancy of the flats.

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PLANNING & DEVELOPMENT COMMITTEE

23 JANUARY 2020

INFORMATION FOR MEMBERS, PERTAINING TO ACTION TAKEN

UNDER DELEGATED POWERS

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

1. PURPOSE OF THE REPORT

To inform Members of the following, for the period 06/12/19 – 10/01/20

Planning and Enforcement Appeals Decisions Received.
Delegated Decisions Approvals and Refusals with reasons.
Overview of Enforcement Cases.
Enforcement Delegated Decisions.

2. RECOMMENDATION

That Members note the information.

LOCAL GOVERNMENT ACT 1972

as amended by

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

LIST OF BACKGROUND PAPERS

PLANNING & DEVELOPMENT COMMITTEE

23 JANUARY 2020

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

REPORT

**INFORMATION FOR MEMBERS,
PERTAINING TO ACTION TAKEN
UNDER DELEGATED POWERS**

OFFICER TO CONTACT

**Mr. J. Bailey
(Tel: 01443 281132)**

See Relevant Application File

Report for Development Control Planning Committee

Hirwaun

- 19/0165/15** Decision Date: 19/12/2019
Proposal: Variation of Condition 1 (time limit) to extend the date of commencement of planning permission ref 14/0600 for the demolition of the former Hirwaun Health Centre and erection of 5 no. 4 bedroom detached houses and
Location: FAIRLEAP HOUSE, BRECON ROAD, HIRWAUN, ABERDARE, CF44 9NS
-

- 19/1169/10** Decision Date: 10/12/2019
Proposal: Single storey lean-to extension to side, extension to conservatory and flat roof dormer to rear.
Location: 1 MEADOW LANE, HIRWAUN, ABERDARE, CF44 9PU
-

Penywaun

- 19/1121/10** Decision Date: 11/12/2019
Proposal: Concrete ramps to front access of the property.
Location: 3 BRODAWEL, PENYWAUN, ABERDARE, CF44 9BL
-

Aberdare West/Llwydcoed

- 19/1030/10** Decision Date: 09/12/2019
Proposal: detached dwelling house with integral garage off private drive.
Location: PLOT 3, PLAS NEWYDD ISA, MERTHYR ROAD, LLWYDCOED, ABERDARE, CF44 0YP.
-

- 19/5143/41** Decision Date: 19/12/2019
Proposal: Proposed Attic Conversion and 'Granny Flat'
Location: 2 ROWAN COURT, CWMDARE, ABERDARE, CF44 8HB
-

Aberdare East

- 19/1111/01** Decision Date: 10/12/2019
Proposal: Installation of 4 no. digital freestanding signs and 1 no. 15" digital booth screen.
Location: MCDONALDS RESTAURANT, DEPOT ROAD, GADLYS, ABERDARE, CF44 8DL
-

- 19/1182/01** Decision Date: 09/12/2019
Proposal: Reduction of existing fascia signage, inclusion of illuminated fascia signage & illuminated flag mounted wall signs, replacement of existing directional LED lighting with goose neck lamps.
Location: FAMILY SHOPPER, 1 CANON STREET, ABERDARE, CF44 7AT
-

Cwmbach

- 19/0883/10** Decision Date: 12/12/2019
Proposal: Two storey side extension (amended plans received 07/11/2019).
Location: 58 MAESHYFRYD, CWMBACH, ABERDARE, CF44 0DN
-

Report for Development Control Planning Committee

Mountain Ash East

19/1142/10 Decision Date: 19/12/2019
Proposal: Two storey extension.
Location: 7 MIDDLE ROW, CWMPENNAR, MOUNTAIN ASH, CF45 4DN

Abercynon

19/1175/10 Decision Date: 23/12/2019
Proposal: Extension to rear, side and front elevations.
Location: 7 SPRINGFIELD DRIVE, ABERCYNON, MOUNTAIN ASH, CF45 4UB

Ynysybwl

19/1097/10 Decision Date: 13/12/2019
Proposal: Change of use of garage into beauty treatment room.
Location: 31 HAFAN HEULOG, YNYSYBWL, PONTYPRIDD, CF37 3JJ

19/1196/10 Decision Date: 10/01/2020
Proposal: Rear dormer & balcony rooflight.
Location: 129 ROBERT STREET, YNYSYBWL, PONTYPRIDD, CF37 3EB

Aberaman North

19/1205/10 Decision Date: 17/12/2019
Proposal: Subdivision of property into three separate units to comprise: showroom (no. 325), workshop (no.325a) and café (no.326), with amendment to previously approved changes to shopfront fenestration (18/0175/10)
Location: 325/326 CARDIFF ROAD, ABERAMAN, ABERDARE, CF44 6UU

Treorchy

19/1096/10 Decision Date: 06/12/2019
Proposal: Ground floor rear extension
Location: 21 ILLTYD STREET, TREORCHY, CF42 6NW

19/1118/10 Decision Date: 08/01/2020
Proposal: Two-storey rear extension and outbuilding to rear curtilage. (Amended: 06/12/2019)
Location: 31 TROEDYRHIW TERRACE, TREORCHY, CF42 6PG

19/1120/10 Decision Date: 06/12/2019
Proposal: Three lock-up garages & three containers.
Location: LAND TO THE REAR OF 42 - 46 YNYSWEN ROAD, YNYSWEN, TREHERBERT, TREORCHY, CF42 6EE

Report for Development Control Planning Committee

Pentre

19/1102/01 Decision Date: 06/12/2019
Proposal: Removal of existing 48 sheet advertising billboard and replacement with a 48 sheet advert to support a digital poster (D-poster).
Location: LAND AT 15 YSTRAD ROAD, PENTRE, CF41 7PH

Cwm Clydach

19/1132/10 Decision Date: 19/12/2019
Proposal: Two storey detached garage with workshop/hobby room.
Location: LAND ADJACENT TO ADAMS STREET, CLYDACH, TONYPANDY

Tonypandy

19/0786/10 Decision Date: 06/01/2020
Proposal: Conversion of three-story house and ground floor shop to 4 number self-contained flats (FCA received 20th November 2019).
Location: 7 LLWYNPIA ROAD, TONYPANDY, CF40 2EL

Trealaw

19/1134/10 Decision Date: 13/12/2019
Proposal: Alterations to platform and stairs to rear. (Reduction in width).
Location: 77 NEW CENTURY STREET, TREALAW, TONYPANDY, CF40 2PG

Porth

19/1131/09 Decision Date: 19/12/2019
Proposal: Car park.
Location: CAR PARK BETWEEN HANNAH STREET AND PONTYPRIDD ROAD, PORTH, CF39 9PH.

Cymmer

19/1153/10 Decision Date: 09/01/2020
Proposal: Two-storey rear extension.
Location: 8 RICKARDS STREET, GLYNFACH, PORTH, CF39 9LL

Ferndale

19/1128/10 Decision Date: 16/12/2019
Proposal: Two storey rear extension.
Location: 95 TAFF STREET, FERNDALE, CF43 4NG

Report for Development Control Planning Committee

Maerdy

19/1126/10 Decision Date: 20/12/2019
Proposal: Erection of ground floor rear extension, outbuilding and front porch.
Location: 5 SPRINGFIELD ROAD, MAERDY, FERNDALE, CF43 4BW

Town (Pontypridd)

19/0906/10 Decision Date: 08/01/2020
Proposal: First floor rear extension and front and rear dormer extensions (amended plan received 13/11/2019).
Location: 1 WHITEROCK CLOSE, GRAIGWEN, PONTYPRIDD, CF37 2EN

Rhondda

19/0827/15 Decision Date: 11/12/2019
Proposal: Variation of Condition 1 of previously approved planning application 14/1272/10, (construction of three-storey detached dwelling) to extend time for commencement of works for a further 5 years.
Location: LAND ADJACENT TO 42 PANTYGRAIGWEN ROAD, PANTYGRAIG-WEN, PONTYPRIDD, CF37 2RS

19/1197/10 Decision Date: 06/01/2020
Proposal: Single storey rear extension with roof terrace.
Location: 39 PANTYGRAIGWEN ROAD, PANTYGRAIG-WEN, PONTYPRIDD, CF37 2RR

Hawthorn

19/1105/10 Decision Date: 18/12/2019
Proposal: Proposed change of use from D1 floorspace to 1 no. two-bedroom and 1 no. one-bedroom apartment and associated refurbishment works.
Location: UNIT A, LIBRARY COURT, POPLAR ROAD, RHYDYFELIN, PONTYPRIDD, CF37 5LX

19/1163/10 Decision Date: 20/12/2019
Proposal: Two storey rear extension.
Location: 21 LAUREL AVENUE, HAWTHORN, PONTYPRIDD, CF37 5AU

Ffynon Taf

19/0898/10 Decision Date: 09/01/2020
Proposal: Proposed two storey side extension and change of use of land to extend garden curtilage.
Location: 34 TY RHIW, TAFFS WELL, CARDIFF, CF15 7RX

19/1264/30 Decision Date: 06/01/2020
Proposal: Steel portal-framed building.
Location: CRAIG YR ALLT FARM, UPLANDS, NANTGARW, TAFFS WELL, CAERPHILLY, CF83 1NF

Report for Development Control Planning Committee

Llantwit Fardre

19/0959/10 Decision Date: 19/12/2019
Proposal: Proposed front & rear extensions, conversion of garage into habitable room, raising of existing roof ridge height (amended plans and description received 05/11/19).
Location: 41 CLOS CEFN GLAS, LLANTWIT FARDRE, PONTYPRIDD, CF38 2BS

19/1073/10 Decision Date: 23/12/2019
Proposal: Double storey rear extension. (Amended Plans Received 02/12/19)
Location: 20 ALDER GROVE, LLANTWIT FARDRE, PONTYPRIDD, CF38 2JX

19/1147/10 Decision Date: 07/01/2020
Proposal: Change of use from bus and coach depot to enclosed self storage area.
Location: UNIT 10 EDWARDS COACHES, NEWTOWN INDUSTRIAL ESTATE, LLANTWIT FARDRE, PONTYPRIDD, CF38 2EE

19/1202/09 Decision Date: 19/12/2019
Proposal: Certificate of lawful development for a proposed single storey rear extension.
Location: 42 CLOS CEFN GLAS, LLANTWIT FARDRE, PONTYPRIDD, CF38 2BS

Church Village

19/1123/10 Decision Date: 16/12/2019
Proposal: Two storey rear extension.
Location: TYLAGWYN, MAIN ROAD, CHURCH VILLAGE, PONTYPRIDD, CF38 1RL

19/1164/10 Decision Date: 12/12/2019
Proposal: Demolition of conservatory, replacement single storey extension.
Location: 16 MEADOW BROOK, CHURCH VILLAGE, PONTYPRIDD, CF38 1DJ

19/5141/41 Decision Date: 20/12/2019
Proposal: Replacement of existing farmhouse with new 4 bedroom detached dwelling
Location: TYR PERSON FARM, CHURCH VILLAGE, PONTYPRIDD, CF38 1EF

Tonteg

18/0720/10 Decision Date: 19/12/2019
Proposal: Re-profiling of garden, new walls to front, side and rear and new boundary fencing (retrospective).
Location: BRYNDERWEN, TIR-Y-GRAIG, TONTEG, PONTYPRIDD, CF38 1LJ

19/0926/09 Decision Date: 09/01/2020
Proposal: Proposed garage conversion to accommodation.
Location: CARE HOME, 21 TOWYN WAY, TONTEG, PONTYPRIDD, CF38 1NB

Report for Development Control Planning Committee

Gilfach Goch

19/1119/10 Decision Date: 20/12/2019
Proposal: Proposed dwelling and detached double garage.

Location: LAND NORTH OF 3 & 4 ROSEHILL TERRACE, GILFACH GOCH

Tonyrefail West

19/0810/10 Decision Date: 02/01/2020
Proposal: Ground floor front extension

Location: 36 CEDARWOOD DRIVE, MOUNTAIN VIEW, TONYREFAIL, PORTH, CF39 8JB

19/1139/10 Decision Date: 20/12/2019
Proposal: Attached garage to northern side elevation

Location: 25 HEOL DINAS ISAF, WILLIAMSTOWN, TONYPANDY, CF40 1NG

Tonyrefail East

19/1094/10 Decision Date: 19/12/2019
Proposal: Detached garage with flat roof.

Location: LAND ADJACENT TO 14 COLLENNA ROAD, TONYREFAIL, PORTH, CF39 8EL

19/1195/10 Decision Date: 07/01/2020
Proposal: 2 storey extension with garage.

Location: 32 THE MEADOWS, COEDEL, TONYREFAIL, PORTH, CF39 8BS

Ty'n y Nant

19/0910/10 Decision Date: 09/12/2019
Proposal: Two storey side extension with vehicular access from side of property. (Amended Plans and description 07/11/19)

Location: 39 FAIRVIEW, BEDDAU, PONTYPRIDD, CF38 2DE

Report for Development Control Planning Committee

Town (Llantrisant)

19/0640/10 Decision Date: 08/01/2020
Proposal: Demolition of existing garage and replace with a new garage.
Location: 12 ST DAVID'S PLACE, LLANTRISANT, PONTYCLUN, CF72 8HA

19/1007/10 Decision Date: 09/12/2019
Proposal: Local Energy Centre, comprising combined heat & power and battery storage.
Location: ROYAL MINT, LLANTRISANT BUSINESS PARK, LLANTRISANT, PONTYCLUN, CF72 8YT

19/1106/10 Decision Date: 13/12/2019
Proposal: Ground floor rear extension
Location: TY LAFANT, 7 LONGACRE CLOSE, LLANTRISANT, PONTYCLUN, CF72 8DS

19/1178/10 Decision Date: 18/12/2019
Proposal: First floor side extension.
Location: 2 HIGHDALE CLOSE, LLANTRISANT, PONTYCLUN, CF72 8QE

Talbot Green

19/1144/01 Decision Date: 18/12/2019
Proposal: Installation of 4 new digital freestanding signs and 1no 15" digital booth screen.
Location: MCDONALDS RESTAURANT, GLAMORGAN VALE RETAIL PARK, TALBOT GREEN, PONTYCLUN, CF72 8RP

19/1218/10 Decision Date: 08/01/2020
Proposal: Ground floor extension to northern side elevation.
Location: NEWLAND, 44 DANYGRAIG DRIVE, TALBOT GREEN, PONTYCLUN, CF72 8AQ

Pontyclun

19/1179/19 Decision Date: 09/01/2020
Proposal: Tree works to group TPO (6, 1976) including general maintenance, major maintenance and fell / remove.
Location: PANTYQUESTA HOUSE, HENSOL ROAD, MISKIN, PONTYCLUN, CF72 8JU

Llanharry

19/1107/09 Decision Date: 10/01/2020
Proposal: Single storey extension.
Location: 2 SGUBOR GOCH, LLANHARRY, PONTYCLUN, CF72 9NF

Report for Development Control Planning Committee

Llanharan

19/0725/10 Decision Date: 10/12/2019
Proposal: Single storey side (southern) extension with dormer to side elevation. (Amended 22/10/19).
Location: TY UCHAF, MYNYDD COEDBYCHAN ROAD, BRYNHEULOG, BRYNNA, PONTYCLUN, CF72 9QS

19/0988/10 Decision Date: 08/01/2020
Proposal: Change of use of area to rear of the site to form a car park.
Location: WELSH BLOOD SERVICE, GWAUN ELAI INDUSTRIAL ESTATE, LLANTRISANT, PONTYCLUN, CF72 9WB

Brynna

19/0961/10 Decision Date: 02/01/2020
Proposal: Replace flat garage roof with pitched roof (Retrospective).
Location: 62 HILLCREST, BRYNNA, PONTYCLUN, CF72 9SL

19/1203/10 Decision Date: 07/01/2020
Proposal: Rear single storey extension.
Location: 22 ST ILID'S MEADOW, LLANHARAN, PONTYCLUN, CF72 9FX

Total Number of Delegated decisions is 58

Aberdare West/Llwydcoed

19/1040/10 Decision Date: 09/12/2019

Proposal: Demolish existing garage, erect a 2 bed dwelling (amended plans received 05/11/19)

Location: 2 PEN Y LAN, LLWYDCOED ROAD, LLWYDCOED, ABERDARE, CF44 0TN

Reason: 1 The proposed development, by virtue of its siting, scale and design would result in a visually incongruous dwelling, poorly related to the surrounding settlement pattern and would have an adverse impact upon the character and appearance of the area. The proposal is therefore considered to be contrary to Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

Reason: 3 The proposed development will lead to reversing movements to and from Llwydcoed Road (B4276) with sub-standard visibility to the detriment of safety of all highway users and free flow of traffic. The development would therefore be contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan and the Council's Supplementary Planning Guidance for Access, Circulation and Parking Requirements.

Reason: 2 By virtue of its siting, scale and design the proposed development is considered to have a significant detrimental impact upon the amenity and outlook of neighbouring residents. The development would therefore be contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Reason: 4 The proposed development removes a car parking space and turning area currently available for the existing dwelling resulting in reversing movements and on-street car parking along Llwydcoed Road (B4276) to the detriment of safety of all highway users and free flow of traffic. The development would therefore be contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan and the Council's Supplementary Planning Guidance for Access, Circulation and Parking Requirements.

Ystrad

19/0864/10 Decision Date: 23/12/2019

Proposal: Convert existing lower ground floor/garage to a 3 bed flat.

Location: 78A WILLIAM STREET, YSTRAD, PENTRE, CF41 7QY

Reason: 1 The proposed residential use, in the form of an additional self-contained flat within the basement of an existing terraced property, is considered to represent an inappropriate conversion that would result in the creation of poor quality living accommodation, contrary to Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan and Supplementary Planning Guidance: Development of Flats – Conversions and New Build.

The proposed development removes the existing off-street car parking provision and increases the existing demand in an area where there is already considerable demand for on-street space leading to unacceptable highway and pedestrian safety concerns to the detriment of safety of all highway and free flow of traffic, contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Report for Development Control Planning Committee

Llanharan

19/1138/13 Decision Date: 17/12/2019

Proposal: Erection of 1 x 3 bed dwelling (Outline).

Location: TY CELYN, COEDCAE LANE, TALBOT GREEN, PONTYCLUN, CF72 9HJ

Reason: 1 By virtue of its location within a designated C2 Flood Zone, the proposed development is at risk of flooding and is considered to be contrary to TAN 15 of Planning Policy Wales and Policies AW2 and AW10 of the Local Development Plan, and is therefore unacceptable in principle.

Reason: 2 The proposed access off Industrial Estate Road is considered unacceptable to serve a residential dwelling and vehicular and pedestrian movements associated with the residential dwelling would be severely compromised by Industrial Estate HGV movements to the detriment of safety of all highway users and free flow of traffic. Therefore, the development would be contrary to Policy AW5 of the Local Development Plan and the Council's Supplementary Planning Guidance for Access, Circulation and Parking Requirements.

Reason: 3 Due to the minor scale of the application site and the proximity of any dwelling to the existing, adjacent dwellings, the construction of a residential dwelling at the site would inevitably result in having an unacceptable impact on both the character and appearance of the area and residential amenity and privacy of neighbouring properties and would therefore not comply with Policies AW5 and AW6 of the Local Development Plan.

Total Number of Delegated decisions is 3