



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 Daniel - Gwasanaethau Democrataidd (01443 424103)

Bydd cyfarfod rhithwir y pwyllgor cynllunio a datblygu yn cael ei gynnal ar **DYDD IAU, 16EG GORFFENNAF, 2020** am **3.00 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, 14 GORFFENNAF 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 agendwm 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 o gyfarfod y Pwyllgor Cynllunio a Datblygu a gynhaliwyd ar 11 Mehefin 2020 yn rhai cywir.

7 - 10

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

5. CAIS RHIF: 18/0880

Newid defnydd llawr cyntaf ac ail lawr yr eiddo, o hen neuadd snwcer (Dosbarth D2) i 22 o fflatiau hunan-gynhaliol preswyl i fyfyrwyr (Sui Generis) a gwaith cysylltiedig (Derbyniwyd disgrifiad diwygiedig ar 03/10/2016) (Caniatâd Adeilad Rhestredig). (Derbyniwyd Asesiad o'r Effaith ar Dreftadaeth Diwygiedig ar 12/07/2019)
1 STRYD FOTHERGILL, TREFFOREST, Pontypridd, CF37 1SG.

11 - 24

6. CAIS RHIF: 18/0886

Newid defnydd llawr cyntaf ac ail lawr yr eiddo, o hen neuadd snwcer (Dosbarth D2) i 22 o fflatiau hunan-gynhaliol preswyl i fyfyrwyr (Sui Generis) a gwaith cysylltiedig.
1 STRYD FOTHERGILL, TREFFOREST, Pontypridd, CF37 1SG.

25 - 44

7. CAIS RHIF: 19/0323

Cais i gydymffurfio ag Amod 8 o Ganiatâd Cynllunio 13/0466/15 (a gymeradwywyd yn yr apêl APP/L6940/A/14/2212351) i ddarparu cynllun adfer diwygiedig a oedd wedi'i gymeradwyo'n flaenorol o dan Ganiatâd Cydymffurfio ag Amod 17/0525) (Disgrifiad diwygiedig - 10 Ebrill 2019) (Derbyniwyd gwybodaeth ychwanegol ar 04/09/2019) **(Derbyniwyd gwybodaeth ychwanegol ar 29/04/20)**
PEN RHEILFFORDD GLOFA'R TŴR, FFORDD MYNYDD Y RHIGOS,
Y RHIGOS, HIRWAUN, ABERDÂR, CF44 9UF.

45 - 54

8. CAIS RHIF: 19/1245

Datblygiad o 25 o dai fforddiadwy a gwaith cysylltiedig (Derbyniwyd Nodyn Technegol Polisi Cynllunio; Atodiad Asesiad Trafnidiaeth; Ymchwiliad Safle; Cynllun Rheoli Ecolegol; Diwygio'r Ffin; a chynlluniau diwygiedig eraill i adlewyrchu'r newidiadau o ran arafu traffig/mynedfa'r safle ar 30 Ionawr 2020)
TIR I'R GOGLEDD O HEOL BRYNNA, BRYNNA.

55 - 86

9. CAIS RHIF: 20/0309

Datblygiad tai fforddiadwy arfaethedig (9 o fflatiau). (Derbyniwyd cynlluniau diwygiedig, sy'n gostwng uchder y rhandy yn y cefn ar 3 Mehefin 2020).
SWYDDFA DDOSBARTHU'R POST BRENHINOL - TREORCI, 22-23 Y STRYD FAWR, TREORCI, CF42 6NP.

87 - 100

10. CAIS RHIF: 20/0348

Troi hen Gapel ac Ystafell Ddosbarth yn 1 x fflat ag un llofft a 4 x fflat â dwy lofft (ailymgyngori yn dilyn cywiro'r cyfeiriad)
CAPEL NODDFA, Y STRYD FAWR, YNYS-Y-BŴL, PONTYPRIDD.

101 - 110

**ARGYMHELLION I'W GWRTHOD GAN Y CYFARWYDDWR MATERION
FFYNIANT A DATBLYGU**

11. CAIS RHIF: 20/0146

Gofod parcio i gwsmeriaid a derbynfa ar y llawr cyntaf (Derbyniwyd cynlluniau diwygiedig ar 29/5/2020).
TŶ YSGOL BLAEN-CWM, HEOL HENDRE-WEN, BLAEN-CWM,
TREHERBERT, CF42 5DR.

111 - 118

CEISIADAU WEDI'U GOHIRIO

12. CAIS RHIF: 19/0882

Ffermdy dros dro, cabanau gwerysyla moethus, storfa a gwaith datblygu cysylltiedig (Derbyniwyd y cynllun safle diwygiedig, disgrifiad o'r cabanau gwerysyla moethus a'r storfa a'r newidiadau o ran eu lleoliad ar 10 ac 16 Mawrth 2020)
FFERM FERNHILL, STRYD CAROLINE, BLAENRHONDDA, CF42 5RY

119 - 148

ARCHWILIAD O'R SAFLE

13. CAIS RHIF: 19/0829

Trosi eglwys yn 8 fflat (derbyniwyd cynllun parcio diwygiedig ar 06/12/2019)
EGLWYS SAESNEG BEDYDDWYR CALFARI, TERAS Y CLOGWYN,
TREFFOREST, PONTYPRIDD

149 - 162

14. CAIS RHIF: 20/0006

Adeiladu annedd ar wahân, sawl haen ac iddi dair ystafell wely.
TIR YN NHERAS GLANFFRWD, YNYS-Y-BŴL, PONTYPRIDD, CF37
3LW

163 - 176

15. CAIS RHIF: 20/0006

Amrywio'r diwygiadau i amod 2 o'r cynlluniau sydd wedi'u cymeradwyo (cais blaenorol - 15/1007/10) er mwyn symud tŷ a man parcio. (Derbyniwyd CMRA ar 7 Mawrth 2020)
Tir gyferbyn â Stryd Jestyn, y Porth.

177 - 188

ADRODDIAD ER GWYBODAETH

16. 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 22/06/20 – 03/07/20.

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

17. 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 W Owen,
Y Cynghorydd R Yeo, Y Cynghorydd D Williams ac Y Cynghorydd S Powderhill

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, 11 Mehefin 2020 am 3.00 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 P Jarman Y Cyngorydd D Grehan
Y Cyngorydd G Hughes Y Cyngorydd J Williams
Y Cyngorydd W Owen Y Cyngorydd R Yeo
Y Cyngorydd D Williams Y Cyngorydd S Powderhill

Swyddogion oedd yn bresennol

Mr C Hanagan, Cyfarwyddwr Gwasanaeth y Gwasanaethau Democraidd a Chyfathrebu
Mr S Gale, Cyfarwyddwr Materion Ffyniant a Datblygu
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

Y Cyngorwyr Bwrdeistref Sirol eraill oedd yn bresennol

Y Cyngorydd R Bevan

Y Cyngorydd A Roberts

203 DATGAN BUDDIANT

Yn unol â Chod Ymddygiad y Cyngor, doedd dim datganiadau o fuddiant ynglŷn â'r agenda.

204 DEDDF HAWLIAU DYNOL 1998 A PHENDERFYNIADAU RHEOLI DATBLYGU

PENDERFYNWYD 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.

205 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 hwythau.

206 COFNODION

PENDERFYNWYD cadarnhau'r cofnodion o gyfarfod y Pwyllgor Cynllunio a Datblygu a gynhaliwyd ar 6 Chwefror, 2020 yn rhai cywir.

207 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.

208 CAIS RHIF: 19/1214

ESTYNIAD LLAWR CYNTAF Y TU CEFN I'R EIDDO, 16 STRYD LLYWELLYN, HENDREFORGAN, Y GILFACH-GOCH, PORTH

Cyflwynodd Reolwr Materion Rheoli Datblygu'r cais a gafodd ei gyflwyno'n wreiddiol i'r Pwyllgor ar 5 Mawrth, 2020, lle'r oedd yr Aelodau o blaid cymeradwyo'r cais, yn groes i argymhelliad swyddog y Cyfarwyddwr Gwasanaeth – Materion Cynllunio (Mae Cofnod 194 yn cyfeirio at hyn).

Rhoddodd yr Aelodau ystyriaeth i'r adroddiad pellach, gan dynnu sylw at gryfderau a gwendidau posibl cymeradwyo'r cais yn groes i argymhelliad y swyddogion ac yn dilyn trafodaeth, **PENDERFYNWYD** cymeradwyo'r cais yn groes i argymhelliad y Cyfarwyddwr Gwasanaeth - Materion Datblygu, oherwydd bod Aelodau o'r farn na fyddai'r cais yn cael effaith sylweddol ar naill ai amwynder gweledol yr ardal ehangach nag amwynder neu breifatrwydd preswyl yr eiddo cyfagos.

(NODWCH: Ni chymerodd Cynghorydd y Fwrdeistref Sirol D. Williams ran yn y bleidlais gan nad oedd yn bresennol ar gyfer y ddadl gyfan)

209 CAIS RHIF: 19/1235

Adeiladu annedd 3 ystafell wely. (Derbyniwyd cynllun safle diwygiedig 31/03/2020). Y TIR TU ÔL I RIF. 37 - 47 HEOL DEWI, BRYNNA, CF72 9SQ

Darllenodd Pennaeth y Gwasanaeth Cynllunio gynnwys dau lythyr a gafodd eu cyflwyno yn erbyn y cais.

Cyflwynodd Pennaeth y Gwasanaeth Cynllunio'r cais i'r Pwyllgor ac yn dilyn trafodaeth **PENDERFYNWYD** cymeradwyo'r cais yn unol ag argymhelliad Cyfarwyddwr Gwasanaeth y Gwasanaeth Cynllunio, yn amodol ar ddiwygio Amod 4 er mwyn gofyn am sgrîn breifatrwydd ar hyd ochr y teras ben to sy'n wynebu'r gorllewin.

210 CAIS RHIF: 19/1236

Cais amlinellol ar gyfer 5 plot hunanadeiladu gyda phob mater wedi'i gadw. TERAS SION, HEOL TIRFOUNDER, CWM-BACH, ABERDÂR

Cyflwynodd Pennaeth Datblygu Mawr a Buddsoddi y cais i'r Pwyllgor gan dynnu sylw'r Aelodau at y geiriad sydd wedi'i ddiwygio ar gyfer Cytundeb Adran 106 fel sydd wedi'i nodi yn yr adroddiad. Cafodd Aelodau wybod na fyddai'r gofyniad i ddiddymu'r caniatâd cynllunio blaenorol yn cael ei gynnwys. Yn dilyn trafodaeth, **PENDERFYNWYD** cymeradwyo'r cais yn amodol ar Gytundeb Adran 106 ar gyfer y canlynol:

- Gwarchod natur - cytuno ar gynllun rheoli man agored cyhoeddus sy'n cynnwys gwaith sefydlu, dylunio a phennu trefniadau rheoli ardaloedd lliniaru ecolegol yn y tymor hir.

211 CAIS RHIF: 20/0048

Cynllun arfaethedig i drosi atig a 'fflat mam-gu' (Derbyniwyd cynlluniau diwygiedig ar 03/03/2020). 2 LLYS Y CERDIN, CWMDÂR, ABERDÂR, CF44 8HB

Cyflwynodd Pennaeth Materion Cynllunio y cais i'r Pwyllgor. Ar ôl trafod y cais, **PENDERFYNWYD** cymeradwyo'r cais yn unol ag argymhelliad y Cyfarwyddwr Materion Ffyniant a Datblygu.

212 CAIS RHIF: 20/0110

Amrywio amod 2 o'r cynlluniau wedi'u cymeradwyo (cais blaenorol 15/1007/10) er mwyn symud y tŷ a'r dreif. (Derbyniwyd CMRA ar 7 Mawrth 2020) Y TIR CYFERBYN Â 22 STRYD JESTYN, PORTH, CF39 0DN.

Cyflwynodd Pennaeth y Gwasanaethau Cynllunio fanylion yr amrywiad arfaethedig i amod 2 i'r Pwyllgor, a thrafododd Rheolwr Materion Rheoli Datblygu'r Priffyrdd y cais a'r rhesymau ar gyfer yr argymhelliad fel sydd wedi'u nodi yn yr adroddiad.

Nododd yr Aelod o'r Pwyllgor, a'r Aelod Lleol, y Cynghorydd J.Williams ei phryderon am broblemau posibl mewn perthynas â pharcio a allai codi o ganlyniad i'r datblygiad a'r effaith ar eiddo cyfagos.

Yn dilyn trafodaeth, **PENDERFYNWYD** gohirio'r cais er mwyn cynnal ymweliad safle gan y Pwyllgor Cynllunio a Datblygu i ystyried yr effaith negyddol bosibl y gallai'r amrywiad i amod 2 ei chael ar yr eiddo cyfagos a phroblemau ar y priffyrdd mewn perthynas â pharcio.

213 CAIS RHIF: 20/0247

Estyniad un llawr. 2 WESLEY COTTAGE, HEOL ABERDÂR. ABERCYNON, ABERPENNAR, CF45 4NP

Cyflwynodd Pennaeth Materion Cynllunio y cais i'r Pwyllgor. Ar ôl trafod y cais, **PENDERFYNWYD** cymeradwyo'r cais yn unol ag argymhelliad y Cyfarwyddwr Materion Ffyniant a Datblygu.

Daeth y cyfarfod i ben am 4.15 pm

**Y Cynghorydd S Rees
Cadeirydd.**

tudalen wag



RHONDDA CYNON TAF

PLANNING & DEVELOPMENT COMMITTEE

16 JULY 2020

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 18/0880/12 (BJW)
APPLICANT: Mr R Higgitt
DEVELOPMENT: Change of use of first and second floors of property from former snooker hall (Class D2) to 22 no. self-contained residential student flats (Sui Generis) and associated works (Amended description received 03/10/2016) (Listed Building Consent). (Amended Heritage Impact Assessment Received 12/07/2019)
LOCATION: 1 FOTHERGILL STREET, TREForest,
PONTYPRIDD, CF37 1SG
DATE REGISTERED: 03/10/2018
ELECTORAL DIVISION: Treforest

RECOMMENDATION: Approve, subject to conditions and to a favourable referral to Cadw.

REASONS: The application proposes the productive use of a currently under-used building to provide student accommodation within the area through the re-use of the upper floors.

The use of the upper floors will be achieved through internal alterations, including a mezzanine floor as well as external alterations, including the installation of dormers, the resizing of upper floor windows and the installation of a modern extension to house a management office and roof plant for the proposal.

The internal alterations, while regrettable, represent the best opportunity to bring this perennially disused and semi-derelict part of the building into productive use and for this reason it is considered that the alterations are, on-balance, acceptable, subject to conditions.

The use of this part of the property would be a sympathetic use of the upper floors of the building, which would retain its commercial uses at ground floor level. The proposal would also comply with the requirements of the Council's

Supplementary Planning Guidance (SPG) for the conversion of larger buildings for residential purposes.

The comments of the two responding historical societies are acknowledged. However, following an updating of the supporting details for the application to a Heritage Impact Assessment (HIA) on which the respondents have been re-consulted, no further comments have been offered. This is despite the additional details addressing the concerns that have been raised and offering comments and justification for the approach proposed.

The proposed development is therefore considered to comply with the relevant local and national planning policies in respect of the impact on the special architectural and historic merit of the Listed Building and the character and appearance of the Castle Square Conservation Area.

Consequently, it is considered that the proposal for the conversion of the upper floors of the building would, on balance, be justified in this instance and a recommendation to approve the application, subject to conditions, is offered.

REASON APPLICATION REPORTED TO COMMITTEE

The application for planning permission (18/0886/10) which this application accompanies is being reported to Committee as the planning proposal is not covered by determination powers delegated to the Service Director of Prosperity and Development. Consequently, as it is considered good practice to consider both applications at the same time, it is also considered prudent to report the Listed Building Consent element of the proposal to Members of the Planning and Development Committee.

APPLICATION DETAILS

Listed Building Consent is sought for the conversion of the first and second floors of the property from a former snooker hall (Class D2) to 22 no. self-contained residential student flats (Sui Generis). The details are the same as presented with the accompanying application for full planning permission (reference no 18/0886/10) and are included below for completeness.

The conversion would result in 22 no. self-contained studio flats, 11 no. at first floor level and 11 no. at second floor level. A small management office would also be located at second floor level and a bike store created at ground floor level beneath the access stairwell. Each unit would comprise a bedroom / living / kitchen area and separate en-suite bathroom, and would be occupied by 1 no. student.

The conversion would be facilitated mainly through internal alterations, however a number of external works are also proposed:

- Each of the existing windows at first floor level on both the properties front (eastern) and rear (western) facing elevations would be replaced with larger openings to suit the residential nature of the proposed use. A further new window opening would also be installed on the properties front elevation at first floor level to serve one of the proposed units. All new windows would be of grey uPVC.
- 6 no. dormer roof extensions would be installed to both the front and rear elevations to serve the new units. A single roof light would also be installed to the front to provide light to the main access stairwell. All new windows would be of grey uPVC.
- A modern grey standing seam extension would be sited above the existing terracotta entrance block to allow access to the second floor and to provide space for the management office. Grey uPVC windows would be located throughout.
- The external elevations would be subject of general refurbishment works including new through colour render throughout the main body of the building; replacement of slate roof tiles where required; and tidying up of the terracotta entrance façade.

The existing access off Fothergill Street (front) would be utilised as the facilities main entrance. A secondary access would be sited to the rear off Bridge Street where a communal refuse/recycling bin store area would be located.

As the building encompasses the whole plot there is currently no off-street parking at the property and none is proposed. However, as noted above, a secure cycle store would be provided within the building at ground floor level.

The following additional details are directly relevant to the planning application for the site and are included below for completeness.

The applicant has detailed that the units would be occupied solely by students attending the nearby University of South Wales (Treforest Campus) and that they would not be occupied as private rentals on the open housing market at any time. This is clarified by the description of the development, i.e. 'self-contained residential student flats' within the Sui Generis planning use class, rather than 'private residential units' that would fall within planning use class C3.

To ensure the facility is well maintained and occupants are respectful of the existing community, the applicant has submitted a management scheme with the application which comprises:

- 24 hour secure entry systems;
- 24 hour helpline for occupants to assist with any management or maintenance issues;
- Management programme of the cycle store and refuse/recycling areas;
- A programme of planning and reactive maintenance, supported by the 24 hour helpline, with high risk issues being dealt with as an emergency;

- Inspections of all student rooms at periodic intervals;
- Regular cleaning and landscaping of external areas;
- All necessary health and safety precautions;
- A condition of the tenancy that any occupiers cannot keep cars;
- Welcome pack and introductions.

The applicant has detailed that the existing halls of residence within the nearby University of South Wales (Treforest Campus) are only able to accommodate 1200 students and that they are at capacity (Members are advised however that no confirmation of this fact has been provided from the University in support of the application). Consequently, other than a small number of private off-campus halls of residence within the Treforest/Pontypridd area, the primary option for students unable to gain accommodation on-campus is through the use of former residential properties in the town that are now occupied as Houses of Multiple Occupation (HMO), which has caused well-documented local tensions. As such the applicant contends that the introduction of additional purpose built student accommodation at this property would go some way to alleviating both the capacity issues at the university and the overconcentration of HMOs in Treforest.

The property is Grade II Listed for both its internal and external architectural interest. As such this application forms the Listed Building Consent in support of the associated full planning application ref. 18/0886/10 which considers the wider impacts of the scheme.

The application is accompanied by a Heritage Impact Assessment (HIA) in support of the proposal, following a request to update the submitted Design, Access and Heritage Statement to comply with current legislation.

SITE APPRAISAL

The application property is a large and prominent commercial unit located at the junction of Fothergill Street and Bridge Street, Treforest. It is sited within a corner plot and occupies the whole site. As such the building is triangular in shape, widening from south to north and has no off-street parking provision. The site is also located within the Castle Square Conservation Area and is immediately adjacent to another Listed Building, Libanus Welsh Baptist Church, which is located to the north-west.

The property is three storeys in nature with the ground floor occupied by 4 no. retail units and a separate, self-contained access stairway to the upper floors. The access stairway is enclosed within a decorative, free classical style terracotta façade at the southern end of the building.

The retail units occupy the remainder of the ground floor each having modern glazed shopfronts on to Fothergill Street. Both the first and second floors were last lawfully occupied as a snooker hall, but at the time of the officer site visit were in use as a storage facility for an off-site antique dealership.

Full details of the listing, reference no. 24914, are included below:

Location

At the southern end of Fothergill Street, at its junction with Bridge Street.

History

Built in 1913 (date on building) as the Cecil Cinema, which closed in 1980. From 1975-80 it was also partly a bingo hall. It was converted to a snooker club in 1981, which involved levelling the original raked floor in the main auditorium and inserting a suspended ceiling below the original ceiling, which has survived.

Exterior

An early cinema with a free classical style entrance wing in terracotta and a taller and longer main range behind. The building occupies a corner site and so the entrance wing is triangular in plan, while the main range follows the line of Bridge Street on the rear (western) side. The eastern side has a single-window facet over no. 2 Fothergill Street and then a 5-window facet at an angle and set back behind nos. 3-5 Fothergill Street. The entrance wing has a roof concealed behind a parapet. The eastern elevation facing Fothergill Street has 2 segmental-headed doorways with keystones, of which the left hand side is blind and the right hand side has recessed double panelled doors. To the right is a single narrow window under a keystone, boarded up at the time of inspection. In the upper storey is a large recessed panel rendered white, within which are 2 oculi with keystones and large festoons, in which are pivoting small-pane windows. The outer sides have blank tablets with foliage drops. A moulded cornice is below the parapet and continues around the southern and western walls. The narrow southern end wall has an infilled upper storey window, formerly lighting the stair, with keystone and festoon. The western elevation facing Bridge Street is similar to the eastern, but has 3 small infilled windows with keystones at low level. Between the 2 oculi is a dated rainwater head. The main range has roughcast walls and slate roof with a single ridge ventilator. In the southern gable end, above the entrance wing, is a blind keyed oculus in terracotta surround. Facing Fothergill Street are 4-light mullioned and transomed windows. The 6-window Bridge Street (western) elevation has windows boarded up and an inserted escape door in the left hand side window. The northern gable end has a low projection with mono-pitch roof.

Interior

The entrance vestibule has a rich plaster ceiling with classical detail. The stair is in 2 flights and is V-shaped, with moulded wooden hand rail and steel balusters. The main auditorium has modern fittings concealing original detail. At the time of inspection the original segmental plaster vault was partly visible and has classical detail.

Listed

Listed for architectural interest as a pre-1914 cinema, an extremely rare survival in South Wales.

The site is located at the heart of the town's commercial centre and is therefore surrounded primarily by various commercial uses. It is noted however that a terraced row of residential dwellings is located directly to the rear (west).

PLANNING HISTORY

No previous planning applications have been submitted at this unit other than the current, associated planning application also before Members (ref. 18/0886/10).

Members are advised however that the 4 no. retail units at ground floor level have each been subject to numerous planning applications in the past, none of which are considered relevant to this case.

PUBLICITY

The application has been advertised by means of direct neighbour notification, site notices and a press notice. While two letters of objection have been received from members of the public and 1 no. from the local Member, in respect of the full planning application, no responses have been received to this application for Listed Building Consent.

CONSULTATION

The following groups were consulted and have offered no comments: The Royal Commission for Ancient and Historical Monuments in Wales; The society for the Protection of Ancient Buildings; The Twentieth Century Society and The Council for British Archaeology Wales/Cymru.

Georgian Group – no comments, defer to the Victorian Society.

Ancient Monuments Society (AMS) – The applicant's Design and Access Statement makes brief reference to Cadw's list description and states that it was 'noted in the 2001 listing that some segmental plaster detail ceiling was partially visible, however there are no such features now visible.' The list description explains that a suspended ceiling was inserted in 1981 and that the original ceiling has survived below it. Is this still in place and, if not, was it removed unlawfully?

Further information on the building's historic interior is given in the list description: 'The entrance vestibule has a rich plaster ceiling with classical detail. The stair is in 2 flights and is V-shaped, with moulded wooden hand rail and steel balusters. The main auditorium has modern fittings concealing original detail. At the time of inspection the original segmental plaster vault was partly visible and has classical detail.'

Cadw describes the building as an 'extremely rare survival in South Wales' but no detailed information about the architectural and historic interest of the Listed Building has been given by the applicant. We believe that a Heritage Statement is required to allow for a proper assessment of the case.

For the reasons given above, we object to the application as it currently stands. We would be happy to be consulted again, should the necessary information be made available.

Victorian Society (VS) - As this site was originally constructed as an early (pre-1914) cinema, it has been cited as an 'extremely rare survival in South Wales' by Cadw in their listing report.

The interior of the site is not mentioned at all in the Design, Access and Heritage Statement available on the Council's website, despite Cadw citing in their report of 2001 that the entrance vestibule had, 'a rich plaster ceiling with classical detail'.

The Design, Access and Heritage Statement claims, 'there are no such features now visible' but fails to evidence this claim with photographs. As the Ancient Monuments Society mentioned in their response to this consultation, is this ceiling still in place? The only photographs included in the Design, Access and Heritage Statement show the exterior of the site.

In order for the impact of the proposals on the significance of the Grade II Listed former cinema and its setting to be fully understood, it is essential that the Design, Access and Heritage Statement be extended to include a comprehensive assessment of the interior of the building and any surviving historic fabric.

We would respectfully remind you of your duty to ensure that any planning applications and/or change of use with the potential of impacting on the significance of a Listed Building be accompanied by a comprehensive heritage statement.

At present, the above proposal does not satisfy this requirement. As such we concur with our colleagues at the Ancient Monuments Society in objecting to these proposals in their current form.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site is a Grade II Listed Building, located within the settlement boundary for Treforest, the Castle Square, Treforest Conservation Area and the Treforest Local and Neighbourhood Centre.

olicy CS2 – sets out the criteria for development in the Southern Strategy Area.

Policy AW1 – sets out the criteria for new housing proposals within the Country Borough.

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 – identifies that proposals which impact upon sites of architectural or historic merit will only be permitted where it can be demonstrated that the proposal would preserve or enhance the character of the area.

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

Policy AW10 – does not permit proposals where they would cause or result in a risk of unacceptable harm to health and/or local amenity.

Policy SSA13 – sets out the criteria for the consideration of housing development proposals within settlement boundaries in the Southern Strategy Area.

Policy SSA16 – identifies the retail hierarchy for the Southern Strategy Area with Treforest being classed as a Local and Neighbourhood Centre.

Supplementary Planning Guidance

- Design and Placemaking;
- The Historic Built Environment;
- Design in Town Centres;
- Nature Conservation;
- Access, Circulation and Parking;
- Development of Flats.

National Guidance

In the determination of planning applications regard should also be given to the requirements of national planning policy which are not duplicated in the Local

Development Plan, particularly where national planning policy provides a more up to date and comprehensive policy on certain topics.

Welsh Government published Planning Policy Wales (Edition 10) on 5th December 2018. The document aims to incorporate the objectives of the Well-being of Future Generations (Wales) Act into town and country planning and sets out the Welsh Government's policy on planning issues relevant to the determination of planning applications.

It is considered that this proposal meets the seven goals set out within the Well-being of Future Generations (Wales) Act and the site has been brought forward in a manner consistent with the Acts five ways of working. Furthermore, it is also considered that the proposed development is consistent with the key principles set out in Chapter 2 (People and Places: Achieving Well-being Through Placemaking); Chapter 3 (Strategic and Spatial Choices); Chapter 4 (Active and Social Places); Chapter 5 (Productive and Enterprising Places); and Chapter 6 (Distinctive and Natural Places) of Planning Policy Wales (Edition 10).

Other relevant policy guidance consulted:

Planning Policy Wales Technical Advice Note 12 Design.

Sets out the objectives of good design and aims to encourage good design in all aspects of development.

Technical Advice Note (TAN) 24: The Historic Environment (2017)

Provides guidance on how the planning system should consider the historic environment during development plan preparation and decision making on planning and Listed Building applications.

The above chapters and Technical Advice Notes set out the Welsh Government's policy on planning issues relevant to the determination of this planning application.

REASONS FOR REACHING THE RECOMMENDATION

Section 16(2) Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant Listed Building Consent for any works the Local Planning Authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Main Issue:

Acceptability of the proposed development on the special architectural and historic merit of the building.

The property represents a prominent historic building within a Conservation Area, immediately adjacent to another Conservation Area (Old Park Terrace) and another Listed Building, Libanus Welsh Baptist Church.

The building, while both prominent and distinctive, has been the subject of many modern alterations, particularly on the ground floor where there are several commercial properties. What remains of its original use, as a cinema, has also been eroded as its last substantive use as snooker/pool hall and bar.

The result is such that much of the internal detailing and features of the property have either been removed entirely or have been damaged by the installation of modern interventions such as partitions or suspended ceilings.

Consequently, while remnants of the historic plaster ceiling remain within the property, they are extensively damaged by both the accumulation of tobacco smoke and the drilled fixings of the suspended ceiling that obscures them from view.

It is clear that the ceilings would be completely lost should the application proceed in its current form. This could be wholly reduced with a lesser number of flats within the property, however this could render the scheme financially unviable leading to a further period of disuse and likely decline in the condition of the building. Where this is not strictly a consideration for Listed Building Consent, where "Heritage Deficit" (the existing value of the asset plus the cost of bringing it back into productive use is greater than the value upon completion) it does have clear implications for the current scheme in wider planning and regeneration terms.

While the loss of any interior detail is regrettable, it is considered that in this case the poor condition of the historic fabric present is such that this loss, to facilitate the re-use of the building would be, on balance, acceptable. This is supported by the Heritage Impact Assessment and the case officer's own observations at the site.

With regard to the external alterations proposed, it is considered that the replacement windows and dormer are all on the part of the building that has less architectural and historic importance than the end terracotta façade. That accepted, the use of uPVC is still considered to be too strident and it is recommended that a condition be imposed to substitute this for painted timber or powder coated aluminium double glazed units should Members be minded to approve the application.

In terms of the manager's office which would be formed through a new, contemporary structure at roof level immediately above the main feature of the property, the terracotta façade, it is considered that this would represent a minor and wholly modern addition that would be of a modest scale and design that would sit comfortably with the historic elements of the building.

This building, like many historic properties within RCT, suffers from its inability to adapt to alternative uses, particularly commercial uses, given its location, dimensions and historic restrictions. The building has seen a lack of investment, maintenance and interest required to secure a viable future which has seen its condition decline over a sustained period. While the current owner has some responsibility, it is an accumulation of all the preceding owners that have led to the deterioration of the property to its current state.

It is for these reasons that it is considered prudent to accept what is not an ideal scheme, but is likely the best scheme for the future longevity of the building in the medium to long term.

Impact on the visual quality of the Castle Square Conservation Area

The property is located within the Castle Square, Treforest Conservation Area and is immediately adjacent to the Old Park Terrace Conservation Area and in close proximity to several other listed structures. Consequently, it is clear that the wider area is one of acknowledged historic, architectural and townscape quality.

While the proposal makes use of modern architectural features, it is considered that these would sit comfortably within their setting and would not only improve and enhance the building itself, but also the wider area.

Conclusion

The loss of features to any Listed Building is always regrettable and should be a last resort of any decision to grant Listed Building Consent. However, in this case it is considered that the property has already lost many of its internal features and those that remain are either already hidden or damaged beyond feasible repair. Therefore the loss of those remaining would be an unfortunate but acceptable compromise in order to secure a long-term future use for the property whilst also preserving the majority of the external façade.

In terms of the external alterations, subject to conditions in terms of suitable materials and others for the satisfactory recording of the property, it is considered that the proposal would, on balance, be acceptable.

RECOMMENDATION: Approve, subject to conditions and favourable referral to Cadw.

RECOMMENDATION: Grant

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

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

2. The development hereby approved shall be carried out in accordance with the approved plans ref:

- 3158 P001 – Site Location
- 3158 P004 – Ground and 1st Floor Plans - Proposed
- 3158 P005 – 2nd Floor and Roof Plans – Proposed
- 3158 P007 – Elevations and Section – Proposed

and documents received by the Local Planning Authority on 03/08/18, 04/10/18 and 22/10/18, 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. Building operations shall not be commenced until samples of the materials proposed to be used have been submitted to and approved in writing by the Local Planning Authority and all materials used shall conform to the sample(s) so approved.

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

4. Notwithstanding the approved details, no development shall commence on site until sample materials of the replacement windows and proposed dormers have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details thereafter.

Reason: To ensure that the appearance of the proposed works will be in-keeping with the special architectural and historic character of the Listed Building, in accordance with Policy AW7 of the Rhondda Cynon Taf Local Development Plan.

5. Notwithstanding the approved details, no development shall commence on site until the design and details of the following have been submitted to and approved in writing by the Local Planning Authority:

- window repairs and replacements;
- rainwater goods;

- soffits and fascias;
- stone and bricks.

The works shall be carried out in accordance with the approved details thereafter.

Reason: To ensure that the appearance of the proposed works will be in-keeping with the special architectural and historic character of the Listed Building, in accordance with Policy AW7 of the Rhondda Cynon Taf Local Development Plan.

6. No works shall commence on site until copies of plans and/or a photographic record of Mr Snooker's Club (formerly Cecil Cinema – 1 Fothergill Street) have been deposited by the applicant in the Royal Commissions archive and confirmation has been submitted to and approved in writing by the Local Planning Authority.

Reason: To retain a record of the building to accord with para. 6.5.17 Chapter 6 of Planning Policy Wales

7. All disturbed fabric shall be made good to match the existing building.

Reason: To ensure that the appearance of the proposed works will be in-keeping with the special architectural and historic character of the Listed Building, in accordance with Policy AW7 of the Rhondda Cynon Taf Local Development Plan.

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RHONDDA CYNON TAF

PLANNING & DEVELOPMENT COMMITTEE

16 JULY 2020

REPORT OF THE SERVICE DIRECTOR, PLANNING

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 18/0886/10 (MF)
APPLICANT: Mr R Higgitt
DEVELOPMENT: Change of use of first and second floors of property from former snooker hall (Class D2) to 22 no. self-contained residential student flats (Sui Generis) and associated works.
LOCATION: 1 FOTHERGILL STREET, TREForest, PONTYPRIDD, CF37 1SG
DATE REGISTERED: 29/10/2019
ELECTORAL DIVISION: Treforest

RECOMMENDATION: Approve

REASONS: Whilst it is accepted the proposal will result in the loss of a commercial unit at the heart of the town's retail centre, the proposed residential use would be restricted to the upper floors of the building only with the ground floor remaining in retail use, a common feature of such buildings in town centre locations. Therefore it is not considered that losing a commercial unit at the upper floors of the property would result in negative impact upon the vitality of the surrounding retail centre, and would in fact make effective use of what has become an underutilised building, improving the vitality of the wider centre.

Further, the proposal would provide 22 no. university students that might otherwise be seeking off-campus accommodation in the town a place to live during term time. This could reduce pressure on the existing housing stock in the town being converted to HMOs which has caused a number of social issues locally, potentially allowing some traditional residential properties in use as HMOs in Treforest to be returned back to family use. As such it is considered that this proposal provides an opportunity to go some way to helping slow any further erosion of the historic residential character and social cohesion of Treforest.

Finally, it is considered the proposed conversion would be acceptable in terms of its visual impact and the potential impact upon the Listed Building; its

potential impact upon the amenity and privacy standards currently enjoyed by surrounding residents; and its potential impact upon highway safety in the locality.

It is therefore considered the proposed development is compliant with the relevant local and national planning policies.

REASON APPLICATION REPORTED TO COMMITTEE

The application is reported to Committee as the proposal is not covered by determination powers delegated to the Service Director of Prosperity and Development.

APPLICATION DETAILS

Full planning permission is sought for the conversion of the first and second floors of the property from a former snooker hall (Class D2) to 22 no. self-contained residential student flats (Sui Generis).

The conversion would result in 22 no. self-contained studio flats, 11 no. at first floor level and 11 no. at second floor level. A small management office would also be located at second floor level and a secure bike store created at ground floor level beneath the access stairwell. Each unit would comprise a bedroom / living / kitchen area and separate en-suite bathroom, and would be occupied by 1 no. student.

The conversion would be facilitated mainly through internal alterations, however a number of external works are also proposed:

- Each of the existing windows at first floor level on both the properties front (eastern) and rear (western) facing elevations would be replaced with larger openings to better suit the residential nature of the proposed use. A further new window opening would also be installed on the properties front elevation at first floor level to serve one of the proposed units. All new windows would be of grey uPVC.
- 6 no. dormer roof extensions would be installed to both the front and rear elevations to serve the new units at second floor level. A single roof light would also be installed to the front to provide light to the main access stairwell. All new windows would be of grey uPVC.
- A modern grey standing seam extension would be sited above the existing terracotta entrance block to allow access to the second floor and provide space for the management office. Grey uPVC windows would be located throughout.
- The external elevations would be subject of general refurbishment works including new through colour render throughout the main body of the building; replacement of slate roof tiles where required; and tidying up of the terracotta entrance façade.

The existing access off Fothergill Street (front) would be utilised as the facilities main entrance. A secondary access would be sited to the rear off Bridge Street where a communal refuse/recycling bin store area would be located.

As the building encompasses the whole plot there is currently no off-street parking at the property and none is proposed. However, as noted above, a secure cycle store would be provided within the building at ground floor level.

The applicant has detailed that the units would be occupied solely by students attending the nearby University of South Wales (Treforest Campus) and that they would not be occupied as private rentals on the open housing market at any time. This is clarified by the description of the development, i.e. 'self-contained residential student flats' within the Sui Generis planning use class, rather than 'private residential units' that would fall within planning use class C3.

To ensure the facility is well maintained and occupants are respectful of the existing community, the applicant has submitted a management scheme with the application which is summarised below:

- 24 hour secure entry systems;
- 24 hour helpline for occupants to assist with any management or maintenance issues;
- Management programme of the cycle store and refuse/recycling areas;
- A programme of planning and reactive maintenance, supported by the 24 hour helpline, with high risk issues being dealt with as an emergency;
- Inspections of all student rooms at periodic intervals;
- Regular cleaning and landscaping of external areas;
- All necessary health and safety precautions;
- A condition of the tenancy that any occupiers cannot keep cars;
- Welcome pack and introductions.

The applicant has detailed that the existing halls of residence within the nearby University of South Wales (Treforest Campus) are only able to accommodate 1200 students and that they are at capacity (Members are advised however that no confirmation of this fact has been provided from the University in support of the application). Consequently, other than a small number of private off-campus halls of residence within the Treforest/Pontypridd area, the primary option for students unable to gain accommodation on-campus is through the use of former residential properties in the town that are now occupied as Houses of Multiple Occupation (HMO), which has caused well-documented local tensions. As such the applicant contends that the introduction of additional purpose built student accommodation at this property would go some way to alleviating both the capacity issues at the university and the overconcentration of HMOs in Treforest.

The property is Grade II Listed for both its internal and external architectural interest. As such this application is supported by a separate Listed Building Consent application (ref. 18/0880/12) which sets out the full details of the listing and the considerations of the scheme in respect of any potential impact upon the Listed Building.

The application is accompanied by the following supporting documents:

- Planning Statement;
- Design, Access and Heritage Statement;
- Heritage Impact Assessment;
- Bat Survey;
- Air Quality Assessment.

SITE APPRAISAL

The application property is a large commercial unit located at the junction of Fothergill Street and Bridge Street, Treforest. It is sited within a corner plot and occupies the whole site. As such the building is triangular in shape, widening from south to north, and has no off-street parking provision. The property is three storeys in nature with the ground floor occupied by 4 no. retail units and a separate, self-contained access stairway to the upper floors. The access stairway is enclosed within a decorative, free classical style terracotta façade at the southern end of the building. The retail units occupy the remainder of the ground floor each having modern glazed shopsfronts on to Fothergill Street. Both the first and second floors were last lawfully occupied as a snooker hall, but at the time of the officer site visit were in use as a storage facility for an off-site antique dealership.

The property was originally built in 1913 as the Cecil Cinema and is now Grade II Listed for both its internal and external architectural interest as a pre-1914 cinema, an extremely rare survival in South Wales. It is also noted that the property is located within the Castle Square, Treforest Conservation Area. Full details of the Listing are set out in the associated Listed Building Consent application ref. 18/0880/12.

The site is located at the heart of the town's commercial centre and is therefore surrounded primarily by various commercial uses. It is noted however that a terraced row of residential dwellings is located directly to the rear (west).

PLANNING HISTORY

No previous planning applications have been submitted at this unit other than the current, associated Listed Building Consent application also before Members, ref. 18/0880/12.

Members are advised however that the 4 no. retail units at ground floor level have each been subject to numerous planning applications in the past, none of which are considered relevant to this case.

PUBLICITY

The application has been advertised by means of direct neighbour notification, site notices and a press notice. 2 no. letters of objection have been received from members

of the public and 1 no. from the local Member, making the following comments (summarised):

- The number of units proposed would lead to overdevelopment of the property.
- The development would result in damage to the listed features of the building.
- The size of the rooms would result in poor quality living accommodation for future residents. Furthermore, there would be no outdoor amenity space for occupants.
- The surrounding streets are already congested with on-street parking. No off-street parking is proposed. Where will the occupants park? This development will exacerbate existing issues leading to parking in restricted areas.
- The bin storage area would be located directly adjacent to the highway. This would be unsafe for future occupants and highway users alike.
- There are plenty of existing empty properties in Treforest. As such there is no need for additional student accommodation within the village. If the new units cannot be occupied by students the landlord may be tempted to fill them with alcoholics, drug addicts and criminals to ensure viability of the development.
- Students have historically and are continuing to cause various problems in the town such as anti-social behaviour, litter, empty properties, to let signs, oversaturation of takeaways, etc. This development would exacerbate the existing situation.

CONSULTATION

Transportation Section – No objection, subject to conditions.

Public Health and Protection – No objection, subject to conditions.

Flood Risk Management – No objection. Standard advice offered.

Countryside, Landscape and Ecology – No objection, subject to condition.

Waste Services – No objection. Standard advice offered.

Natural Resources Wales – No objection. Standard advice offered.

Dwr Cymru Welsh Water – No objection, subject to standard conditions and informative notes.

Wales and West Utilities – No objection, subject to standard conditions and informative notes.

Western Power Distribution – No objection. Standard advice offered.

South Wales Police – No objection. Standard advice offered.

South Wales Fire and Rescue Service – No objection. Standard advice offered.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site is located within the settlement boundary for Treforest, the Castle Square, Treforest Conservation Area, and the Treforest Local and Neighbourhood Centre.

Policy CS2 – sets out the criteria for development in the Southern Strategy Area.

Policy AW1 – sets out the criteria for new housing proposals within the Country Borough.

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.

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Supplementary Planning Guidance

- Design and Placemaking;
- The Historic Built Environment;
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- Development of Flats.

National Guidance

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

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It is considered that this proposal meets the seven goals set out within the Well-being of Future Generations (Wales) Act and that the site has been brought forward in a manner consistent with the Act's five ways of working. Furthermore, it is also considered that the proposed development is consistent with the key principles set out in Chapter 2 (People and Places: Achieving Well-being Through Placemaking); Chapter 3 (Strategic and Spatial Choices); Chapter 4 (Active and Social Places); Chapter 5 (Productive and Enterprising Places); and Chapter 6 (Distinctive and Natural Places) of Planning Policy Wales (Edition 10).

Other relevant national policy guidance consulted:

- PPW Technical Advice Note 5: Nature Conservation and Planning;
- PPW Technical Advice Note 11: Noise;
- PPW Technical Advice Note 12: Design;
- PPW Technical Advice Note 18: Transport;
- PPW Technical Advice Note 24: The Historic Environment.

REASONS FOR REACHING THE RECOMMENDATION

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

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

Principle of the Proposed Development

Full planning permission is sought for the conversion of the first and second floors of the property from a former snooker hall (Class D2) to 22 no. self-contained residential student flats (Sui Generis).

The application site is located within the defined settlement boundary of Treforest and also within the heart of the town's retail centre. It therefore has easy access to various public transport links and numerous facilities/amenities. It is also in close proximity of the nearby University of South Wales, Treforest Campus which it would serve, and the neighbouring town centre of Pontypridd. As such the site is located within a highly sustainable location as defined by Policy AW2 of the LPD. Policies CS1, AW1 and AW2 encourage residential development in such locations.

Whilst it is acknowledged the proposal will result in the loss of a commercial unit at the heart of the town's retail centre, the proposed residential use would be restricted to the upper floors of the building only with the ground floor remaining in retail use, a common feature of such buildings in town centre locations. Additionally, the last lawful use of the property, a snooker hall, ceased in 2016 with no interest to reopen or to change to an alternate leisure/retail use since. The upper floors have simply been used as an informal storage lock-up for an off-site business for the past few years which has provided no benefit to the wider retail centre / town. It is considered that these facts clearly illustrate that it is unlikely the unit will ever be occupied as snooker hall again in future, or for any retail use. Therefore it is not considered that losing a commercial unit at the upper floors of the property would result in negative impact upon the vitality of the surrounding retail centre. In fact, it is considered the conversion would actually improve the vitality of the centre by introducing up to 22 no. new consumers.

It is noted that following advertisement of the application concern has been raised by residents and the local Member regarding the introduction of additional student accommodation in the village. One point raised was that there are numerous empty properties in the area and therefore further student accommodation is not required. Whilst these comments are acknowledged, Members are advised that it is not the role of the planning system to assess market forces and how strong the demand is likely to be for the intended development. It is understood however that a number of similar

recent developments for private, purpose built student accommodation (Park Pride, Treforest and both Llwyncastan and Gelliwastad Road, Pontypridd) have been fully let since opening. Additionally, the use of traditional residential properties in the town as student accommodation has caused a number of social problems in the past and therefore the provision of purpose built student accommodation at this site could go some way to alleviating these issues (as set out in detail below). Nevertheless, market demand does not form a material planning consideration that would carry any weight in the determination of this application.

Further concerns were raised in respect of the units being occupied as traditional residential properties rather than by students given the self-contained nature of the accommodation proposed. It was commented that applying for student accommodation would enable the developer to 'get away' without complying with the stricter planning guidelines and room size specifications etc. that would have to be adhered to if this scheme proposed conversion to a Class C3 (market housing residential use) block of flats. With this in mind it is important to make clear the distinctions, in terms of the planning use classification, between purpose built student accommodation and traditional residential units. The two uses fall within different planning use classes. Purpose built student accommodation is classified as 'Sui Generis' and a residential unit falls within 'Class C3'. Therefore, whilst it is acknowledged that there may be some similarities between the two development types, they are clearly two separate uses in planning terms and further planning permission would be required to convert a unit from one use to another and any future application would be refused if the scheme was not acceptable. In this case the applicant has applied for 'self-contained residential student flats (Sui Generis)' as set out in the description and the application must therefore be considered on these grounds only. Thus, if Members are minded to approve the application, the units could only be occupied by students and any occupation for general, open market housing would be a breach of the planning permission where enforcement action could be taken.

A further point raised by the objectors was that the units would result in overdevelopment of the building and poor quality living accommodation for future residents. Whilst these concerns are noted and it is accepted that a considerable number of units are proposed and the self-contained units are relatively small in nature, essentially forming bedsit units, they are generally considered acceptable in respect of their scale, design, outlook and resulting living accommodation, being typical of student halls of residence accommodation and comparable to that recently approved at the other similar developments nearby. It is accepted that there would be no outdoor amenity space for the occupants, but again, this is typical of these types of facilities or many blocks of flats. It is also noted that adequate bin and cycle storage would be provided and access provided from the main street. As such the proposed development is considered to generally comply the Council's adopted Supplementary

Planning Guidance (SPG): Development of Flats and is therefore considered acceptable in this regard.

The objectors have also commented that the redevelopment of the building for intensive residential student use would likely contribute to the further erosion of the traditional residential character and social cohesion of Treforest and potential antisocial behaviour issues. However, the primary option for students unable to gain accommodation at the University's on-site halls of residence is currently through the use of former traditional residential dwellings that are now occupied as HMOs, which has caused well-documented local tensions. This proposed form of development offers a type of accommodation that would create a viable alternative to the conversion of traditional family dwellings to HMO's, in the same way that on-campus halls of residence already do. Moreover, the proposed development is for a purpose built, self-contained student accommodation unit in close proximity of the University, it would not form a HMO itself. Therefore, on the basis that the proposal would provide 22 no. students that might otherwise be seeking off-campus accommodation within a HMO with purpose built student accommodation in the town, it is considered this development could reduce pressure on the existing housing stock to be converted to HMO's for students, and could potentially allow some HMOs in the area to be returned back to family use. As such it is considered that this development provides an opportunity to go some way to alleviating the number of terraced properties in Treforest that are converted to HMOs, thus helping to slow any further erosion of the historic residential character and social cohesion of the town.

Finally, it is acknowledged that under the provisions of Policy SSA12 a 20% affordable housing contribution should be sought on schemes which propose 5 no. or more units of residential accommodation in the Southern Strategy Area. However, the adopted SPG: Planning Obligations identifies that a number of exemptions apply for certain types of residential development, with one such exemption being the provision of student accommodation. Therefore no affordable housing contribution is applicable in this case.

It is therefore considered that the conversion of the property to student accommodation is considered acceptable, in principle, subject to the proposal being compliant with the other relevant material considerations set out below.

Visual Impact

The application property is a substantial building that occupies a prominent siting along the main highway through the town and at the centre of the Castle Square Conservation Area. Therefore any development at site would inevitably result in a noticeable alteration to the building and its immediate surroundings.

Notwithstanding the above, the building has been the subject of many modern alterations in the past, particularly at ground floor level where several commercial

premises are located, but also at first floor level through use as a snooker hall. Subsequently, other than the terracotta entrance façade, the current external appearance of the property bears very little resemblance to its original use as a cinema with much of the external detailing removed or damaged. Furthermore, since the closing of the snooker hall the building has fallen in to disrepair and appears in need of substantial refurbishment throughout, detracting from the character and appearance of the wider Conservation Area.

Subsequently, whilst a considerable number of dormer window additions are proposed and the scheme would see the existing window openings enlarged, it is not considered the works would result in a detrimental impact to the character and appearance of the building, but along with the wider general repair works proposed, would actually improve its current visual appearance. It is also noted that the majority of external alterations proposed would be to the part of the building that has less architectural and historic importance than the terracotta entrance façade, which would simply see some general repair works and a small, modern, glazed unit sited above. That accepted however, the use of uPVC is considered to be too strident for the Listed Building. As such, should Members be minded to approve the application, it is recommended that a condition be imposed on any consent to substitute this material for painted timber or powder coated aluminium double glazed units which would better relate with the historic nature of the building.

With respect to the manager's office which would be formed through a new, contemporary structure at roof level immediately above the main feature of the property, the terracotta façade, it is considered that this would represent a minor and wholly modern addition that would be of a modest scale and design that would sit comfortably with the historic elements of the building, adding to the attractive nature of this element of the structure.

Finally, this building, like many other historic properties within the County Borough, suffers from its inability to adapt to alternative uses, particularly commercial uses, given its location, dimensions and historic restrictions. The building has seen a lack of investment, maintenance and interest required to secure a viable future which has resulted its condition decline over a sustained period. Consequently, whilst it is accepted the proposal would inevitably result in highly visible alterations to the building's current character and appearance, the proposal is considered to be an appropriate scheme for the future longevity of the building in the medium to long term that would also improve its current character and appearance. The proposed development is therefore considered acceptable in respect of its potential visual impact.

Residential Amenity

The upper floors of the building were last in lawful use as snooker hall and have more recently been in use as an informal storage lock-up. As such it is considered that a

degree of noise and disturbance would have likely occurred to surrounding residents, often late in to the evenings. Furthermore, the building is located on the main thoroughfare through the town and at the heart of its retail centre. As such surrounding residents would be accustomed to the degree of noise and disturbance that comes with living in such a town centre location. Subsequently it is not considered that the introduction of a residential use at the site, albeit intensive in character, would result in any further impact in these respects or be any more intrusive to surrounding residents in comparison to that which would have previously occurred.

It is noted that the objectors commented that students have historically caused various anti-social behaviour and crime issues in the village and that the introduction of further student accommodation would exacerbate existing problems. Whilst these comments are acknowledged, any present issues caused by the behaviour of existing residents has no bearing upon the behaviour of potential future occupiers. The applicant has also detailed that there would be 24 hour security systems in place, a 24 hour help line for occupants, and a management plan which should ensure there are no such issues from the facility. However should such issues arise, any enforcement would be outside of the planning system and would form a public health / police matter.

Therefore it is not considered the introduction of purpose built student accommodation at the site would result in an unacceptable impact upon the amenities of the surrounding residents in these terms.

With respect to the proposed building itself and the potential impact the alterations to it may have upon the existing neighbouring properties, all of the window openings that would serve the units at first floor level are already in place, except one new additional window that is required to the front elevation. As such, whilst it is accepted the openings would be enlarged, it is not considered the residential units at first level would result in any further overlooking to the neighbouring properties than that which already occurs. It is acknowledged that the new dormer windows in the roof space would introduce an overlooking impact that does not currently exist, however there are no neighbouring properties to the front (east) of the building and as such no impact would occur here; and with the application property of a much greater scale and height than the residential properties to the rear (west), it is considered that the new dormer windows to the rear would look over the top of the neighbouring properties rather than directly overlook them. As such, on balance, it is not considered any potential impact in this respect would be significant enough to warrant refusal of the application.

Finally, the proposed residential units would be located above 4 no. commercial units, would be sited along the main highway through the town, and in close proximity of the nearby Pontypridd to Cardiff railway line. Consequently future occupiers may experience a degree of noise and disturbance themselves. No information has been submitted with the application in respect of proposed soundproofing measures to protect the amenities of future residents, however the Public Health and Protection Section commented that an appropriate scheme could be introduced during conversion works. As such no objections are raised in this respect but it is suggested

a condition be attached to any consent requiring a soundproofing scheme be submitted to and approved by the Local Planning Authority prior to any works starting on site.

Subsequently, in light of the above, whilst the concerns raised by the objectors in this respect are acknowledged and it is accepted a degree of impact would inevitably occur to the amenity and privacy standards currently enjoyed by nearest surrounding residents, on balance, it is not considered any impact would be so detrimental as to warrant refusal of the application. The application is therefore considered acceptable in this regard.

Highway Safety

The Council's Transportation Section raised no objections to the scheme following consultation, subject to a number of relevant conditions being added to any consent.

In their assessment of the scheme the Transportation Section commented that the primary means of access off the footway along Fothergill Street and the secondary access and bin store area along Bridge Road are both considered acceptable. Additionally, no objections to the proposed bin store area have been received from the Council's Waste Services Section. The Transportation Section did note that there is some concern regarding the likely increase in the number of deliveries to the property, however when considering that there is a loading bay present nearby along Fothergill Street, the concern was not considered significant enough to warrant a highway objection.

With respect to parking, it was commented that the existing use as a snooker club, in accordance with the Council's adopted SPG: Access, Circulation and Parking, has a requirement of 1 no. off-street parking space per 8m² plus 1 no. commercial vehicle space. The former snooker club had a gross floor area of 302m², resulting in an off-street parking requirement of 39 no. spaces, with none provided. The proposed conversion to 22 no. 1 bedroom student flats has an off-street parking requirement of 1 no. space per 25 beds for servicing and 1 no. space per 10 beds for student and visitor parking. The proposed use would therefore require 3 no. spaces with none provided. However, in accordance with the adopted SPG: Development of Flats, consideration must be given to the fact that residents of flats generally have lower levels of car ownership than other types of households. Furthermore, the building is situated in a highly sustainable location at the heart of the town's retail centre, in close proximity to a range of local transport services, the university which it will serve, and various shops, amenities and facilities. There are also public car parks nearby and traffic management and resident permit restrictions in the vicinity of the site; and the developer has proposed adequate secure cycle storage within the building. Subsequently, taking the above into consideration, it is not considered the proposed use would result in any further on-street parking issues in the locality than that which would have resulted as a consequence of the previous use. The lack of off-street parking provision is therefore considered acceptable in this instance; and no restrictions on future occupiers owning/using vehicles are considered necessary.

The Transportation Section has however suggested a condition be attached to any consent requiring the applicant upgrade the existing bus stop along Park Street at the nearby Treforest Train Station as part of this development. However the bus stop is located approximately 250m from and outside of the application site, and therefore whilst it may need upgrading and future occupants of this development may use it, it is not considered its upgrading would have any relevance to the development proposed. It is therefore considered that it would be unreasonable for the Council to request the developer pay for these works and the condition is not detailed below.

In conclusion, in light of the above highway assessment, whilst the concerns raised by the objectors in this respect are acknowledged, the proposed facility would have a satisfactory means of access; and whilst no off-street parking is proposed and none can be provided, the site is located in a highly sustainable location with good access to various public transport links. The application is therefore considered acceptable in respect of its potential impact upon pedestrian and highway safety in the vicinity of the site.

Public Health

No objections have been received from the Council's Public Health and Protection Section. They did however note that the application site is located within an Air Quality Management Area (AQMA) and as such there is the potential for future occupiers of the proposed residential units to be adversely affected by poor air quality. In light of this fact an Air Quality Assessment (AQA) has been carried out at the site and an associated report submitted for consideration.

Following assessment of the AQA the Public Health and Protection Section commented that the site falls within a current AQMA declared in respect of exceedances of the annual mean Nitrogen Dioxide (NO₂) objective. The air quality (NO₂) is likely to exceed the annual mean objective along the façade facing Fothergill Street and as such, mitigation would be required to reduce exposure to future residents. Mitigation measures to control the impact from dust/particulates has been presented in the form of a Dust Management Plan, and mitigation measures to control the impact of current air quality (NO₂) is suggested in the form of mechanical ventilation benefiting from air intakes located at roof height. The Public Health and Protection Section agree with the findings of the AQA and consider the proposed mitigation measures appropriate. As such no objection is raised but a condition is recommend to ensure the mitigation is installed prior to beneficial occupation of any unit and remains in place in future.

The Public Health and Protection Section also suggested a number of conditions be attached to any consent in relation construction noise, waste and dust. Whilst these comments are appreciated, it is considered that construction noise, waste and dust matters can be more efficiently controlled by other legislation. It is therefore considered the conditions suggested in this respect are not necessary and an appropriate note highlighting them would be sufficient instead.

Ecology

As the proposed conversion would result in a number of works to the building's roof space an ecology report has been submitted with the application to assess any potential impact upon protected species. Following consideration of the report both the Council's Ecologist and Natural Recourses Wales commented that the report is an appropriate assessment and has identified no evidence of bats using the building. Therefore no objections are raised, but the precautionary measures set out in the report in respect of clearance works and nesting birds should be the subject of conditions to ensure there is no impact.

Land Drainage and Flood Risk

As the proposed conversion would not alter the current drainage arrangements at the site no objections have been raised or conditions suggested by the Council's Flood Risk Management Section. It is also noted that no objections were received from Dwr Cymru Welsh Water, subject to standard conditions and advice.

Other Issues

It is noted that no objections were received from Wales and West Utilities, Western Power Distribution, South Wales Police or South Wales Fire and Rescue Service, subject to standard conditions and advice.

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 purpose built student accommodation is classified as a Sui Generis use and the CIL rate for this type of development as set out in the Charging Schedule is £nil. Therefore no CIL would be payable.

Conclusion

Whilst it is accepted the proposal will result in the loss of a commercial unit at the heart of the town's retail centre, the proposed residential use would be restricted to the upper floors of the building only with the ground floor remaining in retail use, a common feature of such buildings in town centre locations. Therefore it is not considered that losing a commercial unit at the upper floors of the property would result in negative impact upon the vitality of the surrounding retail centre, and would in fact make effective use of what has become an underutilised building, improving the vitality of the wider centre.

Further, the proposal would provide 22 no. university students that might otherwise be seeking off-campus accommodation in the town a place to live during term time. This

could reduce pressure on the existing housing stock in the town being converted to HMOs which has caused a number of social issues locally, potentially allowing some traditional residential properties in use as HMOs in Treforest to be returned back to family use. As such it is considered that this proposal provides an opportunity to go some way to helping slow any further erosion of the historic residential character and social cohesion of Treforest.

Finally, it is considered the proposed conversion would be acceptable in terms of its visual impact and the potential impact upon the Listed Building; its potential impact upon the amenity and privacy standards currently enjoyed by surrounding residents; and its potential impact upon highway safety in the locality.

The proposed development is therefore considered to comply with the relevant local and national planning policies and is considered acceptable, subject to the conditions detailed below.

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 plans ref:

- 3158 P001 – Site Location
- 3158 P004 – Ground and 1st Floor Plans - Proposed
- 3158 P005 – 2nd Floor and Roof Plans – Proposed
- 3158 P007 – Elevations and Section – Proposed

and documents received by the Local Planning Authority on 03/08/18, 04/10/18 and 22/10/18, unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

3. No development shall commence on site, including any internal works, until full details (including siting and future monitoring) of the proposed swift enhancement measures detailed in sections 4.5 to 4.7 of the submitted Bat Survey (Crossman Associates 25 June 2018) have been submitted to and

approved in writing by the Local Planning Authority. The swift enhancement measures shall be carried out in accordance with the approved details prior to beneficial occupation of any unit and shall remain in place thereafter.

Reason: In the interests of ecology and to afford protection to animal species in accordance with Policies AW5 and AW8 of the Rhondda Cynon Taf Local Development Plan.

4. No development shall commence on site, including any internal works, until full details (including a tool box talk) of the proposed precautionary bat measures detailed in section 4.4 of the submitted Bat Survey (Crossman Associates 25 June 2018) have been submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the approved details and any protection measures shall be retained throughout the development period and thereafter.

Reason: In the interests of ecology and to afford protection to animal species in accordance with Policies AW5 and AW8 of the Rhondda Cynon Taf Local Development Plan.

5. No development shall commence on site, including any internal works, until a detailed Dust Management Plan, incorporating those mitigation measures thought appropriate and as identified within Appendix C – Construction Mitigation Measures of the submitted Air Quality Assessment (Entran Environment and Transportation 19 June 2018) has been submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the approved details and any protection measures shall be retained throughout the development period and any mitigation measures shall remain in place thereafter.

Reason: In the interests of amenity in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

6. No development works shall commence on site, including any internal works, until full details of a proposed sound proofing mitigation scheme for the residential units has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved mitigation measures, the mitigation measures shall be installed prior to beneficial occupation of any unit and shall remain in place thereafter.

Reason: In the interests of amenity in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

7. Notwithstanding the approved details, no development shall commence on site, including any internal works, until sample materials of the replacement windows and proposed dormers have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details thereafter.

Reason: To ensure that the appearance of the proposed works will be in-keeping with the special architectural and historic character of the Listed Building, in accordance with Policy AW7 of the Rhondda Cynon Taf Local Development Plan

8. Notwithstanding the approved details, no development shall commence on site, including any internal works, until the design and details of the following have been submitted to and approved in writing by the Local Planning Authority:

- window repairs and replacements;
- rainwater goods;
- soffits and fascias;
- stone and bricks.

The works shall be carried out in accordance with the approved details thereafter.

Reason: To ensure that the appearance of the proposed works will be in-keeping with the special architectural and historic character of the Listed Building, in accordance with Policy AW7 of the Rhondda Cynon Taf Local Development Plan.

9. All disturbed fabric shall be made good to match the existing building.

Reason: To ensure that the appearance of the proposed works will be in-keeping with the special architectural and historic character of the Listed Building, in accordance with Policy AW7 of the Rhondda Cynon Taf Local Development Plan.

10. The secure cycle storage unit, as indicated on submitted drawing no. 3158 P004, shall be implemented on site prior to beneficial occupation of any unit and shall remain in place in perpetuity.

Reason: To encourage a sustainable mode of transport and in the interests of highway safety, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan

11. All HGV deliveries during the construction period shall only take place between the hours of 09:30am and 15:30pm on weekdays to and from the site.

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

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PLANNING & DEVELOPMENT COMMITTEE

16 JULY 2020

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 19/0323/38 (CHJ)
APPLICANT: Tower Regeneration Limited
DEVELOPMENT: Application for the discharge of Condition 8 of Planning Permission 13/0466/15 (allowed at appeal APP/L6940/A/14/2212351) to provide a revised restoration scheme to that previously approved under Discharge of Condition Consent 17/0525) (Amended description 10 April 2019) (Additional information received 04/09/2019) (**Additional information received 29/04/20**)
LOCATION: TOWER COLLIERY RAILHEAD, RHIGOS MOUNTAIN ROAD, RHIGOS, HIRWAUN, ABERDARE, CF44 9UF
DATE REGISTERED: 04/05/2020
ELECTORAL DIVISION: Rhigos

Reason Application is reported to Committee

Councillor Graham Thomas (Rhigos Ward) has requested that this application be reported to Committee for determination as the issues involved and problems experienced in the past have implications for the wider community

Background Information

This application (to Discharge a Condition) is located within the area which is owned and operated by Tower Regeneration Ltd. It is located on an area of land south of the A465 (Heads of the Valleys) between the villages of Hirwaun and Rhigos. The original consent granted by Rhondda Cynon Taff CB Council on 16th December 2011, featured 95 conditions (10/0292)

This consent for the site was supported by an 'indicative vision' of the restoration scheme (for which Condition 6 refers) on the basis that a full detailed design was not possible to be submitted so far in advance of the completion of the mineral extraction.

Although a broad restoration strategy was approved in 2012 (pursuant to Condition 64 of the consent), full details of the restoration scheme were to be controlled via Condition 65 which requires the submission of a 'detailed restoration scheme'.

Following the grant of a subsequent consent (by the Planning Inspectorate) in 2013 (13/0466) 90 conditions were now imposed (some removed or reworded from the original consent) including Condition 8 which requires a revised restoration scheme to be agreed with the Council in the event of coaling ceasing (which is the same as Condition 10 of the original 10/0292 consent).

A revised restoration scheme was subsequently approved in accordance with details submitted under application reference 17/0525.

The landform of the currently approved restoration scheme (17/0525), broadly followed the landform of the consent in 2013 (13/0466/15) of an unbroken slope from the south, the top of the site to the development plateaux to the north.

Application Details and Site / Development History

The application before Committee seeks the discharge of Condition 8 of planning permission 13/0466/15.

Consent (13/0446) was granted at appeal by The Planning Inspectorate on 3rd June 2014 following refusal by Committee in December 2013 of an application which sought to vary conditions 19, 20, 21 & 22 of the parent / main approval of the application for open cast and remediation / reclamation of the old tips. The purpose of that application sought to extend (by variation) the operational hours to include working on site up to 4.00 p.m. on Saturday afternoon (from the previously approved 12.00 mid-day) and for more Saturdays than the original consent imposed (up to 26).

Committee is advised that there are now 90 conditions attached to the current (live) planning consent. As with all consents, some are “pre-commencement” conditions, some simply require compliance at all times (such as hours of operation), some require information to be provided at various stages throughout the development (**such as the current proposal**) and some relate to works that will be on-going after the development has been completed.

This (current) application comprises a revision (a shallower profile) to that restoration scheme previously approved on 19th April 2018 (Ref: 17/0525).

Condition 8 (which seeks discharge) states:

In the event of coaling ceasing, the Local Planning Authority shall be notified of the date of cessation in writing within one month of the date of cessation. In the event of coaling ceasing for a period of 6 months, or as otherwise approved in writing by the Local Planning Authority, a revised scheme for the restoration of the site shall be submitted to the Local Planning Authority within 6 months of the cessation of coaling for written approval. The revised scheme shall be implemented within 6 months of its approval, or as may be otherwise specified in writing with the Local Planning Authority.

Reason: To protect the character and appearance of the site and surrounding area and the living conditions of nearby residents, in accordance with policies

AW5, AW6, AW8, AW10 and CS10 of the Rhondda Cynon Taf Local Development Plan.

Committee is advised that this rather “wordy” condition merely states that if TRL finish mining before the end of their consented period they shall submit a new restoration scheme to the LPA for consideration and, if approved, they must carry it out in accordance with that approval.

Committee is also advised that while being a relatively rare occurrence (perhaps more so on large or complex schemes) an applicant can apply to discharge that condition on more than one occasion should there be a change in circumstances that warrant such a change.

On each occasion, the Council (as LPA) must consider each submission on its individual merit.

Committee is further advised that only the details required by, and submitted in respect of, this condition may be considered.

Members are also reminded that, as part of the S106 Agreement annexed to the planning consent(s), there is a Financial Bond where the full cost of restoration of the site is funded by the applicant but held by the Council and returned to Tower Regeneration Ltd (TRL) in tranches as and when the excavated void has been filled in and the cost / risk of the Council having to intervene in the restoration decreases.

The Council is / has been advised by the Coal Authority as to how much should be repaid each month following the submission of a claim by TRL.

Committee is advised that, based on the advice of the Coal Authority, sufficient money is still retained by the Council to complete the restoration works in accordance with the restoration scheme as has previously been approved on 19th April 2018. Should Committee approve this application, sufficient money will be retained by the Council to cover the cost of this restoration scheme.

The Need for a (further) Revised Profile

Committee is advised that the site is surrounded on 4 sides and any site restoration levels must tie, as naturally as possible, into the existing adjacent land. The proposed contours on the agricultural areas on the eastern and western limits of the site still closely accord with the approved restoration plan 17/0525/38.

As part of the submission TRL has provided supporting information and have advised the Council (as LPA) as to why a further restoration scheme is required. Committee is advised that there is no requirement for an applicant to provide this information however, the provision of this information does enable the LPA / Committee to understand why such changes are being proposed.

In the intervening period (between the submission of the previous restoration scheme and the current proposal), several factors have necessitated the proposed amendments, principally:

- a) The exposure of unrecorded mine workings in the southern high wall,
- b) The meteorological (weather) conditions over recent years, and
- c) Exposed ground conditions in the proposed development areas

This proposed amendment to the approved restoration scheme are designed to address these problems and to maximise the potential benefits revealed by the amendments in the interests of Health & Safety, the environmental and the future development potential of the site following restoration – principally in terms of:

(i) Health & Safety – through **essential** retention of part of the High Wall;

- a. The exposure of unrecorded mine workings in the high wall which are issuing water make it extremely hazardous to backfill against it. There would be the danger of back-pressure of the water in the old workings, the potential of it issuing at some other unknown location and the potential for liquidising the backfill which could result in a failure and mudflow.

(ii) Land drainage and attenuation - with the creation of swales and wet flush areas in various locations over the restored area;

- a. The currently approved restoration scheme has no water attenuation facilities. Over recent months several storms have caused major issues with water flows both on and off site. The proposed restoration includes the provision of 10 attenuation ponds and the off-site flows balanced to minimise both on and off site problems.
- b. The applicant advises that the scheme has been designed by consultant engineers in consultation with RCT and NRW engineers.

(iii) Pre-ground preparation for proposed development areas.

- a. As the site operations have progressed it has exposed the foundations of the Tip. No. 901. At the ground level in the approved restoration any future development would have to remove these unsuitable foundations. This obviously involves additional “muck-shift” but is required to provide a suitable area for development.

(iv) Ecology, geology (Geopark), historical, visual and landform benefits; and

The revised landform with the old mine workings (not accessible), exposed geology on the exposed rock-face, the creation of swales and wet flush areas provide an aspect to the site not previously available.

The applicant has advised that there has been favourable and supportive comments on these aspects have been made by multi-discipline visitors to the site.

Consultation and Publicity

Committee is advised that there are no requirements to carry out a public consultation as part of an application to discharge a condition however, given the nature of the application, a number of notices were placed on, and in the vicinity of, the site. As a result no objection or other correspondence was received.

The local Community Councils were also notified of the proposal. No response was received from the Rhigos Community Council while the Hirwaun and Penderyn Community Council wrote in to **support** the application.

As part of the original submission (parent consent) it is normal for the LPA to consult a large number of organisations (both internal and external) however, when discharging a condition, it is usual only to consult those bodies who are of direct relevance to the consideration of that proposal.

The Council's Drainage Section was consulted (in respect of several iterations of the proposal). Given recent events including Storms Callum and Dennis it was considered essential that any lessons learned from those events were incorporated into the new scheme with a confidence that the infrastructure would be better able to cope should similar situations arise again.

The comments of the Council's Drainage Section are as follows:

*"Following the submission of the below documentation, I can confirm that following a review of the amended drainage proposals and the associated calculations, the proposed restoration plan is compliant in terms of hydraulics when having due regards to **TAN 15: Development and Flood Risk**.*

The Restoration Plan does not propose to increase the surface water run-off from the site at each of the discharge points in comparison to the pre-mining conditions. Furthermore, the applicant has submitted appropriate details for the pond and control structures".

It was further advised that access to the watercourses is provided and bridge crossings will be designed so that the flow of the watercourse is not obstructed. It was agreed that should this change, then the applicant will contact the Lead Local Flood Authority to obtain an Ordinary Watercourse Consent (OWC) which, Committee is advised, falls under separate legislation (outside of Planning).

As such, the Council's Drainage Section recommend that the condition can be discharged subject to a note to the effect that any approval of details does not free the applicant from the need to obtain other licences, consents, approvals or permissions which may be required in law or in order to comply with any duties or responsibilities for conservation or protection of the environment - for example, an ordinary watercourse consent is required for any temporary or permanent works undertaken to an ordinary watercourse as this would fall under the Land Drainage Act 1991.

In addition to consulting the Council's Drainage Section, NRW's views were also sought in respect of this condition.

Committee is advised that NRW have principally two roles to play in the consideration of this condition, namely, as the organisation responsible for Wales's rivers and secondly, as Welsh Government's advisors on impacts on the landscape, which in this case, involved consideration of any impacts on the Brecon Beacons National Park.

Earlier this year, NRW had expressed concerns over the number of times their attendance at the site was required as a result of surface water flooding and resultant contaminated water entering the watercourses. They sought a meeting but, due to the early onset of Covid-19 this wasn't possible and resulted in a conference call instead. It was clear that, while some of the issues raised were solely in the remit of NRW, there was a synergy between the problems they were facing (and the resources they were having to allocate to the situation) and the issues that the Council were facing both as the Drainage Authority and the Local Planning Authority.

As a result of this meeting, NRW set out what information they considered was necessary to be provided in order for them to consider the application to discharge (sic) the condition. This information, while perhaps being slightly wider than the remit of what the condition was looking / required to agree, was provided by TRL.

NRW, after evaluating the information received advised that *"our previous concerns regarding details on the monitoring of water quality and a maintenance program to deal with any ochre build up into the wetland ponds have been addressed."*

In respect of surface water drainage they advise that *"we welcome the intention as part of the on-going site restoration to provide sufficient storage in the form of attenuation and settling ponds to ensure that the surface water discharging from the site is of a rate and quantity which does not adversely affect the receiving environment"*

Following the submission of this information those issues which were somewhat outside the remit of the condition can either be addressed through NRW's own consenting regime (see later comments) or are adequately dealt with through other conditions attached to the consent.

NRW also had some concerns over the impact of the revised restoration scheme on the setting of the BBNP. Following receipt of further information, they now advise that they *"do not consider that the revised restoration would have a significant adverse visual effect on the Brecon Beacons National Park"* and have *"no further objections"*

As a result, NRW have withdrawn their objection / significant concerns and are advising that the condition can be discharged.

Committee is advised however that NRW have been pursuing their own enforcement action in respects of alleged breaches by the applicant / developer. These are closely related to aspects of the Planning consent (in as much as they relate to the development and restoration of an open-cast coal mining operation) however any action / prosecutions will be made outside of the Planning system. Such works include the removal of tyres buried at the site and prevention of silts from entering the water environment. These are being pursued (in addition to other issues) through the Environmental Permitting Regulations S36(5), the Water Resources Act 1991 S161A and the Environment Act 1990 S59.

In addition to both NRW and the Council's Drainage Section, the Council's Ecologist was also consulted in respect of the proposal and has offered the following advice:

"I have reviewed the most recent iteration of landform restoration proposals submitted by Tower, it offers very significant opportunities to deliver effective biodiversity and habitat mitigation. The landform mitigation set out in this recent submission is, in my opinion, wholly in line with the requirements and process of the restoration strategy to maximise the biodiversity and habitat potential of this site. The recognition that these final details would only be forthcoming at this later stage in the process was (in my opinion) a clearly understood principle of the environmental working group. That is why pilot areas of restoration were deliberately established earlier in mining process to inform this later process. It was a recognition that the fine tuning and delivery of effective mitigation could only be achieved at this stage in the restoration process and would need to draw upon site specific examples and opportunities. That is an essential principle if the ecological mitigation is to have any realistic chance of successfully offsetting the significant ecological impacts which have been experienced.

It is important to remember that ecological loss was the most significant environmental impact associated with this planning permission. That impact was fully identified at the time of the determination of the planning application by both myself and the Countryside Council for Wales and was clearly reported as such in the Planning Report. While the Planning Report recognised that not every element of the site's original ecological importance would be mitigated, it required that every effort should be pursued within the restoration and aftercare scheme to maximise the habitat and ecological value of the final restored landform.

The most recent iteration of restored landform achieves two very important ecological outcomes. Firstly, it provides for much needed micro-topography variation. In particular the retained back-wall will allow lower plants, fern and wetland communities to re-find habitat niches which were lost when the original complex mosaic of tips (with their intricate micro-topographies) were lost through the opencast excavations. As I commented in my planning observations in June 2011, 'The issues of micro-topography, and patterns of surface and sub-surface drainage are fundamental to the diversity of the SINC habitats. The applicant has reacted to this issue, and it is acknowledged that some micro-topography and surface drainage features have been designed into the project. However, these are limited by the confines of land stability, and because of engineering constraints the complexity of the existing situation is not (and in reality cannot) be duplicated in a restored landform'. It is therefore very gratifying to see the efforts made in this most recent restoration iteration to appropriately maximise the opportunities for mitigation of micro-topography .

The latest restoration details are also realising an impressive diversity of wetland features and wet flushes. Again, these were very key and important components of the sites original habitat composition, and were very important in supporting the site's original diverse flora and fauna. The successful restoration of flush and wetland habitats is usually a particular problem for colliery restoration scheme, however, the latest landform iteration will allow an appropriately controlled, but still very effective diversity of wetland and flush communities to develop. These will be fed through original hillside springs, and the series of bowls, and seepage connections will allow a

far greater variety of wetland habitats to develop than earlier restoration iteration allowed. That improved habitat diversity is very good to see.

It is also important to recognise that this latest restoration iteration has been advised and informed by an updated ecological assessment. This has been particular effective and important in drawing together the important messages and lessons from initial 'pilot' restoration works, other ecological mitigation works and the many sources of evidence of how nature has reacted on this site. As such I think this latest iteration is an effective culmination of the evolution of process, discussion and thoughts which has been the purpose of the environmental working group. As such I am confident that there is now real opportunity to achieve the meaningful habitat restoration this site requires.

I also note that the revised scheme provides evidence of improved tip stability provision through the controlled 'opening up' of water courses and attenuation, rather than the re-burial of spring lines".

The BBNP Authority were also consulted in respect of the application. No response has been received however, the response from NRW is considered to address the impact on the landscape and setting and the inherent special qualities of the BBNP.

Conclusion & Recommendation

In the discharge of Planning conditions generally, some require a Planning judgement / balance to be made (such as in issues of "visual amenity") while others are largely technical in nature and largely rely on the comments of specialist consultees. While the consideration of this condition contains an element of both, the majority of the weight afforded to the decision maker is one that is based largely on the technical expertise of individuals and organisations both inside and outside of the Council. Based on the information that has been received from NRW, the Council's Ecologist and the Council's Drainage Section, there would not seem to be any obvious technical reason to withhold discharge of the condition.

With regard to the retention of the "rear wall", it has introduced a new element to the landscape that was not there or proposed in the past. There are technical (safety) reasons put forward as to why at least part of it should remain exposed and environmental reasons why its retention in its current form would provide enhanced ecological opportunities for mitigation above and beyond the scheme that was previously approved. NRW have also advised that they do not consider that the proposed restoration landform would have any adverse impact on the BBNP, however, leaving safety issues aside, it does propose a significant change to the landscape that needs to be considered. It is clear that this area has been heavily worked through its industrial past and that any restoration will inevitably be largely artificial.

The retention of the "rear wall" does provide an interesting feature within the landscape and, while it too is man-made, it could be considered to be an honest remnant of the areas industrial heritage as well as, once it has weathered and "greened-up", be not too dissimilar to the dramatic rock faces which so characterise the immediate and wider area.

In addition the soon-to-be dualling of the A465 (Heads of the Valley) and the significant changes proposed to the large roundabout at Hirwaun, in combination with the creation of the plateaux that both this and the previous restoration schemes proposed (bringing forward the development of the Policy NSA8 site in the LDP), will mean that the foreground to this restoration scheme will also undergo significant changes such that any impact of the BBNP and communities of Hirwaun, Penderyn and Rhigos will be further minimised.

In light of the above considerations, **it is recommended that the application be discharged**. This will mean that TRL (in Planning terms) can complete the development thus bringing to an end a controversial development (being so close to nearby residential areas). The legacy of the open cast operation will still be experienced over the next few years and beyond as it returns to a more natural appearance, and the mitigation requirement itself will still be in place for decades as specified in the original consent and S106 Agreement.

Committee is advised / reminded / reassured that, notwithstanding the discharge of this condition, the developer would still need to comply with the requirements of NRW's Environmental Permitting Regulations and other related legislation, as well as all other conditions attached to the Planning consent.

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PLANNING & DEVELOPMENT COMMITTEE

16 JULY 2020

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 19/1245/10 (GH)
APPLICANT: Hafod Housing Association
DEVELOPMENT: Development of 25 affordable dwellings and associated works (Planning Policy Tech Note; Transport Assessment Addendum; Site Investigation; Ecological Management Plan; Revised Boundary Detail; and other revised plans to reflect changes to traffic calming/site entrance; received 30th January 2020)

LOCATION: LAND TO THE NORTH OF BRYNNA ROAD, BRYNNA
DATE REGISTERED: 27/11/2019
ELECTORAL DIVISION: Brynna

RECOMMENDATION: APPROVE, SUBJECT TO CONDITIONS AND SECTION 106 AGREEMENT

REASONS:

The proposed development would provide a welcome range of affordable dwellings designed to meet an identified local housing need.

Furthermore, on account of the proposed highway-related improvements and public transport links the development, on fine balance, would be considered to be in a sustainable location.

Therefore, as an extension to the existing settlement boundary the application would be considered acceptable as an affordable housing exception site, which would neither be harmful to the quality of the surrounding countryside or cause detriment to the amenity of the closest neighbouring occupiers.

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 consent is sought for the construction of 25 affordable dwellings, within a parcel of land to the north of Brynna Road and to the east of the property known as Lynwood.

The site currently contains a cluster of agricultural buildings which, together with several trees and a section of hedgerow, would be cleared. The development site would continue to be accessed from the same junction with Brynna Road, although this would have to be improved and widened to enable satisfactory vehicle and pedestrian use.

The new dwellings, all two-storey, would be sited along a cul-de-sac and would comprise the following house types:

- 4 x one bedroom *Monnow* flats
- 3 x one bedroom (ground floor) *Mythe* flats
- 3 x two bedroom (first floor) *Mythe* flats
- 8 x two bedroom *Ogmore* houses
- 7 x three bedroom *Wye* houses

The applicant has provided a materials schedule which demonstrates that all of the properties would have elevations of face brickwork and roof planes of smooth grey tiles. Fenestration, barge boards and fascias would be of white uPVC, except for grey entrance doors.

The development would provide a total of 45 off street parking spaces, of which 5 would be allocated for visitors. Most spaces would be to the front or side of dwellings, except for two small parking courts.

As part of the proposal, off site highway improvements are proposed. These include a raised table junction on Brynna Road and speed markings; traffic calming features, two bus stops and footway improvements; although plans for a zebra crossing further to the north-west, just past the junction of Brynna Road with Red Roofs Close, were later removed.

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

- Ecological Statement and Phase 2 Surveys
- Transport Statement
- Design and Access Statement
- Drainage Strategy and Flood Consequences Assessment
- Engineering Appraisal
- Ground Investigation and Coal Mining Report

- Landscape Strategy
- Arboricultural Impact Assessment
- Tree Survey
- Tree Protection Plan
- Tree Constraints Plan
- Pre-Application Consultation Report

A second consultation with residents and relevant statutory consultees was undertaken on receipt of the following additional documents:

- Planning Policy Technical Note
- Transport Assessment Technical Note
- Site Investigation
- Ecological Management Plan

The Council's Housing Strategy Section has advised that the unit mix and tenure proposed are in accordance with the Local Housing Market Assessment 2017/23 and LDP Policy SSA12.

Lastly, Members may be aware that this planning application has been subject to a 'call-in' request under Section 77 of the Town and Country Planning Act 1990.

Consequently, under the auspices of Article 18 of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, the Welsh Government has directed that planning permission shall not be granted without the prior authorisation of the Welsh Ministers.

In practice, this means that if Committee Members indicate they are minded to grant consent, the Welsh Government will advise whether it wishes to formally call-in the application for Ministers to determine. However the direction does not prevent the Council from refusing planning permission.

SITE APPRAISAL

The application site is an irregular-shaped piece of land adjacent to the settlement boundary at the western fringe of Brynnau Gwynion. The site has accommodated a cluster of agricultural style buildings, benefitting from a direct access with Brynna Road to the south.

Although the area within the red line plan incorporates a surface area of 0.6 hectares, the land within the ownership of the applicant extends a little further to the north and west. This larger area amounts to approximately 2 hectares and abuts the boundary with Bridgend CBC and land designated as a SSSI.

The majority of the site is located within a high risk coal area and in addition to being identified as 'potentially contaminated' it is within 250m of a previous landfill site, hence

the submission of the relevant site investigation report. However the western part of the site which falls within a C2 flood zone does not form part of the proposed area to be developed.

Neighbouring properties consist of a cluster of residential units on land immediately adjacent to the east, and comprise a mix of several large detached houses, terraced cottages and bungalows. On the opposite side of Brynna Road a vegetated verge separates the highway from the South Wales main line railway.

PLANNING HISTORY

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

- 19/5079/41:** Affordable housing scheme for 23 dwellings. Decision: 18/07/2019, Raise No Objection.
- 13/0188/10:** Open fronted agricultural shed for storage of hay, straw and agricultural machinery. Decision: 24/06/2013, Grant.

PUBLICITY

The application has been advertised by direct notification to twenty-two neighbouring properties and notices were displayed on site. Furthermore, in accordance with the Development Management Procedure (Wales) Order the relevant press notice was published on 5th December 2019 identifying that the proposal was a departure from the Local Development Plan.

A second consultation was undertaken following the receipt of revised plans and supporting information in January 2020.

Objections were received from seven properties, which also include a submission from a planning consultant. The following is a summary of the concerns raised:

Sustainability of location

- The site will be unsustainably located with unacceptable poor access to necessary local services and facilities, and is therefore non-compliant with the Active Travel (Wales) Act 2013 and PPW10.
- Bus stops are over 400m away uphill.
- There are no shops in Brynna Gwynion, with a 25 minute walk to the nearest shop and school in Brynna.
- Local schools, doctors surgeries and dentists are full.
- The nearest doctors is in Pencoed, although at least 2km away, it is likely that people will walk the above route if they do not have a vehicle. The walking route is dangerous.
- The Nant Ciwc recently flooded into the adjacent field; the houses shouldn't be built on a flood plain.

Highways

- Development at the Llanilid site will see at least 2,000 houses built, more likely to be well in excess of 5,000 over the next 10 years or more and all travelling to the M4 Junction 35 at Pencoed, together with traffic generated by the Bridgend College expansion. Traffic is already gridlocked.
- Walking routes from the site are not safe, some parts are narrow or unlit.
- Any development north of the railway line cannot be addressed by extra roads, there is one road in and one road out.
- The suggested number of daily two-way trips doesn't make sense given the number of properties and car parking spaces.
- The entrance to the site is by a speed calming measure. Many drivers try to get around this as quickly as possible before traffic coming down the hill can pass. It will be a danger to anyone trying to exit the site out onto the road together with the fact that at certain times of the year you cannot see up the road at oncoming traffic due to the sun being low in the sky.

Housing need/policy

- Occupation of the proposed development for a purpose other than genuinely accommodating an identified local affordable housing need would fail to accord with Policy AW3.
- The Registered Social Landlord does not have a local lettings policy, yet Policy AW3 requires the development should be for a local identified need.
- It cannot be guaranteed that local people will occupy the homes.
- Rhondda Housing Association are currently providing 61 affordable houses in Llanharan on top of 32 already built.
- The proposed development does not follow Welsh Government policy/guidelines for affordable housing which should be accommodated within large new housing developments. This proposed site is self-contained on the edge of a village where most of the properties are either bungalows or executive houses. There are many large new housing developments in the surrounding areas which are already covering the annual need for units in the area. There is no 'need' for this development.
- The development would not meet the requirements of PPW TAN 2 which requires a well-integrated mix of housing types and tenures.

Neighbour amenity

- The sewerage pumping station should not be located immediately adjacent to our property, there is room for it to be located elsewhere within the site.
- The rear wall of one of the existing farm buildings forms part of the boundary to our property, the remainder of which is a relatively new close boarded fence about 2m high. The only provision in the plans to deal with this is a new section of hedge. Such a hedge will take some time to mature and will never provide

an animal proof solution at its base. It is our view that the developer should also provide a new section of fence to match the existing.

- We are concerned about safety and crime if problem families are placed in these homes.

Ecology

- The site is close to SSSI land which conflicts with Policy AW3.
- Building work here and elsewhere in Bryncae and Llanilid is already having a devastating effect on the countryside.
- Concern that any development would affect the water table and the garden lake in an adjoining property.

Other

- Welsh Water has stated that the site is crossed by a trunk water main and that no structure must be sited within a minimum 11m distance from the centre line of the pipe.
- A local resident who worked underground in Llanharan deep mine states that one of the seams travels under the site and that is why the trains travel slowly passed the area.
- The concern is that our homes will become unsaleable. The properties bordering this site are valued between £350,000 and £800,000. They are the most expensive homes in the village and not indicative of the general housing stock. Who will buy houses of this calibre with housing association homes behind?

CONSULTATION

Transportation Section

No objection subject to conditions including a requirement for a Construction Method Statement and engineering design and details of highway construction and access.

Flood Risk Management

The applicant has indicated that the site's discharge rate will be controlled at the Qbar (2l/s) rate in keeping with the requirements for the Welsh Government's national standards for SUDs in Wales. This discharge rate is controlled for events up to an including the Q100+ climate change event.

As such the applicant has demonstrated that the sites development will not increase the risk of flooding to the site itself or the surrounding communities and therefore no objection or recommendation for condition is recommended in relation to surface water flood risk.

Public Health and Protection

Conditions are recommended in respect of noise, dust, waste and lighting. It is considered that these matters can either be controlled by existing public health powers or will be addressed by a construction method statement.

In addition, given that the site is located within 250m of the Red Roofs Landfill site there is a risk of landfill gas. The Desk Study and Site Investigation Report demonstrate that a six round of sampling has been undertaken, as specified by current practice; however only two borehole wells were installed. The CIRIA C665 recommend, however small the site might be, that a minimum of three wells needs to be installed and therefore further gas monitoring should be undertaken to ensure the risk is suitably addressed.

Noting that the site is located on colliery spoil and given that Integral Geotechnique has identified the need for further investigation and recommended intrusive works, it would be prudent to append a contaminated land condition to ensure that any remedial measures identified by this process are appropriate and properly validated after completion.

However since an acceptable desktop study has already been provided, that part of any condition can be dispensed with.

Natural Resources Wales

Planning permission should only be granted subject to conditions in respect of enabling permanent access for the management of the SSSI site, approval of details for the proposed cattle crush, and for the submission of a Construction Environmental Management Plan.

In respect of other matters, NRW has confirmed that the site includes a small area of Zone C2 of the Development Advice Map (DAM) contained in TAN15 and the 1% (1 in 100 year) and 0.1% (1 in 1000 year) annual probability fluvial flood outlines. Given the limited extent of flood risk shown to be affecting the application site (and in the absence of a Flood Consequences Assessment) NRW considers the proposals could be acceptable, subject to the developer being made aware of the potential flood risks to these areas.

Lastly, NRW has noted the revised Ecological Site Assessment and Phase 2 Surveys by Ecological Services Ltd, dated 18 November 2019, V4.0, which includes survey results for dormice and bats. The surveys found no evidence of dormice or evidence of roosting bats in any building and therefore NRW has no further comments on this matter.

Bridgend County Borough Council

No objection.

Llanharan Community Council

Objects to the application on the basis of poor site access to highways and local facilities, lack of safe walking routes and disabled access, and the absence of spare capacity in local schools. In addition the Community Council has highlighted the proximity of the site to the SSSI and that the RSL does not have a local lettings policy.

Dwr Cymru Welsh Water

DCWW confirms that foul water flows can be accommodated in the public sewer system and acknowledges that the intention is to dispose of surface water via a sustainable drainage system and existing watercourse.

Western Power Distribution

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

South Wales Fire and Rescue Service

No objection. The developer should consider the need for the provision of adequate water supplies on the site for firefighting purposes and access for emergency firefighting appliances, information on which can be obtained from the Fire Safety Officer.

Countryside, Landscape and Ecology – Ecologist

A Section 106 Agreement would provide an acceptable delivery mechanism for ensuring the required ecological mitigation, as specified within the Ecological Management Plan, would be provided.

A condition is recommended in order to ensure landscaping proposals and plant/seed mix varieties are appropriate to the context of the site.

The Coal Authority

The planning application is accompanied by a Site Investigation Report (12506/LW/19/SI Rev A, dated January 2020) prepared by Intégral Géotechnique (Wales) Limited. This report has been informed by intrusive ground investigations in the form of four rotary open hole boreholes drilled to a maximum depth of 30m. Borehole logs and a plan illustrating where the boreholes were drilled are appended to the report.

Section 5.2 identifies that each borehole was terminated within superficial deposits. Bedrock was not encountered within any of the boreholes and no coal and/or workings were encountered. The report author concludes (Section 9) that due to the thickness of the superficial deposits encountered within all the boreholes this would prevent the migration of voids to surface level. Therefore the risk of ground subsidence occurring

as result of past shallow mine workings is considered to be low and no further investigation works are required in this regard.

The Coal Authority is satisfied with the broad conclusions of the Site Investigation Report (12506/LW/19/SI Rev A, dated January 2020) informed by the site investigation works; that coal mining legacy issues are not significant within the application site and do not pose a risk to the proposed development. Accordingly, the Coal Authority has no objection to the proposed development and no specific mitigation measures are required as part of this development proposal to address coal mining legacy issues.

South Wales Police

No objection. A list of recommendations, in respect of designing out crime, have been submitted for forwarding to the developer.

Wales and West Utilities

A list of general conditions and a plan of underground assets has been provided for the benefit of the developer.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site is outside of but directly adjacent to the settlement boundary for Brynna.

Policy CS2 - The policy emphasis in the Southern Strategy Area (SSA) is on sustainable growth that protects the culture and identity of communities by focusing development within defined settlement boundaries. Emphasis will also be on protecting the cultural identity of the strategy area by protecting the natural environment.

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

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

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

Policy AW3 - This policy states that development proposals for the provision of affordable housing outside of but adjoining the identified settlement boundaries will be

permitted where it can be demonstrated that: the proposed development cannot be accommodated within the defined settlement boundary; the site does not exceed 30 dwellings or 1 hectare; the proposed development is solely for the provision of affordable housing to meet identified local need; and the proposed development is not within a Green Wedge, Special Landscape Area or within, near or adjacent to an internationally, nationally or locally designated nature conservation site.

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

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

Policy AW8 - Seeks to protect and enhance the natural environment from inappropriate development.

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

Policy SSA11 - The policy stipulates that residential development will only be permitted where the net residential density is a minimum of 35 dwellings per hectare.

Policy SSA12 - The provision of 20% affordable housing will be sought on sites of 5 units or more.

Policy SSA13 - The settlements in the Southern Strategy Area have absorbed a significant amount of new development during the last decade. In order to protect the identity of these settlements, ensure the efficient use of land and protect the countryside from urbanisation and incremental loss; the policy stipulates that development will not be permitted outside the defined settlement boundary.

Supplementary Planning Guidance

- Design and Place-making
- Access, Circulation and Parking Requirements
- Affordable Housing
- Planning Obligations
- Employment Skills
- Development of Flats

National Guidance

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

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 wellbeing of future generations goals 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 proposed:

Chapter 1 (Managing New Development)

Chapter 2 (Maximising Well-Being and Sustainable Places through Placemaking)

Chapter 4 (Active and Social Places)

Chapter 6 (Distinctive and Natural Places)

Other policy guidance considered:

PPW Technical Advice Note 2 – Planning and Affordable Housing

PPW Technical Advice Note 12 – Design

PPW Technical Advice Note 15 – Development and Flood Risk

PPW Technical Advice Note 18 – Transport

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 site is in the Southern Strategy Area and is outside of but directly adjacent to the settlement boundary. As noted previously the Brynna a Wern Tarw SSSI, which straddles the RCT and Bridgend boundary is in close proximity to the application property, with land designated as a SINC to the north. A minor part of the site is within the C2 flood zone, although this relates to the part of the site where the drainage proposals would be located and not the footprint of the built development or its access.

The LDP clarifies that within the Southern Strategy Area development outside of the settlement boundary is not supported and therefore any such applications would, under normal circumstances, result in a refusal of consent, in line with Policy SSA13. However this application proposes the provision of 100% affordable housing, on behalf of a Registered Social Landlord (RSL), and constitutes a rural exception site.

PPW TAN 2 notes that affordable housing provision in rural areas must be supported by a rural exception site policy, which in the case of the LDP is reflected by Policy AW3. Paragraph 10.13 of the TAN states that “sites should be small (as locally defined in the development plan), solely for affordable housing and on land adjoining existing rural settlements which would not otherwise be released for market housing”. The proposed development accords with these requirements.

Reference has been made by one of the objectors to matters of integration, and specifically paragraph 10.11 of TAN 2 which advises that development should seek to “establish an appropriate and well-integrated mix of housing types and tenures which will contribute to the identified need for affordable housing, and to the objective of achieving mixed and sustainable communities”.

However, this paragraph of TAN 2 relates to the setting of thresholds and site specific targets as part of the development plan, and is therefore pertinent to the plan-making process and the quantity, mix of house types and tenure of affordable housing on large or strategic residential sites. As noted above, rural exception sites are considered distinct from this.

LDP Policy AW3

Consequently, the key test of the acceptability of the application in *principle* is whether it can be demonstrated to accord with LDP Policy AW3. This policy states that development proposals for the provision of affordable housing outside of but directly adjoining the identified settlement boundaries will be permitted where it can be demonstrated that:

1. The proposed development cannot be accommodated within the defined settlement boundaries.
2. The site does not exceed 30 dwellings or 1 hectare.
3. The proposed development is solely for the provision of affordable housing to meet an identified local need.
4. The development is not within a Green Wedge, Special Landscape Area or within, near or adjacent to an internationally, nationally or locally designated nature conservation site.

In respect of criterion 1, the applicant was required to provide robust evidence to show that the development could not be accommodated within the settlement boundaries. Evidence has been submitted, including a supplementary policy note, to show that other possible sites and allocations have been considered.

This includes three suggested alternative sites which were investigated by the applicant at the request of the Council and were either ruled out or the suggestion for consideration was withdrawn. The strategic site at Llanilid was also considered, but due to the phasing of the site there will be a slower release of affordable homes. It is therefore considered that the applicant has evidenced that the affordable housing numbers cannot be accommodated elsewhere.

Criterion 2 states that the site cannot exceed 30 dwellings or 1 hectare. The application is for 25 dwellings within a site of 0.85 hectares, which is acceptable.

Criterion 3 stipulates that the site should be solely for the provision of affordable housing to meet an identified local need. Clearly the application is for 100% affordable housing and the application is submitted on behalf of an RSL which indicates that this is the case. In addition, any planning consent would be subject to a S106 agreement to ensure the tenure of the accommodation.

With regard to the identification of a local need, the applicant has subsequently provided evidence of the need in this area, at the time of enquiry, by confirmation through the Council's waiting list as follows:

- 1 bedroom - 59 applicants
- 2 bedroom - 48 applicants
- 3 bedroom - 30 applicants
- 4 bedroom - 8 applicants

The Council's Housing Strategy Team which has discussed the current proposal with the applicant has identified that even taken together with the affordable housing

provided at Phase 1 of the Llanilid development, the annual need for the Brynna area, for both tenure and mix, would still not be met.

On this basis it is considered that criterion 3 has been met.

Criterion 4 seeks that the site is not within a Green Wedge, Special Landscape Area or within, near or adjacent to an internationally, nationally or locally designated nature conservation site. The site is not within a Green Wedge or Special Landscape Area, but is near to SSSI and SINC designations, and in respect of the latter, approximately 60m at its closest point.

In this case, the tipping point of acceptability for whether this criterion would be met, and whether the proposed scheme complies with Policy AW3, rests on the interpretation of what 'near' means. Criterion 4 is evidently intended to prevent areas of ecological importance from harm and whether 60m or 600m away, it is considered that the views of the Council's Ecologist and NRW are, perhaps, the best measure.

Neither NRW nor the Council's Ecologist has raised an objection to the proposal, subject to conditions and a S106 agreement, so on this basis, it could be argued that there is no conflict with criterion 4.

Nonetheless, in relation to rural exception sites PPW states that 'Sites must meet all the other criteria against which a housing development would be judged'. Therefore this development needs to be assessed against all other relevant policies in the LDP.

Sustainability

One of the main objectives of both PPW and the LDP is to achieve sustainable development. Any application should be considered against Policy AW2 of the LDP which requires that developments are in sustainable locations. The following criteria of Policy AW2 are considered relevant:

1. Are within the defined settlement boundary.

The site is outside of the defined settlement boundary and under normal circumstances an objection would be raised to development in this location. However as this application is for a rural exception site and providing that it has been fully justified under the auspices of Policy AW3 by the applicant, an objection would not be raised in this instance.

2. The site would not unacceptably conflict with surrounding uses.

The layout of the development shows that it would be close to other dwellings on its eastern boundary. However, since both new and existing adjoining uses would be residential, this would not represent a conflict.

The remaining boundaries abut open countryside and as discussed above, are close to the SSSI and SINC ecological designations. As per that discussion, and since no objections were received from either NRW or the Council's ecologist, this criterion is met.

3. The development should have good accessibility by a range of transport options and;

4. The site should have good access to key services and facilities.

Taking these two points together the site is located on the edge of the settlement of Brynnau Gwynion which itself is detached from the closest settlement of Brynna by approximately a third of a mile.

The site benefits from a network of pavements which allow access to any available services and in terms of public transport options there is an existing bus stop on Brynna Road which is a short walk from the site and which provides a regular bus service between Bridgend and Talbot Green. There would also be a new stop on both sides of Brynna Road, close to the site entrance.

The closest train station is Pencoed which is approximately a 20 minute walk away. This is deemed too far to be considered a reasonable distance from the site in terms of walking but it is considered that cycling would be possible and reasonably convenient. There is also the opportunity to cycle to Llanharan which has a number of facilities and services.

Within Brynna there are some limited facilities within walking distance of the site including a shop, takeaway, play area and a school. These are an approximately 15 minute walk from the site via a network of pavements.

Furthermore other services and facilities can be accessed from the site, via public transport, including Talbot Green, Bridgend and Pontypridd which would allow access to a variety of services and facilities.

However, the views of the Council's Transportation Section, which are reported further below, consider walking routes to be poor and that there would be a high reliance on private motor vehicles; although the new bus stops and cycle storage would encourage the use of sustainable transport options.

In this respect, given the above, it is considered that the case for arguing that the site benefits from good accessibility to a range of transport options and key services and facilities is a weak one.

5. Do not permit highly vulnerable development and emergency services within Zone C2 floodplain.

There is a minor part of the site in the C2 flood zone, however this is in respect of a small section of the sustainable drainage scheme, and does not relate to the part of the site that would accommodate the proposed dwellings and their infrastructure.

Housing Density

Policy SSA11 seeks a minimum housing density of 35 dwellings per hectare unless it can be robustly justified why this figure cannot be achieved. The site is for 25 dwellings on a site of 0.85 hectares. This equates to a density of just under 30 dwellings per hectare.

This is a lower density than the policy seeks and given that the site is outside of the settlement boundary, on green field land and on the edge of Brynnau Gwynion, this is considered to be acceptable. Additionally, paragraph 4.2.22 of PPW10 notes that development densities should be appropriate to the site context and would be expected to be higher on sites in town centres and which have good walking, cycling and public transport links

Conclusion

Of the policy tests referenced above, it is considered that against most of the criteria the development would clearly be acceptable. The matters where there is less clarity concern criterion 4 of Policy AW3 – the question of ‘nearness’ - and the sustainability of the site location with regard to criteria 3 and 4 of Policy AW2.

Consequently, in terms of the acceptability of the proposal in principle, it is for Members to decide how much weight to apportion to each of the material concerns listed. However, noting the high level of affordable housing need and the lack of other available sites, the recommendation in this case, is that that development is, on balance, *just* acceptable.

Design, Layout and Placemaking

The existing built environment in Brynnau Gwynion is of a mixed character throughout, with the closest neighbouring properties being of a variety of scale, types, age and appearance. These range from Victorian terraced cottages and larger pre-war properties, to detached houses and spacious bungalows of later vintage.

In this setting it is not possible to identify an underlying character against which the design and layout of the site should be compared or seek to assimilate; and although more than half of the number of dwellings in the village comprise the 1960s/70s Red Roofs Close/Manor Park development, within which there is some uniformity, that development is mostly set back from the main street scene of Brynna Road.

It is pleasing therefore, given the edge of village position, that the development is of a relatively low density, compared with other contemporary schemes. By necessity of

Policy AW3 it is also of a small scale as are the proposed house types, none of which exceed two storeys.

Consequently the site layout plan and street scene visuals suggest that the site would not appear cramped, and both the layout and landscaping arrangements, together with a setback of elevations of between 14-18m from Brynna Road to the south, mean that the development would not feel overwhelming of the western part of the village.

In addition, the tree and hedge planting, particularly that around the western-facing boundary fences will soften formal lines and sharp angles, although it is noted that the landscaping will take time to mature, and that with every new development the harshness of new materials takes time to weather.

With regard to the style of the house types, these would be of an unremarkable contemporary appearance, utilising two options of face brickwork and incorporating some items of design interest, such as entrance canopies, gables and stone cills/heads to the principal elevations.

The internal layout of the site follows a short cul-de-sac with some planting and landscaping. Although there is some concern that southernmost part of the development could be dominated by car parking spaces, both this and the fact that most of the properties would not be served by in-tandem parking spaces will hopefully reduce the degree of on-street parking.

Further to the above, the applicant was asked to make a judgment of the development against National Sustainable Placemaking Outcomes as set out in PPW10.

Placemaking in this sense is not confined to matters of style and design, but considers other cross cutting issues such as economic impact, use of resources, environmental protection and sustainable communities, some of which are considered elsewhere.

PPW10 states that a development would not be expected to meet all of the outcomes but that every effort should be made to consider these and make improvements where they can be made. A thorough assessment was submitted by the applicant identifying how the scheme meets these outcomes.

Therefore in terms of the impact of the development on the character and appearance of the local area, the application is considered to be acceptable.

Impact on neighbouring occupiers

The edge of settlement site location means that the number of properties and residents that could be affected directly by the development are fewer. There are dwellings whose boundaries are shared with the application site, namely 'Lynwood' and nos. 1 and 2 Emanda Gardens.

The external layout plan identifies that the boundary would be demarcated by a close-boarded wooden fence on the development side, most of which would be to a height of 2.4m, recognising that the application site is slightly lower, in part, than its neighbours. The fence between and beyond the principal elevations of Lynwood and Plot 5 would have a similar fence to a height of 2.1m.

Plot 5 is the house type identified as Ogmore, which to the first floor rear would have a single large casement window serving a bedroom. It is possible that this window may benefit from some skewed views towards the garden of Lynwood, although this would be limited and far less intrusive than the direct views that would seem to be possible from the rear dormer windows of no. 2 Emanda Gardens.

A concern was raised about the proximity of the proposed sewage pumping station to the boundary of no. 2 Emanda Gardens, and the possibility of pollution from any spills. However, it is noted that the pumping station would occupy lower ground and would be 36m from the property itself.

In other respects, the rear elevations of Plots 6 to 11 face towards the shared boundary. With a minimum depth of 12m they benefit from reasonably deep gardens the effect of which is that the distance between these elevations and those of nos. 1 and 2 Emanda Gardens ranges between 26m and 43m.

Nonetheless, it is recognised that residents of the aforementioned properties may previously have enjoyed views beyond the settlement boundary and the absence of any activity, other than that related to agriculture, will have resulted in a quietness of location. It is therefore understandable that housing development, regardless of tenure, would not be welcomed.

That said, the loss of a view is not a material planning consideration and the proposed new dwellings are not close enough to the existing where they could be considered overbearing. Similarly and in principle, a new neighbouring residential land use cannot be considered anything other than compatible to an existing one.

It is unlikely, therefore, that the new dwellings would have an adverse effect on the existing neighbours, by way of detriment to privacy, immediate outlook or overshadowing and therefore the application would be acceptable in terms of neighbour amenity and Policy AW5.

Ecology

Policy AW8 seeks to protect the County Borough's distinctive natural heritage, and states that there must be no unacceptable impact upon features of importance to landscape or nature conservation, including ecological networks, the quality of natural resources such as air, water and soil, and the natural drainage of surface water.

Therefore, all development proposals, including those in built up areas, that may affect protected and priority species must demonstrate what measures are proposed for the protection and management of the species and the mitigation and compensation of potential impacts. This consideration applies in general and not just to land subject of a designation such as the SINC or SSSI.

This application has been supported by the submission of an Ecological Statement and Phase 2 Surveys, and subsequently by an Ecological Management Plan. The latter is particularly relevant since mitigation of ecological impacts is not sufficient on its own.

In October of last year the Welsh Government wrote to Welsh planning authorities to clarify legislation and confirmed that if 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”.

Although the ecology surveys found no evidence of the presence of dormice, bats or marsh fritillary butterflies within the development site boundary, the Ecological Management Plan includes measures for bats, herptiles, nesting birds, invertebrates and hedgerow replacement.

Not all of these measures or necessary land management would be within the red line site boundary and therefore would have to be provided by a S106 agreement rather than by condition. It has been confirmed by the Council’s Solicitor, to the satisfaction of the Ecologist, that a S106 agreement is appropriate in securing and maintaining those measures and, like a condition, is enforceable.

The absence of any of the aforementioned protected species on site means that NRW has not advised of the need for a European Protected Species Licence, but concerns were raised about ongoing access to the SSSI for the purpose of management.

The particular issue is that the maintenance of the SSSI requires its grazing by cattle. The cattle currently access the SSSI via a gate and crush at the northern end of the development site. As a result of discussions between the agent and NRW, this matter has been clarified and the access included within the proposed layout plan 100 Rev R. This access is also subject to two recommended conditions.

Further conditions, requested by the Ecologist or NRW, relate firstly to a Construction Environment Management Plan. This is distinct from a Construction Method Statement in that it seeks details of how the development would be undertaken to prevent pollution to the adjoining land, ground water and watercourses. Secondly, details of landscaping have been requested, in particular to identify that the proposed planting and seed mixes are appropriate to what is already a species-rich area.

Highways and accessibility

Access from Brynna Road

Brynna Road is a bus route and also acts as a diversionary route when the A473 is closed due to maintenance or an accident. The proposed development, which would be served via a priority junction with a raised junction plateau from Brynna Road, would have a 5.5m wide carriageway, 6m junction radii, 2m wide footways within the site and a 3m shared cycle/footway abutting Brynna Road. As such the proposed junction, with satisfactory vision splays, is acceptable in principle, subject to detailed design and road safety audit.

Vision Splays

The speed limit in the vicinity of the proposed junction is 30mph. The submitted Transport Statement includes a 7 day ATC traffic survey which was carried out between 25th June and 1st July 2019. The results indicate an 85th percentile speed of 28.4mph in an eastbound direction (determining vision to the right at the junction) and 33.3mph in a westbound direction (determining vision to the left at the junction).

There is no frontage development in the vicinity of the proposed site access and the nearest access to a dwelling is approximately 50m to the east. As such, Table A from Annex B of TAN 18 with traffic speed being known should be complied with. Therefore, based on the actual speed, the vision splay requirements, without traffic calming measures, would be 2.4m x 79m to the left and 2.4m x 70m to the right.

The submitted drawing no. 194856_C03 Rev E shows maximum achievable vision splays of 2.4m x 58m to the left and 2.4m x 64m to the right, which are less than the requirements set out in TAN 18. However, the proposed 'throttle' narrowing of the carriageway approaching the junction and the proposed raised junction plateau would both lower traffic speeds to the region of 15 to 20mph at the junction and as such, the vision splays indicated on the submitted drawing would be within the requirement of 2.4m x 47m.

Off-site Highway Improvements

The submitted drawing no. 194856_C03 Rev E indicates numerous off-site highway improvements consisting of:

1. A raised junction plateau at the proposed priority junction to lower the speed limit.
2. Narrowing of the carriageway and associated works such as road markings, signage to the west of the proposed junction to lower the speed limit.
3. Removing the existing priority build out the east of the proposed junction and reinstating the carriageway to full construction.

4. Widening the existing footway fronting the site to a 3m wide shared use footway/cycleway.
5. Relocating the existing speed limit terminal signs to the west to encompass the re-located priority buildout within the 30mph zone.
6. Provision of 2 new bus stops, including pole, sign, cage markings, shelter, boarder, widening of footway to a minimum of 3m and other associated engineering works on Brynna Road in the vicinity of the proposed junction.
7. Provision of uncontrolled pedestrian crossings at the site access.

The re-location of the speed limit terminal signs would require an amendment of the Traffic Regulation Order (TRO) on Brynna Road and an order would also be required for the introduction of the proposed traffic calming/raised plateau junction. Therefore, subject to granting of planning permission, the developer would be responsible for associated costs of the amendments to the TRO and implementation of the works prior to any works commencing on site.

The proposed off-site highway improvements are considered acceptable in principle subject to detailed design and a road safety audit, which can be secured by a planning condition.

Trip Generation

The submitted Transport Statement (TS) includes trip generation based on TRICS database. It is stated in the TS that the proposal would generate 115 two way daily trips with an AM peak of 13 trips between 0800 and 0900 hours and PM peak of 12 trips between 1700 and 1800 hours.

The Council's Transportation Section advises that this level of trip generation would not have a significant enough impact on the capacity of the local highway network to warrant further assessment. The impact on the strategic highway network such as the A473 and A4119 would be mitigated via Community Infrastructure Levy (CIL).

Internal Circulation

The site layout drawing indicates an internal highway layout incorporating a 5.5m wide carriageway with a 2m wide continuous footway on its western side and a 2m wide footway which narrows to 1m wide on the eastern side.

The narrowing of the footway gives cause for concern; however, there is a private footway off the 2m wide section which provides pedestrian access to plots 6-11. As such, on balance, the narrowing of the footway is considered acceptable.

The site layout drawing also indicates a non-standard turning area at the head of the cul-de-sac. However, submitted drawing no. 194856_AT_C01 Rev D, which forms part of the Technical Note, includes swept path analysis which demonstrates that the amorphous turning area can accommodate the turning manoeuvres of a typical refuse vehicle, albeit with a degree of overhanging of the footway. Whilst of some concern, it is not considered that this infrequent situation would warrant an objection.

The plan also indicates 3 no. private shared accesses. Both the access near to the proposed priority junction with Brynna Road and the easternmost access off the proposed turning area are acceptable.

The westernmost private shared access, from the turning area between plots 15 to 18, has a width of 3.5m which is insufficient for two vehicles to pass each other. Private shared accesses should have a minimum width of 4.5m to facilitate two-way traffic movement, in accordance with RCT's Highway Design Guide Standard Details drawing no.102.

Nonetheless, considering the private shared access is located at the turning area of a Cul-De-Sac serving 25 dwellings and the speed would be low, the potential harm is not significant enough to warrant a highway objection and this issue could be mitigated at detail design stage of the proposal.

Parking

The proposed development is for 25 no. residential dwellings within parking zone 4, as identified by the Council's SPG. The 25 dwellings consist of 7 x one-bed dwellings, 11 x two-bedroom dwellings and 7 x three-bed dwellings.

The Council's SPG identifies the following off street parking requirements:

- A maximum of 2 spaces per 1-2 bedroom dwellings
- A maximum of 3 spaces per 3+ bedroom dwellings
- 1 space per 5 dwellings for visitors.

This equates to a requirement of 57 spaces for residents and 5 visitor spaces, and a total of 62 spaces. The submitted Parking Strategy Layout drawing indicates 44 off-street spaces, resulting in a shortfall of 18 spaces.

Considering the limited local amenities, employment opportunities, poor safe routes in communities and that the level of public transport serving the site is also limited, the residents would largely rely on the use of a private car as a main mode of travel and therefore the shortfall in parking provision gives cause for concern.

Furthermore, the applicant's Technical Note states that as social housing, car ownership levels would be lower than comparable private housing; however, no robust justification is provided to address the Council's concerns in this respect.

However, the Technical Note also states that secure cycle storage would be provided, and both this and the two new bus stops near the Brynna Road junction would, to a degree, encourage use of sustainable modes of travel.

Therefore, considering the type and size of the proposed dwellings and mitigation measures proposed, the shortfall in parking provision is, on balance, considered acceptable.

Travel Plan

The submitted documents do not include a draft Travel Plan, however, the omission can be addressed by a condition to ensure that prospective occupiers of each dwelling are provided with a travel plan as part of a welcome pack to identify walking and cycling routes to access local amenities and services, details of park and ride facilities, and details of local bus and train timetables etc. to encourage sustainable modes of travel.

Conclusion

The proposed access, circulation and off-site highway improvements are acceptable in principle subject to detailed design and road safety audit.

There is some concern regarding the shortfall in parking provision, however considering the type and size of dwellings proposed, the provision of mitigation in the form of secure cycle storage and two new bus stops at Brynna Road near the junction, together with cycleway and footway improvements, the shortfall is, on balance, considered acceptable.

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.

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

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

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

In addition the S106 agreement will need to incorporate an obligation to manage the land adjoining the application site, for the purposes of delivering the required ecological mitigation and enhancement, in accordance with the approved Ecological Management Plan.

Furthermore, the Council's SPG for Employment Skills requires that residential developments of 25 dwellings or greater must be supported by an Employment and Skills Plan. Its provision should also be secured within the S106 agreement.

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 3 of Rhondda Cynon Taf's Residential Charging Zones, where there is a liability of £85/m² for residential development (including extensions to dwellings over 100m²).

The CIL (including indexation) for this development is expected to be £160,317.11.

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

Conclusion

The proposed development would provide a welcome range of affordable dwellings designed to meet an identified local housing need.

Furthermore, on account of the proposed highway-related improvements and public transport links the development, on fine balance, would be considered to be in a sustainable location.

Therefore, as an extension to the existing settlement boundary, the application would be considered acceptable as an affordable housing exception site which would neither be harmful to the quality of the surrounding countryside or cause detriment to the amenity of the closest neighbouring occupiers.

RECOMMENDATION:

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 drawings:

100 Rev. R – Proposed Layout

101 Rev. E – Location Plan

102 Rev. M – External Works and Boundary Treatment Layout

103 Rev. H – Materials Layout

104 Rev. H – Storey Heights Layout

105 Rev. H – Parking Strategy Layout

Wy-P-PIn

Wy-P-E.Bg

Wy-P-E.B1

Wy-P-E.B2

Og-P-PIn

Og-P-E.B1

My-P-PIn

My-P-E.B1

My-P-E.B2

Mo-P-PIn

Mo-P-E.B1

Mo-P-E.B2

FPS-P-C2 – Foul Pumping Station Plans and Elevations

448.01 Rev. A – Landscape Strategy

194856_C03 Rev. E – Proposed General Arrangement

and documents received by the Local Planning Authority on 26th November 2019, 30th January 2020, 23rd April 2020 and 15th May 2020, unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

3. No development shall commence until a scheme for the amendment of the Traffic Regulation Order (TRO) along Brynna Road has been submitted to and approved in writing by the Local Planning Authority. The amended TRO shall be implemented prior to the beneficial occupation of any dwelling.

Reason: To ensure deliverability of traffic management measures and restrictions in the interests of highway safety, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

4. No development shall commence until full engineering design and details, including a road safety audit, of the proposed junction and off-site highway improvements, have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the beneficial occupation of any dwelling.

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.

5. No development shall commence until full engineering design and details of the internal road layout including sections, footways, highway structures, street lighting and surface-water drainage have been submitted to and

approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the beneficial occupation of any dwelling.

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

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

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

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

7. No development shall commence 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 the Local Planning Authority dispenses with any such requirement specifically and in writing:

(a) 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.

(b) 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.

8. No dwelling hereby permitted shall be occupied 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.

9. 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.

10. No development shall commence until a details and specification for the cattle crush that is to be provided and maintained, with that of any associated apparatus to allow stock loading and handling, have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the beneficial occupation of any dwelling

hereby approved and thereafter shall be maintained in good working order, or replaced should replacement be necessary for safe use.

Reason: To facilitate the traditional agricultural management by cattle grazing for the ongoing management of the Brynna a Wern Tarw Site of Special Scientific Interest (SSSI), in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

11. No development, including any site clearance, shall commence until a site wide or phase Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP should include but not be limited to:

a) General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containment areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, wheel wash facilities, concrete mixing and washing areas) and any watercourse or surface drain.

b) Soil Management: details of topsoil strip, storage and amelioration for re-use.

c) Pollution Prevention: demonstration of how relevant guidelines for pollution prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.

d) Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details.

The CEMP shall be implemented as approved during the site preparation and construction phases of the development.

Reason: To protect water quality and ensure protection of the natural environment during construction, in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

12. No development shall commence until details of soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

- a) Planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment)
- b) Schedules of plants noting species, plant supply sizes and proposed numbers/densities where appropriate
- c) Specifications of seed mixes

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 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.

Reason: In the interest of visual amenity and ecological management in accordance with Policies AW5 and AW8 of the Rhondda Cynon Taf Local Development Plan.

13. Within one month of each dwelling being occupied the developer shall provide the occupier 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 encourage a sustainable mode of travel and reduce reliance on the private motor vehicle, in the interests of highway safety and the free

flow of traffic, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

14. The parking spaces indicated on submitted drawing no. 105 Rev H shall implemented on site in permanent materials and maintained for the parking of vehicles unless otherwise agreed in writing by the Local Planning Authority.

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

15. No HGV deliveries during the construction period shall take place between the hours of 08:00-09:00am and 16:30-17:30pm on weekdays to and from the site.

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.

16. The field access located at the northernmost part of the site, shall be kept clear at all times and maintained as such in perpetuity, and in good usable order, in accordance with drawing number 100 Rev. R entitled 'Proposed Layout'.

For the purposes of clarity, the access comprises connection from the adopted highway to the existing Farm Access Track and then along the Farm Access Track, through the five bar gate, to the site boundary with the adjacent field to the north-west. No access along this route will be prevented or denied where it is for the purposes of managing the Brynna a Wern Tarw Site of Special Scientific Interest (SSSI).

Reason: To secure permanency of access for the ongoing management of the Brynna a Wern Tarw Site of Special Scientific Interest (SSSI), in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

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PLANNING & DEVELOPMENT COMMITTEE

16 JULY 2020

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 20/0309/10 (GH)
APPLICANT: c/o Agent
DEVELOPMENT: Proposed affordable housing development (9 no. flats).
(Revised plans, reducing height of rear annexe, received 3rd June 2020).
LOCATION: ROYAL MAIL TREORCHY DELIVERY OFFICE, 22-23
HIGH STREET, TREORCHY, CF42 6NP
DATE REGISTERED: 26/03/2020
ELECTORAL DIVISION: Treorchy

RECOMMENDATION: GRANT SUBJECT TO CONDITIONS

REASONS: The development would enable the beneficial re-use of a redundant building in a sustainable location. The site is very close to a range of services and shops within Treorchy and the surrounding area and has good access to bus and rail transport links.

Furthermore, in addition to its contribution to the regeneration of the local area, the refurbishment and annexe extension to the rear of the property would result in an improvement in the appearance of the site and street scene, whilst providing a useful mix of affordable housing units.

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 to convert the former Royal Mail Delivery Office at 22-23 High Street, Treorchy into nine affordable flats, on behalf of a Registered Social Landlord.

The development would utilise part of the ground floor and all of the first floor of the two-storey building fronting onto High Street, but would not affect the operation or retail floor space currently occupied by Treorchy Post Office.

In addition, it is proposed that the existing elevation facing towards Princes Street would be extended in width by 3m and this small two-storey extension would be to the same depth, scale, form and external finish of the existing.

To the rear of the property the warehouse-like sorting office would be demolished. In its place a two-storey annexe, to a smaller footprint, would be constructed.

During the consultation process, concerns were raised regarding the height of the rear annexe and its proximity to the nearest dwellings at Tynybedw Street. Consequently, amended plans were sought and received, and these introduce a stepped down ridge line and hipped roof to that part of the development closest to the rear boundary.

The residential accommodation would be arranged over the two floors to include the following:

Ground Floor: 2 x one-bedroom flats and 1 x two-bedroom wheelchair accessible flat

First Floor: 5 x one-bedroom flats and 1 x two-bedroom flat

Access to all of the flats would be from the existing vehicular and pedestrian entrance on Princes Street. The external space would be laid out for the parking of four vehicles, a bin store and some modest landscaping with benches.

In addition to floor plans and elevation drawings the application has been accompanied by the following:

- Planning Statement
- Bat Report
- Flood Consequences Assessment
- Surface Water Drainage Strategy

Lastly, it has been confirmed that this social rented scheme has been designed in dialogue with the Council's Housing Strategy Team to help address the need for additional affordable housing within Treorchy. The unit mix and tenure proposed are in accordance with the Local Housing Market Assessment 2017/23.

SITE APPRAISAL

The application property is a large two storey building located within the centre of Treorchy and within the defined retail zone.

Occupying a prominent site at the junction of High Street and Princes Street, the building is immediately adjacent to the highway. The south-westerly facing principal elevation contains the Post Office shop front, which would remain post-development, whilst the remainder of the elevations are rendered and contain numerous windows.

A vehicular crossover from Princes Street provides access to a rear yard which is enclosed by a masonry wall and gates. An adopted rear lane also provides access to other High Street properties and dwellings at Tynybedw Street to the north.

Neighbouring properties include a mix of retail uses along High Street, together with a significant number of typical Victorian terraced dwellings at adjoining streets.

The site, which is within the defined settlement boundary and retail zone and, other than for its location partly within C2 Flood Zone, is not subject to any environmental and policy designations, which would be of significant relevance to the proposal.

PLANNING HISTORY

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

19/5071/41: Demolition of single storey rear annexe. Conversion and extension of building to provide 9 affordable apartments. Post Office will be retained. Decision: 14/06/2019, Raise No Objection

PUBLICITY

The application has been advertised by direct notification to twenty neighbouring properties and notices were erected on site. A further reconsultation was undertaken on receipt of the revised plans.

Objections were received from six neighbouring dwellings highlighting the following matters:

- There has always been a problem with parking for residents, which is made worse by shoppers using High Street, during the school run, or by residents from other streets being displaced and parking near the site.
- The lack of off-street parking provision would make this matter worse.
- Tenants could be banned from owning vehicles or the development reduced in size.
- The building will be in close proximity to our house and is considerably higher than what is already there, affecting outlook and light.
- Our privacy will be affected.
- The demolition/construction/deliveries will cause noise, dust and could result in access problems.
- Elderly/ill residents may be unable to park outside their homes.
- The wall belonging to the Prince Pub is dangerous and supported by fencing so it is already difficult or impossible to walk on the pavement.

CONSULTATION

Transportation Section

No objection subject to conditions in respect of access and parking, cycle storage, a vehicular crossover and surface water run-off.

Flood Risk Management

A condition requiring the submission of drainage details is requested, together with an informative note regarding the need for SuDs/SAB approval.

Natural Resources Wales

No objection.

Public Health and Protection

Conditions are recommended in respect of noise from construction, dust, waste, demolition and hours of operation.

However it is considered that these matters can best be dealt with by an informative note since existing public health legislation is able to control matters of noise and pollution.

Countryside, Landscape and Ecology – Ecologist

The bat survey concluded negligible bat potential in the parts of the building affected by the conversion works, but identifies the need for bat sensitive lighting and bat enhancement measures, which should be conditioned. As a precautionary measure an appropriate bat informative note should be appended to any planning permission.

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

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies within the settlement boundary for Treorchy

Policy AW1 – The policy outlines how the housing land requirement will be met, and includes the development of unallocated sites within the defined settlement boundaries.

Policy AW2 – The policy 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; and 5) are not within Zone C2 floodplains in cases for highly vulnerable development.

Policy AW4 – The policy 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 – The policy sets out criteria for appropriate amenity and accessibility on new development sites.

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

Policy AW10 – The policy discourages proposals which could cause or result in a risk of unacceptable harm to health and/or local amenity because of flooding, unless measures can be taken to overcome these risks.

Policy CS1 – The policy emphasis is on sustainable growth in the Northern Strategy Area, achieved by promoting residential development in locations which will support and reinforce the roles of Key Settlements, and by providing high quality, affordable accommodation that promotes diversity in the residential market.

Policy NSA2 – The policy supports proposals for residential development within the Key Settlement of Treorchy which: 1) supports and reinforces the role of the centre as a Key Settlement; 2) is of a high standard of design; and 3) promotes the beneficial re-use of vacant floor space.

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

Policy NSA12 – The policy requires housing development within the settlement boundary to be accessible to local services by a range of sustainable transport modes without adversely affecting the highway network or provision of car parking in the surrounding area.

Policy NSA13 – The conversion of large buildings within the Northern Strategy Area will be permitted where there is no economically viable alternative use for the building.

Policy NSA18 – The policy outlines the retail hierarchy in the Northern Strategy Area, classifying the Treorchy retail centre as a Key Settlement.

Supplementary Planning Guidance

- Delivering Design and Place-making
- Access, Circulation and Parking Requirements
- Planning Obligations
- Affordable housing
- Development of Flats
- Design in Town Centres

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 wellbeing of future generations goals 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 1 (Managing New Development)

Chapter 2 (Maximising Well-Being and Sustainable Places through Placemaking)
Chapter 4 (Active and Social Places)
Chapter 5 (Productive and Enterprising Places)

Other policy guidance considered:

PPW Technical Advice Note 12 – Design
PPW Technical Advice Note 15 – Development and Flood Risk

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 development proposal is to convert the former Royal Mail premises, located in Treorchy retail centre, into 9 affordable residential flats. The proposal would retain the A1 use of the Post Office at the ground floor, fronting High Street, but would require redevelopment of the remaining ground floor area and the conversion of the upper floor of the building.

According to the Welsh Government's Development Advice Maps (DAMs) it is noted that the site is partially within a C2 flood zone. Approximately 6 of the 9 dwellings are wholly within the C2 zone, and 1 is partially within, including part of the site access.

Therefore the main issues for consideration in this regard are the ability of the proposal to conform to Planning Policy Wales Technical Advice Note (TAN) 15 – Development and Flood Risk, and what impact the change of use would have on neighbouring occupiers and the vitality and viability of the retail centre. The matter of the flood zone designation is considered within the body of the report further below.

Flood risk aside, the proposal would comply with the requirements of other relevant local and national planning policies. For example, LDP Policy AW1 supports the conversion of suitable structures to provide new dwellings, and the proposal also complies with Policies CS1 and NSA2 since it would support Treorchy as a Key Settlement Retail Centre. Similarly, Planning Policy Wales (PPW) 10 recognises that residential use in retail centres can contribute to the viability and vibrancy of a centre.

Furthermore, LDP Policy AW2 is supportive of residential development in sustainable locations and in this case the site could hardly be positioned better with a range of shops and services on the doorstep. There are also a range of sustainable transport

modes available with bus stops just to the south of the site and Treorchy Railway Station a short walk away.

Consequently, subject to the material considerations discussed below, the principle of the development and residential conversion is considered to be acceptable.

Impact on the character and appearance of the area

LDP Policies AW5 and AW6 require development proposals to be of a high standard of design and appropriate to the local context in terms of siting, appearance, scale, height, massing elevational treatment, materials and detailing.

Since the main building would be retained for conversion, there are no particular concerns about the impact of the development on the street scene of High Street, which would be largely unchanged.

Clearly, this would not be the case in respect of Princes Street to the western side, where the entrance into the site would be improved and views towards the rear of the existing building and the new-build annexe and its courtyard-like layout would be possible.

Currently the site is unchanged in appearance from its last use as a delivery office and the redundant flat-roofed sorting area at the back is not an attractive structure. Therefore, both the style of the new annexe, which would be similar to that of the extant two storey building, and the redevelopment of the yard would be considered to result in a positive outcome.

Impact on neighbouring occupiers

The consultation with neighbouring residents elicited a range of responses, of which the most frequent issues were highway or parking related, and such matters are considered within the following section.

In addition the potential for disruption, noise, dust and deliveries of materials etc. were highlighted by neighbours. Whilst such concerns are well understood they would be temporary and associated with the development period. For that reason they cannot be considered sufficient to warrant a refusal of consent, and a condition for a Construction Method Statement is considered to be appropriate given the constraints of the site and surrounding area.

However, the potential impact of the alterations to the site structures on the amenity and privacy of other residents are material.

Firstly, in respect of the south-facing window within the first floor of the annexe, ordinarily this would permit direct views towards the rear yards and habitable rooms of a couple of dwellings at Tynybedw Street. Nonetheless, the submitted plan indicates that this would be obscure glazed and a condition is recommended to ensure both this and that the unit shall be non-opening below a height of 1.7m as measured from the interior floor level.

Secondly and of greater concern is how the extended building would alter the outlook from neighbouring dwellings.

The small scale extension to the side is not considered to be harmful inasmuch as it would be opposite the rear yard of the public house on the other side of Princes Street and not the principal elevation of a dwelling.

As mentioned previously though, revised plans were submitted to address the objections raised by neighbours of Tynybedw Street in respect of the two storey annexe extension and how this would affect their outlook.

The revisions, as demonstrated by the 'proposed east elevation' drawing have proposed a stepped roof line with a reduction in ridge and eaves height of just under 1m. The massing and immediate impact of the gable and has also been much reduced by the introduction of a hip.

The proposed eaves height of 5.2m, where adjacent to the shared rear lane, now compares more favourably with the 4.3m height of the existing flat roof. Notwithstanding that the new build would then have the hipped roof structure above, which the flat roof does not, it should be recognised that the flat roof of the sorting office extends to a width of 14.6m, whereas the annexe would only have a width of 8.5m.

On this basis, whilst the additional overall height of the annexe would indeed be more prominent to the affected residents of Tynybedw Street, the elevation would be far narrower and thus, on balance, the revised drawings are considered to be an acceptable compromise.

Lastly, no objection was received from the neighbouring property to the south, no.24 High Street, in respect of the position of the annexe. However, in considering any impact it is noted that the current sorting office flat roof is immediately adjacent to the boundary with no.24.

Therefore, whilst the new roof will be higher, the elevation of the annexe will be stepped back from the boundary by just over 1m, which is considered to mitigate its additional height. Again, on balance, and in the absence of any representations to the contrary, the development is considered to be acceptable.

Highways and accessibility

The primary access to the building is currently served from High Street (A4061) which has a carriageway width of 8.6m and traffic regulations to the front preventing on-street car parking at peak times.

Princes Street, to the side of the property, has a carriageway width of 5.6m, with double yellow lines to protect the junction, and resident only parking bays opposite the proposed rear access. Pedestrian access would be gained via footways varying in width between 1.6m and 5.4m, with those to the front of the post office to remain.

In respect of off-street parking provision the Council's SPG for Access, Circulation & Parking 2011 notes that the existing Post Office, which would remain in operation and within the footprint of the building, requires a maximum of 2 off-street car parking spaces.

Conversely, the proposed residential use requires a maximum of 18 spaces for residents and 2 spaces for visitors. Therefore, the total requirement for the proposed use, including the Post Office, is 22 spaces with only 4 provided.

There is concern at the shortfall. However, taking into account the sustainable location of the site and sustainable transport hierarchy as set out within PPW10, the Council's Transportation Section advises that the shortfall in parking provision is, on balance, considered acceptable.

Nonetheless, the car parking layout as proposed would have a sub-standard reversing width which would limit manoeuvrability. Therefore, the proposed 1.2m footway must have a low kerb upstand to accommodate the overhang of vehicles and for ease of use of the spaces.

Furthermore, to mitigate the shortfall in parking provision and to be in compliance with PPW's sustainable transport hierarchy and the Council's SPG, the developer should provide secure cycle storage for the proposed development.

Lastly, full engineering design and detail should be provided of any amendments to the public highway to facilitate vehicular and pedestrian movement. The existing access should be reinstated as a footway vehicular crossover giving priority to pedestrians, and a condition is recommended in this regard.

Flooding

Natural Resources Wales were consulted on this application as a matter of course and their initial response highlighted significant concerns that the development, in Flood Zone C2, would be contrary to national policy.

The reason for this is that PPW TAN15 states all residential developments are categorised as 'highly vulnerable development' in respect of flooding, and should not be considered within areas of floodplain without flood defence infrastructure.

Although an FCA had been submitted in support of the application, NRW initially advised that it would not review this document until the LPA had indicated its planning policy stance i.e. that there were overriding reasons to grant planning permission against national policy.

From the point of view of the LPA this was problematic since the development would otherwise accord with local and national planning policy. It was suggested to NRW that the issue which would tip the balance of the recommendation either way would depend upon their interpretation of the FCA, and whether it was able to demonstrate that the consequences of flooding could be acceptably managed.

Of particular relevance is that the FCA suggested the Zone C2 designation was incorrect and that the DAMs take no account of the existing River Rhondda flood defences. Although there is a separate process by which incorrect designations can be challenged it is noted that C2 Zones are described as being “areas of the floodplain without significant flood defence infrastructure”. The FCA argues that the site is only predicted to flood during an *undefended* 0.1% AEP event.

On this basis NRW provided a second response and whilst the requirements of TAN15 and Welsh Government circular of 2014 were restated, NRW had reviewed the FCA and, with relevance to paragraphs A1.14 and A1.15 of TAN15, had determined that it demonstrated that “the proposed development site is shown to be flood-free in the 1% (1 in 100 year + 25% CCA allowance) flood event and the 0.1% (1 in 1000 year) extreme flood event”.

Consequently, whilst stopping short of advising that the DAMs and C2 designation are incorrect, NRW stated that it is satisfied that the risks and consequences of flooding are manageable to an acceptable level and that they have no objection to the application as submitted. In light of these comments, the application is considered acceptable in this regard.

Community Infrastructure Levy (CIL) Liability

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

The application is for development of a kind that is liable for a charge under the CIL Regulations 2010 as amended however the application site lies within Zone 1 of Rhondda Cynon Taf’s Residential Charging Zones, where a £nil charge is applicable and therefore no CIL would be payable.

Conclusion

The development would enable the beneficial re-use of a vacant building in a sustainable location, close to the key services, shops and wider public transport links of Treorchy town centre.

Furthermore, in addition to its contribution of additional housing units, the refurbished building would result in a great improvement in the appearance of the street scene, and be a compatible use with the surrounding residential development.

Therefore, being located within the settlement boundary and supporting the role of Treorchy as a key settlement, the development is considered to be acceptable.

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:

- A105 Rev A
- A106
- A107 Rev A
- A108 Rev A
- A109 Rev A

and documents received by the Local Planning Authority on 25th March 2020 and 3rd June 2020, unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

3. No development shall commence on site until full site drainage arrangements have been submitted to and approved in writing by the Local Planning Authority. These details shall indicate how the development is to comply with the requirements of Section 8.3 of Technical Advice Note 15. The residential units hereby approved shall not be brought in to beneficial occupation until the drainage works have been completed in accordance with the approved plans.

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

4. No development shall commence on site until details of a bat-sensitive external lighting plan and other bat enhancement measures have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details and measures shall be maintained in perpetuity, in good order. No other external lighting shall be erected.

Reason: To ensure the development is carried out with no harm to European Protected Species, in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

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

- a) the means of access into the site for all construction traffic,
- b) the parking of vehicles of site operatives and visitors,

- c) the management of vehicular and pedestrian traffic,
- d) loading and unloading of plant and materials,
- e) storage of plant and materials used in constructing the development,
- f) wheel cleansing facilities,
- g) the sheeting of lorries leaving the site.

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

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

6. No residential unit hereby approved shall be brought into beneficial occupation until space has been laid out within the site for secure cycle storage in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to any development commencing on site. The spaces shall be retained for the secure cycle storage thereafter unless agreed in writing with the Local Planning Authority.

Reason: To promote sustainable modes of travel and mitigate the shortfall in parking provision, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

7. No residential unit hereby approved shall be brought into beneficial occupation, until a vehicular footway crossing has been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to any development commencing on site.

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

8. No residential unit hereby approved shall be brought into beneficial occupation until the access, circulation and parking have been laid out in accordance with the approved plans. The access, circulation and parking area shall be completed in permanent materials and shall not be used for any purpose other than the parking of vehicles thereafter.

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

9. Notwithstanding the development hereby approved, the proposed first floor window within the south-facing gable end of the new build annexe shall be fitted with obscure glazing to an industry standard of privacy level three or above, and maintained in perpetuity as such. Any part of the window that is less than 1.7m above the floor of the room in which it is installed shall be non-opening. The windows shall be permanently retained in that condition thereafter.

Reason: In the interests of the privacy and amenity of neighbouring residents in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

10. Surface water run-off from the proposed development shall not discharge onto the public highway or connect to any highway drainage system unless otherwise agreed in writing by the Local Planning Authority.

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

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PLANNING & DEVELOPMENT COMMITTEE

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 20/0348/10 (GH)
APPLICANT: Mr A Chaletzos
DEVELOPMENT: Conversion of former Chapel & school room to 1 x one-bedroom flat and 4 x two-bedroom flats (reconsultation due to corrected address)
LOCATION: NODDFA CHAPEL, HIGH STREET, YNYSYBWL, PONTYPRIDD
DATE REGISTERED: 14/05/2020
ELECTORAL DIVISION: Ynysybwl

RECOMMENDATION: GRANT SUBJECT TO CONDITIONS:

REASONS:The former Chapel is considered to be a suitable structure for conversion to provide housing and would be compatible with adjoining land uses given that the site is surrounded by residential dwellings. Furthermore, in addition to its contribution to housing supply and its sustainable location, its beneficial re-use would prevent dereliction of an attractive and prominent building in the street scene.

REASON APPLICATION REPORTED TO COMMITTEE

Three letters of objection have been received from neighbouring residents and a request has been received from the local Member, Councillor Pickering, for the matter to come to Committee in order that Members can assess the potential impact the development would have upon highway safety and parking concerns in the vicinity.

APPLICATION DETAILS

Full planning consent is sought to convert the disused Baptist Chapel, Robert Street, Ynysybwl, for residential use.

It is proposed that the shells of both the main Chapel building and the attached Sunday School room would be retained to their current extent, and the main external changes therefore relate to the replacement of the fenestration with additional units, including roof lights, to the former school room. Most of the work to enable the development would take place internally.

The accommodation would comprise five self-contained flats, four of which would be in the Chapel. The existing first floor only comprises a former seating gallery for worshippers around the edge of the four walls with a central void for views to the religious services below. Consequently this would be replaced with a full width floor.

Within the school room, the height of the building would allow for a first floor to be created, containing two bedrooms and bathroom facilities, with living accommodation of kitchen/diner and lounge below.

Given the constrained nature of the property no off-street car parking is, or could be, provided; however some internal cycle storage is shown on the floor plans, whilst recycling and waste is proposed to be kept within the front courtyard.

In addition to the plans and elevation drawings submitted with the usual forms and details, the application is accompanied by a bat survey and planning statement.

SITE APPRAISAL

The application site consists of the former Noddfa Welsh Baptist Chapel which is located on the corner of High Street and Thompson Street, Ynysybwl.

The chapel occupies more or less the whole plot, with the exception of a small enclosed courtyard to the front and a separate access path to one side. External elevations comprise both natural stone and render, and incorporate large round-topped windows.

Within the rear south-western corner of the site there is an additional, attached building which was used as a Sunday School room. This can be accessed directly from a path to the side of the Chapel.

With the exception of some commercial and retail premises further to the east, the application property is surrounded and enclosed by Victorian terraced dwellings and their gardens; although an unadopted rear lane passes the western boundary.

PLANNING HISTORY

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

20/5014/41: Pre App Enquiry. Decision: 02/03/2020, raise no objections

PUBLICITY

The application has been advertised by direct notification to thirteen neighbouring properties and notices were erected on site. A second consultation with neighbours, including the replacement of site notices was undertaken with a correction to the address.

Representations have been received from four residents, the first of which sought clarity about the address of the Chapel. The three other items of correspondence raised objections in respect of the lack of on-street parking and harm to highway safety; and the potential for overlooking from the School Room conversion.

These matters are considered below.

CONSULTATION

Ynysybwl & Coed Y Cwm Community Council

Objects since parking is already a major problem and apartments would exacerbate this.

Public Health and Protection

No objections but recommend conditions in respect of construction noise, dust, waste, demolition and hours of operation. Whilst these comments are appreciated, it is considered that any disturbance associated with general construction works can be more efficiently controlled by other legislation. It is therefore considered the conditions suggested in this respect are not necessary and an appropriately worded informative note would be sufficient.

Western Power Distribution

A new connection or service diversion will require the consent of WPD

Transportation Section

No objection

Flood Risk Management

No objection

Dwr Cymru Welsh Water

A condition and informative note are recommended with regard to surface water and sewerage.

Countryside, Landscape and Ecology - Ecologist

The bat report was a thorough building investigation, with good access. For justified reasoning it concludes a negligible bat roost potential, with no need for further work. An informative note should be appended to any decision notice.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

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

Policy AW1 - acknowledges that the supply of new housing may be met, in part, by the conversion of suitable structures.

Policy AW2 - supports development in sustainable locations.

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

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

Policy AW8 - development proposals that may affect protected and priority species will be required to demonstrate measures for protection, management, mitigation and/or compensation.

Policy AW10 - development proposals must not cause harm to health or local amenity.

Policy CS1 – promotes the re-use of under used and previously developed land and buildings.

Policy NSA12 - housing development will be supported in principle within and adjacent to settlement boundaries.

Policy NSA13 - supports the rehabilitation/conversion of large buildings.

Supplementary Planning Guidance:

- Design and Place Making
- Access, Circulation & Parking Requirements
- Development of Flats

National Guidance

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

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 wellbeing of future generations goals 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 1 (Managing New Development)

Chapter 2 (Maximising Well-Being and Sustainable Places through Placemaking)

Chapter 4 (Active and Social Places)

Other policy guidance considered:

PPW Technical Advice Note 12 – Design

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

Principle of the proposed development

The application relates to the conversion of the former Noddfa Chapel, which is located on High Street towards the centre of Ynysybwll.

The change to a residential use would be supported by Policy CS1 which recognises the benefit of bringing back redundant buildings into use and supports the provision of a diversity of high quality accommodation.

Similarly, Policy NSA13 notes that the Northern Strategy Area contains many important and prominent buildings that add to the character of an area, thus proposals for disused structures are supported for residential purposes as they can also contribute towards the process of regeneration, where sustainably located.

In this case the Chapel has not been used for its intended purpose since 2016, although its location close to local shops, services and public transport links would therefore constitute a sustainable location, as defined by Policy AW2.

Furthermore, given that the immediate surrounding development consists largely of other dwellings, residential use of the chapel would, in theory, be compatible with those established land uses, and with the aims of Policy AW10.

Notwithstanding that the proposed development is subject to consideration against the criteria further below, the application is considered to be acceptable in principle.

Impact on the character and appearance of the area

The revisions to the appearance of the main Chapel building are minor and to a large extent, comprising replacement front door and obscure glazing to the first floor of one side, would not be noticeable.

Conversely, the alterations to the school room building fenestration would be more significant, where all existing ground floor windows would be replaced and reduced in height and an additional window inserted in each gable end; as well as five roof lights across the two planes.

Nonetheless, the school room is tucked away at the rear of the site and screened by the Chapel and adjacent houses, so in reality these changes would have no impact on the street scene.

Lastly, it is acknowledged that any scheme which proposes to bring back a prominent building to beneficial use, together with the associated restorative works, are bound to make a positive contribution to the public realm and character and appearance of the surrounding area.

Impact on neighbouring occupiers

The conversion of the Chapel, being surrounded by other residential properties, would be a sympathetic and compatible use of the building. Furthermore since the physical relationship between them would be unchanged, there would be no increase in any shading or exacerbation of detriment to the outlook of existing neighbouring residents.

As noted by one of the neighbour representations, there is a concern about the potential for intrusive views from the proposed first floor window where the gable end of the school room is parallel with the garden boundary of no. 4 Thompson Street. This is acknowledged and the same concern applies equally to nos. 22 and 24 High Street, although no objections were received from those neighbours.

In order to resolve this issue a condition, requiring the first floor school room windows and those to the ground floor of the north facing elevation to be obscure glazed, are proposed. A similar condition is proposed to apply to the first floor windows of the east facing Chapel elevation.

In all other respects, subject to the suggested conditions, it is considered that the development would not be harmful to the privacy and amenity of neighbouring residents.

Highways

Access to the proposed five flats would be gained from two points directly on High Street which fronts the site. This is considered acceptable for safe access.

To comply with the requirements of the Council's supplementary planning guidance in respect of off-street parking the established chapel use would need 1 commercial vehicle space and 1 car space per 10m² of floor space. Based on the existing gross floor area of 360m² a maximum of 36 spaces would be required, with none provided.

Conversely for the proposed residential use the SPG states that 1 and 2 bedroom apartments have a maximum requirement of 2 spaces each, plus 1 space per 5 apartments for visitors.

This means that the proposed development, which would consist of 1 x one-bed and 4 x two-bed apartments, would have a total requirement of 11 spaces (10 for residents and 1 for visitors). There is no scope to provide off-street parking, which gives cause for concern.

However, the applicant has incorporated secure cycle storage within the floor plans of the development which would be acceptable and go some way towards both mitigating the impact of the proposal and promote sustainable modes of travel.

In light of the above there is some concern that the proposal does not provide for any off-street car parking, however, the Transportation Section has taken into account the parking requirement for the previous and proposed use of the building and considers that, on balance, the proposal is acceptable.

Community Infrastructure Levy (CIL) Liability

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

The application is for development of a kind that is liable for a charge under the CIL Regulations 2010 as amended, however the application site lies within Zone 1 of Rhondda Cynon Taf's Residential Charging Zones, where a nil charge is applicable and therefore no CIL would be payable.

Conclusion

The proposed chapel conversion would have a positive impact on the local street scene and any consent could be conditioned to ensure the residential amenity of the surrounding neighbouring properties would not be unduly harmed.

The neighbour and Community Council objections relating to parking and highway constraints are acknowledged, since limited on-street parking combined with the high levels of demand can be extremely frustrating. This frustration also applies to other communities where the layout and/or density of traditional Victorian streets cannot cope with current high levels of vehicle ownership.

Nevertheless, the fall-back position of the D1 use class, within which places of worship fall, should be considered. As noted by the Transportation Section, the Council's SPG suggests that the size of the Chapel would warrant the provision of 36 spaces.

Although many of the former congregation may have walked to services, the same might not apply to other D1 uses which would not require planning consent. Some examples of this include crèches, day nurseries, community halls and training centres.

It is considered that the possible alternative outcomes of long-term disuse, the risk of dereliction, and the potential for less compatible development proposals for this constrained site would not be preferable. Therefore noting that the proposal would comply with LDP Policies CS1, NSA13 and AW1 in particular, the recommendation is that planning permission should be granted.

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 05, 06, 07 and 08, and documents received by the Local Planning Authority on 14th April 2020, 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 beneficial occupation of the first unit the first floor windows within the eastern side of the main Chapel building shall be non-opening and fitted with obscure glazing to an industry standard of privacy level three or above. The windows shall be retained as such in perpetuity.

Reason: In the interests of the privacy and amenity of neighbouring residents in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

4. Prior to beneficial occupation of the first unit and except for those within the ground floor of the south facing gable end, all other windows within both gable

ends of the former school room building, shall be fitted with obscure glazing to an industry standard of privacy level three or above. The windows shall be retained as such in perpetuity.

In addition, any part of a window to be obscure glazed, that is less than 1.7m above the floor of the room in which it is installed, shall be non-opening. The windows shall be permanently retained in that condition thereafter.

Reason: In the interests of the privacy and amenity of neighbouring residents in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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PLANNING & DEVELOPMENT COMMITTEE

16 JULY 2020

REPORT OF THE SERVICE DIRECTOR, PLANNING

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 20/0146/10 (LJH)
APPLICANT: Mr B Jones
DEVELOPMENT: Customer car port and first floor reception area
(Amended plans received 29/05/2020).
LOCATION: TY YSGOL BLAENCWM, HENDREWEN ROAD,
BLAENCWM, TREHERBERT, CF42 5DR
DATE REGISTERED: 29/05/2020
ELECTORAL DIVISION: Treherbert

RECOMMENDATION: REFUSE

REASONS: The proposed extension would have a significant detrimental impact upon the character and appearance of the host property and the immediate surrounding locality; and would also result in direct overlooking of a number of neighbouring properties, significantly reducing the privacy standards currently enjoyed by the occupiers of those properties. The proposed development is therefore contrary to Policies AW5 and AW6 of the Local Development Plan.

REASON REPORTED TO COMMITTEE

The application is reported to the Planning and Development Committee for final determination at the request of Councillors Geraint Davies and Will Jones so that Members can fully consider the visual impact of the scheme and the potential impact it would have upon the amenities of surrounding residents.

APPLICATION DETAILS

Full planning permission is sought for the construction of a two storey extension at Ty Ysgol Blaencwm, Hendrewen Road, Blaencwm.

The extension would sit on the north-eastern side elevation of the main, former school building and would have a semi-hexagonal footprint. It would project a maximum of 5.6m from the host property and would have a width of 15.2m. The extension would incorporate a flat roof design to 5.7m in height which would incorporate a roof terrace above enclosed by a toughened glass balustrading a further 1m in height. The addition would accommodate a customer parking area at ground floor level accessed via a

garage door in the north-eastern (front) elevation and a reception/show area at first floor level, each for use in association with the existing classic car business at the site. It is proposed the extension be finished in stonework with facebrick quoins, with toughened glass panels forming the north-eastern and south-eastern facing elevations at first floor level. An external staircase would be located at the northern side of the proposed extension from the roof terrace to provide a fire escape route.

SITE APPRAISAL

The application site forms the grounds of the former Blaencwm Primary School that was converted to a residential dwelling in 2001, and an associated classic car business in 2005. The site consists of the converted school building (dwelling) located at the southern end of the plot with an associated amenity area to the rear (north), and a detached commercial workshop at the north-eastern corner of the plot (classic car workshop). The rectangular site measures approximately 45m in width by 68m in length and is located between two rows of traditional terraced properties, School Street to the west and Dilys Street to the east. To the north of the site lies a playground and the Nant Selsig watercourse with open countryside located beyond. To the south the site fronts Hendrewen Road, the main highway through the village. The site, in the main, is enclosed by original high stone boundary walls and more modern timber fencing.

PLANNING HISTORY

20/0145	Ty Ysgol Blaencwm, Hendrewen Road, Blaencwm, Treherbert, CF42 5DR	Construction of indoor swimming pool.	GTD	21/04/20
15/1470	Old School Workshops, Hendrewen Road, Blaencwm, Treherbert, CF42 5DR	Workshop extension to existing building and parking spaces.	GTD	19/04/16
11/1084	Old School Buildings, Hendrewen Road, Blaencwm, Treherbert, CF42 5DR	Single storey domestic garage/hobby workshop and indoor pool area.	GTD	28/10/11
10/0705	School House, Hendrewen Road, Blaencwm,	Change of use of caravan storage area to extend residential curtilage of school house and extend	GTD	30/09/10

	Treherbert, CF42 5DR	curtilage of existing classic car repair business including a single storey garage/workshop extension and additional parking.		
07/0773	Ty Ysgol Blaencwm, Hendrewen Road, Blaencwm, Treherbert, CF42 5DR	Removal of condition 4 of application 05/0190, requiring the submission of an acoustic report with regards to sound proofing the building.	REF Appeal: ALW	28/08/07 11/06/08
06/1543	Ty Ysgol Blaencwm, Hendrewen Road, Blaencwm, Treherbert, CF42 5DR	Removal of condition 4 of application 05/0190, requiring the submission of an acoustic report with regards to the soundproofing of the building.	REF	07/11/06
06/1287	Ty Ysgol Blaencwm, Hendrewen Road, Blaencwm, Treherbert, CF42 5DR	Detached garage and store room over.	GTD	06/10/06
05/0190	Ty Ysgol, Hendrewen Road, Blaencwm, Treherbert, CF42 5DR	Convert and extend large outbuilding into classic car workshop with parking area.	GTD	22/07/05
04/1867	Ty Ysgol, Hendrewen Road, Blaencwm, Treherbert, CF42 5DR	Convert school yard into storage area for caravans.	GTD	05/04/05
04/595	Ty Ysgol, Hendrewen Road, Blaencwm, Treherbert, CF42 5DR	Convert large outbuilding and part of school yard into motor vehicle/MOT workshop, car parking area and storage	REF	13/08/2004

		yard, for cars and caravans.		
01/6126	Ty Ysgol, Hendrewen Road, Blaencwm, Treherbert, CF42 5DR	Conversion of school premises into a dwelling and demolition of large outbuilding.	GTD	13/06/2001

PUBLICITY

The application has been advertised by means of direct neighbour notification and site notices. No representations or objections have been received.

CONSULTATION

Natural Resources Wales – No objection.

Highways and Transportation Section – No objection.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies inside the settlement boundary for Treherbert and is not allocated for any specific purpose.

Policy AW2 - supports development in sustainable locations.

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

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

Policy AW10 - development proposals must overcome any harm to public health, the environment or local amenity.

Supplementary Planning Guidance:

Access, Circulation and Parking
Design and Placemaking

National Guidance

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

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 not considered that this proposal meets the seven wellbeing of future generations goals or that the site is being brought forward in a manner consistent with the five ways of working.

It is also considered that the proposed development is inconsistent 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 not consistent with the following inasmuch as they relate to the development proposed:

Chapter 3 (Strategic and Spatial Choices)

Chapter 4 (Active and Social Places)

Chapter 6 (Distinctive and Natural Places)

Other relevant national policy guidance consulted:

PPW Technical Advice Note 12: Design

PPW Technical Advice Note 18: Transport

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

Planning permission is sought for the erection of a two storey extension to the side of this detached, converted, former school building. The key considerations in the determination of this application are the visual appearance of the proposed development, its potential impact upon the amenity and privacy of the neighbouring residential properties, and its potential impact upon highway safety in the vicinity.

Impact on the character and appearance of the area

The proposed extension represents a substantial addition that would not be in-keeping with or subservient to the host property. Its scale and design are considered to be at complete odds with the traditional and attractive character and appearance of the main building, which would result in an incongruous addition that would dominate the host property and form a highly prominent feature from Hendrewen Road. It is acknowledged the applicant has proposed the use of appropriate external materials in an attempt to reduce any potential visual impact, however it is not considered the materials would go far enough to overcome the concerns raised in respect of its overall scale and design.

It is therefore considered the proposed development would have a significant adverse impact upon the character and appearance of the existing property and the surrounding locality, contrary to the relevant local plan guidance.

Impact on residential amenity and privacy

In terms of residential amenity, there would be large windows in both the front and side elevations of the proposed extension at first floor level. Furthermore, a roof terrace would be created above at second floor level. Both the windows and roof terrace would have direct views over the side/rear elevation and rear amenity space of no. 37 Hendrewen Road, and also to the rear gardens of a number of other properties along Hendrewen Road and Dilys Street. It is considered that this direct overlooking would result in a considerable detrimental impact to the privacy levels currently enjoyed by the occupiers of these properties and would therefore be unacceptable. Moreover, whilst the introduction of privacy screens to the terrace area would go some way to reducing any potential impact, it is not considered they would not go far enough to overcome the concerns and would also not reduce any impact from the first floor windows.

It is accepted that the proposal would not give rise to any overshadowing or overbearing impacts, and it is also acknowledged that no letters of objection have been received as a result of the consultation process. However, the level of direct overlooking that would be created by the proposed extension is considered to be significant. The application is therefore considered unacceptable in this regard.

Impact on Highway Safety

The Council's Transportation Section has assessed the proposal in terms of the potential impact it would have on highway safety in the vicinity of the site. The response received raises no objection to the scheme and does not suggest any conditions. The proposal is therefore considered acceptable in this regard.

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

Conclusion

It is considered that the proposed extension would have a significant detrimental impact upon the character and appearance of the host property and the immediate surrounding locality; and would also result in direct overlooking of a number of neighbouring properties, significantly reducing the privacy standards currently enjoyed by the occupiers of those properties. The application is therefore considered to be contrary to Policies AW5 and AW6 of the Local Development Plan.

RECOMMENDATION: Refuse

1. The proposed extension, by virtue of its scale and design, would have a significant detrimental impact upon the traditional character and appearance of the host property and that of the immediate surrounding locality, contrary to Policy AW6 of the Rhondda Cynon Taf Local Development Plan.
2. The proposed extension and associated roof terrace, by virtue of its scale, design and elevated height, would result in a significant detrimental impact upon the residential amenity and privacy standards currently enjoyed by the occupiers of the neighbouring properties by way of direct overlooking, contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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PLANNING & DEVELOPMENT COMMITTEE

16 JULY 2020

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 19/0882/10 - FERNHILL FARM, CAROLINE STREET, BLAENRHONDDA, PROPOSED TEMPORARY FARMHOUSE, GLAMPING PODS, STORAGE BUILDING AND ASSOCIATED DEVELOPMENT (AMENDED SITE LOCATION PLAN, DESCRIPTION AND CHANGES TO POSITION OF GLAMPING PODS AND STORAGE BUILDING RECEIVED 10TH AND 16TH MARCH 2020).

1. Purpose of Report

Members are asked to determine the above application.

2. Recommendation

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

3. Background

This application was originally reported to the Development Control Committee on 2nd July 2020 with a recommendation of approval. A copy of that report is attached at **Appendix A**. At that meeting Members deferred determination to clarify the position in respect of the status of the highway leading to the site.

Caroline Street is adopted up to the boundary with the applicant's land. Members are advised that as the road is adopted it is maintainable at the Council's expense.

At the Committee meeting Members will be provided, within the visual presentation for this application, with a plan extract showing the extent of the

adopted highway in red. In addition, a site photograph will show the length of highway looking back from the site towards Blaenrhondda.

The Council's Transportation Section has not objected to the application; however they have raised concerns that the road is sub-standard as detailed in their original comments (See **Appendix B**). Members are advised that since the previous Committee meeting on 2nd July 2020 the Transportation Section have advised the following measures to improve the road would be required:

1. Improvements to the bridge geometry (5.5m wide carriageway plus 2m wide footway on one side and 1m hard strip opposite, including vehicular containments) and structural integrity to comply with HA/HB traffic loading.
2. Improvements to carriageway by providing 5.5m width for two-way traffic flow, kerbing, drainage and patching and resurfacing the entire length of adopted highway to the northern boundary of the proposed development.
3. Providing a 2m wide footway and street lighting from Brook Street to the northern boundary of the proposed development site.

Whilst the Council as Highway Authority has a duty to maintain the highway at the public expense, there is no duty on the Council to undertake any improvements to the highway.

The improvements identified by the Transportation Section (above) would come at a substantial cost and may require additional land that is not within the ownership of the Council or the applicant. This would make the development unviable if the applicant would be required to finance the works. Furthermore, it is considered that it would not be reasonable to request the suggested improvements from the applicant. This access road currently only serves the applicant's site and it is a temporary proposal for a small scale tourism and agricultural development. As such the development would not generate the level of traffic that would warrant the improvements. Finally, Members are requested to note that this proposal, albeit small in scale, could provide a wider benefit to this area of RCT in terms of the potential growth in the tourism and agricultural economy, which is considered should be encouraged.

Appendix A
Committee Report produced for Planning and Development Committee
on 02 July 2020

APPLICATION NO: 19/0882/10
(GW)
APPLICANT: Transformahome
DEVELOPMENT: Temporary farmhouse, glamping pods, storage building and associated development (Amended site location plan, description and changes to position of glamping pods and storage building received 10th and 16th March 2020)
LOCATION: **FERNHILL FARM, CAROLINE STREET, BLAENRHONDDA, CF42 5RY**
DATE REGISTERED: 09/12/2019
ELECTORAL DIVISION: Treherbert

RECOMMENDATION: GRANT

REASONS: Sufficient evidence of a firm intention and ability to develop the rural enterprise has been submitted along with evidence to support the need of a temporary dwelling on site. Therefore a temporary permission of 3 years is recommended.

If a permanent dwelling is required, an application must be made that fully meets the tests in paragraph 4.4.1 or 4.6.1 of Technical Advice Note 6 (TAN 6): Planning for Sustainable Rural Communities (2010). If a subsequent application doesn't meet the tests, no further temporary permission can be granted and the temporary dwelling would be required to be removed from the site.

Turning to the glamping pods and related development, this could provide a tourism benefit for the area and lead to further beneficial tourism development for the site and wider area. Concerns were initially raised in relation to the sustainability of the development and its visual impact. Subsequently amended details were submitted, re-locating the glamping pods closer to the proposed farmhouse and closer to the settlement of Blaenrhondda. Whilst some concerns still remain, the amended location reduces them.

On balance, a temporary permission is considered acceptable to enable the rural enterprise to develop and potentially regenerate the surrounding land to a more positive agricultural and tourism use.

REASON APPLICATION REPORTED TO COMMITTEE

The proposal is not covered by determination powers delegated to Service Director Prosperity and Development because three or more letters of objection have been received.

APPLICATION DETAILS

This application seeks permission for a temporary farmhouse and glamping pods. It is the long term intention of the applicant to develop the wider site area as a farming and tourism enterprise and an indicative masterplan has been submitted to outline potential future proposals and support the application. Members should note that the 'indicative masterplan' is not proposed as part of this application; and it is only the temporary farmhouse, glamping pods and related development that is the subject of this application. Any other development shown within the indicative masterplan, such as the community garden, visitor centre, stables, café, lake, access road and housing, would need separate planning permission.

Initially, the vision for the site is to develop a farm and supporting temporary dwelling and glamping area. The farm business will look to establish a herd of 30 sows and a flock of 350 ewes and it is detailed the temporary dwelling will be required in order to run this business alongside the glamping. The applicant has provided evidence of some stock already on site and the initial steps being undertaken to start regenerating the ground for agricultural purposes.

The temporary dwelling would be a wooden mobile home type of structure and would have two bedrooms with a kitchen and living area and one bathroom. It would be placed on a concrete base. A landscaping plan has been submitted for the area around the temporary dwelling. Native species shrubs, trees and hedge planting would be provided on and around the site.

Originally four glamping pods were proposed on a plateau in the northern part of the site. Following concerns raised to the applicant with regard the visual impact and sustainability of this siting, an amended location has been received. The four glamping pods would now be placed to the south of the location of the temporary farm house close to the public highway access at the top of Caroline Street.

The glamping pods would be arranged in a line of individual plots. They would have an 'arc' shaped roof covered with green coloured shingles. The front and rear elevations would be finished with wooden boards. A native species hedge would be provided around each plot and the glamping area with some additional trees.

A storage building would also be provided on the opposite side of the access track to the glamping pods. It would be used for general storage and would house a wood pellet boiler. The building would be finished with green coloured box profile sheeting and would have solar panels on its roof. A car parking area would be provided next to this. A native species hedge would be provided around this area with some trees at the corners.

A 'Biorock' or similar waste water treatment tank would also be provided for foul drainage from the pods.

On a wider scale, and outside of the remit of this application, the plans detail that alongside the sheep and pig farming, the applicant is intending to plant

willow trees. These will be harvested for the wood pellet boiler and also sold on for use outside the site.

The application is supported by:

- Planning Statement;
- Planning Appraisal;
- Indicative Masterplan;
- Land Quality Assessment;
- Ecological Appraisal Report;
- Landscape Plan Supporting Report;
- Landscape and Visual Impact Assessment;
- Fernhill Photo Sheets;
- Fernhill Farm Planning Budget;
- Details of houses to buy and rent in the area;
- Evidence of loans undertaken to support the enterprise, receipts for sale and buying of stock, Welsh Government Rural Payments letter detailing County Parish Holding Number and Customer Reference Number; and
- Biomass boiler detail.

SITE APPRAISAL

The site is part of the former Fernhill colliery site and is accessed from the northern end of Blaenrhondda. The road access from Brook Street is surfaced for the first part (Caroline Street), however its condition deteriorates as it changes to a private road and its width reduces closer to the site of the house and glamping pods.

PLANNING HISTORY

App No.	Site Location	Proposal	Decision	Decision Date
19/0147/10	Land at Fernhill Farm, Caroline Street, Blaenrhondda	New dwelling and garden curtilage including car parking.	Withdrawn	14/08/2019
18/0555/10	Land at Fernhill Farm, Off Caroline/Brook Street, Blaenrhondda	Temporary farmhouse and glamping pods.	Withdrawn	19/09/2018
03/0265/10	Fernhill Colliery, Rhigos Road, Blaenrhondda	Development of green waste & wood composting site. Compost to be used for onsite restoration	Granted	18/04/2003

99/6269/15	Former Fernhill Colliery Site, Blaenrhondda, Treherbert	Variation of condition nos. 2, 28, 29 & 33 of 54/93/0323 to landscape disturbed area to amenity and nature conservation purposes not agriculture as originally envisaged and to extend the permission by 2 years	Approved. Notice not issued.	29/09/2000
99/6210/15	Former Fernhill Colliery Site	Variation of Conditions 1,13,30,31 and 32 of 54/93/0323 to amend the extent of working and restored landform	Approved. Notice not issued.	29/09/2000
97/6468/15	Old Fernhill Colliery Site	Land Reclamation and Coal Recovery	Notice not issued	
93/0323	“ “	Coal recovery and land reclamation scheme	Approved. Notice not issued.	05/12/1994
86/1152	“ “	Levelling site, construction of western town buildings, car park, toilets, caravan and camping facilities	Granted	06/02/1987

PUBLICITY

The application was originally advertised by site notice. However, following amended plans being received the Council were unable to display a new site notice due to the current Coronavirus (COVID-19) situation and the restrictions placed on movement. It is not considered the amended scheme would result in any further comments from the existing objectors but in light of this situation both local Members, Councillors Davies and Jones, have been reconsulted and have confirmed that they are happy for the application to be reported to Committee for final determination without the posting of a second site notice.

At the time of writing this report four letters have been received (all from before the amended plans were submitted). The planning related objections are summarised below. Comments on non-material planning considerations have not been included:

- There is still no public showing of the land owned by the applicant and where the public right of way is.
- Work has started on the glamping pods despite this not being approved.
- The drainage systems won't cope.
- It will cause a lot of pollution due to the coal dust being disturbed and impact on people's health.
- The ground does not look stable enough to build upon.
- It would pollute the river and affect fish and other wildlife.
- Dwr Cymru need to repair pipes above the coal board compound, as when it rains, there is a river of water making the road dangerous for walkers and could compromise the road going across the stream.
- The applicant has a waste disposal permit from NRW and the dumping of waste materials can be seen and is encouraging illegal dumping at the site.
- There is also a sub-station that supply's electricity to the top of the Rhondda, there seems to be a lot of gas bottles laying nearby. Should there be an electrical problem it would take some time for vehicles to get there as the barrier is locked.
- Where he's planted his small trees I'm sure is blocking the electric and coal board entrances on to their land.
- Blaenrhondda doesn't cope with the traffic now.
- There is a very real shortage of parking locally.
- Concerned about potential amount of housing and construction traffic.
- Further development will impact on services such as the doctor's surgery.
- Would it be possible to include an 'integrated sustainable transport hub' close to the bus terminus? Would a new bus route between Treorchy and Aberdare be considered?

CONSULTATIONS

Coal Authority – No objection. The area of the temporary farmhouse and glamping pods is outside the high risk area for former coal mining works.

Dwr Cymru/Welsh Water – No objection. They advise the site is crossed by a 225mm combined public sewer, however the submitted plan indicates the farmhouse or glamping pods would not be within the easement. Further advice on water supply and foul drainage is provided.

Natural Resources Wales - No objection. However Government policy states that, where practicable, foul drainage should be discharged to the

mains sewer. Where this is not possible and private sewage treatment / disposal facilities are utilised, they must be installed and maintained in accordance with British Standard 6297 and Approved Document H of the Building Regulations 2000. You should also have regard to Welsh Office Circular 10/99 in respect of planning requirements for non mains sewerage.

It is recommended that the requirements of Planning Policy Wales and the Guiding Principles for Land Contamination (GPLC) should be followed. These comments are based on our assumption that gross contamination is not present at this location. If, during development, gross contamination is found to be present at the site, the Local Planning Authority may wish to re-consult Natural Resources Wales.

The applicant should be advised that, in addition to planning permission, it is their responsibility to ensure that they secure all other permits/consents relevant to their development.

RCT Countryside, Landscape and Ecology – The ecology assessment has been reviewed, which is an appropriate assessment of the site, and which concludes that with some precautionary species measures, the direct ecological impacts of the development are unlikely to be significant.

There are concerns that the glamping pods would be on colliery spoil and involve excavation and land forming works. Given the potential erosive nature of colliery spoil, and that this site sits close to the Rhondda Fawr river (which is a SINCR), I am concerned as to how these works will be undertaken without causing erosion and possible run-off impacts to watercourses. However, the amended plans appear to show the glamping pods on natural ground, so these concerns about colliery spoil disturbance are not relevant. The landscaping looks appropriate and using a small range of locally occurring tree scrub species.

The ecology report highlights the need for light sensitivity treatment of the site. This is currently a dark night sky environment which has both ecological and landscape benefits. There are concerns about light spill, however as long as the lighting is appropriate low key and perhaps doesn't involve external site lighting that would most likely be okay.

There are some concerns with regard the wider bio-fuel planting that would have further implications for erosion/ disturbance of colliery spoil, sediment and other run-off and potential water quality impacts. It would also result in a loss of open grassland, heath and Ffridd habitat to planting.

RCT Flood Risk Management - The comments for the amended position of the glamping pods are the same as the original location. The site is situated within a reclaimed tip and the applicant should be made aware of the geotechnical formation in which the development is proposed. The site location is shown to encompass a range of surface water flood risk conveyance routes that affect the wider site location. No objection is raised subject to a condition requiring drainage details. Advice is given with regard Sustainable Drainage Approval and Ordinary Watercourse Consent.

RCT Public Health and Protection – No objection subject to conditions on the demolition of existing dwellings, a restriction on hours of operation during the construction period of the development, noise, dust and waste.

The Fernhill Colliery formerly occupied the site and there is potential for contamination. With regard the contaminated land report submitted this does not cover the amended siting of the glamping pods. As such, a condition with regard this issue is recommended.

Further advice is provided with regard private water supplies.

RCT Public Rights of Way Officer (Based on the original plans and location of glamping pods. No additional comments have been received in respect of the amended siting of the pods, but it is not considered the potential impact would be any different to that of the original scheme) - The Council received an application to add a route running through the site to the Definitive Map and Statement however, the application is incomplete. If completed, the application will be entered onto the register of Definitive Map Modification Orders and at the appropriate time the application will be determined.

RCT Transportation Section – The local highway network, such as Brook Street and Caroline Street, leading to site are sub-standard in terms of available carriageway width, segregated footways, street lighting, and drainage. Any intensification of vehicular and pedestrian movements would exacerbate the current situation and increase risk to all highway users.

The proposed is lacking in a segregated footway / cycle facilities and would be reliant on private motor vehicles only which is non-compliant with Sustainable Transport hierarchy stated in PPW 10th edition and Active Travel (Wales) Act 2013 and therefore is considered unacceptable.

However, taking into account the proposed farm enterprise, which is a temporary permission, reluctantly, on-balance, the proposed is acceptable.

South Wales Fire and Rescue (Based on the original plans and location of glamping pods. No additional comments have been received in respect of the amended siting of the pods, but it is not considered the potential impact would be any different to that of the original scheme) – No objection and advice is provided on provision of water supplies for firefighting and emergency access for firefighting appliances.

Wales and West Utilities (Based on the original plans and location of glamping pods. No additional comments have been received in respect of the amended siting of the pods, but it is not considered the potential impact would be any different to that of the original scheme) – According to their records Wales and West Utilities have no apparatus in the area of enquiry. However, gas pipes owned by others may be present in the area. Information with regard to such pipes should be obtained from the owners. Further advice on safe digging practices is provided.

POLICY CONTEXT

The site is located in the Northern Strategy area. The amended application site is located within the settlement boundary and the Fernhill strategic site (NSA 5). The site is within a mineral (coal) safeguarding area (AW 14) and within the Rhondda Historic Landscape as identified by Cadw.

Other notable designations nearby include: the site is adjacent to a Special Landscape Area (SLA) - Rhondda Fawr Northern Cwm & Slopes (SSA 25.7), surrounded by a Site of Importance for Nature Conservation (SINC) (AW 8) and there is also a Regionally Important Geological Site (RIGS) close to the boundary of the site.

Rhondda Cynon Taf Local Development Plan

Policy CS 1 - sets out criteria for achieving strong sustainable communities including:

- promoting residential and commercial development in locations which support the role of principal towns and key settlements.
- provide high quality, affordable accommodation that promotes diversity in the residential market.
- Ensuring the removal and remediation of dereliction by promoting the re-use of under used and previously developed land and buildings;
- Promoting accessibility by securing investment in new roads, public transport improvements, walking and cycling;
- encouraging a strong, diverse economy which supports traditional employment and promotes new forms of employment in the leisure and tourism sectors;
- Protecting the cultural identity;
- Promoting and enhancing transport; and
- Reducing daily out commuting.

Policy CS 3 - allocates strategic sites to promote sustainable growth within Rhondda Cynon Taf; this includes land at the former Fernhill colliery site in Blaenrhondda. The policy states that the development of the strategic sites must have regard to the indicative concept plans identified on the proposals map.

Policy CS 10 - seeks to protect resources and to contribute to the demand for minerals without compromising environmental and social issues.

Policy AW 1 – sets out the strategy for the supply of new housing over the plan period.

Policy AW 2 - advises that development proposals on non-allocated sites will only be supported in sustainable locations. These include sites within the settlement boundary and those which have good access to key services and facilities. The policy also favourably looks upon proposals which support the strategic sites.

Policy AW 5 - sets out criteria for new development in relation to amenity and accessibility and requires existing features of natural environment value to be retained.

Policy AW 6 - requires development to involve a high quality design and to make a positive contribution to place making including, the protection and enhancement of the landscape and biodiversity.

Policy AW 8 - permits development only where it would not cause harm to locally designated sites or features of importance to landscape and nature conservation, including ecological networks, the quality of natural resources and the natural drainage of surface water.

Policy AW 10 - seeks to ensure that development proposals will not cause harm to health and /or local amenity. The policy includes reference to land stability and contamination.

Policy AW 14.4 - requires the resources of coal to be safeguarded from development.

Policy NSA 5 - allocates land at the Fernhill strategic site for housing development, a local retail centre and informal recreation contained in a countryside setting. The policy also states that the site will be subject to a large scale reclamation scheme.

Policy NSA 16 – provides criteria for the re-development of vacant/redundant industrial sites.

Policy NSA 25 - identifies special landscape areas including the Rhondda Fawr Northern Cwm and slopes. Development within a defined SLA will be expected to conform to the highest standards of design, siting, layout and materials appropriate to the character of the area.

Supplementary Planning Guidance

Access Circulation and Parking

Design and Placemaking

Nature Conservation

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 (Wales) 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 achieving wellbeing through placemaking, Chapter 3 strategic and spatial choices, Chapter 4 active and social places, Chapter 5 productive and enterprising places and Chapter 6 distinctive and natural places of the policy document and that the proposal is also consistent with the following insofar as they relate to the development proposed –

Chapter 1 managing new development.

Other relevant policy guidance consulted:

PPW Technical Advice Note 5: Nature Conservation and Planning;
PPW Technical Advice Note 6: Planning for Sustainable Rural Communities;
PPW Technical Advice Note 12: Design;
PPW Technical Advice Note 13: Tourism;
PPW Technical Advice Note 18: Transport;
PPW Technical Advice Note 23: Economic Development; and
PPW Technical Advice Note 24: The Historic Environment.
Manual for Streets; and
Welsh Government Circular WGC 008/2018: Planning requirement in respect of the use of private sewerage in new development, incorporating septic tanks and small sewage treatment plants.

The above chapters and Technical Advice Notes set out the Welsh Government's policy on planning issues relevant to the determination of this planning application.

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main issues:

The application includes two elements, albeit related, the temporary farm house and the glamping pods (including storage building and associated works). These will generally be assessed separately although some issues are relevant to both.

Impact on the Strategic Site

A strategic development site (NSA 5) is located north of Blaenrhondda and the first part of the access road and the temporary farmhouse and glamping pods would be located within it. The development, which the strategic site is allocated for (housing and related development), has not yet come forward within the current Local Development Plan (LDP) period of 2006-2021. The applicant has also submitted an indicative masterplan for the whole area that the applicant controls. Whilst this details housing could come forward on the strategic site, it is considered the likelihood of this in the near future is not certain. Furthermore, the current LDP is under review and the current housing allocation may not be in an updated LDP.

As such, the proposed tourist and rural enterprise uses being proposed could provide an alternative economic benefit to the area. It is considered this type of use, would also complement other potential tourist uses in the area such as 'Zip World', the opening of the Rhondda Tunnel in Blaencwm and other such developments. Furthermore, the proposed rural enterprise on its own, would not prevent or negatively impact on the development of the wider strategic area.

In summing up whilst the proposal as presented for the temporary farmhouse and glamping pods does not comply with the current vision for the strategic site (Policy NSA 5), it would not necessarily prejudice the site coming forward in the future given the nature of the use. It is also considered that with regards to developing a residential scheme that there are viability issues in doing so and therefore the Council could consider alternative or complimentary uses on the site.

Temporary Farmhouse Dwelling Appraisal

The applicant makes the argument the dwelling is needed to support a farming and tourism business. Planning Policy Wales does allow for dwellings in isolated areas in support of rural enterprises however, they require special justification.

Technical Advice Note 6: Planning for Sustainable Rural Communities (TAN 6) Rural Enterprise Dwelling Appraisal sets out special justification tests to ensure that the dwelling is justified. Section 4.3.1 of TAN 6 sets out the tests for a new rural enterprise dwelling on a new rural enterprise where there is a functional need for a full time worker and the evidence criteria in paragraphs a-e in section 4.6.1 are fully evidenced by a Rural Enterprise Dwelling Appraisal.

It is noted the applicant has applied specifically for temporary permission. As stated in TAN 6, if the tests cannot be fully proven; a temporary permission may be appropriate for a period which is commonly three years, although a different time period may be given. This will afford the applicants the opportunity to prove that their business has a chance of being viable.

A Planning Statement by Graham Leaver of Egis Consultancy Ltd. and further information in the application highlights the detail in respect of the tests as required by TAN 6 has been submitted. Members should note that without the Council obtaining an assessment from a professional agricultural consultant of the submitted information, the following comments are offered as an observation.

a) clear evidence of a firm intention and ability to develop the rural enterprise concerned (significant investment in new buildings and equipment is often a good indication of intentions);

In considering the information in the appraisal and the planning statement, the applicant has purchased the land and states that the business has established a small herd of pigs and had a loan of £150,000 sanctioned by a bank. A 5 year business plan has been submitted with the application. There

are costs indicated in the appraisal including that the investment is calculated to be approximately £85,000. The applicant has also submitted various receipts which itemise purchases of what can be seen as agricultural equipment. The applicant has also supplied details of a licence for the movement of pigs and an application for a County Parish Holding Number. In considering all of the documentation that has been submitted it would appear that there is some evidence of intent. The application however also states that the applicant works full time elsewhere at the moment.

b) clear evidence that the new enterprise needs to be established at the proposed location and that it cannot be accommodated at another suitable site where a dwelling is likely to be available;

The appraisal states that the reason for the proposed location of this development site is due to the site being owned by the applicant. However land ownership is not a consideration for planning. The planning statement makes reference to properties that have been looked at and details are provided with the application, however there is no commentary provided of the suitability of these as the applicant requires a house on site.

c) clear evidence that the proposed enterprise has been planned on a sound financial basis;

Evidence including a 5 year budget has been submitted with this application. This details the operation would be running on a profit from year one and that would increase over the five years. There is no evidence to the contrary available to dispute the financial details submitted but it is noted that these are only projections.

d) there is a clearly established functional need and that need relates to a full-time worker, and does not relate to a part-time requirement;

From the evidence provided by the applicant; there is a claim that the functional test is satisfied as their presence is required during farrowing and lambing due to difficulties occurring in a very short space of time. The appraisal also makes reference to presence being required during these difficult times in order to keep distress of both mother and baby to a minimum during labour. It also makes reference to farrowing often occurring outside of normal working hours. The appraisal makes reference to various tasks that can be required just after farrowing such as disease, feeding and the provision of clean bedding. Reference is also made to emergencies such as fire and stock escaping and security purposes. The policy stipulates that for a dwelling to be essential it should relate to *unexpected situations that might arise*. Whether it could be considered 'essential' for an individual to be present in the case of such 'unexpected situations' is a judgement best made by an agricultural professional. As such, there is no evidence to the contrary available to dispute that the operation requires a full time worker.

The applicant has provided information which illustrates the labour requirements associated with running the business. It is not clear if this number of animals will be on site immediately or whether this number will be

grown as the business grows. No contrary evidence is available to clarify whether the calculation made in the appraisal, which concludes one full time member of staff is required, is correct. It is stated in the appraisal that the applicant would work full time on the farm within 3 years, therefore there will not be a full time worker present on the site initially. TAN 6 states *that where there is currently no dwelling associated with the rural enterprise for whom there is a functional need for new accommodation must be a full time worker.* It is therefore questioned if there is a current need for the dwelling at present or if this is more appropriate as the business grows.

e. the functional need could not be fulfilled by another dwelling or by converting an existing suitable building on the enterprise, or any other existing accommodation in the locality which is suitable and available for occupation by the workers concerned;

TAN 6 states that evidence is required to demonstrate that there is no other dwelling(s) or building suitable for conversion. It is clear that there are no other buildings on the site and therefore no opportunity to convert them. This is accepted. The TAN also makes reference to other dwellings in the locality. Details of other properties in the locality are provided, however the appraisal states that there are 15 properties for sale and 2 houses for rent within a mile radius of the holding, the appraisal goes on to state that the nearest post code is 1/2 a mile away from the proposed dwelling and these are all for sale. Whilst it is understood that a rental property would be preferable, due to the temporary nature of the proposal, no commentary has been presented outlining what alternative properties have been considered and why they aren't suitable. Although the applicant does state they need to be situated on the actual site.

f) other normal planning requirements, for example siting and access, are satisfied;

- (i) Siting and Design – The dwelling would be sited near some existing enclosures and near to the base of the valley side. While isolated, the siting and design for a temporary dwelling is considered acceptable.
- (ii) Impact on Residential Amenity - In terms of the impact on the amenity of surrounding residents the nearest dwellings are located some distance from the siting of the temporary dwelling. As such it is considered there would be no significant impact.
- (iii) Access - There are concerns that the proposal would not be accessible by a range of transport modes. An inevitable consequence of being located away from settlements is that there would most likely be a greater requirement for vehicular travel by the family, visitors and for deliveries. No objection has been raised by the Transportation Section.
- (iv) Contamination - There is concern regarding potential contamination from the former colliery use of the site and land stability given the history of the site. An investigation has been submitted and the

Council's Public Health Section detail further clarification is required and maintain the requirement for a condition if permission is granted. It is considered this would be necessary due to the health and safety risks.

(v) Ecology – No objection has been raised from the Countryside Section and is discussed further in the following sections.

(vi) Drainage - It is proposed foul drainage would go to a package treatment plant. However planning guidance (Welsh Government Circular 008/18) details where practicable, foul drainage should be discharged to the mains sewer. The nearest sewer is some distance. As this application is for temporary permission for one dwelling it is considered acceptable. Natural Resources Wales detail that a package treatment plant must be installed to British Standard 6297 and Approved Document H of the Building Regulations 2000. With regard to surface water drainage the Council's Flood Risk Management Section detail a condition is required to submit further details.

Summary

It is considered the evidence submitted does not fully satisfy the justification tests outlined in PPW and TAN 6. There is not enough substantiated evidence, at the moment, to justify a dwelling under section 4.3.1 of TAN 6. In summary there is no significant existing rural enterprise being run from the site, insufficient evidence has been submitted to show that other sites outside or within the land holding are suitable for the enterprise, the financial figures that have been provided are only projections, the need for a full time worker at the present has not been clearly established and insufficient evidence has been submitted of other houses considered to rent or buy in the area.

Notwithstanding this, it is noted that TAN 6 does allow for temporary permission if the evidence has not been fully satisfied. It is considered the applicant has submitted sufficient evidence of intent of setting up the enterprise and building this up over a three year period to a point where a permanent dwelling may be considered acceptable. As detailed above, an assessment of this will be required by the submission of a further planning application for a permanent dwelling. Policy guidance details that no further temporary permission should be given. And if the requirement for a permanent dwelling is not met, the temporary dwelling would be required to be removed from the site. Therefore, on balance, taking into account the above, a temporary three year permission is considered appropriate.

Glamping Pods Assessment

Principle of Development

With any development it is necessary to consider the sustainability of such a proposal and whether it accords with the National Sustainable Placemaking Outcomes as outlined in Planning Policy Wales Edition 10. This is especially pertinent given that the development is not proposing the improvements that policy NSA 5 requires in order to make the site sustainable. Planning Policy Wales Edition 10 states that sustainable places are the goal of the planning system. The LDP also seeks sustainable development and Policy AW 2

supports this goal by ensuring that developments are in sustainable locations. The policy contains criteria which define where these places are and it is therefore necessary to assess this development against this policy.

Criterion 1 requires that the site is within the settlement boundary. The amended location of the glamping pods meets this criterion.

Criterion 2 seeks to ensure development would not conflict with surrounding uses. There is some concern that the construction of the glamping pods may appear incongruous in the landscape as opposed to the creation of a planned built form of the whole of strategic site.

Criterion 3 and 4: the site should have good accessibility by a range of sustainable transport modes and have good access to key services and facilities. At present the site is considered car dependant. It is acknowledged that there is a bus service which runs to the edge of the site on Brook Street, however the route does not extend into the site nor does the site benefit from a complete network of pedestrian footways or street lighting, this means that safe access on foot cannot be achieved at present to public transport. The glamping pods have been re-located and are now closer to Blaenrhondda and the public highway of Caroline Street. Whilst the criterion have not necessarily been met, it is however recognised that the nature of this type of development is that they are sited in more isolated places.

Criterion 5 states the site should not in a C2 Flood zone. The site is not within this flood zone and therefore this is met.

Criterion 6 states that new development must support the roles and functions of the Principal Towns, Key Settlements and Small Settlements. The tourism development could provide some economic support to the nearby Key Settlement of Treorchy and Small Settlement of Treherbert.

Criterion 7 states that the development must support the roles and functions of the Strategic site. The proposal as submitted does not necessarily support the roles and functions of the strategic site as it is piecemeal development and not comprehensively planned. It does not deliver the regeneration benefits sought from the site. However, as stated above, the future of the strategic site in this location is questioned, and if the site could deliver an overall tourism/outdoor pursuit's scheme then this may help deliver benefits for the local area.

Criterion 8: are well related to existing water, sewerage, waste, electrical, gas and telecommunications infrastructure and improvements to such services will be provided where necessary. The information submitted with the application identifies that utility infrastructure may not be available on the site at the moment.

Given the above, it is considered at present this development meets some of the criterion of Policy AW 2 of the Local Development Plan, but not all. It is also considered that the proposal does not meet all the placemaking

principles of PPW and would not completely comply with the National Sustainable Placemaking Outcomes.

Notwithstanding the above, the amended position of the glamping pods reduces the visual and isolated impact that was more clearly evident with the original proposed location. They would now be in the settlement boundary and closer to the proposed temporary farm house and settlement of Blaenrhondda.

Furthermore, Planning Policy Wales paragraph 5.5 views tourism as vital to economic prosperity. It's seen as important for employment and can help regeneration of an area. It states that the planning system should, "encourage tourism where it contributes to economic development, conservation, rural diversification, urban regeneration and social inclusion, while recognising the needs of visitors and those of local communities".

The submitted proposal and 'indicative masterplan' envisages the wider site could be developed into a farm enterprise and a more significant tourism/outdoor pursuit's attraction in the future. Members are advised that if this was a farm diversification proposal on an established farm, then in sustainability terms, the proposal would be more acceptable. As such, a temporary permission is recommended, in line with the recommendation for the temporary farm house. This would allow the opportunity for the farming and rural enterprise to grow, and potentially become established within a three year time period.

Therefore, on balance, the principle of a temporary permission is considered acceptable, subject to an assessment of the other material planning considerations detailed below:

Impact on the character and appearance of the area

It is recognised the site is a former colliery, and that the landscape has been partly restored to a semi-natural state. Whilst the applicant argues it is a 'brownfield' site, it is considered the restoration and recovery of the land is enough to however be considered as a 'greenfield' site in accordance with the definition of previously developed land identified in Planning Policy Wales (Page 38).

The applicant has submitted a Landscape and Visual Appraisal report. This uses the LANDMAP information produced by NRW and details the areas Visual and Sensory aspect as High, its Landscape Habitats as High, its Historic Landscape as Outstanding, its Geological Landscape as Outstanding and its Cultural Landscape as High. It is noted that the appraisal identifies the descriptions cover a wide area and these may not apply to the setting of some of the site.

The original location of the glamping pods was in an area identified as being within a Special Landscape Area (SLA) and was also adjacent and considered within the setting of a Regional Important Geological Site (RIGS) important for its geology which Policy AW 8 protects. The amended location

of the glamping pods is however not within the SLA and is considered to reduce the impact on the setting of the RIGS.

Furthermore, in assessing the visual impact of the new location, it is noted this is now within the settlement boundary, albeit it is noted there is little development in the surroundings and it is visually within the open countryside. Notwithstanding this, it is closer to the site of the temporary farmhouse and would also be seen against the wooded hillside behind. As such, this siting has a less visual impact on the open countryside than the previously proposed location. Whilst the site is also identified as part of the Rhondda Historic Landscape area designated by Cadw, due to the small scale of the development, there would however not be a significant impact on this designation.

In addition, a landscaping scheme of native species planting has been proposed to help screen the glamping pods and storage building. It could be argued that in time the development may be well screened and that the impacts on the setting of the surrounding high quality open rural landscape may be reduced to an acceptable level.

Lighting would also be an issue to take in to account due to the open nature of the site. It is noted however that the development is currently in the settlement boundary and strategic site area where significant development in relation to that allocation would have a far greater impact than that being proposed. Paragraph 6.8.1 of PPW states 'There is a need to balance the provision of lighting to enhance safety and security to help in the prevention of crime and to allow activities like sport and recreation to take place with the need to: protect the natural and historic environment including wildlife and retain dark skies where appropriate'. Whilst no lighting has been proposed, it is however considered the development is likely to introduce lighting that could be to the detriment of some of the qualities stated above. The Council's Countryside Section consider a sympathetic lighting scheme may be acceptable. Therefore a condition requiring such details is considered necessary if permission is granted.

In summing up, the amended location of the glamping pods would have a lesser visual impact on the surroundings than that originally proposed. A landscaping scheme is proposed that would help screen the development from some longer views and a sensitive lighting scheme can be obtained by condition. Therefore, it is considered the development would be acceptable in these terms.

Ecology

The glamping pods (and temporary farm house) would be located on land that was part of the former Fernhill Colliery. The land has partly been restored and some vegetation has recovered. It is adjacent to the Mynydd Blaenrhondda and Mynydd Ty-isaf Fawr Site of Importance for Nature Conservation (SINC) and relatively close to the Rhondda Fawr SINC.

An ecological appraisal has been submitted, which details the mobile home would result in the loss of some land that is considered to have low botanical

diversity and the ecological value is considered negligible. The original glamping pod position would result in the loss of some 1000m² of dry heath vegetation and a similar area of semi-improved grassland. This is similar for the new siting of the glamping pods. The report identifies that dry heath is a habitat that is listed in Section 7 of the Environment (Wales) Act 2016 and regards it as being of 'principal importance' for the purpose of maintaining and enhancing that biodiversity.

Section 6 of the Environment (Wales) Act 2016 places a legal obligation on public bodies in Wales to 'maintain and enhance biodiversity' whilst carrying out their functions. The report details that given the status of this dry heath as a habitat of importance that some compensatory dry heath habitat should be created. Members are advised that this is considered necessary and details of this can be required by a suitably worded condition.

The report further highlights the site has reptiles and a suitable mitigation strategy is required, that it has potential for breeding birds and a suitable mitigation strategy is required and that bats are present nearby and a suitable lighting scheme would be required. In addition it details a sensitive lighting scheme would be required. The Council's Ecologist accepts the findings of the report and highlights the need for the mitigation strategies to be implemented for the proposal to be acceptable. Members are advised that this is considered necessary and details of this can be required by a suitably worded condition.

Contamination

The glamping pods would be located on the former site of the Fernhill Colliery. A Land Quality Assessment has been submitted, however the Council's Public Health Section has detailed that further clarification of testing and any mitigation that is necessary is required as the amended location of the glamping pods has not been taken into account in the reports submitted. Due to the potential health and safety risk this is necessary and should be required by a suitably worded condition prior to any works being carried out.

Surface Water Drainage and Tip Safety.

The Council's Flood Risk Management Section commented (based on the original submission) that the site is situated within a reclaimed tip and the site location is shown to encompass a range of surface water flood risk conveyance routes that affect the wider site location. This area is also identified within RCT's Flood Risk Management Plan (specifically Investigation area RCT0104). As such the wider project and proposed development will need to take full account of the inherent pluvial flood risk associated to the site. They do not object and detail a condition requiring details of how flood risk and surface water drainage will be taken into account is required.

Following receipt of the amended location of the glamping pods a further response has been requested, however at the time of writing this report no further comments have been received. As the amended location is still within the former colliery site it is presumed the comments are the same.

Members are advised that a Sustainable Drainage Application will also be required, which is separate from the planning process. Whilst this is so and normally the requirement should not be duplicated, it is considered that it would be prudent for the reasons highlighted above that these details should be provided as part of the planning application and prior to works commencing. Details of this can be obtained by a suitably worded condition.

Foul drainage

It is proposed to deal with foul drainage by a private treatment plant. It is noted Circular WGC 008/2018 requires that drainage should normally be to a public sewer unless it is not practical or financially prohibitive. The development proposed is for a temporary permission and the nearest public sewer is some distance. No objection has been raised by Natural Resources Wales subject to the relevant permits being required. Whilst a more comprehensive development of the strategic area should be required to drain to the public sewer, in this instance, due to the small scale and temporary proposal and financial implications it is considered that a private treatment facility would be acceptable for the temporary period.

Impact on residential amenity

The site is located some distance from nearby residential dwellings. There would be some increase of coming and goings along Blaenrhondda Road, however this would not be significant. Therefore in these terms the application would be considered acceptable.

Access

There are concerns that the proposal would not be accessible by a range of sustainable transport modes. An inevitable consequence of being located away from settlements is that there would most likely be a greater requirement for vehicular travel by the family, visitors and for deliveries. Access is via sub-standard roads and an objector raises the issue of increased traffic. Whilst this is noted, the development is small in scale and would not increase traffic significantly and no objection has been raised by the Transportation Section.

Summary

The development meets most of the criterion of policy AW 2 to determine if this is a sustainable location. The amended location of the glamping pods is less isolated than the original location and this lessens the original concerns. However, if this was part of an established farm diversification then it would be more acceptable. As this is the intention of the applicant, a temporary period to allow the farm and rural enterprise to develop, is in principle acceptable. The amended location is also more acceptable with regard the visual impact. There will be some ecological impact, however mitigation measures are necessary to compensate and details can be obtained by condition. Further details are required with regard contamination and surface water drainage and these can be required by condition. All other material planning considerations are acceptable.

Other issues

Other Public Health Comments

The Council's Public Health & Protection Section have raised no objections to the proposal, however, a number of conditions have been suggested in relation hours of operation, noise during construction, waste, dust, soil importation and private water supplies. Whilst these comments are appreciated, it is considered that issues relating to these matters can be more efficiently controlled by other legislation and the suggested conditions are not considered necessary. An appropriate informative note would be sufficient in this instance.

Public Right of Way

Public footpaths traverse the wider site area that is indicated by the applicant would be used for farming. No current public rights of way affect the site for the temporary dwelling and glamping pods. Therefore this issue is considered acceptable.

Coal Resource and Risks from Former Coal Mining Works

The siting of the temporary dwelling and glamping pods are not within a high risk area for former coal mining works. No objection has been raised by the Coal Authority.

The site is also in a mineral safeguarding area (Coal) and Policy AW 14 of the LDP requires such areas to be protected and if the development went ahead it could sterilise some of this land. However, due to the small scale of development and the current political climate of reducing fossil fuel consumption, it is not considered this issue would warrant a refusal reason.

Community Infrastructure Levy (CIL)

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

The application is for development of a kind that is not CIL liable under the CIL Regulations 2010 (as amended).

If permanent planning permission for a dwelling is applied for, that application would be 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 currently applicable and therefore no CIL would be payable.

Conclusion

It is considered that the application demonstrates that the principle of a temporary rural enterprise dwelling would be acceptable and that in other planning considerations it would also be acceptable. The glamping pods would provide a tourism benefit and in time could form part of an established farm and rural enterprise. The amended location of the glamping pods has lessened the concerns with regard to sustainability and the visual impact. The application is therefore recommended for a temporary permission.

RECOMMENDATION: GRANT SUBJECT TO THE BELOW CONDITIONS:

RECOMMENDATION

Grant

1. The development hereby approved shall be carried out in accordance with the approved plans nos:
 - Site Location Plan (received 16th March 2020)
 - hdw/ph/gp.001e - Glamping Pods Proposed floor plan & elevations and proposed block plan (received 10th March 2020)
 - Landscape plan.dwg aug 2019 issue B-MDA (received 3rd September 2019)
 - hdw/ph/ab.002a - Temporary Farmhouse Proposed Site Plan, Elevations and Floor Plan (received 13th August 2019)

and documents received by the Local Planning Authority on 6th February 2019, 13th August 2019, 6th November 2019, 7th November 2019, 14th November 2019 and 23rd January 2020 unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

2. The temporary dwelling, glamping pods, storage building and any associated paraphernalia associated with its use shall be removed from the land in its entirety and the land shall be restored to its former condition on or before 1st June 2023.

Reason: This planning permission is for a temporary period only in order to enable the establishment of a rural enterprise and in the interests of visual amenity in accordance with Planning Policy Wales TAN 6: Planning for Sustainable Rural Communities and Policy AW 5 and AW 6 of the Rhondda Cynon Taf Local Development Plan.

3. The occupancy of the farmhouse dwelling shall be restricted to those:
 - a. solely or mainly working or last working on a rural enterprise in the locality where there is/was a defined functional need; or if it can be demonstrated that there are no such eligible occupiers, to those;
 - b. who would be eligible for consideration for affordable housing under the local authority's housing policies: or if it can be demonstrated that there are no persons eligible for occupation under either (a) and (b);
 - c. widows, widowers or civil partners of the above and any resident dependants.

Reason: The site is not in an area intended for general development. Permission is granted solely because the dwelling is required to house a person or persons employed or last employed in a rural enterprise. A dwelling in this location would normally be contrary to Policy AW 2 of the

Rhondda Cynon Taf Local Development Plan.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order), no private car garages, extensions, garden sheds, gates, fences, walls, other means of enclosure, or structures of any kind (other than any hereby permitted) shall be erected or constructed on this site without the prior express permission of the Local Planning Authority.

Reason: To preserve and enhance the visual amenities of the locality in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

5. The glamping pods hereby approved shall only be occupied as holiday units and no unit shall be occupied by any individual, family or group for more than a continuous period of two months in any calendar year. An up to date register shall be kept at the holiday accommodation hereby permitted and be made available for inspection by the Local Planning Authority upon request. The register shall contain details of the names of all of the occupiers of the accommodation, their main home addresses and their date of arrival and departure from the accommodation.

Reason: The site is unacceptable for general residential use by reason of its unsustainable location, in accordance with Policy AW 2 of the Rhondda Cynon Taf Local Development Plan.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order) no external lighting equipment shall be erected or installed on the site unless details including its location, size, design and intensity have been submitted to and approved in writing by the Local Planning Authority. The lighting installed shall be carried out and retained in accordance with the approved details.

Reason: To prevent light pollution and to afford protection to animal species in accordance with policies AW 5 and AW 8 of the Rhondda Cynon Taf Local Development Plan.

7. No development shall commence until all relevant matters outlined on the attached Planning Requirements Relating to Flood Risk Management including full drainage details have been submitted to and approved in writing by the Planning Authority. These details shall indicate how the development is to comply with the requirements of Section 8.3 of Technical Advice Note 15. The development hereby approved shall not be brought in to beneficial use until approved drainage arrangements have been implemented on site.

Reason: To ensure that drainage from the proposed development does not cause or exacerbate any adverse condition on the development site, adjoining properties, environment and existing infrastructure arising from inadequate drainage in accordance with Policy AW 10 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 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 in accordance with Policy AW 10 of the Rhondda Cynon Taf Local Development Plan

- 9.** No dwelling, hereby permitted, shall be occupied until the measures approved in the scheme set out in condition 8 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

- 10.** 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

11. Notwithstanding the submitted details, building operations shall not be commenced until samples of the finishing materials proposed to be used for the temporary farmhouse, glamping pods and storage building (including colour) have been submitted to and approved in writing by the Local Planning Authority and all materials used shall conform to the sample(s) so approved.

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

12. Notwithstanding the submitted details no development shall take place until a wildlife / habitat protection plan has been submitted to and approved in writing by the local planning authority. The wildlife / habitat protection plan shall include:

- i. The creation/translocation of a minimum of 1200m² of compensatory dry heath habitat to a suitable nearby location.
- ii. A mitigation strategy for reptiles.
- iii. A method statement related to nesting bird habitat or if clearance is undertaken in the period March 1st to August 31st a nesting bird survey shall be carried out and submitted.
- iv. A site lighting scheme

The protection plan shall then be implemented in accordance with the timings detailed in the approved wildlife / habitat protection plan.

Reason: To afford protection to animal and plant species in accordance with Policies AW 5 and AW 8 of the Rhondda Cynon Taf Local Development Plan.

Appendix B – Transportation Section's Original Comments

To/At :	Planning – Sardis House 2 nd Floor FAO : Guy Watkins	My Ref/Fy Nghyf : 19/0882/A/PS
		Tel. Ext/Est. Ffôn : 4884 P.Smith
		Your Ref/Eich Cyf : 19/0882/10

From/ Highways Development Control
Odd
Wrth :

Sardis House 5th Floor

Date/Dyddiad : 6th April 2020

RVATIONS OF THE HIGHWAYS AND TRANSPORTATION SECTION IN ECT OF DEVELOPMENT AFFECTING PRESENT OR PROPOSED WAYS

1. APPLICANT

Mr G. Batten.

2. DESCRIPTION AND LOCATION OF PROPOSED DEVELOPMENT

Temporary farmhouse and glamping pods. (Amended site location plan, description and changes to position of glamping pods and storage building received 10th and 16th March 2020).

LAND AT FERNHILL FARM, OFF CAROLINE / BROOK STREET,
BLAENRHONDDA.

3. Application Details

Temporary farmhouse and 4 glamping pods.

These observations supersede my observations of the 30th October 2019 in light of (Amended site location plan, description and changes to position of glamping pods and storage building received 10th and 16th March 2020).

4. Highway Assessment

Access

Access is gained via Brook Street leading to the existing Bus Turning Area and via a narrow river bridge and publicly maintained highway (Caroline Street) for the majority of its length.

Brook Street is a Bus route and heavily subscribed with on-street car parking narrowing the available width of carriageway. The council has implemented a number of double yellow lines along Brook Street to maintain free flow of traffic.

Caroline Street has sub-standard width River Bridge, segregated footways, street lighting, drainage, to cater for safe and satisfactory vehicular and pedestrian movements which gives cause for concern.

The proposal will potentially result in increased vehicular movements along Caroline Street and Brook Street. The additional 10 trips per day as well as delivery and service vehicles for the dwelling and in the region of 8 trips for the glamping pods. This would be a worst case scenario with all pods being rented. It is anticipated that this would be

seasonal use.

Currently, Brook Street at its termination, near the river bridge, incorporates a turning area. Unrestricted access between Brook Street and Caroline Street through a turning area will result in conflict between vehicles undertaking turning movements and those going straight through to the proposed development site to the detriment of safety of all highway users.

The bridge structure is in a poor state of repair and lacking in width for safe two way vehicular movement as well as segregated footways for pedestrians. There is an advisory sign stating there is no access for HGV vehicles and is suitable for light vehicles only. There is no official weight restriction for the bridge structure and taking into account the bridge is publicly maintained the applicant could potentially farm the land using the bridge for access without implementation of the dwelling and glamping pods and on this basis reluctantly the proposal is acceptable.

The bridge is due to undertake a structural assessment to assess the load bearing capacity of 40/44 tonnes as per DMRB CS 454. However, should the structure fail this will result in access to the proposed site being restricted / denied when repair replacement is undertaken and therefore the applicant should be made aware of the proposed works.

Planning Policy Wales (PPW) 10th Edition & Active Travel (Wales) Act 2013.

The proposed is lacking in segregated footway / cycle facilities and would be reliant on private motor vehicles only which is non-compliant with Sustainable Transport hierarchy stated in PPW 10th edition and Active Travel (Wales) Act 2013 and therefore is considered unacceptable. However, taking into account the nature of the proposed a temporary farmers dwelling with farm enterprise reluctantly the proposal is acceptable.

Parking

The proposed dwelling requires up-to a maximum of 2 off-street car parking spaces in accordance with the SPG Access, Circulation & Parking 2011 with space within the site for a minimum of 4 cars which is acceptable.

The proposed 4 number glamping pods require 1 space per pod with 1 space per pod provided which is acceptable.

Conclusion

The local highway network such as Brook Street and Caroline street leading to site are sub-standard in terms of available carriageway width, segregated footways, street lighting, and drainage. Any

intensification of vehicular and pedestrian movements would exacerbate the current situation and increase risk to all highway users.

The proposed is lacking in segregated footway / cycle facilities and would be reliant on private motor vehicles only which is non-compliant with Sustainable Transport hierarchy stated in PPW 10th edition and Active Travel (Wales) Act 2013 and therefore is considered unacceptable.

However, taking into account the proposed farm enterprise which is a temporary permission reluctantly on-balance the proposed is acceptable.

5. Recommendation

Taking the above into consideration on-balance no highway objection is raised or condition suggested.

6. NOTE

1. The applicant should be informed that access Bridge would be closed for a period of time during repair works to the bridge with no alternative means of access.

Highways Development Control and Adoptions Manager

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RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

PLANNING & DEVELOPMENT COMMITTEE

24th June 2020

SITE MEETING

APPLICATION NO. 19/0829/10 – CONVERSION OF A CHURCH TO 8 APARTMENTS. ENGLISH CALVARY BAPTIST CHURCH, CLIFF TERRACE, TREForest, PONTYPRIDD.

REPORT OF THE SERVICE DIRECTOR, DEMOCRATIC SERVICES & COMMUNICATION

Author: Jessica Daniel, Council Business Unit.

1. PURPOSE OF THE REPORT

- 1.1 To consider the outcome of the site inspection in respect of the above-mentioned proposal and to determine the application, as outlined in the report of the Director, Prosperity & Development, attached at Appendix 1.

2. RECOMMENDATION

It is recommended that Members:

- 2.1 Approve the application in accordance with the recommendation of the Director, Prosperity & Development.

3. BACKGROUND

- 3.1 In accordance with Minute No 193 (Planning and Development Committee – 5th March 2020) a site inspection was undertaken on Wednesday 24th June 2020 to consider the potential adverse effect the development could have on the local community and highways issues relating to parking.
- 3.2 Due to Welsh Government social distancing restrictions in response to Covid-19, committee Member attendance at the site visit was reduced to ensure the safety of those attending. The meeting was attended by the Planning and Development Committee Members County Borough Councillors S. Rees, G. Hughes and S. Powderhill.

- 3.3 Members met at the front of the proposed development English Calvary Baptist Church, Cliff Terrace, Treforest.
- 3.4 The Planning Officer in attendance informed members that planning permission is sought for the conversion of the English Calvary Baptist Church, Cliff Terrace, Treforest, Pontypridd into 8 apartments.
- 3.5 The Planning Officer advised that whilst the statutory consultees had raised no objections, the local residents had raised a number of concerns regarding traffic levels and the feasibility of access to the site should the application be granted. The Planning Officer continued to inform Members that initially objections had been raised by the Highways and Transportation section due to the lack of off-street parking however the applicant had submitted an amended layout plan indicating 7 off-street parking spaces at the front of the site to serve the development.
- 3.6 Members noted the historical nature of the site and queried whether the building held a listed status. The Planning Officer advised that the building is not listed although noted the good condition of the interior detail in the building.
- 3.7 Members noted concerns regarding parking and commented on the access to the road being unsuitable for turning. Members also queried the amount of parking spaces to be provided and whether this was sufficient for the size of the proposed development. The Highways Officer informed Members that in accordance with the Council's adopted SPG, a maximum of 18 off-street parking spaces are required (16 spaces for residents and 2 for visitors). The Highways Officer acknowledge that the amended site layout plan indicates that 7 off-street parking spaces are to be provided off Cliff Terrace and that this results in a shortfall of 11 spaces. However, the Highways Officer also advised Members that the proposal included cycle storage and considering traffic management on local highway network, the sustainable location of the site and the sustainable transport hierarchy as set out in PPW10, the shortfall in parking provision was on balance acceptable.
- 3.8 Members also queried the number of apartments proposed to be developed at the site and discussed the concern of over intensifying the development of the site and the implications this would cause to the traffic and highways issues. Members queried the amount of apartments suitable to be developed on site in relation to the payment of CIL. The Planning Officer advised Members that the payment of CIL was based on the area of the land.
- 3.9 Members also discussed the potential issue the presence of a burial site could cause on the development and the Planning Officer informed

Members this matter would need to be resolved prior to any development of this site commencing.

3.10 The Chair thanked the officers for the report and closed the meeting.

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PLANNING & DEVELOPMENT COMMITTEE

5 MARCH 2020

REPORT OF THE SERVICE DIRECTOR, PLANNING

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 19/0829/10 (BJW)
APPLICANT: Mr Ahmed
DEVELOPMENT: Conversion of a church to 8 apartments.
LOCATION: ENGLISH CALVARY BAPTIST CHURCH, CLIFF TERRACE, TREFOREST, PONTYPRIDD.
DATE REGISTERED: 30/08/2019
ELECTORAL DIVISION: Treforest

RECOMMENDATION: Approve.

REASONS:

The application proposes the productive use of a currently disused building. The use of the site would be sympathetic and in keeping with surrounding land uses, which are predominantly residential, and would comply with the requirements of the Council's Supplementary Planning Guidance (SPG) for the conversion of larger buildings for residential purposes.

The application is considered to comply with the relevant policies of the Local Development Plan in respect of its access and highway safety considerations, the amenities of nearby residential properties and the impact on the visual amenities of the area.

REASON APPLICATION REPORTED TO COMMITTEE

- The proposal is not covered by determination powers delegated to the Director of Prosperity & Development as the proposal is for more than 5 residential units; and
- Three or more letters of objection have been received.

APPLICATION DETAILS

Full planning permission is sought for the conversion of the English Calvary Baptist Church, Cliff Terrace, Treforest, Pontypridd into 8 apartments. The

conversion would include the basement, lower ground floor, ground floor and first floor with the following arrangement of accommodation proposed:

Basement – 1 no. 1 bed unit, 1 no. 2 bed unit and cycle and bin store area

Lower ground floor – 1 no. 2 bed unit

Ground floor – 3 no. 2 bed units

First floor – 2 no. 2 bed units

The conversion would use the existing building with no external alterations proposed as part of the application.

An amended layout plan has been submitted, following comments from the Transportation section indicating 7 no. off-street parking spaces at the front of the site to serve the development.

SITE APPRAISAL

English Calvary Baptist Church is a large, civic scale religious building located within a predominantly residential area in the village of Treforest.

The building has a 2+ storey façade facing Cliff Terrace while the rear includes a lower ground floor and basement due to the sloping nature of the site to the north east onto the main railway line.

The highway to the front of the building is narrow and constrained to a single width of carriageway due to the historic layout of the area.

PLANNING HISTORY

None relevant.

PUBLICITY

This has included site notices and the direct notification of properties surrounding the site. Seven responses have been received, the main points of which are detailed below:

1. Lack of parking facilities for the proposal and the impact on existing parking within the area which is already oversubscribed.
2. It is not identified if this development is for students or working professionals/ families: more students in our catchment will place a bigger burden on refuse collections as they are excluded from paying any council tax.
3. There are a large amount of empty properties already so is there really a need for more?
4. Cliff Terrace is narrow and not wide enough for 2 vehicles to pass and I have concerns about large vehicles delivering building materials blocking this entrance and the additional room needed for the construction workers vehicles to be parked if not on site. These large vehicles are likely to have to reverse onto Wood Road where it is a narrow blind corner and also a main bus route.

5. It is not clear from the current plan who will be responsible for the maintenance of the graveyard and grounds of the former chapel. If these are neglected they will become an eye saw and potential risk to safety.

CONSULTATION

Transportation Section – Initially raised objection to the application due to the lack of any off street parking facilities being included within the scheme. However, following an amendment to the scheme indicating 7 off-street parking spaces now offers no objection, subject to conditions to require the provision of a vehicular crossover, prior to commencement and the construction of the parking spaces as indicated in the amended plans, prior to beneficial occupation.

Land Reclamation and Engineering (Drainage) – No objection.

Public Health and Protection – No objection, subject to a condition to restrict the hours of operation during the construction phase of the development a condition to require a scheme for noise attenuation from the adjacent railway line, prior to commencement and standard informative notes in respect of noise, waste and dust associated with the proposed development.

Dwr Cymru Welsh Water – No objection, subject to conditions and informative notes.

Wales and West Utilities – No response received within the consultation period.

Western Power Distribution - No objection. The applicant should be aware that if they require a new connection, disconnection or service alteration that they should contact Western Power Distribution.

South Wales Fire and Rescue Service – No objection. Advice is provided in terms of the provision of adequate water supplies on site for fire-fighting purposes and access for emergency firefighting appliances.

Countryside, landscape and ecology – No response received.

Pontypridd Town Council – No response received.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The property is within the defined settlement boundary and is unallocated.

Policy AW 1 - sets provisions for the creation of new housing throughout Rhondda Cynon Taf between 2006 –2021.

Policy AW 2 - supports development proposals in sustainable locations including sites within the defined settlement boundary.

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 AW10 – requires development proposals to have an acceptable impact on health and safety and local amenity in respect of issues such as pollution control and flooding.

Policy SSA13 - permits housing development within the defined settlement boundaries where it can be demonstrated that the proposal meets set amenity, highway, design and contamination standards.

Supplementary Planning Guidance (SPG): Development of Flats- Conversion and New Build

National Guidance

In the determination of planning applications regard should also be given to the requirements of National Planning Policy that 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 Act into Town & Country Planning.

It is considered that this proposal meets the seven wellbeing of future generations goals 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 (good design and better places, promoting healthier places, sustainable management of natural resources)

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

Chapter 6 (distinctive and natural places)

Planning Policy Wales Technical Advice Note 12 Design.

Sets out the objectives of good design and aims to encourage good design in all aspects of development.

The above chapters and Technical Advice notes set out the Welsh Government's policy on planning issues relevant to the determination of this planning application.

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main issues:

Principle of the proposed development

The site consists a disused and neglected church building with some attached ancillary buildings within a restricted plot in a prominent roadside position within the village of Treforest.

The site within the defined settlement boundary where development is considered to be acceptable, subject to compliance with other policies in the Local Development Plan. The premises has been disused for over three years before which it was used as a place of worship.

In terms of land-use planning considerations the site is within a sustainable location that has reasonable access to transport nodes, goods and services and is therefore in accordance with Policy AW2. The proposal would be sympathetic to surrounding land uses, which are predominantly residential, and would provide an alternative type of residential accommodation as well as securing a productive use for a currently disused site within the locality.

In this respect the re-use of the building is considered to be positive. However, the application will also need to be considered against the Council's Supplementary Planning Guidance (SPG) relating to the conversion of larger buildings into flats. The proposal features a prominent and identifiable entrance which is located at the front of the property. There is also space for bin storage and cycle storage within the property as well as limited amenity space and the potential for off-street parking within the site.

While it acknowledged that the units to the rear and within the lower ground floor and basement levels would not be ideally appointed it is considered that they do have reasonable levels of natural light and outlook due to the sloping nature of the site.

The principle of the development is therefore considered to accord with the provisions of the Local Development Plan, nevertheless, the proposal must also be assessed in line with the other key requirements of planning policy as discussed below.

Impact on amenities of neighbouring properties

The new residential units would be formed within the conversion would be in close proximity to existing properties opposite the site.

The application proposes no external alterations to the building and it is indicated that the existing openings will be utilised to serve the development.

There is potential for overlooking from habitable rooms to existing properties to the south and east of the property, however it is considered that this could be successfully mitigated through the use of obscure glazing to a portion of habitable room windows where the relationship is close and direct. While this has not been the source of an objection it is considered prudent to control the glazing of the upper floor windows to be obscure glazed to a height of 1.8m from finished floor level to mitigate any potential adverse impact.

It is also considered that as the proposal is a conversion and would be of an identical scale that the development would not have an overbearing impact on neighbouring properties.

Character and appearance of the area

The building is a large and attractive chapel building which retains much of its original character although its condition is clearly worsening due to disuse.

The proposal would retain the existing facade with the possible installation of new windows being the only minor external alteration. The works to the front of the property to create parking area are considered to be proportionate and visually acceptable to a conversion of this nature.

Consequently, it is considered that the scale and design of the converted property would remain sympathetic and be in keeping with the existing dwellings in the area. Therefore, the application is considered to be acceptable in this respect.

Highway safety

The Transportation Section initially raised an objection to the proposal as there was no off-street parking provision indicated for the proposal. However, following the submission of amended plans, indicating 7 no. off street parking spaces to serve the development now raises no objection to the application on highway safety grounds. In this regard, the following comments have been offered in relation to the issues of access and parking.

Access

The proposed development would be served off Cliff Street via the existing means of access to the Church. In the vicinity of the development Cliff Street can only accommodate single file traffic and has a continuous footway on the development side only. Double yellow line road markings prevent on-street

parking at the acute angled priority junction with Wood Road and the sub-standard turning area at the limit of Cliff Street.

Cliff Street does not meet current standards for a residential street, which gives cause for concern. However, given the existing dwellings on the street and the development's historic use as a church, the concern is not significant enough to warrant highway objection.

Parking

The proposed development will result in 8 no. 1-2 bedroom apartments (7 no. 2 bed and 1 no. 1 bed). In accordance with the Council's adopted SPG, a maximum of 18 off-street parking spaces are required (16 spaces for residents and 2 for visitors).

The amended site layout plan indicates that 7 no. off-street parking spaces are to be provided off Cliff Terrace. This results in a shortfall of 11 spaces, which gives cause for concern. However, when considering the council's SPG advice that residents of flats often have lower car ownership rates than other types of household and the sustainable location of the proposed development, the concern is not significant to warrant highway objection.

Furthermore, the submitted information indicates that secure cycle parking is to be provided for the proposal.

Other Issues

The comments of the Public Health and Protection Division in respect of a condition to restrict the hours of operation during construction are acknowledged, however it is considered that this issue can be better addressed through other legislative controls open to the Council.

In terms of the comments of neighbouring residents, the following comments are offered:

The application provides 7 no. parking spaces to serve the development. While it is acknowledged that this is less than would be ideally required, the fall-back position is that the use of the property as a Church or a similar D1 use (such as a clinic, crèche, day nursery or non-residential educational facility etc.) would generate an even higher requirement without the necessity for a planning consent or any ancillary parking provision.

The tenure of the flats is not specified. It is considered that this is a matter that is left to the market and is not a material planning consideration.

Similarly, the need for additional housing is a matter for market forces and not material to the consideration of the planning application.

The point made in relation to large delivery vehicles is acknowledged, however it would be the case whatever the use of the building is particularly if the use remained within its existing D1 use. Additionally, the application has

been examined by the Council's Transportation Section who have raised no objection in this regard.

The maintenance of the graveyard remains with the owner of the site who is responsible in this regard. Any neglect of the graveyard could potentially be remedied through enforcement action available to the Council.

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.

The CIL (including indexation) for this development is expected to be £38,176.57.

Conclusion

The proposed conversion is considered to be a productive use of the property for a sympathetic and conforming use that would be of an acceptable scale and design, would not have a harmful impact on neighbouring properties, the visual amenity of the area or highway safety considerations. Consequently, the proposal is considered to be acceptable.

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 plan(s) no(s)
 - Site location plan, Plan No. CEX7/1
 - Block plan, including parking provision, Plan No. CEX7/10/A
 - Proposed basement level, Plan No. CEX7/6
 - Proposed lower ground floor plan, Plan No. CEX7/7
 - Proposed ground floor plan, Plan No. CEX7/8
 - Proposed first floor plan, Plan No. CEX7/9

and documents received by the Local Planning Authority on *<insert date>*, 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. Building operations shall not be commenced until samples of the materials proposed to be used have been submitted to and approved in writing by the Local Planning Authority and all materials used shall conform to the sample(s) so approved.

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

4. Notwithstanding the details shown on the submitted plans, development shall not commence until details of a scheme of obscure glazing of the first floor side facing windows in the south-west and south-east elevations (facing 40 and 41 Wood Road) have been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail the levels of obscuration to a minimum of level three. The agreed scheme shall be installed at the property to a height of 1.8m from finished floor level and shall be retained in place in perpetuity.

Reason: To safeguard the privacy of residents in the locality in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

5. No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

6. Notwithstanding the submitted plans, development shall not commence until details providing for a vehicular crossover in accordance with Highway Design Guide Standard Details Drg. No. 111 have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented on site prior to beneficial occupation.

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

7. The parking spaces indicated on drawing no. CEX7/10/A shall be constructed on site in permanent materials prior to beneficial occupation and retained for the purpose of vehicular parking only.

Reason: To ensure 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.



RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

PLANNING & DEVELOPMENT COMMITTEE

24th June 2020

SITE MEETING

APPLICATION NO.20/0006/10 – Construction of a detached split level three bedroom dwelling.

LAND AT GLANFFRWD TERRACE, YNYSYBWL, PONTYPRIDD, CF37 3LW

REPORT OF THE SERVICE DIRECTOR, DEMOCRATIC SERVICES & COMMUNICATION

Author: Jessica Daniel, Council Business Unit.

1. PURPOSE OF THE REPORT

- 1.1 To consider the outcome of the site inspection in respect of the above-mentioned proposal and to determine the application, as outlined in the report of the Director, Prosperity & Development, attached at Appendix 1.

2. RECOMMENDATION

It is recommended that Members:

- 2.1 Refuse the application in accordance with the recommendation of the Director, Prosperity & Development.

3. BACKGROUND

- 3.1 In accordance with Minute No 197 (Planning and Development Committee – 5th March 2020) a site inspection was undertaken on Wednesday 24th June 2020 to gain a clear understanding of the site and location of the proposed development and the reasons for refusal on previous applications before considering the current application.
- 3.2 Due to Welsh Government social distancing restrictions in response to Covid-19, committee Member attendance at the site visit was reduced to ensure the safety of those attending. The meeting was attended by the

Planning and Development Committee Members County Borough Councillors S. Rees and S. Powderhill.

- 3.3 Local Member, County Borough Councillor S. Pickering was also present at the meeting.
- 3.4 Members met at the site of the development on land at Glanffrwd Terrace, Ynysybwl.
- 3.5 The Planning Officer in attendance informed members that planning permission is sought for the construction of one detached dwelling on land at Glanffrwd Terrace, Ynysybwl. The Planning Officer reminded members that the application proposes the construction of a single residential dwelling with associated vehicular access and parking areas on a parcel of land that is located outside the defined settlement limits. The Planning Officer highlighted to Members that the key consideration in the determination of the application is whether the principle of residential development is acceptable upon the site.
- 3.6 The Planning Officer advised that land in the surrounding area had a history of planning refusal and went on to outline the key issues that led to the Officer recommendation including impact on the character of the area, impact on residential amenity and privacy and loss of vegetation on the land.
- 3.7 The Planning Officer noted that there had been six letters received in response to the application. Three in support of the application and three objections to the application.
- 3.8 Members discussed the locality of the bus stop near to the development site and queried the impact the development would have on the access for local buses. Members noted the inclusion of 4 parking spaces and queried the width of the entrance to the driveway. The Planning Officer informed Members that there had been no objections raised by the Highways and Transportation section subject to conditions including the construction of a raised border kerb surrounding the bus stop.
- 3.9 Members walked around the site to view the proposed development area from the public right of way to the rear of the site. The Planning Officer informed Members that the level of overlooking to the garden areas of properties situated at Clydach Road from the development, was felt to be significant enough to warrant refusal. Members noted that the issue of overlooking to properties was common in the South Wales Valleys and queried the impact screening may have on the proposed development. The Planning Officer informed members that due to the steeply sloping topography of the site it would be difficult to screen such views.

- 3.10 Members queried the recently built dwellings on the same parcel of land to the east of the proposal. The Planning Officer informed Members that they occupy wider sites and have more restrictive views due to their location and screening by vegetation and mature trees which are the subject of a Tree Preservation Order (TPO 97).
- 3.11 The Chair thanked the officers for the report and closed the meeting.

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PLANNING & DEVELOPMENT COMMITTEE

5 MARCH 2020

REPORT OF THE SERVICE DIRECTOR, PLANNING

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 20/0006/10 (RP)
APPLICANT: Mr I Randell
DEVELOPMENT: Construction of a detached split level three bedroom dwelling.
LOCATION: LAND AT GLANFFRWD TERRACE, YNYSYBWL, PONTYPRIDD, CF37 3LW
DATE REGISTERED: 03/01/2020
ELECTORAL DIVISION: Ynysybwl

RECOMMENDATION: Refuse

REASONS:

- 1) The proposed dwelling and associated engineering works by virtue of their siting, scale and design on this steeply sloping site, would result in a detrimental visual impact on the character and appearance of the area. As such, the development would be contrary to Policies AW5, AW6 and NSA12 of the Rhondda Cynon Taf Local Development Plan.

- 2) The proposed dwelling and associated engineering works by virtue of their siting and scale on this steeply sloping site, would be detrimental to the amenity and privacy of occupiers of residential properties in Clydach Road. As such, the development would be contrary to Policies AW5 and NSA12 of the Rhondda Cynon Taf Local Development Plan.

REASON APPLICATION REPORTED TO COMMITTEE

- A request has been received from Councillor Sue Pickering for the matter to come to Committee to give all parties the opportunity to put forward their case, for or against the development.

APPLICATION DETAILS

Full planning consent is sought for the construction of one detached dwelling on land at Glanffrwd Terrace, Ynysybwl.

The parcel of land upon which the dwelling would be situated would measure approximately 670m². The application is accompanied by floor plans, elevation plans and a block plan which detail the dwelling being located towards the east of the plot, with new access and parking being provided to the northern boundary adjacent to Glanffrwd Terrace.

The plans indicate a split level dwelling is proposed, being single storey facing towards Glanffrwd Terrace and two storeys as viewed from the rear lane that serves those properties at Clydach Road. This would require the sloping land to be cut into and retaining structures utilised. At the rear, the retaining walls would take the form of four separate terraces, ranging from 2 metres to 1 metre in height. To the east of the plot, the retaining wall would return toward the rear boundary, reducing in height in increments of 0.9 metres, capped with 0.6m high fence panels.

With regard to its dimensions, the dwelling would measure 13.4 metres in width and 10 meters in depth. Of hipped roof design, the dwelling would rise to 4.8m in height as viewed at street level from Glanffrwd Terrace, and would be 7.6m in height at the rear.

At ground floor level, the dwelling would encompass an open plan family room, dining and kitchen area, and a large en-suite bedroom also incorporating a dressing room. The lower level of the dwelling would provide an additional lounge for its occupants, two en-suite bedrooms, a separate bathroom and utility room. To its eastern and western side elevations two sets of patio doors would lead to an outside terrace at the rear of the dwelling, with stepped access to the three other terraces below.

With regard to external finishes, these would consist of Bradstone masonry block walling to the front elevation of the dwelling, painted render to the rear and both side elevations, grey coloured UPVC windows and doors and slate tiles to its roof.

SITE APPRAISAL

The application site forms part of an open and overgrown area of land located within the residential area of Ynysybwl. The site is level with Glanffrwd Terrace to the south, and slopes steeply to the north where a lane that serves properties at Clydach Road is located, which is also classed as a Public Right of Way (YCC/32/1).

Neighbouring dwellings consist of detached and semi-detached units situated at a lower level than the application site at Clydach Road to the north, and semi-detached and link dwellings situated above road level to the south at Glanffrwd Terrace. To the east, on the same parcel of land, are two recently constructed dwellings.

PLANNING HISTORY

The following planning history relates to adjacent plots and is considered of relevance.

19/1286	Land opposite 1 Glanffrwd Terrace, Ynysybwl	Outline application for a residential dwelling with access and scale considered	Refused 29/01/2020
14/0343	Land at Glanffrwd Terrace, Ynysybwl	Outline application for the construction of 2 detached, 4 bedroom houses	Refused 10/06/2014 Dismissed at Appeal 04/12/2014

PUBLICITY

The application has been advertised by direct notification to neighbouring properties. The erection of three site notices within the vicinity of the site was also undertaken on the 15/01/2020.

Six letters have been received from neighbouring residents, three objecting to the application, and three in support. Their comments, for and against the proposed development, are summarised below:

Object

- The property access would be situated on a blind bend (designated as a bus route) which has been the subject of a few car collisions over previous years.
- Wildlife habitat that would be destroyed by the development would be significant. Buzzards and green woodpeckers frequent the trees here.
- The property would overlook the rear gardens of neighbouring properties on Clydach Road.
- The application may lead to further development along this piece of land.
- The development would overlook properties located at Clydach Road.
- The development would result in loss of light and overshadowing towards properties at Clydach Road, and would lead to unacceptable levels of noise and disturbance, smells and mess.
- Previous outline planning applications on this land were turned down 5/6 years ago, and were subsequently dismissed at appeal.
- Rain water constantly runs down the rear lane/right of way. I am concerned that locating a dwelling on this land will lead to drainage issues in the area, as the ground is struggling to manage natural volumes at present.

Support

- The land in question is waste land, of which is used as a dumping site.
- The land is an eye sore and not environmentally friendly, building a house on the land will improve the area.

CONSULTATION

- Highways and Transportation – No objection subject to conditions.
- Public Health and Protection – No objection subject to conditions.
- Countryside – No objection subject to condition.

- Dwr Cymru Welsh Water – No objection subject to condition.
- Flood Risk Management – No objection subject to condition.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies outside but adjacent to the settlement boundary for Ynysybwl.

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

Policy CS4 – identifies new housing requirements for Rhondda Cynon Taf.

Policy AW1 - supports new housing inside the settlement boundaries and allocated sites.

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

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

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

Policy AW 8 – seeks to protect distinctive natural heritage by preserving and enhancing it from inappropriate development. Development proposals would only be permitted where they would not cause harm to a Site of Importance for Nature Conservation (SINC) or upon the features of importance to landscape, nature conservation, ecological networks, and the quality of natural resources such as air, water and soil.

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

Policy NSA 12 – details criteria for development within and adjacent to settlement boundaries.

Supplementary Planning Guidance:

- Access Circulation and Parking
- Design and Placemaking
- Nature Conservation

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 2015 into Town & Country Planning.

For the reasons set out below, it is not considered that this proposal meets the seven goals set out within the Well-Being of Future Generations (Wales) Act or the aims of PPW 10. The following chapters of PPW 10 are relevant to this application: Chapter 2 People and Places: Achieving Well-being Through Placemaking, Chapter 3 (good design and better places, promoting healthier places, sustainable management of natural resources), Chapter 4 (moving within and between places, transport, living in place, housing), Chapter 6 (green infrastructure, landscape, biodiversity and ecological network, water and flood risk, air quality and soundscape, lighting)

Other policy guidance considered:

PPW Technical Advice Note 12 - Design

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 with associated vehicular access and parking areas on a parcel of land that is located outside the defined settlement limits. As such, the key consideration in the determination of the application is whether the principle of residential development is acceptable upon the site. In addition to this, it will also be necessary to consider whether the site is capable of accommodating the dwelling, associated means of access and parking facilities, without resulting in a detrimental impact upon both the amenity and privacy of neighbouring dwellings and the character and appearance of the surrounding area. The implications of the development upon highway safety in the vicinity of the site are a further consideration.

Principle of the proposed development

The application site is located outside the defined settlement boundary as identified on the Rhondda Cynon Taf Local Development Plan and is unallocated. However, Policy NSA 12 of the Local Development Plan is supportive of some residential development subject to a number of criteria. As the site adjoins the settlement boundary on at least one side the principle of development could therefore be viewed as acceptable, subject to other material planning considerations which are assessed below:

Impact on the character and appearance of the area

The site forms part of a linear area of open land (located outside the settlement boundary) which extends into a built up area. Roads and dwellings are situated either side of the site, with the surrounding dwellings being mainly detached or semi-detached and, in design terms, do not have a particularly strong sense of uniformity.

The plans detail the dwelling being single storey as seen from Glanffrwd Terrace. As a result the dwellings impact on this elevation would not be significant.

The main visual impact of the development would be from the rear and both side elevations as viewed from Glanffrwd Terrace and the Public Right of Way. As the site is steeply sloping, significant engineering works would be required to construct the dwelling itself, and to create the retaining walls and parking area being proposed, and it is likely that most of the existing vegetation would be lost as a result.

The rear elevation of the proposed dwelling would be two-storeys in height, and the height to the ridge would be 7.6 metres from ground level and 12.9 metres from the Public Right of Way due to the steeply sloping topography of the site. In addition to the Public Right of Way, the development would be highly visible from the rear elevations of dwellings situated on Clydach Road.

There are no other similar large scale structures in close proximity and in general the surrounding dwellings are built on more level plateau either side of the site. Whilst it is acknowledged there are recently built dwellings on the same parcel of land to the east of the proposal, they occupy wider sites and have more restrictive views due to their location and screening by vegetation and mature trees which are the subject of a Tree Preservation Order (TPO 97). They are also distinguishable from this proposal as they follow the settlement pattern of Tai Newydd to the east, and are bordered by Ynysybwl Cemetery to the south.

It is therefore considered as a result of its siting, design and scale the proposed dwelling would result in an incongruous structure which would be at odds with the character of the area. It is also considered that the siting of a dwelling, and any subsequent dwellings on this parcel of land, would adversely impact the relative open environment of this part of Ynysybwl. As a result, it is considered the proposed scheme would have an unacceptable visual impact on the character and appearance of the area, contrary to policies AW5, AW6 and NSA 12 of the Local Development Plan.

Impact on residential amenity and privacy

Firstly, with regard to those dwellings situated at Glanffrwd Terrace to the south of the site, it is considered that as these dwellings are set back and occupy an elevated position above the highway any adverse impact the dwelling may present in terms of amenity and privacy would be limited as a result. Similarly, it is considered that there is sufficient separation distance between the proposed development and dwellings located at Clydach Road so as it would not result in a significant overshadowing or overbearing impact upon these dwellings.

Based on the plans submitted with the proposal, there would be a separation distance of around 30m between the proposed dwelling and existing dwellings at Clydach Road, and this is considered acceptable to ensure that there would not be a significant loss of privacy to the dwellings themselves. However, the proposed dwelling would overlook the rear garden areas of properties at Clydach Road, and due to the topography of the area it would be difficult to screen those views to acceptable levels.

Whilst it is acknowledged this is an urban area and some degree of overlooking is inevitable, it is considered that in this case, the degree of overlooking, and perception of being overlooked and looked down upon, of existing private garden areas that would be caused by the topography of the area and nature of the proposed development would be unacceptable.

It is noted that a previous planning application located on the same parcel of land (to the west of this site) was refused and subsequently dismissed at appeal (APP/L6940/A/14/2223492) due to issues relating to the impact of development on the character of the area, and its effect on the living conditions of the occupiers of adjoining residential properties with particular reference to privacy and outlook. Furthermore, and more recently, a separate planning application for one residential dwelling on a plot of land immediately to the east of the site has been refused planning permission for the same reasons set out above.

It is therefore considered that the development would result in a detrimental impact on the amenity of surrounding dwellings located at Clydach Road, contrary to policies AW5 and NSA12 of the Local Development Plan.

Access and highway safety

Following consultation with the Council's Transportation Section, no objections have been raised subject to a number of conditions. It was commented that there are continuous pedestrian links on the opposite side to the proposed development with no footways on the development side. Therefore, a condition has been suggested to set the site boundary back 2.0m from the edge of carriageway in accordance with Active Travel Wales 2013 to provide for safe and satisfactory pedestrian access.

It was also commented that an existing bus stop is located a short walk from the proposal, which would promote sustainable modes of travel with less reliance on

private motor vehicles. However, the existing stop does not promote use by less able bodied pedestrians with low height kerbs. In accordance with Planning Policy Wales 10th Edition and Active Travel Wales a condition has been suggested to provide for raised border kerbing as part of the footway works proposed to promote sustainable transport.

The proposed 3 bedroom dwelling require 3 off-street car parking spaces in accordance with the SPG Access, Circulation & Parking 2011 with 4 spaces provided.

There is slight concern that the proposal would result in reversing movements to and from the highway. However, taking into account there are a number of dwellings on Glanffrwd Terrace that already reverse to and from the highway, and taking into account the limited traffic using Glanffrwd Terrace, the proposal is considered acceptable.

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 and Protection

The Council's Public Health & Protection Section have raised no objections to the proposal, however, a number of conditions have been suggested in relation 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 would be sufficient in this instance.

Dwr Cymru Welsh Water

DCWW have raised no objection to the proposal subject to a condition relating to no surface water and/or land drainage being allowed to connect directly or indirectly with the public sewerage network.

Other Issues raised by Neighbouring Residents:

With regard to the issues raised by objectors, in addition to the points addressed above, whilst the objectors concerns regarding wildlife are appreciated, the site is not within an area designated for its ecological value. Whilst a number of trees and shrubs would be removed to cater for the proposal, no objection to the development has been raised by the Council's Ecologist subject to a condition for a Wildlife Protection Plan including such measures such as site clearance being conducted outside of the bird nesting season, being submitted prior to commencement of the development.

In respect of the concerns shown in relation to drainage issues in the area, if the Council were minded to grant approval for the development, a separate Sustainable Drainage Systems (SUDS) application, addressing surface water drainage at the site would need to be applied for. The Council's Flood Risk Management department, whilst not raising objection to the proposal, request that a condition be attached to any consent outlining how the development is to comply with the requirements of section 8.3 of Technical Advice Note 15 prior to commencement of the development.

The comments raised by the neighbouring residents in relation to the land being used as a dumping site carry no material planning weight, and cannot be taken into account when determining the application.

Community Infrastructure Levy (CIL) Liability

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

The application is for development of a kind that is liable for charge under the CIL Regulations 2010 as amended. The application site 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

It is considered the proposal would have a significant impact on the character and appearance of the locality and upon the residential amenity of the surrounding neighbouring properties. The application is therefore considered to be contrary to the policies AW5, AW6 and NSA 12 of the Rhondda Cynon Taf Local Development Plan.

RECOMMENDATION: Refuse

1. The proposed dwelling and associated engineering works by virtue of their siting, scale and design on this steeply sloping site, would result in a detrimental visual impact on the character and appearance of the area. As such, the development would be contrary to Policies AW5, AW6 and NSA12 of the Rhondda Cynon Taf Local Development Plan.
2. The proposed dwelling and associated engineering works by virtue of their siting and scale on this steeply sloping site, would be detrimental to the amenity and privacy of occupiers of residential properties in Clydach Road. As such, the development would be contrary to Policies AW5 and NSA12 of the Rhondda Cynon Taf Local Development Plan.

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RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

PLANNING & DEVELOPMENT COMMITTEE

24th June 2020

SITE MEETING

APPLICATION NO. 20/0110 – VARIATION OF CONDITION 2 AMENDMENTS TO APPROVED PLANS (PREVIOUS APP 15/1007/10) TO REPOSITION HOUSE AND DRIVEWAY.

REPORT OF THE SERVICE DIRECTOR, DEMOCRATIC SERVICES & COMMUNICATION

Author: Jessica Daniel, Council Business Unit.

1. PURPOSE OF THE REPORT

- 1.1 To consider the outcome of the site inspection in respect of the above-mentioned proposal and to determine the application, as outlined in the report of the Director, Prosperity & Development, attached at Appendix 1.

2. RECOMMENDATION

It is recommended that Members:

- 2.1 Approve the application in accordance with the recommendation of the Director, Prosperity & Development.

3. BACKGROUND

- 3.1 In accordance with Minute No 212 (Planning and Development Committee – 11th June 2020) a site inspection was undertaken on Wednesday 24th June 2020 to consider highways issues relating to parking and potential adverse effect on neighbouring properties.
- 3.2 Due to Welsh Government social distancing restrictions in response to Covid-19, committee Member attendance at the site visit was reduced to ensure the safety of those attending. The meeting was attended by the Planning and Development Committee Members County Borough Councillors S. Rees, G. Caple, G. Hughes, S. Powderhill and J. Williams.

- 3.3 Local Member, County Borough Councillor A.G. Cox was also present at the meeting.
- 3.4 Members met at the site of the development on land adjacent to 22 Jestyn Street, Porth.
- 3.5 The Planning Officer in attendance informed members that planning permission is sought to vary condition 2 of planning permission 15/1007/10 to enable a revision to the scope of the scheme. The officer went on to explain that the extant consent permits the construction of a new four bedroom dwelling on a parcel of land at the end of Jestyn Street. The dwelling would have been positioned centrally within the site to enable a crossover and driveway to be laid between its eastern side elevation and the boundary with the neighbouring house no.22. However, in order to simplify construction and manage the southerly fall in level, the applicant seeks to reposition the house towards the eastern boundary and have the driveway and vehicular access to the west.
- 3.6 The Planning Officer advised that no objections had been received from statutory consultees and whilst one resident had highlighted highway access concerns during a telephone call, no formal objections had been received from neighbours. However, County Borough Councillor J. Williams advised that local residents had raised a number of concerns with her regarding traffic levels and the feasibility of access to the site, should the application to amend condition 2 be granted.
- 3.7 Members noted the concerns regarding the proposed new site for parking and the potential for reversing vehicles to be crossing into private land and sought information from the Highways officer to clarify this position.
- 3.8 The Planning Officer displayed visual diagrams of the proposed new access site indicating the path for vehicles entering and leaving the site. The Highways Officer highlighted that Jestyn Street is sub-standard in terms of its current highways and parking access and Members noted this. The Highways Officer acknowledged Members question regarding accessing the site without crossing into private land and explained that the swept path analysis submitted as part of the proposal indicates that vehicles would be able to enter and leave the propose development site without encroaching on to private land.
- 3.9 Members noted the close proximity of the proposed amended driveway to a neighbouring property and raised concern about the width of the proposed driveway. The Highways Officer advised members that due to width of the drive, footway and carriageway, vehicles parked in the proposed site

curtilage should be able the access and egress the site would without impacting on private land.

- 3.10 Members also discussed the potential adverse effect on neighbouring properties with reference made to previous developments causing an increase in highways issues and dust. The Highways Officer advised Members that conditions have been suggested limiting HGV delivery times and construction traffic management plan to mitigate adverse impact of construction on local highway network in the interests of highway safety and free flow of traffic.
- 3.11 Local Member, County Borough Councillor A.G. Cox spoke on the application and put forward their objections sharing the same concern as local residents regarding the close proximity of the parking space to private land and the potential issues this could cause.
- 3.12 The Chair thanked the officers for the report and closed the meeting.

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PLANNING & DEVELOPMENT COMMITTEE

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 20/0110/15 (GH)
APPLICANT: Mr D James
DEVELOPMENT: Variation of condition 2 amendments to approved plans (previous app 15/1007/10) to reposition house and driveway. (CMRA received 7th March 2020)
LOCATION: LAND ADJACENT 22 JESTYN STREET, PORTH, CF39 0DN
DATE REGISTERED: 07/03/2020
ELECTORAL DIVISION: Porth

RECOMMENDATION: GRANT SUBJECT TO THE CONDITIONS BELOW:

REASONS:

The revised position of the dwelling, to relocate the vehicular access to its eastern side, would be acceptable and neither detrimental to the character or appearance of the site and surrounding area, to the amenity of nearby residents, or highway safety. The development would therefore be in accordance with Policies AW5, AW6, AW8 and AW10 of the Local Development Plan.

REASON APPLICATION REPORTED TO COMMITTEE

A request has been received from Councillor Julie Williams for the matter to come to Committee for the reason that the revised access to the site will inhibit both the access to other properties and the turning of vehicles in the street.

APPLICATION DETAILS

Permission is sought to vary condition 2 of planning permission 15/1007/10 to enable a revision to the scope of the scheme.

The extant consent permits the construction of a new four bedroom dwelling on a parcel of land at the end of Jestyn Street. The dwelling would have been positioned centrally within the site to enable a crossover and driveway to be laid between its eastern side elevation and the boundary with the neighbouring house no.22.

However, in order to simplify construction and manage the southerly fall in level, the applicant seeks to reposition the house towards the eastern boundary and have the driveway and vehicular access to the west.

The design and dimensions of the house would remain as per the extant approval and have an L-shaped footprint to a width of 9.3m and maximum depth of 10.6m. The house would also be very slightly higher in the plot such that the ridge of the twin-pitch roof, with rear facing gable, would be almost at the same height as no.22.

Furthermore, on account of the driveway being located to the opposite side, the repositioning of the house towards the east would result in a gap of 1.2m being left between the side of the new dwelling and the boundary. The front boundary wall, of natural stone, with stone piers and topped with railings, would therefore extend across the front of the house since there would be no need to leave space for pedestrian or vehicular access at this point.

The accommodation would be arranged over two floors and comprise a lounge, kitchen/diner, study and utility to the ground floor, with four bedrooms, a bathroom and en-suite above. In addition to a small garden area and two off-street parking spaces, the previously approved retaining wall to the rear would be unaltered.

In respect of external finishes the principal elevation would be of reconstituted stonework, with render to the sides and rear. Further detail would include stone cills and brick reveals, whilst the roof would be enclosed by tiles of reconstituted slate.

The application has been accompanied by a Coal Mining Risk Assessment.

SITE APPRAISAL

The application site is a vacant, almost square, plot located within the settlement boundary to the northern side of Porth.

The site is set on the northern side of Jestyn Street, on land that previously accommodated a terrace of Victorian dwellings, most of which were demolished some time in the later 20th century.

It was noted during the site visit that the topography of the site is steep, and the significant drop in level from the north-west to the south-east is evidenced by a fall of almost 9m across the site from the rear to the front.

Most of the neighbouring properties are located on the southern side of Jestyn Street and at Troedyrhiw Road to the north, and comprise older terraces, although there is a more recently-built large detached house, Tŷ Ni, at the western end of Jestyn Street.

PLANNING HISTORY

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

19/1241/15: Variation of condition 2 of planning consent 15/1007/10 to reposition house within plot. Decision: 10/12/2019, Withdrawn by Applicant

- 19/0274/38:** Discharge of conditions: 3 (Materials), 4 (Boundary Treatment), 5 (Drainage), 6 (Structural Calculations), 8 (Traffic Management & Wheel Washing), 10 (Wildlife Protection Plan) of planning consent 15/1007/10. Decision: 16/05/2019, Grant.
- 15/1007/10:** Erection of a detached dwelling with off street parking. Decision: 16/08/2016, Grant.
- 07/1859/10:** 3 No detached houses, site access road and provision of turning facility. Decision: 11/02/2008, Refuse.

PUBLICITY

The application has been advertised by direct notification to thirteen neighbouring properties and notices were erected on site.

No written objections or letters of representation have been received.

CONSULTATION

Public Health and Protection

No objections

Highways

No objection, subject to a conditions and informative notes.

Coal Authority

The response of the Coal Authority will be reported to Members at the Committee meeting.

Countryside - Ecologist

There may be some reptile habitat left on the site, so the condition from the previous consent should be carried over.

Dwr Cymru Welsh Water

No objection to and it is asked that any drainage conditions on the original consent are brought forward.

Western Power Distribution

If a new connection or a service alteration is required they will need to make a separate application to WPD.

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

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies outside of the settlement boundary for Porth

Policy CS1 - promotes developments which will support principal towns and key settlements

Policy AW1 - sets out the criteria for new housing proposals

Policy AW2 - promotes development in sustainable locations

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

Policy AW10 - does not support development where unmitigated environmental, public health or amenity risks are present.

Policy NSA2 - sets out the criteria for development within the Key Settlement of Porth.

Policy NSA12 - supports housing development within and adjacent to defined settlement boundaries

Supplementary Planning Guidance:

Design and Placemaking

Access, Circulation & Parking Requirements

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 & Country Planning.

It is considered that this proposal meets the seven wellbeing of future generations goals 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 1 (Managing New Development)
Chapter 2 (Maximising Well-Being and Sustainable Places through Placemaking)
Chapter 4 (Active and Social Places)

Other policy guidance considered:

PPW Technical Advice Note 12 - Design

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 main consideration in the determination of the previous application was whether the principle of residential development would be acceptable upon the site, noting that the proposed dwelling would be constructed on a parcel of land that is located inside the defined settlement boundary for Porth and was previously developed.

It was determined that the proposed dwelling would comply with Local Development Plan Policy AW1, which establishes that the delivery of new housing may be supplied, in part, by the use of unallocated sites within the defined settlement boundary; and would also comply with Policy NSA12 which presumes in favour of development within settlement boundaries, subject to certain criteria.

The principle of the development remains acceptable, since the material considerations with regard to the national and local policy framework have not changed. However, the proposed revisions, in terms of the street scene, the amenity of neighbouring occupiers and the site access, are discussed within the body of the report below.

Character and appearance of the area

The application site is located in a residential street which has a single point of access and thus is not a through route. The southern side of the street is characterised by traditional Victorian terraced dwellings, whereas the northern side, where some previous development has long since been demolished, accommodates two detached and a pair of semi-detached dwellings.

The proposed new property, for which consent already exists and the variation is now sought, would have a simple two-storey design with decorative brick detailing around

the reveals. It would be elevated above the street in a similar position to the neighbouring house which is located next to the eastern boundary of the site.

In this case although it is considered that the property is of an acceptable design and scale in terms of its street frontage and is sympathetic in form to the surrounding development, the matter at hand is whether the proposed repositioning would be harmful to the street scene.

Having taken account of the small degree of change, and comparing the layout of the site both as permitted and as proposed, no harm can be identified from the change. Therefore it is considered that there would be no adverse impact to the street scene.

Impact on neighbouring occupiers

In relation to residential amenity, it is not considered that relocation of the dwelling would have any additional impact over and above that which would be caused by the existing planning permission.

Although the new dwelling would be much closer to no.22, it would not project beyond the principal or rear elevation of the neighbouring house, and it was noted during the site visit that there are no windows or doors in the side elevation facing the development site.

In respect of other dwellings in Jestyn Street, the new property would have the same relationship with the terraced houses on the opposite side of the road, and would be further away from Tŷ Ni to the west.

Accordingly, the variation of condition would not affect the amenity of neighbouring residents to any greater degree than that of development already approved.

Highway safety and access

The Highways and Transportation Section has noted that Jestyn Street is sub-standard in terms of its highway geometry and there is no turning facility to enable emergency service and delivery vehicles to turn and access/egress in forward gear, which is of concern.

However, the proposal is for one dwelling which will slightly increase the traffic volumes using Jestyn Street by an estimated ten trips per day. This it is not considered to be so significant to insist on a turning area for all vehicles to be able to enter and leave Jestyn Street in forward gear, particularly since the developer is not in control of the land required to provide this.

Similarly, although there is a right angled bend at the entrance to Jestyn Street the traffic generated by one dwelling would not warrant a highway objection, and the continuous 2m wide pedestrian links leading to the site are satisfactory for safe access.

With regard to off-street parking provision, the Council's SPG for Access, Circulation & Parking 2011 identifies a maximum of three parking spaces would be required. The

proposal provides for two off-street spaces which are acceptable given the sustainable location close to local amenities and bus stops located on Cemetery Road.

Due to the close proximity of the comprehensive school and the sub-standard nature of Jestyn Street and absence of turning area, a condition has been suggested limiting delivery times by construction traffic to that when street space is at its most available and outside the peak hours of residents using Jestyn Street.

Consequently, whilst concerns remain regarding the sub-standard highway, lack of turning area and the 90° bend accessing Jestyn Street, the limited traffic generated by one dwelling and the extant permission 15/1007/10 has been taken into account and on balance the proposal is considered acceptable.

Community Infrastructure Levy (CIL) Liability

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

The application is for development of a kind that is liable for a charge under the CIL Regulations 2010 as amended however, the application site lies within Zone 1 of Rhondda Cynon Taf's Residential Charging Zones, where a nil charge is applicable and therefore no CIL is payable.

Conclusion

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

RECOMMENDATION: GRANT SUBJECT TO THE CONDITIONS BELOW:

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

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

2. The development hereby approved shall be carried out in accordance with the approved drawing numbers hdw/ph/dj.001b, hdw/ph/dj.002a and hdw/ph/dj.003a, and documents received by the Local Planning Authority on 31st January 2020, unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

3. The development shall be carried out in accordance with the details previously submitted, and approved, in respect of the discharge of Conditions 3 (Materials), 5 (Drainage), 6 (Structural Calculations), 8 (Traffic

Management & Wheel Washing) and 10 (Wildlife Protection Plan) of planning consent 15/1007/10.

Reason: In the interests of visual amenity, ecology, highway and public safety, in accordance with Policies AW5, AW6, AW8 and AW10 of the Rhondda Cynon Taf Local Development Plan.

4. Before the development is brought into beneficial use the means of access, together with the parking and turning facilities, shall be laid out in accordance with the submitted plan hdw/ph/dj.002a as approved by the Local Planning Authority. The approved details shall be implemented prior to beneficial occupation of the dwelling and remain in perpetuity for the parking and turning of vehicles thereafter.

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

5. HGV's used as part of the construction phase shall be restricted to 09:30am to 16:30pm weekdays, with no deliveries on Weekends 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.

6. Before the development is brought into use the en-suite and bathroom windows in the first floor eastern (side) elevation shall be fitted with obscure glass to an industry standard of privacy level three or above. The windows shall be retained as such thereafter.

Reason: To safeguard the privacy of residents in the locality in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

7. Before the development is brought into use the drainage works shall be 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.



PLANNING & DEVELOPMENT COMMITTEE

16 JULY 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 22/06/20 – 03/07/20

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

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 APRIL 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



RHONDDA CYNON TAF

PLANNING & DEVELOPMENT COMMITTEE

16 JULY 2020

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

1. PURPOSE OF THE REPORT

Members are asked to determine the planning applications outlined in Appendix 1.

2. RECOMMENDATION

To approve the applications subject to the reasons outlined in Appendix 1.

1. Application No. 18/0880 - Change of use of first and second floors of property from former snooker hall (Class D2) to 22 no. self-contained residential student flats (Sui Generis) and associated works (Amended description received 03/10/2016) (Listed Building Consent). (Amended Heritage Impact Assessment Received 12/07/2019), 1 Fothergill Street, Treforest, Pontypridd
2. Application No 18/0886 - Change of use of first and second floors of property from former snooker hall (Class D2) to 22 no. self-contained residential student flats (Sui Generis) and associated works, 1 Fothergill Street, Treforest, Pontypridd
3. Application No. 19/0323 - Application for the discharge of Condition 8 of Planning Permission 13/0466/15 (allowed at appeal APP/L6940/A/14/2212351) to provide a revised restoration scheme to that previously approved under Discharge of Condition Consent 17/0525) (Amended description 10 April 2019) (Additional information received 04/09/2019) (Additional information received 29/04/20), Tower Colliery Railhead, Rhigos Mountain Road, Rhigos, Hirwaun, Aberdare
4. Application No. 19/0882 - Temporary farmhouse, glamping pods, storage building and associated development (Amended site location plan, description and changes to position of glamping pods and storage building received 10th and 16th March 2020), Fernhill Farm, Caroline Street, Blaenrhondda

5. Application No. 20/0309 - Proposed affordable housing development (9 no. flats). (Revised plans, reducing height of rear annexe, received 3rd June 2020), Royal Mail Treorchy Delivery Office, 22-23 High Street, Treorchy
6. Application No. 20/0348 - Conversion of former Chapel & school room to 1 x one-bedroom flat and 4 x two-bedroom flats (reconsultation due to corrected address), Noddfa Chapel, High Street, Ynysybwl, Pontypridd

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

DATE

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

REPORT

OFFICER TO CONTACT

**APPLICATIONS RECOMMENDED
FOR APPROVAL**

**MR J BAILEY
(Tel: 01443 281132)**

See Relevant Application File

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RHONDDA CYNON TAF

PLANNING & DEVELOPMENT COMMITTEE

16 JULY 2020

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

1. PURPOSE OF THE REPORT

Members are asked to determine the planning applications outlined in Appendix 1.

2. RECOMMENDATION

To approve the applications subject to the reasons outlined in Appendix 1.

1. Application No. 20/0146 - Customer car port and first floor reception area (Amended plans received 29/05/2020), Ty Ysgol Blaencwm, Hendrewen Road, Blaencwm, Treherbert

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

DATE

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

REPORT

OFFICER TO CONTACT

**APPLICATIONS RECOMMENDED
FOR APPROVAL**

**MR J BAILEY
(Tel: 01443 281132)**

See Relevant Application File



RHONDDA CYNON TAF

APPEALS RECEIVED

APPLICATION NO: 20/0302
APPEAL REF: A/20/3254370
APPLICANT: Mr P Morgan
DEVELOPMENT: Demolition of garages and construction of a domestic dwelling.
LOCATION: CEFN FARM, MOUNT ROAD, RHIGOS, ABERDARE, CF44 9YS
APPEAL RECEIVED: 19/06/2020
APPEAL START DATE: 02/07/2020

APPEAL DECISIONS RECEIVED

APPLICATION NO: 18/1400
APPEAL REF: A/20/3247142
APPLICANT: Mr Williams
DEVELOPMENT: Demolition of existing buildings and the construction of 18 no. affordable residential dwellings and associated access arrangements and works (amended site layout received 07/02/19).
LOCATION: ST ANNES CHURCH, CHURCH TERRACE, YNYSHIR, PORTH
DECIDED: 29/08/2019
DECISION: Refused
APPEAL RECEIVED: 12/03/2020
APPEAL DECIDED: 25/06/2020
APPEAL DECISION: Allowed with Conditions

APPLICATION NO: 19/1286
APPEAL REF: A/20/3247609
APPLICANT: Mr Williams
DEVELOPMENT: Outline application for a residential dwelling with access and scale considered.
LOCATION: LAND OPPOSITE 1 GLANFFRWD TERRACE, YNYSYBWL, PONTYPRIDD, CF37 3LW
DECIDED: 29/01/2020
DECISION: Refused

APPEAL RECEIVED: 18/03/2020
APPEAL DECIDED: 24/06/2020
APPEAL DECISION: Dismissed

APPLICATION NO: 19/0814
APPEAL REF: A/20/3247829
APPLICANT: Mr Williams
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
DECIDED: 06/02/2020
DECISION: Refused
APPEAL RECEIVED: 26/02/2020
APPEAL DECIDED: 26/06/2020
APPEAL DECISION: Allowed with Conditions

APPLICATION NO: 19/0712
APPEAL REF: A/20/3248201
APPLICANT: Mr C Cousins
DEVELOPMENT: Detached dwelling with triple garage (Amended Plans received 18th October 2019).
LOCATION: LAND AT THE REAR OF OAKLANDS BUNGALOW 1 TO 4 WERFA LANE, ABER-NANT, ABERDARE
DECIDED: 28/11/2019
DECISION: Refused
APPEAL RECEIVED: 23/03/2020
APPEAL DECIDED: 29/06/2020
APPEAL DECISION: Dismissed

Report for Development Control Planning Committee

Rhigos

20/0310/10 Decision Date: 24/06/2020
Proposal: Proposed extension and refurbishment.
Location: 7 HEOL-Y-GRAIG, RHIGOS, ABERDARE, CF44 9YY

Aberdare West/Llwydcoed

20/0378/10 Decision Date: 22/06/2020
Proposal: Replacement of existing conservatory with a single storey extension for use as day rooms and refreshment area with associated outside seating area.
Location: YSGUBORWEN RESIDENTIAL CARE HOME, ABERNANT ROAD, ABER-NANT, ABERDARE, CF44 0AX

Aberdare East

20/0190/10 Decision Date: 25/06/2020
Proposal: Demolition of existing rear extension. Replace with ground floor extension and hip to gable roof conversion.
Location: 19 THE GROVE, ABERDARE, CF44 7NA

20/0376/10 Decision Date: 24/06/2020
Proposal: Two storey extension.
Location: CARTREF, BRYNAWEL, ABERDARE, CF44 7PF

20/0398/10 Decision Date: 26/06/2020
Proposal: Demolition of single extension and construction of new 2 storey extension.
Location: 1 LAMBERT TERRACE, GADLYS, ABERDARE, CF44 8AT

Mountain Ash West

20/0453/10 Decision Date: 24/06/2020
Proposal: Proposed off-street parking facility.
Location: LAND REAR OF 1 & 2 POLICE HOUSES, BRYN IFOR, MOUNTAIN ASH, CF45 3AD

Penrhiwceiber

20/0428/10 Decision Date: 25/06/2020
Proposal: Construction of single storey replacement stable block.
Location: 1 PERTHCelyn COTTAGES, ROAD TO PENTWYN UCHAF FARM, PERTHCelyn, MOUNTAIN ASH, CF45 3YJ

Report for Development Control Planning Committee

Treorchy

20/0060/10 Decision Date: 02/07/2020
Proposal: Proposed conversion of existing shop and living quarters into two flats and construction of rear detached garage. (Amended Plans Received 21/05/20)
Location: 149 BUTE STREET, TREORCHY, CF42 6BN

20/0384/10 Decision Date: 25/06/2020
Proposal: Alterations to existing parking bays to form rear double garage and raised garden terrace (amended 23/06/2020)
Location: 62 TYNBEDW TERRACE, TREORCHY, CF42 6RL

Tonypanyd

20/0432/10 Decision Date: 25/06/2020
Proposal: Proposed first (upper) floor rear extension and internal modifications.
Location: 30 CHARLES STREET, TONYPANDY, CF40 2AN

Porth

20/0374/15 Decision Date: 22/06/2020
Proposal: Variation of condition 3 opening hours of planning permission 19/1226/10.
Location: UNIT F, ALLIANCE CARPET MILLS, DINAS ENTERPRISE CENTRE, CYMMER ROAD, DINAS, PORTH, CF39 9BL

Rhondda

20/0438/10 Decision Date: 30/06/2020
Proposal: Single storey rear extension.
Location: 49 MOUND ROAD, MAESYCOED, PONTYPRIDD, CF37 1EF

Graig

20/0327/10 Decision Date: 02/07/2020
Proposal: Change of use and conversion of redundant toilet block into office space for British Transport Police Operation.
Location: PONTYPRIDD RAILWAY STATION, BROADWAY, PONTYPRIDD, CF37 1DT

20/0328/12 Decision Date: 02/07/2020
Proposal: Change of use and conversion of redundant toilet block into office space for British Transport Police Operation
Location: PONTYPRIDD RAILWAY STATION, BROADWAY, PONTYPRIDD, CF37 1DT

Report for Development Control Planning Committee

Rhydyfelin Central

20/0418/10 Decision Date: 29/06/2020
Proposal: Single storey side and rear extension with a driveway and drop kerb.
Location: 152 MORIEN CRESCENT, RHYDYFELIN, PONTYPRIDD, CF37 5PT

Llantwit Fardre

20/0205/10 Decision Date: 29/06/2020
Proposal: Two Storey and Single Storey Side Extension
Location: WESTMOOR, HEOL CREIGIAU, EFAIL ISAF, PONTYPRIDD, CF38 1BG

20/0217/10 Decision Date: 02/07/2020
Proposal: Change of use of post office (A1) to residential (C3).
Location: ANGHORFA POST OFFICE, 14 HEOL-Y-FFYNNON, EFAIL ISAF, PONTYPRIDD, CF38 1AU

20/0358/10 Decision Date: 29/06/2020
Proposal: Two storey side extension.
Location: 32 QUEEN'S DRIVE, LLANTWIT FARDRE, PONTYPRIDD, CF38 2NT

Church Village

20/0269/19 Decision Date: 02/07/2020
Proposal: 30% reduction to 1 Oak tree in rear garden boundary.
Location: 25 HEOL LODWIG, CHURCH VILLAGE, PONTYPRIDD, CF38 1TG

Town (Llantrisant)

20/0157/10 Decision Date: 29/06/2020
Proposal: Two storey side extension.
Location: 42 HIGHDALE CLOSE, LLANTRISANT, PONTYCLUN, CF72 8QE

20/0447/10 Decision Date: 25/06/2020
Proposal: Ground floor rear extension
Location: 28 MAES CEFN MABLEY, LLANTRISANT, PONTYCLUN, CF72 8GA

Report for Development Control Planning Committee

Talbot Green

- 20/0337/10** Decision Date: 22/06/2020
Proposal: Ground floor front addition and external alterations to existing dwelling and fenestrations.
Location: 55 HEOL JOHNSON, TALBOT GREEN, PONTYCLUN, CF72 8HR
-

- 20/0448/10** Decision Date: 22/06/2020
Proposal: Ground floor side & two-storey rear extension (Re-Submission of application 19/0228/10).
Location: 40 HEOL JOHNSON, TALBOT GREEN, PONTYCLUN, CF72 8HR
-

Pontyclun

- 20/0379/10** Decision Date: 24/06/2020
Proposal: Proposed replacement garage (part retrospective).
Location: LAND TO THE EAST OF RAILWAY TERRACE, PONTYCLUN, TALBOT GREEN, CF72 8HP
-

- 20/0392/10** Decision Date: 25/06/2020
Proposal: Proposed single storey rear extension & first floor side extension over existing ground floor area.
Location: 5 BEECHLEA CLOSE, MISKIN, PONTYCLUN, CF72 8PT
-

Llanharry

- 20/0401/09** Decision Date: 22/06/2020
Proposal: Lawful development for proposed garage.
Location: FIR TREE HOLLOW, CASTELL-Y-MWNWS, LLANHARRY, PONTYCLUN, CF72 9DD
-

- 20/0430/10** Decision Date: 03/07/2020
Proposal: Four bed dwelling with underground garage.
Location: LAND ADJACENT TO 13 TYLACOCK, LLANHARRY, PONTYCLUN, CF72 9LS
-

Total Number of Delegated decisions is 27

Report for Development Control Planning Committee

Aberdare East

20/0427/13

Decision Date: 03/07/2020

Proposal: Re-submission of outline planning permission for a detached dwelling.

Location: SUMMERFIELD HOUSE, PLASDRAW PLACE, ABER-NANT, ABERDARE, CF44 0NS

Reason: 1 The proposed development will increase vehicular movements along a sub-standard street in terms of lacking suitable turning area resulting in reversing movements by all types of vehicle over a considerable distance to the detriment of safety of all highway users and free flow of traffic.

Plasdraw Place is sub-standard in terms of vision splays at the junction with Plasdraw Road and has sub-standard junction radii to withstand the increase in vehicular movement by all types of vehicle which would potentially be in reverse gear increasing harm to all highway users.

Plasdraw Place leading to the proposed is oversubscribed with on-street car parking taking place on both sides of the carriageway and footways narrowing the available width to single file traffic and forcing pedestrians onto the carriageway increasing potential conflict with reversing vehicles to the detriment of safety of all highway users and free flow of traffic.

As such the proposal conflicts with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Cymmer

19/0449/10

Decision Date: 01/07/2020

Proposal: Proposed 4 detached houses each with off road parking for 3 cars.

Location: LAND ADJACENT TO BRYNLLAN, TREBANOG, PORTH, CF39 9DU

Reason: 1 By virtue of its location, the proposed development would harm the open nature of that part of the site designated as green wedge, and in this regard would constitute inappropriate development as defined by Planning Policy Wales.

In addition, in the absence of an ecological survey and justification for the use of a private foul water treatment plant, insufficient information has been submitted to demonstrate that any impact upon ecology at the application site can be adequately managed or the site can be satisfactorily drained.

Furthermore, the position of the fourth plot is considered to be detrimental to the outlook of the neighbouring occupiers of the nearest property to the north.

As such, the proposal conflicts with Policies AW2, AW5, AW8, AW10, NSA12 and NSA24 of the Rhondda Cynon Taf Local Development Plan.

Trallwn

20/0386/10

Decision Date: 23/06/2020

Proposal: Proposed garage.

Location: 121 MERTHYR ROAD, PONTYPRIDD, CF37 4DG

Reason: 1 Reason:

The application is contrary to Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan, and Section 3 of the Supplementary Planning Guidance: A Design Guide for Householder Development for the following reason:

The proposed development would be built forward past the well-defined building line of the street. This is therefore considered to have an unacceptable impact on the character and appearance of the site and the surrounding area.

Total Number of Delegated decisions is 3