



**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 - Uned Busnes y Cyngor - Gwasanaethau Llywodraethol (01443 424103)

Bydd cyfarfod o'r **Pwyllgor Cynllunio a Datblygu** yn cael ei gynnal yn **Rhithwir** ar **DYDD IAU, 6ED AWST, 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](mailto:GWASANAETHAUCYNLLUNIO@RCTCBC.GOV.UK) ERBYN 5PM AR DYDD MAWRTH, 4 AWST 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 2 Gorffennaf 2020 yn rhai cywir.

5 - 10

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

**5. CAIS RHIF: 20/0404**

Cabinet Telathrebu - Virgin Media  
1 Y RHODFA, PONTYPRIDD, CF37 4PU

11 - 16

**6. CAIS RHIF: 20/0479**

Mynedfa newydd a maes parcio yn y cefn (12 o leoedd parcio)  
CWMNI LLANMOOR DEVELOPMENT CYF, 63-65 HEOL TALBOT,  
TONYSGUBORIAU, PONT-Y-CLUN, CF72 8AE

17 - 28

**7. CAIS RHIF: 20/0491**

Newid defnydd i swyddfa'r post ac adleoli peiriant ATM (derbyniwyd disgrifiad diwygiedig ar 08/06/20).  
27 HEOL YR EGLWYS, TON-PENTRE, PENTRE, CF41 7EB

29 - 38

**CEISIADAU WEDI'U GOHIRIO**

**8. CAIS RHIF: 20/0091**

Adeiladu 3 Garej. (Derbyniwyd cynlluniau diwygiedig ar 28/05/20).  
TIR CYFERBYN Â STRYD JAMES, CWMDÂR, ABERDÂR

39 - 48

**9. CAIS RHIF: 20/0146**

Gofod parcio i gwsmeriaid a derbynfa ar y llawr cyntaf (Derbyniwyd cynlluniau diwygiedig ar 29/05/2020).  
Tŷ YSGOL BLAEN-CWM, HEOL HENDRE-WEN, BLAEN-CWM,  
TREHERBERT, CF42 5DR.

49 - 60

**ADRODDIAD ER GWYBODAETH**

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

Rhoi gwybod i'r Aelodau am y canlynol, am y cyfnod 06/07/2020 –  
17/07/2020.

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

61 - 72

**11. 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, 2 Gorffennaf  
2020 am 3.00 pm.

**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 R Yeo    Y Cyngorydd D Williams  
Y Cyngorydd S Powderhill

**Swyddogion oedd yn bresennol**

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

**Y Cyngorwyr Bwrdeistref Sirol eraill oedd yn bresennol**

Y Cyngorydd D Owen-Jones

Y Cyngorydd T Williams

**214 YMDDIHEURIADAU AM ABSENOLDEB**

Daeth ymddiheuriad am absenoldeb gan y Cyngorydd Bwrdeistref Sirol W. Owen.

**215 DATGAN BUDDIANT**

Cafodd y datganiadau o fuddiant personol canlynol eu gwneud ynglŷn â'r agenda:

(1) Yn unol â'r Cod Ymddygiad, gwnaeth y Cyngorydd Bwrdeistref Sirol S Rees ddatgan buddiant personol sy'n rhagfarnu ynglŷn â Chais Rhif: 20-0336 - 4 annedd preswyl newydd gyda garej a gwaith cysylltiedig. Ailgyflwyno caniatâd cynllunio 17/1224/13. GLAN YR AFON, HEOL Y FFERM, ABERAMAN, ABERDÂR, CF446LJ

"Mae'r ymgeisydd wedi helpu Ffrindiau Parc Aberdâr trwy gyfrannu at y pad sblash ac rydw i'n ymddiriedolwr ar gyfer y sefydliad elusennol."

(2) Yn unol â'r Cod Ymddygiad, gwnaeth y Cyngorydd Bwrdeistref Sirol S Rees ddatgan buddiant personol ynglŷn â Chais Rhif: 20/0091 - Adeiladu 3 Garej. (Derbyniwyd cynlluniau diwygiedig ar 28/05/20) Y TIR CYFERBYN Â STRYD JAMES, CWMDÂR, ABERDÂR

"Rydw i'n adnabod yr ymgeisydd oherwydd fy rôl fel Cynghorydd."

(1) Yn unol â'r Cod Ymddygiad, gwnaeth y Cynghorydd Bwrdeistref Sirol R Yeo ddatgan buddiant personol ynglŷn â Chais Rhif: 20/0306 - Estyniad dau-lawr y tu blaen i'r eiddo ac i ochr yr eiddo. 17 MANOR CHASE, BEDDAU, PONTYPRIDD, CF38 2JD

"Roedd yr ymgeisydd wedi cysylltu â fi trwy e-bost, rydw i ond wedi rhoi cyngor ynghylch cysylltu â'r Adran Gynllunio a doeddwn i ddim wedi rhoi fy marn."

**216 DEDDF HAWLIAU DYNOL 1998 A PHENDERFYNIADAU RHEOLI DATBLYGU**

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

**217 DEDDF LLESIANT CENEDLAETHAU'R DYFODOL (CYMRU) 2015**

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

**218 COFNODION**

**PENDERFYNWYD** cadarnhau'r cofnodion o gyfarfod y Pwyllgor Cynllunio a Datblygu a gynhaliwyd ar 5 Mawrth 2020 yn rhai cywir.

**219 NEWID I DREFN YR AGENDA**

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

**220 CAIS RHIF: 20/0322**

**Adeiladu canolfan chwaraeon.**

**COLEG Y CYMOEDD, HEOL Y COLEG, NANTGARW, CF15 7QY**

Yn unol â'r gweithdrefnau a gafodd eu mabwysiadu, derbyniodd y Pwyllgor Mr Pete Sulley (Asiant). Cafodd e bum munud i gyflwyno'r cais i'r Aelodau ar y cynnig uchod.

Cyflwynodd Pennaeth Materion Cynllunio y cais i'r Pwyllgor ac yn dilyn trafodaeth hir ymhlith yr Aelodau, **PENDERFYNWYD** cymeradwyo'r cais yn unol ag argymhelliad Cyfarwyddwr Gwasanaeth Materion Ffyniant a Datblygu.

(Nodwch: Roedd Cynghorwyr y Fwrdeistref Sirol P Jarman, J Williams a R Yeo

wedi ymatal rhag pleidleisio gan eu bod nhw ddim wedi bod yn bresennol ar gyfer y drafodaeth gyfan)

**221 CAIS RHIF: 20/0306**

**Estyniad dau-lawr y tu blaen i'r eiddo ac i ochr yr eiddo.  
17 MANOR CHASE, BEDDAU, PONTYPRIDD, CF38 2JD**

Yn unol â'r gweithdrefnau a gafodd eu mabwysiadu, derbyniodd y Pwyllgor Mr Rhys Williams (Ymgeisydd). Cafodd bum munud i gyflwyno'r cais uchod i'r Aelodau.

Cyflwynodd Pennaeth Datblygu a Buddsoddi Mawr y cais i'r Pwyllgor. Yn dilyn trafodaeth hir, penderfynodd Aelodau gymeradwyo'r cais sydd wedi'i nodi uchod, yn groes i argymhelliad Cyfarwyddwr Gwasanaeth Materion Ffyniant a Datblygu. Roedd hyn oherwydd bod Aelodau o'r farn bod y dyluniad ddim yn anghydweddol ac roedden nhw'n fodlon â maint y datblygiad. Penderfynodd Aelodau gymeradwyo'r cais gan ystyried na fydd y cais yn cael effaith mawr ar yr eiddo cyfagos. O ganlyniad i hynny, caiff y mater ei ohirio tan y cyfarfod priodol nesaf o'r Pwyllgor Cynllunio a Datblygu fel bod modd derbyn adroddiad gan y Cyfarwyddwr Materion Ffyniant a Datblygu, a gaiff ei lunio drwy ymgynghori â Chyfarwyddwr y Gwasanaethau Cyfreithiol yn ôl yr angen. Bydd yr adroddiad yn tynnu sylw at y cryfderau a'r gwendidau posibl sydd ynghlwm â gwneud penderfyniad yn groes i argymhelliad swyddog, neu unrhyw reswm arfaethedig neu reswm cynllunio dros wneud penderfyniad o'r fath. Caiff yr adroddiad yma ei ystyried cyn dod i benderfyniad ar y mater.

**222 CAIS RHIF: 20/0336**

**4 annedd preswyl newydd gyda garej a gwaith cysylltiedig. Ailgyflwyno caniatâd cynllunio 17/1224/13.  
GLAN YR AFON, FARM ROAD, ABERAMAN, ABERDÂR, CF44 6LJ**

(**Nodwch:** A hithau eisoes wedi datgan buddiant personol sy'n rhagfarnu ynglŷn â'r cais uchod, gadawodd y Cynghorydd Bwrdeistref Sirol S. Rees y cyfarfod ar gyfer yr eitem yma, a chymerodd y Cynghorydd Bwrdeistref Sirol G. Caple y gadair ar gyfer y rhan yma o'r cyfarfod.)

Yn unol â'r gweithdrefnau a gafodd eu mabwysiadu, derbyniodd y Pwyllgor Mr Phil Williams (Asiant). Cafodd e bum munud i gyflwyno'r cais i'r Aelodau.

Siaradodd yr Aelod Lleol, Cynghorydd y Fwrdeistref Sirol T Williams, nad yw'n aelod o'r Pwyllgor, am y cais gan fynegi ei chefnogaeth i'r datblygiad arfaethedig.

Cyflwynodd Pennaeth Datblygu a Buddsoddi Mawr yr adroddiad i'r Pwyllgor. Yn dilyn trafodaeth **PENDERFYNODD** y Pwyllgor wrthod y cais yn unol ag argymhellion y Cyfarwyddwr Gwasanaeth Materion Ffyniant a Datblygu.

223 CAIS RHIF: 20/0091

**Construction of 3 no. Garages. (Amended Plans received 28/05/20)  
LAND ADJACENT TO JAMES STREET, CWMDARE, ABERDARE**

(**Note:** Having earlier left the meeting, County Borough Councillor S Rees re-joined the meeting)

The Head Of Major Development & Investment outlined the contents of 4 letters received from residents in neighbouring properties in objection of the application.

The Head Of Major Development & Investment presented the application to Committee and following lengthy consideration Members were minded to refuse the above-mentioned application contrary to the recommendation of the Director, Prosperity & Development as Members were of the view that the amended plans pose significant highways safety issues and the construction of the garage is such that the intended use is not achievable. Therefore, the matter would be deferred to the next appropriate meeting of the Planning & Development Committee for a report of the Director, Prosperity & Development, if necessary in consultation with the Director, Legal Services, highlighting the potential strengths and weaknesses of making a decision contrary to the recommendation of an officer or any proposed or possible planning reason for such a decision prior to determining a matter.

224 CAIS RHIF: 19/1180

**Byngalo newydd.  
MAES-Y-DDERWEN, PANT-Y-BRAD, TONYREFAIL, PORTH, CF39 8HX.**

(Nodwch: Ailgydiodd Y Cynghorydd Bwrdeistref Sirol S Rees yn ei rôl fel Cadeirydd y cyfarfod)

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

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

225 CAIS RHIF: 19/0060

**Adeiladu Anedd Newydd (Derbyniwyd Gwybodaeth Bellach ym mis Ionawr 2020)  
TAIR LEVEL, HEOL FFYNNONBWLA, GLAN-BAD, FFYNNON TAF,  
CAERDYDD, CF15 7UU**

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

(Nodwch: Roedd Y Cynghorydd Bwrdeistref Sirol S Powderhill wedi ymatal rhag pleidleisio gan nad oedd yn bresennol ar gyfer y drafodaeth gyfan)



**226 CAIS RHIF: 19/0680**

**Trosi hen westy yn 9 fflat un, dwy a thair ystafell wely. (Derbyniwyd y cynlluniau diwygiedig sy'n lleihau nifer yr unedau o 11 i 9 ar 29/5/20). HEN WESTY CWRT GLANDŴR (GLANDWR COURT HOTEL), HEOL YSTRAD, PENTRE, CF41 7PY.**

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.

(Nodwch: Roedd Y Cynghorydd Bwrdeistref Sirol D Grehan wedi ymatal rhag pleidleisio gan nad oedd yn bresennol ar gyfer y drafodaeth gyfan)

**227 CAIS RHIF: 19/0882**

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

Rhannodd Pennaeth Materion Cynllunio fanylion y cais a gofynnodd i Aelodau ystyried gohirio'r cais er mwyn sicrhau eglurder ar statws y ffordd gerbydau sydd wedi'i nodi yn yr adroddiad cyfredol.

Yn dilyn trafodaeth **PENDERFYNWYD** gohirio'r penderfyniad tan un o gyfarfodydd y Pwyllgor Cynllunio a Datblygu yn y dyfodol, gan alluogi swyddogion i ddarparu eglurder ar statws y ffordd gerbydau.

**228 CAIS RHIF: 19/1296**

**Demolition of Chapel and Construction of 2 No. Detached Dwellings (Amended Plans Received 12/02/2020). BETHEL CHAPEL, ABERNANT ROAD, ABER-NANT, ABERDARE**

The Head Of Major Development & Investment outlined the contents of a letter received from Mr J Evans in objection of the application and Mr C Cousins (Applicant) in support of the application.

The Head Of Major Development & Investment presented the application to Committee and following consideration it was **RESOLVED** to approve the application in accordance with the recommendation of the Director, Prosperity and Development.

**229 CAIS RHIF: 20/0375**

**Adeiladu dwy uned B1/B2/B8 a'r cyfleusterau parcio cysylltiedig.**

**UNED 14 AC 15, PARC BUSNES HEPWORTH, TONYSGUBORIAU, CF72 9DX.**

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

(Nodwch: Roedd Y Cynghorydd Bwrdeistref Sirol J Williams wedi ymatal rhag pleidleisio gan nad oedd hi'n bresennol ar gyfer y drafodaeth gyfan)

**230 CAIS RHIF: 20/0425**

**Gardd ben to ar ben estyniad presennol.  
50 STRYD ALBANY, GLYNRHEDYNOG, CF43 4SL**

Rhannodd Pennaeth gynnwys y llythyron gan drigolion eiddo rhif 42 a 43 sydd o blaid y cais.

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

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

**PENDERFYNODD** yr Aelodau dderbyn adroddiad y Cyfarwyddwr Gwasanaeth – Materion Cynllunio mewn perthynas â'r Penderfyniadau Apeliadau Cynllunio a Gorfodi a ddaeth i law, Cymeradwyaethau Penderfyniadau a Gwrthodiadau Dirprwyedig gyda rhesymau, Trosolwg o Achosion Gorfodi a Phenderfyniadau Gorfodi Dirprwyedig ar gyfer y cyfnod 24/02/20 - 19/06/20.

**232 CAIS RHIF: 20/0285**

**Estyniad dau-lawr a garej sengl ar wahân arfaethedig (derbyniwyd cynlluniau diwygiedig ar 14/05/2020).  
40 LAUREL CLOSE, CWMDÂR, ABERDÂR, CF44 8RS**

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

**Daeth y cyfarfod i ben am 5.45 pm**

**Y Cynghorydd S Rees  
Cadeirydd.**



**RHONDDA CYNON TAF**

## **PLANNING & DEVELOPMENT COMMITTEE**

**6 AUGUST 2020**

### **REPORT OF THE SERVICE DIRECTOR, PLANNING**

#### **PURPOSE OF THE REPORT**

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 20/0404/10 (BJW)  
**APPLICANT:** Virgin Media  
**DEVELOPMENT:** Virgin media telecommunications cabinet.  
**LOCATION:** 1 THE PARADE, PONTYPRIDD, CF37 4PU  
**DATE REGISTERED:** 04/05/2020  
**ELECTORAL DIVISION:** Trallwn

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**RECOMMENDATION:** Approve, subject to conditions.

#### **REASONS:**

The application proposes a modest piece of street furniture within the footway in order to improve the Virgin Media Group's telecommunications coverage within the area through Fibre to the Premise (FTTP) installation (fibre optic cabling within the kiosk).

The proposed kiosk is considered to be of an acceptable design, appearance and scale that would be appropriate to the character and appearance of the street scene and the special visual qualities of the wider Pontypridd (Taf) Conservation Area. Furthermore, it is not considered the kiosk would have an adverse impact upon highway or pedestrian safety in the locality.

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#### **REASON THAT THE APPLICATION IS BEING REPORTED TO COMMITTEE**

The application is reported to the Planning and Development Committee for final determination by the request of the Local Member, Cllr. Mike Powell, to assess the visual impact of the kiosk and the potential pedestrian safety implications.

#### **APPLICATION DETAILS**

Planning permission is sought for installation of a Glass Reinforced Plastic (GRP) ground based kiosk in order to improve telecommunications network coverage for the Virgin Media Group in the locality.

The proposed cabinet will contain equipment for Fibre to the Premise (FTTP). The cabinets are passive and simply contain fibre trays which are used to splice together fibre optic cables and fibre splitters. The splitters split the wavelengths of light that are passed down the fibre cable which is then sent to each premise, if/when customers sign up.

The kiosk would measure 350(W) x 775(H) x 255(D) mm, would be green in colour and located within the footpath outside no. 1 The Parade, against the boundary wall.

## **SITE APPRAISAL**

No. 1 The Parade is a two storey, end of link dwelling within a residential street in the Trallwn area of Pontypridd. The site occupies a corner plot, with a lane to the south which marks the end of The Parade and the beginning of West Street and also provides access through to Middle Street to the east.

The proposed kiosk would be placed against the boundary wall of the property immediately adjacent to the boundary with the lane.

## **PLANNING HISTORY**

None relevant

## **PUBLICITY**

This has included site notices; no responses have been received.

## **CONSULTATION**

Transportation Section – No comments received at the time of writing.

Pontypridd Town Council – no response received at the time of writing.

## **POLICY CONTEXT**

### **Rhondda Cynon Taf Local Development Plan**

The application site is within the settlement boundary of Pontypridd and within the Pontypridd (Taf) Conservation Area.

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

**Policy AW2** - 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 AW7** – refers to the protection and enhancement of the built environment. This policy states that development which impacts upon sites of architectural and historic merit will only be permitted where it can be demonstrated that the proposal would preserve or enhance the character and appearance of the site.

**Policy SSA1** – gives criteria for development in the Principal Town of Pontypridd including: reinforcing the role of Pontypridd as a Principal Town; respecting the culture and heritage of Pontypridd; is of a high standard of design and makes a positive contribution to the townscape of the defined town centre; and that it would integrate positively with the built form.

### **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 5<sup>th</sup> 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 chapters of PPW inasmuch as they relate to the development proposed:

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)

**PPW Technical Advice Note (TAN) 12: Design (2016)**

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

### **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 proposes a contemporary, modest and utilitarian kiosk within the existing footway of The Parade.

The kiosk is one of several that are proposed throughout this area of Trallwn in order to improve the direct network coverage for subscribers to the Virgin Media Group telecoms and other tele-services (such as subscription television).

In this regard it is considered that the principle of an improvement in network coverage would be broadly acceptable.

### **Impact on neighbouring residential properties**

The installation is proposed to be located against the boundary wall of no. 1 The Parade and within the existing footpath area.

It is considered that the kiosk would occupy an unobtrusive position within the street-scene and would be minor in scale. As such it would not result in an adverse impact on the amenities of neighbouring properties.

It is also acknowledged that there have been no objections received as part of the neighbour notification process undertaken for the application.

### **Visual amenity of the area**

The kiosk is considered to be of an acceptable scale and design that, although of a contemporary appearance, would be typical of many similar features throughout the County Borough and would be acceptable in terms of the street-scene and the general visual amenity of the locality.

In terms of the effect of the proposal on the visual amenity of the area, with particular relevance to the Pontypridd (Taf) Conservation Area, it is considered that the proposal, due to its modest scale and unobtrusive position, would not have an adverse impact in this regard.

### **Highway safety**

Given the minor scale of the proposal and the fact that such structures are common street features within residential areas of this nature, it is considered that there would be no undue impact upon pedestrian or highway safety in the locality. However, notwithstanding this view, comments have been sought from the Council's Transportation Section but not received at the time of writing. As such the

Transportation Section's comments will be reported orally to Members at the Committee meeting.

### **Community Infrastructure Levy (CIL) Liability**

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

The application is for development of a kind that is not CIL liable under the CIL Regulations 2010 (as amended).

### **Conclusion**

The proposed kiosk is considered to be of an appropriate design, appearance and scale that would be appropriate to the character and appearance of the street scene and the special visual qualities of the Pontypridd (Taf) Conservation Area. Furthermore, it is not considered the kiosk would have an adverse impact on highway or pedestrian safety in the locality.

### **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 plan(s) no(s)
  - Site location plan
  - Block plan

and documents received by the Local Planning Authority 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. Notwithstanding the approved details, prior to any development works being undertaken on site, details of the colour of the kiosk shall be submitted to and approved in writing by the Local Planning Authority. The installed kiosk shall be in accordance with the agreed colour scheme.

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.





## PLANNING & DEVELOPMENT COMMITTEE

6 AUGUST 2020

### REPORT OF THE SERVICE DIRECTOR, PLANNING

#### **PURPOSE OF THE REPORT**

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 20/0479/10 (GW)  
**APPLICANT:** Llanmoor Development Company Limited  
**DEVELOPMENT:** New access and car park to rear (12 parking spaces)  
**LOCATION:** LLANMOOR DEVELOPMENT CO LTD, 63-65 TALBOT ROAD, TALBOT GREEN, PONTYCLUN, CF72 8AE  
**DATE REGISTERED:** 01/06/2020  
**ELECTORAL DIVISION:** Talbot Green  
**RECOMMENDATION:** Grant

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**REASONS:** The development would beneficially provide off-street parking for an existing business located within the retail zone of Talbot Green and in an area where off-street parking is in high demand and on-street parking is identified as an existing problematic issue.

The objections with regard highway safety and the impact on amenity from local residents are noted and the issues are appreciated. However, no objection has been raised by the Council's Transportation Section with regard to Highway Safety. Furthermore, whilst there would be some impact upon the amenity of surrounding neighbours from the potential of additional traffic; it is considered that taking into account the town centre location, the beneficial provision of off-street parking and the small scale of the proposal that, on balance, the proposal would be acceptable.

In all other planning matters the proposal is considered acceptable.

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#### **REASON APPLICATION REPORTED TO COMMITTEE**

The proposal is not covered by determination powers delegated to the Director of Prosperity and Development because there are three or more objections by persons directly affected by the proposal where the recommendation to approve is contrary to the objections.

#### **APPLICATION DETAILS**

Full planning permission is sought for the provision of a car park (12 spaces) to the rear of Llanmoor Development Co Ltd offices in Talbot Green. Two electric

charging spaces and one disabled parking space would be included and the car park area would be finished in asphalt. The plans also detail an existing shed would be re-furbished for cycle parking.

A new access and dropped kerb, from Danygraig Crescent, would be created from the turning head at the end of the cul-de-sac. This would utilise some of the curtilage of number 41 and the demolition of their garage is required. Parking would be retained for this dwelling on a drive. The access lane down to the car park would be finished in asphalt and would be re-graded to a 1:12 slope. A retaining wall along the boundary with the bus station/shopping parade area would be replaced and some small trees would be removed.

Access to the car park would be controlled by an electric sliding gate. The applicant has clarified that the:

1. Car park hours of use would be 7:30am until 18:00pm Monday to Friday; and that the
2. Car park would only be used by staff and related business.

A ramp and steps, to the rear of the office building, would be provided to access the car park. Replacement landscape planting would be provided along the access drive and around the car park. A 2.4m anti-climb fence would be provided on the boundary with the bus station. Surface water drainage would be to rain garden areas on the site.

The application is supported by:

- A Building scoping survey & Preliminary Roost Assessment for presence of Bat Roost sites by Spectrum Ecology

## **SITE APPRAISAL**

Llanmoor Development Co. Ltd.'s office building faces on to Talbot Road in Talbot Green. The area of the proposed car park would be to the rear of the offices with the access being provided from Danygraig Crescent. This area is a suburban residential estate, albeit adjacent to the town centre. Access to this is from Talbot Road and Danygraig Drive.

The office building forms part of a terrace that has other commercial uses. The town's bus station and a parade of shops are located adjacent and to the west of the site.

## **PLANNING HISTORY**

None

## **PUBLICITY**

The application has been advertised via the erection of a site notices and by direct neighbour notification to the residents adjoining the site. Seven letters of objection have been received at the time of writing the report and their objections are summarised below:

- Danygraig Crescent and Danygraig Drive form an access-only residential area. It will make the quiet cul-de-sac a through road.
- Danygraig Drive is already bedevilled by traffic, using it illegally as a rat-run between Talbot Road and Ely Valley Road, by business owners, shoppers and occupiers of the flats above the shops by the bus station utilising the crescent to park, including parking on pavements and causing obstruction, and by many vehicles driving the wrong way down the one-way half of the road. It often causes issues for delivery drivers and the emergency services.
- This proposal would cause an increase in traffic on quiet narrow residential streets. This would result in potential accidents and would pose a health and safety risk to small children and the elderly who live on the estate.
- It is likely that cars will be constantly coming and going throughout the day (due to them having customers).
- It would result in noise nuisance and vehicular pollution.
- The car park may lead to others trying to use the car park.
- We already have concerns that the Council have seemed to ignore the fact that the wall at the bottom of the cul-de-sac fell down and there is nothing stopping a child falling in to the lane at the back of the shops except some red tape. It has been like this for approximately 12 months!
- The small turning cul-de-sac is also used by Council transport and the vehicles have considerable problems turning because of access.
- Despite the application form stating no trees will be removed the plans detail some trees would be.
- No opening hours are shown, this may lead to it being accessible round the clock.
- We are aware that the situation is currently different due to Covid-19, but would it not be more important to encourage the users of this business to arrive and leave by public transport? The development proposed is adjacent to Talbot Green bus station.
- The street has enough pot holes in which cause issues.
- We only learnt about the proposed development by chance and we are surprised that residents of the local area were not informed, apart from a notice adjacent to the development site on a lamp-post, which is not much use for people following the Welsh Government COVID-19 advice to stay at home.

- The neighbours or the local community should have been consulted before the application was submitted.

## **CONSULTATION**

RCT Countryside, Landscape and Ecology - The bat report is an appropriate assessment based on a thorough building inspection. The assessment found no evidence of bat use of what is a simple (if large) flat roofed garage, and concludes negligible bat potential, with no recommendations for further survey. That appears a reasonable and justified conclusion. The report does include some precautionary demolition measures and, as enhancement, provision of bat boxes. Therefore a condition requiring the implementation of all measures in Section 5 Recommendations of the Spectrum Bat report is necessary.

The proposed landscaping scheme and management is acceptable for this urban area.

RCT Flood Risk Management – Advise that a low Q1000 surface water flood risk conveys down in a southerly direction from the rear of the shop area and into the proposed access point. During points of extreme flooding the water could have the potential to travel down the proposed access road reaching the car park and ultimately heading potentially towards the property. There is also a low Q1000 that conveys along Talbot Road to the front of the property however due to the topography this should not affect the property. The applicant should be advised of the low surface water risk affecting the area of proposed works and the potential to conveyance towards the property.

The applicant has provided surface water drainage details, however the applicant has not confirmed points of discharge and the capacity of the network to receive the additional flow. Therefore I would recommend the application is conditioned to obtain these details.

The applicant will also be required to submit a separate application for the approval of Sustainable Drainage Systems (SuDs). Advice on how to do this is provided.

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

RCT Transportation Section – There are some concerns with regard the potential for vehicular reversing movements onto the public highway should two vehicles meet in the access and that the vehicular crossover on the radius of the turning head is not ideal. However, there are minimal traffic volumes using the turning area and there is a benefit in providing 12 no. off-street parking spaces. Therefore, on balance, these issues are considered acceptable.

The proposed offers 12 no. off-street parking spaces (including provision of 1 no. disabled and 2 no. electric vehicle charging bays) where none currently exist.

Therefore the proposed offers a betterment with regard to off-street parking provision.

The proposal provides for 3 no. off-street parking spaces for house no. 41 Danygraig Crescent, which is in compliance with the maximum parking provision for a 3+ bedroom dwelling.

No highway objection is raised subject to conditions requiring the parking spaces are surfaced in permanent materials and that the vehicular crossover/dropped kerb is provided in accordance with the Council's standard design guide no.111.

## **POLICY CONTEXT**

### **Rhondda Cynon Taf Local Development Plan**

The site is inside the settlement boundaries as defined by the Rhondda Cynon Taf Local Development Plan and is identified as being with Talbot Green's Retail Zone.

**Policy CS 2** – emphasises that development in the Southern Strategy Area will be on sustainable growth that benefits Rhondda Cynon Taf as a whole. This will be achieved by (amongst others): promoting the reuse of under used and previously developed land and buildings; providing opportunities for significant inward investment in sustainable locations that will benefit the economy of RCT and the Capital Region; reducing daily out commuting by private car; protecting the cultural identity of the Strategy Area by protecting historic built heritage and the natural environment; and promoting sustainable forms of transport and promoting and enhancing transport infrastructure services to support growth and investment.

**Policy AW 2** - advises that development proposals on non-allocated sites will only be supported in sustainable locations.

**Policy AW 5** - sets out criteria for new development in relation to amenity and accessibility.

**Policy AW 6** - requires development to involve a high quality design and to make a positive contribution to place making, including landscaping.

**Policy AW 7**- covers the protection and enhancement of the built environment.

**Policy AW 8** - sets out criteria for the protection and enhancement of the natural environment.

**Policy AW 10** - development proposals must overcome any harm to public health, the environment or local amenity.

**Policy SSA 3** – provides criteria for development in the Principal Town of Llantrisant / Talbot Green. Proposals for commercial development will be permitted where the development:-

1. Reinforces the role of Llantrisant / Talbot Green as a Principal Town;
2. Respects the culture and heritage of Llantrisant / Talbot Green;
3. Is of a high standard of design and makes a positive contribution to the townscape in the defined town centre;
4. Integrates positively with existing development;
5. Promotes opportunities for new retail, tourism and leisure development;

6. Manage sites of importance for nature conservation;
7. Makes a positive contribution to the reduction of congestion by promoting accessibility to services by a range of sustainable modes of transport including public transport links with the north-west of Cardiff; and
8. Improves the provision of car parking.

**Policy SSA 16** – Identifies Llantrisant (Including Talbot Green) as one of the Principal Town Centres in the Southern Strategy Area.

### **Supplementary Planning Guidance:**

Access Circulation and Parking.  
Design and Placemaking.  
Design in Town Centres.  
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 4: Retailing and Commercial Development;

PPW Technical Advice Note 5: Nature Conservation and Planning;

PPW Technical Advice Note 11: Noise;

PPW Technical Advice Note 12: Design;

PPW Technical Advice Note 15: Development and Flood Risk;

PPW Technical Advice Note 18: Transport;

PPW Technical Advice Note 23: Economic Development;

Manual for Streets; and

WGC 016/2014: Welsh Government Circular: The Use of Planning Conditions for Development Management.

## **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 an existing business located within the Talbot Green retail zone; which is identified in the Local Development Plan (LDP) as being one of the principal shopping centres in RCT.

It is recognised there is a lack of off-street car parking in Talbot Green town centre. The applicant details that this gives rise to employees of Llanmoor Homes having to search out parking spaces and that these are often on-street. It is also noted that this has been identified by objectors as an existing issue on the streets of Danygraig Crescent and Drive. Policy SSA 3 (Criterion 8) allows development in Talbot Green that improves the provision of car parking. The development would provide a reasonable level of off-street parking for the business.

It is noted the policy also supports development that contributes to reducing congestion (Criterion 7). In relation to this, an objector notes that the staff should be encouraged to use public transport instead. Due to the small size of the car park the development would not overly encourage more car journeys. In addition, as well as the proposed car parking, the development proposes to provide some cycle storage in a refurbished shed and this can be seen as a measure to encourage non-motorised vehicle commuting.

In assessing the principle of the development, providing a reasonable level of off-street parking (Criterion 8) and cycle parking facilities (Criterion 7) is in line with Policy SSA 3 and the proposal does not conflict with the remaining criterion. Therefore, taking this into account, the principle of the proposed development would be acceptable subject to consideration of the material considerations below:

#### **Highway Safety**

Objectors have detailed that the proposal could have highway safety implications due to the increased amount of traffic through the streets. Members are advised, it is also evident that objectors have raised that there are existing issues with on-street parking and non-residential traffic using Danygraig Crescent and Drive. The Council's Transportation Section have some minor concerns that two cars could meet in the access to the car park requiring some reversing movements and also

having a dropped kerb located on the turning head. They however do not object as there would be a benefit to providing off street parking by removing on street parking and that there would be a minimal flow of traffic due to the small scale of the proposal. Therefore, the proposal is in compliance with Policy AW 5 of the LDP in regard of these matters.

### **Noise and Neighbouring Amenity**

Objectors have detailed the car park would result increased noise from traffic movements, and could lead to the car park being used at all times and increased pollution. The concerns are noted and it is recognised that there would be some increased impact on the amenity of residents from the coming and going of vehicles. However, the size of car park proposed is relatively small and as such it is anticipated there would not be significant numbers of vehicle movements. The car park would also be at a lower level to the rear gardens of the dwellings on Danygraig Crescent and therefore reducing the visual and amenity impact on the residents. Furthermore, the applicant has also detailed that the use of the car park would be restricted to 07:30am to 18:00 from Monday to Friday only and that it would only be used by staff and related business. Members are advised an electric sliding gate is proposed at the entrance to control access. As the access is through a residential area, it is recommended that it would be necessary to have these restrictions to reduce the impact of the use to a minimum. This can be controlled by a suitably worded condition if permission is granted. Therefore, the proposal is in compliance with Policy AW 5 of the LDP in regard of these matters.

### **Impact on the character and appearance of the area**

In terms of the design and visual appearance of the development, the rear of the building currently has the appearance of a residential garden. It also backs on to the residential gardens of houses on Danygraig Crescent. The car park would change the existing character to some extent, however this type of development is expected within retail areas. As such, the visual impact would not detract from the visual appearance of the retail area.

The car park would result in a visually harsher border with the residential dwellings on Danygraig Crescent. Some landscaping has been proposed, and this would help soften the visual impact of the car park. These details are considered acceptable for this urban area by the Council's Countryside Section.

In addition it is proposed to place some anti-climb fencing on the boundary to the bus station area. This would be located inside the existing wall. Details of the fencing have been provided and this would be acceptable.

Therefore, the proposal is in compliance with Policy AW 5 and AW 6 of the LDP in regard of these matters.

### **Drainage**

Surface water drainage would be to rain gardens, which are a form of sustainable drainage. The Council's Flood Risk Management highlight that a condition requiring



details of surface water drainage would be necessary. In addition, they detail that a Sustainable Drainage Systems (SuDS) approval would be required and that this is separate to the planning process. Section 3.6 of Welsh Government Circular on the use of conditions states, "Conditions should not repeat the provisions of other conditions or duplicate controls under other legislation unless there is a planning reason for doing so". A planning condition is not considered necessary and the matter can be dealt with by an informative note detailing the developer would require SuDS approval.

### **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 Considerations**

Whilst the comments raised by the Public Health and Protection Section with regard demolition, noise, dust and waste are appreciated, it is considered these matters can be more efficiently controlled by other legislation. An appropriate note can be added to any permission concerning these issues if permission were to be granted.

### **Other objections from the public consultation exercise**

The comments that the residents should have been consulted prior to the application being submitted are noted. Whilst the applicant may have found this beneficial, this is not a statutory requirement for minor planning applications.

The issue raised with regard potholes is an issue for the maintenance of the highway as an adopted street and would not warrant a refusal reason for 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 a charge under the CIL Regulations 2010 (as amended) however, the CIL rate for this type of development as set out in the Charging Schedule is £nil and therefore no CIL is payable.

### **Conclusion**

The application is considered to comply with the relevant policies of the Local Development Plan in respect of the principle of development, access and highway safety, the impact on residential amenity, the impact on the character of the area and drainage (Policies CS 2, AW 2, AW 5, AW 6, AW 10 and SSA 13).

**RECOMMENDATION: GRANT SUBJECT TO THE BELOW CONDITIONS:**

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason: To comply with Sections 91 and 93 of the Town and Country Planning Act 1990.

2. The development hereby approved shall be carried out in accordance with the approved plans no's

- Site Location Plan (Received 28th May 2020)
- Dwg no 02 Rev P1 Planning Layout (Received 13th July 2020)
- Dwg no 03 Rev P1 Finishes and Setting Out (Received 13th July 2020)
- Dwg no 04 Rev P1 External Levels and Drainage Proposals (Received 13th July 2020)
- Dwg no. EN14 Anti Climb Fencing (Received 30th June 2020)
- Dwg no 503.01 Planting & Management Plant (Received 13th July 2020)

and documents received by the Local Planning Authority on 28<sup>th</sup> May 2020, 25<sup>th</sup> June 2020 and 30<sup>th</sup> 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. The car park shall only be used by staff and related business users to the site from Monday to Fridays and between the hours of 07:30am and 18:00pm. At all other times the electric gates, identified on dwg. no. 02 Rev P0 Planning Layout (Received 28th May 2020), shall be closed to restrict access.

Reason: In the interests of residential amenity in accordance with Policy AW 5 of the Rhondda Cynon Taf Local Development Plan.

4. Prior to the first beneficial use of the car park hereby approved the measures detailed in Section 6 Recommendations of the submitted protective species report by Spectrum Ecology and dated 19<sup>th</sup> March 2020 shall be provided on site.

Reason: In the interests of biodiversity in accordance with Policy AW 8 of the Rhondda Cynon Taf Local Development Plan.

5. The off-street parking spaces indicated on submitted drawing no. "02 Rev P0" shall be provided on site in permanent materials prior to beneficial use and shall remain for the purpose of vehicular parking only thereafter.

Reason: To ensure vehicles are parked off the public highway, in the interests of highway safety and the free flow of traffic in accordance with Policy AW 5 of the Rhondda Cynon Taf Local Development Plan.

6. Notwithstanding the submitted plans, development shall not commence until details providing for the construction of a vehicular crossover / dropped kerb in accordance with Highway Design Guide Standard Detail drawing 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 use.

Reason: To ensure the adequacy of the proposed development in the interests of highway safety in accordance with Policy AW 5 of the Rhondda Cynon Taf Local Development Plan.

7. Prior to the first beneficial use of the car park hereby approved, the proposed cycle parking shall be provided in accordance with the approved plans. Thereafter they shall remain for the purpose of cycle parking only.

Reason: In the interests of sustainable modes of travel in accordance with Policies AW 2 and AW 5 of the Rhondda Cynon Taf Local Development Plan.

8. All planting, seeding or turfing in the landscaping details on Dwg no 503.01 Planting & Management Plant (Received 13th July 2020) shall be carried out in the first planting and seeding season following the completion of the development. Thereafter the landscaping shall be maintained in accordance with the planting management details on the drawing.

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

tudalen wag



## 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:** 20/0491/10  
(BJW)  
**APPLICANT:** Mr M Morgan  
**DEVELOPMENT:** Change of use from dwelling to a post office and re-location of ATM (amended description received 08/06/20).  
**LOCATION:** 27 CHURCH ROAD, TON PENTRE, PENTRE, CF41 7EB  
**DATE REGISTERED:** 08/06/2020  
**ELECTORAL DIVISION:** Pentre

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**RECOMMENDATION:** Approve

**REASONS:** The proposed change of use would be suitable and appropriate to the existing retail area of a Local and Neighbourhood Centre (Ton Pentre) and would add to the vitality and viability of this area. The operation of the use would not have a detrimental impact on the amenity of neighbouring residential properties (including those above the shops).

The application is considered to comply with the relevant policies of the Local Development Plan in respect of its impact on the visual amenities of the area, highway safety and the amenities of nearby residential properties as well as maintaining the position of the retail centre within the retail hierarchy.

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#### **REASON THE APPLICATION IS BEING REPORTED TO COMMITTEE**

There have been more than three objections received to the proposal.

#### **APPLICATION DETAILS**

Full planning permission is sought for the change of use, from residential to a Post Office (A1), and external alterations, including the installation of an ATM, to 27 Church Road, Ton Pentre. Specifically, the application proposes the following:

- The installation of a new shop front with a centrally located, automatic opening, glass door; a fixed-panel stall-riser and shop windows either side of the main door; and
- The installation of an ATM machine to the right of the main shop front (in the position of the existing main entrance door).

The proposed hours of operation of the business would be 7am to 7pm, Monday to Friday; 7am to 2pm Saturday and not at all on Sundays and Bank Holidays.

The floor plan for the proposed Post Office includes the main shop area, a staff room, store room and kitchen at ground floor and a landing, 2 no. store rooms and a bath room and WC at first floor.

## **SITE APPRAISAL**

27 Church Road is a mid-terraced dwelling house in a prominent main road location. The property is the only residential dwelling within this block of properties with the others all in commercial uses including a charity shop, chemist, three hairdressers and a travel agents.

The property has a recessed frontage with a large bay window and entrance door. It is clear that the property has been converted from a previous commercial use by virtue of the contemporary nature of the residential frontage.

This area of the village of Ton Pentre is predominantly characterised by commercial properties although there are several residential properties intermittently along Church Road, including two on the opposite side of the road.

## **PLANNING HISTORY**

None.

## **PUBLICITY**

This has included site notices and the direct notification of properties surrounding the site. Eight responses have been received, three in support and five objecting (two from the same respondent) to the application. The main points of the responses are detailed below:

### Support

1. There has been a Post Office in this village for over 100 years.
2. The new location will be in walking distance for many residents.
3. The location will be great for people of advancing years and those who do not drive.
4. The Post Office would be an asset to the community and provide a vital service.

### Objection

1. The closeness to the existing zebra crossing raises concerns for pedestrians crossing the road.
2. Increased levels of traffic and illegal parking in the vicinity of the Post Office and the ATM.
3. Increased pressure on the parking provision of surrounding streets for users of the Post Office and ATM.
4. Increased levels of noise in the area, particularly for users of the ATM.
5. Difficulties in using the shop for disabled individuals.
6. Lack of any parking facilities.
7. The current parking restrictions are not enforced leading to illegally parked vehicles accessing existing businesses. This will worsen the situation.
8. The existing location of the Post Office, approximately 200m away with a public car park opposite is more suitable.
9. Concerns that the respondent has been unable to contact the Planning Department due to the COVID-19 pandemic. In this regard the respondent requests that the application be deferred until the Council is fully functioning.

## **CONSULTATION**

Transportation Section – no objection. There is concern with regards to the limited off-street car parking facilities within the vicinity and potential for indiscriminate on-street car parking. However, Church Road fronting the site is protected by the existing Traffic Regulation Order maintaining street space for peak times, sight lines and taking into account the proposed is in a sustainable location with trips cross linked, the proposal is considered acceptable

Public Health and Protection Division – No objection, subject to a condition to control the hours of operation during the construction phase of the development. Additionally, the following advice is offered:

The proposed cash point is situated in close proximity to a number of residential properties and as such there is the potential for the development to have an impact on local residents. It is likely that noise will be generated by an increase in vehicles travelling through Church Road and parking outside the proposed cash point machine. Noise is also likely to be generated by the slamming of car doors and possibly from car radios when cars are parked in the vicinity of the cash point.

The noise generated from the aforementioned sources is likely to have a greater impact on local residents during the early hours of the morning when background levels are at their lowest.

It is advised that there is no legislation available to this department to control noise of this nature, as such it is recommended that careful consideration be given to this application.

## **POLICY CONTEXT**

### **Rhondda Cynon Taf Local Development Plan**

The application site lies within the settlement boundary for Ton Pentre and is within the Ton Pentre Local and Neighbourhood Centre (Policy NSA19.3 refers).

**Policy CS1** - sets out criteria for achieving sustainable growth including promoting and enhancing transport infrastructure services.

**Policy AW 2** - supports development in sustainable locations.

**Policy AW 5** - lists amenity and accessibility criteria that will be supported in new development proposals.

**Policy AW 6** - lists design and place making criteria that will be supported in new development proposals.

**Policy NSA 19.3** - designates the area as a Local and Neighbourhood Centre (Ton Pentre) and supports development that would maintain or enhance a centre's position in the retail hierarchy.

**Policy NSA17** – states that proposals for Class A1, A2 and A3 uses in retail centres will be permitted provided that they add vitality and viability to the centre.

National Guidance

#### Planning Policy Wales

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.

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 generations goals inasmuch as they relate to the proposed development and the site is being brought forward in a manner consistent with the five ways of working.

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

Chapter 3 (Strategic and Spatial Choices);

Chapter 4 (Active and Social Places);

Chapter 5 (Productive and Enterprising Places); and



Chapter 6 (Distinctive and Natural Places).

Other relevant national policy guidance consulted:

Planning Policy Wales Technical Advice Note 3: Retail and Commercial Development

Planning Policy Wales Technical Advice Note 11: Noise

Planning Policy Wales 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**

It is considered that the principle of changing the use of the property from a residence to a Post Office (A1) use, would be acceptable in terms of the provisions of the Local Development Plan.

The existing use of the premises is a dwelling (C3) while the proposed use would be Use Class A1. National Guidance considers that retail uses (A1) should underpin centres while a lively mix of uses, including A2 and A3 uses, is encouraged in order to promote and improve vitality and viability.

Development Plan Policy (NSA 19) recognises that all “A” uses can add vitality and viability by attracting footfall that benefits the daytime and evening economy in existing retail centres. The policy seeks day-time opening hours and encourages uses that complement the retail centre.

As this application proposes to open from 7am until 7pm (2pm on Saturdays) it is considered that it would have a positive impact upon the retail frontage within Ton Pentre. Additionally, the change would result in an increase in A1 floor space within a Local and Neighbourhood Centre (Ton Pentre) which would strengthen the predominant retail use (A1) within the centre and as such the character of the retail centre would be maintained and enhanced.

Consequently, it is considered that the principle of a change of use to A1 is acceptable.

#### **Impact on the Local and Neighbourhood Centre (Ton Pentre)**

The site is within a Local and Neighbourhood Centre, the village of Ton Pentre. As such developments for retail units and other uses should enhance or maintain the centre's position within the retail hierarchy.

As detailed above, it is considered that the change of use to an A1 use would add to the mix of shops within the retail area and consequently, to the vitality and viability of the area. Additionally, the development would also increase the retail floor-space within the retail centre and provide a more productive, commercial use to the property.

Consequently, it is considered that the change of use would positively meet the requirements of the policy for the retail centre and maintain and enhance the centre's position in the retail hierarchy and is therefore acceptable in this respect.

### **Impact on neighbouring properties**

The proposal includes the change of use from a residence to a Post Office, along with the installation of a new shopfront to facilitate the new use and an associated ATM.

It is considered that the proposal would be sited within a prominent and sustainable location that is within walking distance of a wide catchment area and close to public transport routes. That said, it is considered that the majority of users of the Post Office in particular, would travel to the premises on foot.

While this may be less true of the users of the ATM there are two other ATM's in the immediate locality. It is considered that the other machines do offer better facilities for passing users and are therefore more likely to be used in this way.

The comments of the Public Health and Protection Division are acknowledged in this regard. However, it is not considered that the use of the premises or the ATM would generate sufficient additional levels of noise and disturbance that would warrant refusal of the application.

The surrounding area is designated within the Rhondda Cynon Taf Local Development Plan (RCTLDP) as a Local and Neighbourhood Retail Centre and this is reflected in the concentration of commercial properties within this area.

What residential properties are present would be used to a higher level of noise and activity that characterises such areas. Consequently, it is considered that the proposal would be in keeping with surrounding land uses and the retail area and would not have an adverse impact on neighbouring properties.

Furthermore, the hours of operation are consistent with retail areas, closing for business by 7pm thereby avoiding disturbances late into the night.

### **Visual amenity**

The application seeks the installation of a new shop front and an ATM onto Church Road.

The shop front is considered to be visually acceptable and would improve the appearance of the property to the benefit of the commercial area and the visual amenity of the area. Similarly, the ATM is a standard form of installation and is also considered to be visually acceptable.

Items such as the shop front arrangement and the roller-shutter mechanism are considered to be sympathetic and in-keeping with existing properties and the character and appearance of the area in general. The arrangement and finish of the roller shutter and the materials for the shop front can also be controlled by suitably worded conditions.

Consequently, it is considered that the application is acceptable in this regard.

### **Highway safety**

The Transportation Section has raised no objection to the application. This view acknowledges that the site is located on Church Road, which is the main link through the shopping area of Ton Pentre. Church Road has a carriageway width of 7.3m with 2 x 2m footways which are acceptable for safe vehicular and pedestrian movement.

The highway fronting the site has parking restrictions on both sides of the carriageway with Zig Zag markings restricting car parking and maintaining vision to the crossing point.

To the rear is an adopted 3m lane which is acceptable for secondary access only. The building occupies the majority of the plot with no space for provision of off-street car parking facilities.

In terms of parking the existing dwelling requires up-to a maximum of 3 space in accordance with the SPG Access, Circulation and Parking 2011, with none provided. The proposed use as an A1 Post Office requires 2 spaces in accordance with the SPG, with none provided. There is, therefore, concern that there are no off-street car parking facilities. However, taking into account there is no potential to provide off-street car parking and the proposal is located in the retail area of Ton Pentre close to a number of other facilities including bus and rail stops a short walk from the site where trips would be cross-linked, no objection is raised in this respect.

In conclusion, there is concern with regards the limited off-street car parking facilities within the vicinity and potential for indiscriminate on-street car parking. However, Church Road fronting the site is protected by the existing Traffic Regulation Order maintaining street space and sight lines for peak times. Additionally, taking into account that the proposal is in a sustainable location with many trips likely to be cross-linked, the proposal is considered to be acceptable in respect of the potential impact upon highway safety.

### **Other issues**

The issues raised by the respondents to the application are acknowledged. Having regard to the points raised the following comments are offered.

## Highway Safety

There is plenty of anecdotal evidence from respondents that the highway around the application site is already subject to a level of intermittent and indiscriminate, on-street parking. However, as detailed in the comments by the Transportation Section, there is an existing Traffic Regulation Order (TRO) in place around this section of Church Road and in particular the pedestrian crossing. Consequently, this issue can be addressed through effective enforcement of the existing TRO.

The area is also subject to various traffic calming measures in the immediate locality that reduce the speed of traffic using the highway network. Therefore, while the concerns are noted in this regard, the application is considered to be acceptable in this respect.

## Disabled access

The access door shown in the application particulars is an automatic opening glass door of sufficient width to accommodate wheelchair users and with a level threshold to the main Post Office area. Additionally, the shop will need to comply with DDA regulations and the Building Regulations and therefore this issue will be adequately addressed.

## Existing Post Office

While the location and arrangements of the existing Post Office are noted, they have little relevance to the current proposal.

## COVID-19 restrictions

One respondent has stated that they have had difficulties in contacting the Planning Department due to the ongoing COVID-19 pandemic and that the application should be deferred until such time as the Council is fully functional. While this point is acknowledged, the Council have maintained email and, when requested, phone contact with customers over the past few months of the pandemic.

It would be remiss and unacceptable to unduly delay the determination of an application particularly when sufficient processes were and are in place to ensure that all interested parties can be accommodated within the planning process.

The comments made by the Council's Public Health and Protection Division are acknowledged. In terms of the restriction of the hours of operation during the construction phase of the development, it is considered that this can be more efficiently and effectively dealt with under other legislation that is available to the Council.

In terms of the noise levels that could affect nearby residents, particularly from customers using the ATM, this is dealt with earlier within the report and has been evaluated and fully considered in line with the recommendations of the Public Health and Protection Division.

## **Community Infrastructure Levy (CIL) Liability**

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

The application is for development of a kind that is not CIL liable under the CIL Regulations 2010 (as amended).

## **Conclusion**

The change of use of the property and its physical alterations are considered to be acceptable. The application is considered to comply with the relevant policies of the Local Development Plan in respect of the principle of the change of use, highway safety, the impact on an existing retail centre of a Key Settlement, and the impact on neighbouring properties and the visual amenity of the area (Policies AW5, AW6 and NSA19.3).

## **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 plan(s) no(s)
  - Site location plan / Block plan / Existing and Proposed plans and elevations / Cross-section

and documents received by the Local Planning Authority 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, including colour, proposed to be used in the new shopfront and the roller shutter (including the size and type of perforations) have been submitted to and approved in writing by the Local Planning Authority. All materials used shall conform to the sample(s) so approved thereafter.

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. The hours of operation for the business hereby approved shall be as follows:

- Monday – Friday                      07.00 to 19.00 hours
- Saturdays                                07.00 to 14.00 hours
- Sunday and Bank Holidays        Not at all

Reason: To ensure that the noise emitted from this development is not a source of nuisance to occupants of nearby residential properties in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.



## RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

### MUNICIPAL YEAR 2020-2021:

**PLANNING AND  
DEVELOPMENT COMMITTEE  
6 AUGUST 2020**

**REPORT OF: SERVICE  
DIRECTOR PLANNING**

|  | Agenda Item No. ....  |
|--|---|
|  | <b>APPLICATION NO: 20/0091 –<br/>CONSTRUCTION OF 3 NO. GARAGES.<br/>(AMENDED PLANS RECEIVED 28/05/20),<br/>LAND ADJACENT TO JAMES STREET,<br/>CWMDARE, ABERDARE</b> |

#### **1. 1. Purpose of the Report**

Members are asked to consider the determination of the above planning 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 2<sup>nd</sup> July 2020 meeting of the Planning and Development Committee with an officer recommendation of approval. A copy of the original report is attached as **APPENDIX A**. At that meeting Members were minded to refuse the application contrary to the Officer recommendation. Members considered that the garages have been constructed in a manner such that the intended use is not achievable, and consequently there would be an adverse impact upon highway safety in the vicinity of the site (Minute No. 223 refers).

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

#### **4. Planning Assessment**

The Officer considerations in respect of the potential impact the development works could have upon highway safety within the vicinity of the site are set out in the original Committee report, however a brief summary is set out below:

The Council's Transportation Section did not object to the application as it was considered that, whilst the garages are inadequate to facilitate a standard vehicle to

access and egress in forward gear, the proposal would facilitate off-street parking for small vehicles in the area, which would go some way to reducing on-street parking demand. As such, Members are advised that this proposal, albeit sub-standard for larger vehicles, could provide a wider benefit to this area in terms of providing off-street parking, thus improving highway safety and the free flow of traffic which is attributed to indiscriminate on-street parking in the locality.

Members are also advised however that the garages, as built, do not meet the relevant Council specifications in respect of access and turning space and therefore only small cars could navigate the entrance apron. As such concerns were expressed by the Transportation Section during their consideration of the scheme and the original highway safety considerations were taken 'on balance'. This clearly highlights that it would be entirely reasonable to conclude that the development could result in a detrimental impact upon highway safety in the locality, contrary to Policy AW5 of the LDP.

Therefore, whilst the application is recommended for approval, if, having considered the above advice and after further consideration, Members remain of a mind to refuse planning permission, it is suggested that the following reason would reflect those views:

**REASON: The garages and forecourt as constructed are sub-standard for a standard vehicle with regard to the access/reversing width required for safe access/egress. The proposed development would therefore result in unsafe vehicle movements to the detriment of highway safety within the vicinity of the site. Consequently, the development is contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan.**



**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:** 20/0091/10 (JE)  
**APPLICANT:** Mr M Agostini  
**DEVELOPMENT:** Construction of 3 no. Garages. (Amended Plans received 28/05/20)  
**LOCATION:** LAND ADJACENT TO JAMES STREET, CWMDARE, ABERDARE  
**DATE REGISTERED:** 17/02/2020  
**ELECTORAL DIVISION:** Aberdare West/Llwydcoed

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**RECOMMENDATION: GRANT SUBJECT TO THE BELOW CONDITIONS:**

**REASONS:**

The application is considered to comply with the relevant policies of the Local Development Plan in respect of its visual impact, the potential impact it would have upon the amenity and privacy of the neighbouring residential properties, and its potential impact upon highway safety in the vicinity of the site.

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**APPLICATION DETAILS**

Full planning permission is sought for the retention and completion of 3no. garages at land adjacent to James Street, Cwmdare. This application follows approval of a similar scheme at the site (application ref. 15/0125/10) that was approved in 2015 but has not been built in accordance with the approved plans. As such this application seeks to retain the development as being built.

The garages would be set back from Dare Road by a paved driveway/apron to the front.

The block of three garages would measure a width of 10.3 metres by a depth of 5.6 metres. The garages would have a mono pitched roof design which would measure a maximum height of 3.1 metres on the rear elevation sloping to 2.7 metres at the eaves. 3no. roller shutter doors would be installed along its front elevation. The proposal would incorporate 2no. windows and an access door on its rear elevation.

The three garages would be interconnected by lockable internal access doors which the applicant has detailed would allow the unit to be rented out as more than one unit if required.

The site would be enclosed by 1.5 metres high feather edge fencing along its eastern and southern boundary with James Street.

**SITE APPRAISAL**

The application site is a roughly rectangular parcel of land located between two short rows of terraced dwellings, James Street to the north and David Street to the south respectively. The site fronts and is accessed from Dare Road which links the settlement of Cwmdare with the Dare Valley Country Park. It is bounded by the rear gardens of two properties within David Street to the south and directly abuts James Street along the northern boundary. The topography of the area falls from north to south and as such the site is set at two separate terraced levels. The northern section is located at the same level as James Street with the southern section being located at a slighter higher level than the adjacent highway, but at a higher level than the properties along David Street to the south. At the time of the Officers site visit works had commenced on site with the footprint and external walls of the garages in place.

## **PLANNING HISTORY**

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

**06/2253/13:** LAND BETWEEN 1A JAMES STREET AND 1 DAVID STREET, CWMDARE, ABERDARE.

Residential Development - One Dwelling (Outline)

Decision: 02/01/2007, Refuse

**15/0125/10:** LAND ADJACENT TO JAMES STREET & DAVID STREET, CWMDARE, ABERDARE.

Erection of three garages.

Decision: 24/06/2015, Grant

## **PUBLICITY**

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

Four Letters of objection have been received following consultation from neighbouring occupiers and are summarised below:

- Application is a front for a dwelling on the site.
- Disruption caused during construction through noise and disturbance.
- Current unfinished appearance of site.
- The proposed development would be out of keeping with the surrounding area.
- Overlooking from proposal into neighbouring properties.
- Use of proposed garages.
- Drainage issues.
- The proposal would increase vehicular movements to the detriment of highway safety.

## **CONSULTATION**

**Transportation Section:** No objection raised subject to conditions.

**Public Health and Protection:** No objection although conditions suggested with regards to hours of operation, noise, dust and waste.

## **POLICY CONTEXT**

### **Rhondda Cynon Taf Local Development Plan**

The application site lies within the settlement boundary for Aberdare and isn't allocated for a 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** – does not permit development which would adversely impact upon the amenity of neighbouring occupiers.

**Policy NSA12** – supports development within and adjacent to the settlement boundary in the Northern Strategy Area.

### **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 People and Places: Achieving Wellbeing through Placemaking of the policy document and that the proposal is also consistent with the following insofar as they relate to the development proposed –

Chapter 1 Managing New Development.

Chapter 3 Strategic and Spatial Choices.

Chapter 4 Active and Social Places

Chapter 5 Productive and Enterprising Places

Chapter 6 Distinctive and Natural Places.

Other policy guidance considered:

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**

The application seeks to retain and complete 3no. domestic garages and associated works located on a previously vacant plot between James Street and David Street, Cwmdare. The site is located within the settlement boundary and benefits from existing planning consent (15/0125/10) for 3no. domestic garages. As such, the principle of the development is considered acceptable subject to the below criteria:

### **Impact on the character and appearance of the area**

With regard to visual amenity, it is acknowledged that the proposed garages would form a prominent feature along Dare Road. However, they are considered to be of an acceptable domestic scale and would be of a similar design to other domestic garage blocks located across the County Borough. In addition, the scale and overall design of the proposal has not significantly changed since the previously approved scheme at the site.

Furthermore the proposed boundary treatment which consists of 1.5 metre high feather edge fencing would be consistent with its domestic setting and would be in keeping with the residential character of the surrounding area.

As such, it is considered that the proposal will not detract from the character or appearance of the area.

### **Impact on residential amenity and privacy**

It is noted that there has been a number objections received from local residents in this regard, however, it is not considered that the proposed garage block would have a significant impact upon the levels of amenity and privacy currently enjoyed by neighbouring properties.

The garages would be sited towards the north east corner of the site, set back from the highway by a minimum of 4.5 metres. Therefore, given the relationship they would have with the closest properties along both James Street and David Street, and the fact that they would be of an acceptable domestic design, scale and height, there would be no undue impact from issues such as loss of sunlight and overbearing affects.

Further objections have been raised with regard to the potential of the garages being used for commercial purposes that could result in noise and disturbance and a loss of privacy. Members are advised that the application details the garages are proposed

for domestic use for the parking of motor vehicles only. Furthermore, if permission were to be granted, a condition requiring the garages are only used for the parking of vehicles or storage for domestic purposes could be attached. It is acknowledged that domestic use could also result in some noise and disturbance from the comings and goings of users, however, it is considered the impact would not be significantly greater than the existing use of the road for access to the nearby Country Park.

It is noted the residents of Ty'n y Waun opposite the application site have commented that the use of the garages may lead to car headlights shining into their property when it is dark. However, given the fact that the property opposite is sited over 25 metres from the application site, is enclosed by a mature hedgerow, the limited domestic use of the use of the proposed garages and the proposed boundary screening, it is not considered that there would be a significant impact in this respect.

Therefore, taking this into account, it is not considered the development would result in a loss of amenity to neighbouring residents significant enough to warrant refusal of the application.

### **Highway Safety**

The Council's Transportation Section were notified during the consultation period in order to provide comments on the suitability of the application with regard to highway safety. Their comments are as follows:

The proposed is served off an adopted highway Dare Road 4.5m wide leading to the Dare Valley Country Park. There are no footways leading to the proposed plot which means pedestrians share the same surface as moving motor vehicles which is of concern. However, given there is sufficient width of carriageway for vehicles to pass pedestrians and vehicular movements at this location are limited, no highway objection is raised.

There are limited off-street car parking facilities available in the vicinity of the site leading to on-street car parking narrowing the available width of the carriageway to single file traffic to the detriment of safety of all highway users.

Access to the garages is via a 6.0m wide vehicular access which is acceptable for safe movement. However, the garage entrance door of 2.5m requires a minimum reversing width of 5.5m for the garages to be accessible by a standard family car. At present there is only a 4.5m reversing width which is not acceptable for use by a standard vehicle. The garages as part constructed on site are suitable for a small vehicle only to access / egress which would make the garages less desirable for use. However, this would not warrant a highway objection.

There is a considerable drop off from the proposed land to Dare Road which raises cause for concern. Therefore, a condition for design and detail of vehicular containment along the boundary fronting Dare Road has been suggested. Design and detail of the proposed access ramp and tie in with Dare Road will also be required in the interests of safety of all highway users and free flow of traffic.

Taking, the above into consideration, on balance, the application is considered acceptable with regard to its potential impact upon highway safety within the vicinity of the site.

### **Other issues**

A number of objectors have commented that the approval of garages on the site would set an unwanted precedent for future residential development due to the design of the proposal and that the garages benefit from water and foul connection. As detailed above, a previous application of 1no. residential dwelling was refused due to its potential impact upon the character and appearance of the locality and amenity of surrounding occupiers. Whilst the objectors concerns are acknowledged, this application seeks consent for 3 garages only and any future application for residential development would be considered and determined on its own individual merits.

### **Community Infrastructure Levy (CIL) Liability**

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

The application is for development of a kind that is not CIL liable under the CIL Regulations 2010 (as amended).

### **Conclusion**

It is not considered the proposal would have a significant impact upon the character and appearance of the locality, the residential amenity of the surrounding neighbouring properties, or upon highway safety. As such, the application is considered to comply with the relevant policies of the Local Development Plan and is recommended for approval

### **RECOMMENDATION: GRANT SUBJECT TO THE BELOW CONDITIONS:**

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason: To comply with Sections 91 and 93 of the Town and Country Planning Act 1990.

2. The development hereby approved shall be carried out in accordance with the approved plan(s) no(s):

- A.03.1 – Received 28/05/20

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. Before the garages hereby approved are brought into beneficial use, design and detail of the garage entrance apron and tie in with Dare Road shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented to the satisfaction of the LPA prior to beneficial use.

Reason: To prevent damage to the public highway, in the interests of highway safety in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

4. Before the garages are brought into beneficial use, design and detail of vehicular containment along the frontage of Dare Road shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented to the satisfaction of the LPA prior to beneficial use and remain in place thereafter.

Reason: To prevent damage to the public highway, in the interests of highway safety in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

5. The use of the garages hereby approved, shall at all times be restricted to purposes normally associated with a domestic use and no trade or business shall be carried out therein.

Reason: For the avoidance of doubt as to the extent of this consent, in the interests of the safety of all highway users in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

6. The vehicular access to the site shall be laid out, constructed and retained thereafter with 2.4m x site frontage vision splays prior to beneficial use of the garages hereby approved.

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

7. No obstruction or planting when mature, exceeding 0.9m metres in height shall be placed within the required vision splay areas.

Reason: To ensure that adequate visibility is retained, in the interests of highway safety in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

**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 AND DEVELOPMENT COMMITTEE**

**6 AUGUST 2020**

**REPORT OF: SERVICE DIRECTOR PLANNING**

**REPORT**

**APPLICATION NO: 20/0091 –  
CONSTRUCTION OF 3 NO.  
GARAGES. (AMENDED PLANS  
RECEIVED 28/05/20), LAND  
ADJACENT TO JAMES STREET,  
CWMDARE, ABERDARE**

**OFFICER TO CONTACT**

**MR J BAILEY  
01443 281132**





## RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2020-2021:

**PLANNING AND  
DEVELOPMENT COMMITTEE  
6 AUGUST 2020**

**REPORT OF: SERVICE  
DIRECTOR PLANNING**

|  | Agenda Item No. ....  |
|--|---|
|  | <b>APPLICATION NO: 20/0146 – CUSTOMER<br/>CAR PORT AND FIRST FLOOR<br/>RECEPTION AREA (AMENDED PLANS<br/>RECEIVED 29/05/2020) AT TY YSGOL<br/>BLAENCWM, HENDREWEN ROAD,<br/>BLAENCWM, TREHERBERT, CF42 5DR.</b> |

### 1. **PURPOSE OF THE REPORT**

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

### 2. **RECOMMENDATION**

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

### 3. **BACKGROUND**

This application was originally reported to the Planning and Development Committee on 16<sup>th</sup> July 2020 with an Officer recommendation of refusal (a copy of the original report is attached as **APPENDIX A**). At that meeting Members were minded to approve the application contrary to the Officer recommendation as they considered the proposed extension would not result in a detrimental impact to the character and appearance of the host building or surrounding area; or to the amenity and privacy of the neighbouring properties.

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

### 4. **PLANNING ASSESSMENT**

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

Visual Impact

It is considered the proposed extension would form a substantial addition that would not be in-keeping with or subservient to the main property and would therefore be at odds with the traditional and attractive character and appearance of the main building. It is acknowledged however that the applicant has proposed the use of appropriate external materials in an attempt to reduce any potential visual impact, and that the materials proposed would go some way to overcoming the concerns and ensuring the extension would have a connection with the host property. Therefore, it could reasonably be considered that any potential visual impact would not be so significant as to warrant refusal of the application.

### Neighbour Amenity

With a distance of approximately only 9 metres between the proposed extension and the rear gardens of the adjacent properties on Hendrewen Road and Dilys Street, it is considered that an extension with its first floor elevations consisting mainly of glazing in addition to a roof terrace at second storey level, would result a degree of direct overlooking of and a reduction in the existing levels of privacy experienced by the neighbouring properties. However, it is accepted that any potential overlooking would mainly occur to the blank side elevation of the adjacent dwelling, 37 Hendrewen Road, and that views to other surrounding properties would be oblique. Additionally, should Members be minded to approve the application, a condition could be added to any consent requiring the details of the privacy screen enclosing the terrace area to be first submitted to and approved by the LPA to ensure any potential impact is minimised. Therefore, it could reasonably be considered that any potential overlooking impact would not be so significant as to warrant refusal of the application.

### Conclusion

Whilst the application is still recommended for refusal, if, having considered the above advice, Members remain of a mind to grant planning permission, the following conditions are suggested:

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:

- Proposed Ground Floor Plan (received 29/05/2020)
- Proposed First Floor Plan (received 29/05/2020)
- Proposed Roof Plan (received 29/05/2020)
- Proposed Front Elevation (Section C-C) (received 29/05/2020)
- Proposed Side Elevation (Section A-A) (received 29/05/2020)

- Proposed Side Elevation (Section B-B) (received 29/05/2020)
  - Proposed Side Elevation (Section D-D) (received 29/05/2020)
  - Proposed Side Elevation (Section E-E) (received 29/05/2020)
  - Proposed Elevations (Page 2 of amended Plans) (received 29/05/2020)
- and documents received by the Local Planning Authority on 11/02/2020 and 29/05/2020, 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 commencement of any development on site, full details of the proposed fire escape staircase accessed via the second storey roof terrace shall be submitted to and approved in writing by the Local Planning Authority. The fire escape shall be installed in accordance with the approved details prior to beneficial use of the extension hereby approved, and shall remain in place thereafter.

Reason: To ensure the safety of occupiers of the property, in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taff Local Development Plan.

4. Prior to commencement of any development on site, full details of the proposed roof terrace enclosure shall be submitted to and approved in writing by the Local Planning Authority. The enclosure shall be installed in accordance with the approved details prior to beneficial use of the extension hereby approved, and shall remain in place thereafter.

Reason: To protect the amenities of surrounding residents and to ensure the safety of occupiers of the property, in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taff Local Development Plan.

**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

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**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.

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**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<br>Blaencwm,<br>Hendrewen Road,<br>Blaencwm,<br>Treherbert, CF42<br>5DR    | Construction of indoor<br>swimming pool.                                       | GTD | 21/04/20 |
| 15/1470 | Old School<br>Workshops,<br>Hendrewen Road,<br>Blaencwm,<br>Treherbert, CF42<br>5DR | Workshop extension<br>to existing building<br>and parking spaces.              | GTD | 19/04/16 |
| 11/1084 | Old School<br>Buildings,<br>Hendrewen Road,<br>Blaencwm,<br>Treherbert, CF42<br>5DR | Single storey<br>domestic<br>garage/hobby<br>workshop and indoor<br>pool area. | GTD | 28/10/11 |

|         |  |   |                               |                          |
|---------|--|---|-------------------------------|--------------------------|
| 10/0705 | School House,<br>Hendrewen Road,<br>Blaencwm,<br>Treherbert, CF42<br>5DR         | Change of use of<br>caravan storage area<br>to extend residential<br>curtilage of school<br>house and extend<br>curtilage of existing<br>classic car repair<br>business including a<br>single storey<br>garage/workshop<br>extension and<br>additional parking. | GTD                           | 30/09/10                 |
| 07/0773 | Ty Ysgol<br>Blaencwm,<br>Hendrewen Road,<br>Blaencwm,<br>Treherbert, CF42<br>5DR | Removal of condition<br>4 of application<br>05/0190, requiring the<br>submission of an<br>acoustic report with<br>regards to sound<br>proofing the building.  | REF<br><br>Appeal:<br><br>ALW | 28/08/07<br><br>11/06/08 |
| 06/1543 | Ty Ysgol<br>Blaencwm,<br>Hendrewen Road,<br>Blaencwm,<br>Treherbert, CF42<br>5DR | Removal of condition<br>4 of application<br>05/0190, requiring the<br>submission of an<br>acoustic report with<br>regards to the<br>soundproofing of the<br>building.   | REF                           | 07/11/06                 |
| 06/1287 | Ty Ysgol<br>Blaencwm,<br>Hendrewen Road,<br>Blaencwm,<br>Treherbert, CF42<br>5DR | Detached garage and<br>store room over.   | GTD                           | 06/10/06                 |
| 05/0190 | Ty Ysgol,<br>Hendrewen Road,<br>Blaencwm,<br>Treherbert, CF42<br>5DR             | Convert and extend<br>large outbuilding into<br>classic car workshop<br>with parking area.  | GTD                           | 22/07/05                 |
| 04/1867 | Ty Ysgol,<br>Hendrewen Road,<br>Blaencwm,<br>Treherbert, CF42<br>5DR             | Convert school yard<br>into storage area for<br>caravans.   | GTD                           | 05/04/05                 |

|         |  |   |     |            |
|---------|--|---|-----|------------|
| 04/595  | Ty Ysgol,<br>Hendrewen Road,<br>Blaencwm,<br>Treherbert, CF42<br>5DR | Convert large<br>outbuilding and part<br>of school yard into<br>motor vehicle/MOT<br>workshop, car parking<br>area and storage<br>yard, for cars and<br>caravans. | REF | 13/08/2004 |
| 01/6126 | Ty Ysgol,<br>Hendrewen Road,<br>Blaencwm,<br>Treherbert, CF42<br>5DR | Conversion of school<br>premises into a<br>dwelling and<br>demolition of large<br>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 5<sup>th</sup> 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.

**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 AND DEVELOPMENT COMMITTEE**

**6 AUGUST 2020**

**REPORT OF: SERVICE DIRECTOR PLANNING**

**REPORT**

**OFFICER TO CONTACT**

**APPLICATION NO: 20/0146 –  
CUSTOMER CAR PORT AND  
FIRST FLOOR RECEPTION AREA  
(AMENDED PLANS RECEIVED  
29/05/2020) AT TY YSGOL  
BLAENCWM, HENDREWEN ROAD,  
BLAENCWM, TREHERBERT, CF42  
5DR.**

**MR J BAILEY  
01443 281132**

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## **PLANNING & DEVELOPMENT COMMITTEE**

**6 AUGUST 2020**

### **INFORMATION FOR MEMBERS, PERTAINING TO ACTION TAKEN**

#### **UNDER DELEGATED POWERS**

#### **REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT**

##### **1. PURPOSE OF THE REPORT**

To inform Members of the following, for the period 06/07/2020 – 17/07/2020

Planning 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**

**APPEALS RECEIVED**

**APPLICATION NO:** 19/1156  
**APPEAL REF:** D/20/3253005  
**APPLICANT:** Mr K Gregory  
**DEVELOPMENT:** Raised terrace to front of Dwellinghouse  
**LOCATION:** 27 DANYCOED, YSTRAD, PENTRE, CF41 7SL  
**APPEAL RECEIVED:** 23/05/2020  
**APPEAL START DATE:** 15/07/2020

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**APPLICATION NO:** 20/0220  
**APPEAL REF:** D/20/3254513  
**APPLICANT:** Mr D Rowley  
**DEVELOPMENT:** Vehicle access.  
**LOCATION:** 26 RAYMOND TERRACE, TREForest, PONTYPRIDD, CF37 1ST  
**APPEAL RECEIVED:** 06/07/2020  
**APPEAL START DATE:** 06/07/2020

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**APPLICATION NO:** 20/0229  
**APPEAL REF:** D/20/3254774  
**APPLICANT:** Mr D Turner  
**DEVELOPMENT:** Detached double garage (retrospective).  
**LOCATION:** 2 YNYSMAERDY TERRACE, YNYSMAERDY, LLANTRISANT, PONTYCLUN, CF72 8LG  
**APPEAL RECEIVED:** 09/07/2020  
**APPEAL START DATE:** 09/07/2020

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**Report for Development Control Planning Committee**

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**Aberdare West/Llwydcoed**

**20/0260/19** Decision Date: 07/07/2020  
**Proposal:** Removal of oak tree (T3) (Tree report received 28/05/2020).

**Location:** SWN YR AFON, CWMYNYSMINTON ROAD, LLWYDCOED, ABERDARE, CF44 0UP

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**Aberdare East**

**20/0370/10** Decision Date: 07/07/2020  
**Proposal:** Proposed two storey extension at rear.

**Location:** 10 UNITY STREET, ABERDARE, CF44 7PN

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**Penrhiwceiber**

**20/0372/10** Decision Date: 16/07/2020  
**Proposal:** Proposed single storey extension.

**Location:** BRYN HERMON, PENYBRYN ROAD, PENRHIWCEIBER, MOUNTAIN ASH, CF45 3SJ

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**Abercynon**

**20/0323/10** Decision Date: 14/07/2020  
**Proposal:** Single storey rear extension with terrace.

**Location:** FARMHOUSE, PEN Y PARC FARM, ROAD TO PENTWYN UCHAF FARM, YNYSYBWL, PONTYPRIDD, CF37 3NA

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**Aberaman North**

**20/0443/10** Decision Date: 07/07/2020  
**Proposal:** Proposed extension to rear at first floor over existing lean to extension.

**Location:** 98 CARDIFF ROAD, ABERAMAN, ABERDARE, CF44 6TR

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**20/0484/10** Decision Date: 16/07/2020  
**Proposal:** Rear first floor extension.

**Location:** 81 BROOK STREET, ABERAMAN, ABERDARE, CF44 6YD

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**Report for Development Control Planning Committee**

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**Aberaman South**

**20/0471/10** Decision Date: 09/07/2020  
**Proposal:** Proposed change of use and conversion of ground floor shop and first floor flat to a 3 bedroom dwelling.  
**Location:** 98 JOHN STREET, ABERCWMBOI, ABERDARE, CF44 6BN

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**20/0547/09** Decision Date: 16/07/2020  
**Proposal:** Certificate of lawful development for the insertion of rooflights to the front and rear elevations.  
**Location:** FIELD VIEW, 34 PARC ABERAMAN, ABERAMAN, ABERDARE, CF44 6EY

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**Treorchy**

**20/0356/10** Decision Date: 10/07/2020  
**Proposal:** Ground floor rear extension.  
**Location:** 13 HERBERT STREET, TREORCHY, CF42 6AW

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**Pentre**

**20/0455/10** Decision Date: 17/07/2020  
**Proposal:** Two-storey rear extension.  
**Location:** 9 TON ROW, TON PENTRE, PENTRE, CF41 7AN

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**Trealaw**

**20/0461/10** Decision Date: 16/07/2020  
**Proposal:** First floor rear extension.  
**Location:** 27 CHARLES STREET, TREALAW, TONYPANDY, CF40 2UN

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**Ynyshir**

**20/0041/10** Decision Date: 06/07/2020  
**Proposal:** Proposed garage.  
**Location:** LAND OPPOSITE 44, 45 & 46 STANDARD VIEW TO YNYSHIR ROAD, WATTSTOWN, PORTH

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**Tylorstown**

**20/0304/10** Decision Date: 16/07/2020  
**Proposal:** Proposed erection of a detached garage and change of use of land to extend garden curtilage.  
**Location:** LAND ADJOINING 11 MARGARET STREET, PONTYGWAITH, FERNDAL, CF43 3EH

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**Report for Development Control Planning Committee**

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**Ferndale**

**20/0338/10**

Decision Date: 15/07/2020

**Proposal:** Retention of stable block and proposed footpath from highway to the stable block.

**Location:** LAND OPPOSITE 28 LONG ROW, BLAENLLECHAU, FERNDAL, CF43 4NP

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**Report for Development Control Planning Committee**

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**Cilfynydd**

**20/0330/10** Decision Date: 09/07/2020  
**Proposal:** Two storey rear and side extension.  
**Location:** 40 BRYNDERWEN, CILFYNYDD, PONTYPRIDD, CF37 4EX

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**Rhondda**

**20/0439/09** Decision Date: 14/07/2020  
**Proposal:** Loft conversion with rear flat roof dormer and front roof light.  
**Location:** 57 MOUND ROAD, MAESYCOED, PONTYPRIDD, CF37 1EF

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**Treforest**

**20/0332/10** Decision Date: 16/07/2020  
**Proposal:** Single storey garden room.  
**Location:** 13 PRINCESS STREET, TREForest, PONTYPRIDD, CF37 1RY

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**Hawthorn**

**20/0277/10** Decision Date: 13/07/2020  
**Proposal:** Two storey side and rear extensions.  
**Location:** 96 YNYSLYN ROAD, RHYDYFELIN, PONTYPRIDD, CF37 5AR

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**20/0478/10** Decision Date: 09/07/2020  
**Proposal:** Single storey rear extension.  
**Location:** 42 EBENEZER STREET, RHYDYFELIN, PONTYPRIDD, CF37 5PB

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**Ffynon Taf**

**19/0965/19** Decision Date: 17/07/2020  
**Proposal:** Removal of 1 no. Sycamore tree at the side of property.  
**Location:** 22 PARC-Y-NANT, NANTGARW, TAFFS WELL, CARDIFF, CF15 7TJ

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**20/0495/19** Decision Date: 07/07/2020  
**Proposal:** Reduction in height of Oak (T1) by 2 metres, shaping of crown to 2 metres on northwestern side, crown raise over patio to 5 metres.  
**Location:** 181 RHIW'R DDAR, TAFFS WELL, CF15 7PD

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**Report for Development Control Planning Committee**

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**Llantwit Fardre**

**20/0216/10** Decision Date: 15/07/2020

**Proposal:** Single-storey glass canopy to the rear.

**Location:** 10 MALUS AVENUE, LLANTWIT FARDRE, PONTYPRIDD, CF38 2PZ

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**20/0435/10** Decision Date: 16/07/2020

**Proposal:** Two storey side extension and single storey rear extension.

**Location:** ESTAYNES, LLANTRISANT ROAD, LLANTWIT FARDRE, PONTYPRIDD, CF38 2EH

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**Church Village**

**20/0334/10** Decision Date: 09/07/2020

**Proposal:** Replacement Dwelling

**Location:** TY'R PERSON FARM, MAENDY ROAD, UPPER CHURCH VILLAGE, PONTYPRIDD, CF38 1EF

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**Tonteg**

**20/0177/10** Decision Date: 09/07/2020

**Proposal:** Two storey side extension and single storey front extension.

**Location:** 100 CHURCH ROAD, TONTEG, PONTYPRIDD, CF38 1EW

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**Tonyrefail West**

**20/0450/10** Decision Date: 13/07/2020

**Proposal:** Single storey rear extensions and construction of raised hardstanding to front of property.

**Location:** 5 GELLI-DEG, THOMASTOWN, TONYREFAIL, PORTH, CF39 8DQ

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**Ty'n y Nant**

**20/0413/10** Decision Date: 08/07/2020

**Proposal:** Construction of a garage to side of property.

**Location:** 61 WOODLAND ROAD, BEDDAU, PONTYPRIDD, CF38 2DG

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**Town (Llantrisant)**

**20/0456/10** Decision Date: 16/07/2020

**Proposal:** Demolition of existing side garage and construction of a single storey side extension.

**Location:** 38 SUMMERFIELD DRIVE, LLANTRISANT, PONTYCLUN, CF72 8QF

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**Report for Development Control Planning Committee**

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**Pontyclun**

**18/1199/10**

Decision Date: 13/07/2020

**Proposal:**

Change of use from cricket pavilion to residential dwelling (amended plans received 28/11/2019).

**Location:**

PAVILION, COWBRIDGE ROAD, TALYGARN, PONTYCLUN

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**Llanharan**

**20/0497/10**

Decision Date: 07/07/2020

**Proposal:**

Extending the existing veranda to the side (retrospective).

**Location:**

PRENDY, 10 OAKMEAD ROAD, LLANHARAN, PONTYCLUN, CF72 9FB

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**20/0564/30**

Decision Date: 15/07/2020

**Proposal:**

Prior approval for agricultural hay and straw storage building (Relating to prior notification ref 20/0382/30).

**Location:**

WHITEHALL FARM, LLANHARRY ROAD, LLANHARAN, PONTYCLUN, CF72 9NH

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Total Number of Delegated decisions is 31

**Aberdare West/Llwydcoed**

**20/0410/13** Decision Date: 15/07/2020

**Proposal:** Outline planning for residential development off a private drive (re-submission of 20/0132/13).(Amended Ecology Survey rec. 11/06/2020)

**Location:** SWN YR AFON, CWMYNYSMINTON ROAD, LLWYDCOED, ABERDARE, CF44 0UP

**Reason: 1** The proposal, by virtue of its scale, form and design, would be out of context with the local area. It would therefore have a detrimental impact upon the character and appearance of the site and surrounding area and would not comply with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

**Reason: 2** The proposal, by virtue of its scale, form and design, would result in overdevelopment of the plot which would detrimentally impact upon the residential amenity of the adjacent neighbouring property. Furthermore, the application does not include site levels to enable a full assessment of this impact. The proposal would therefore not comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

**Reason: 3** Insufficient information has been received to fully assess the impact of the proposed development on protected trees within and adjacent to the site. The proposal therefore does not comply with Policy AW8 of the Rhondda Cynon Taf Local Development Plan and Technical Advice Note 10: Tree Preservation Orders.

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**Mountain Ash East**

**20/0498/19** Decision Date: 14/07/2020

**Proposal:** Removal of 3no. Oak Trees (T1, T2, T3). Planting of 3no. replacement Oak Trees on site and to open land to north-west.

**Location:** PLOT 3, NEW DEVELOPMENT, TREM Y DYFFRYN, MOUNTAIN ASH, CF45 4AQ

**Reason: 1** The Oak Trees (T1, T2 and T3) are not considered imminently dangerous and therefore their removal would not be reasonable or appropriate. Consequently, the application is contrary to Policy AW 8 of the Rhondda Cynon Taf Local Development Plan and Planning Policy Wales Technical Advice Note (TAN) 10.

**Reason: 2** Insufficient information has been submitted to enable a full assessment of the impact of the proposal on European Protected Species. As such the application would be contrary to Policy AW 8 of the Rhondda Cynon Taf Local Development Plan.

**Reason: 3** The removal of the Oak Trees (T1, T2, T3) would be detrimental to the appearance of the site and surrounding area, through the reduction in local amenity that the loss of the trees would bring. In addition, it would result in a reduction of the wider designated area. Consequently, the application is considered not to comply with TAN 10 of Planning Policy Wales or Policies AW6 and AW8 of the Rhondda Cynon Taf Local Development Plan.

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Report for Development Control Planning Committee

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**Aberaman South**

20/0396/10 Decision Date: 07/07/2020

**Proposal:** Two storey extension to the front of the property.

**Location:** 1 FORGE ROW, ABERAMAN, ABERDARE, CF44 6DR

**Reason: 1** It is considered that the proposed extension, by virtue of its scale, massing and siting, would represent a visually incongruous form of development which would have a detrimental impact upon the character and appearance of the host dwelling and surrounding locality. The proposal is therefore contrary to the relevant policies of the Local Development Plan (AW5 and AW6) and Supplementary Planning Guidance: A Design Guide for Householder Development.

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**Rhydyfelin Central**

20/0314/10 Decision Date: 07/07/2020

**Proposal:** Construction of 2 Bedroom Bungalow/Annex to rear of property with off road parking for two vehicles.

**Location:** 18 DYFFRYN GARDENS, RHYDYFELIN, PONTYPRIDD, CF37 5SA

**Reason: 1** The proposed dwelling, by virtue of its siting, scale, design and subsequent sub-division of the plot would result in a detrimental visual impact on the character and appearance of the site and surrounding area. As such, the development would be contrary to Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

**Reason: 2** The proposed dwelling and associated parking area, by virtue of their siting and scale, would be detrimental to the amenity of neighbouring occupiers. As such, the development would be contrary to Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

**Reason: 3** The proposed access to the developments off-street parking area would result in the creation of traffic hazards to the detriment of highway safety and the free flow of traffic. As such, the development would be contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan and also the Council's Supplementary Planning Guidance relating to Access, Parking and Circulation Requirements.

**Reason: 4** The proposed development would result in the creation of on-street parking demand to the detriment of highway safety and the free flow of traffic. As such, the development would be contrary to Policy AW5 and SSA13 of the Rhondda Cynon Taf Local Development Plan and also the Council's Supplementary Planning Guidance relating to Access, Parking and Circulation Requirements.

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Total Number of Delegated decisions is 4