



**CYNGOR BWRDEISTREF SIROL
RHONDDA CYNON TAF
COUNTY BOROUGH COUNCIL**

COMMITTEE SUMMONS

C Hanagan
Service Director of Democratic Services & Communication
Rhondda Cynon Taf County Borough Council
The Pavilions
Cambrian Park
Clydach Vale CF40 2XX

Meeting Contact: Jess Daniel - Council Business Unit, Democratic Services (01443 424110)

A virtual meeting of the **PLANNING AND DEVELOPMENT COMMITTEE** will be held on **THURSDAY, 17TH SEPTEMBER, 2020** at **3.00 PM**.

NON-COMMITTEE MEMBERS AND MEMBERS OF THE PUBLIC MAY REQUEST THE FACILITY TO ADDRESS THE COMMITTEE AT THEIR MEETING ON THE BUSINESS LISTED. IT IS KINDLY ASKED THAT SUCH NOTIFICATION IS MADE TO **PLANNINGSERVICES@RCTCBC.GOV.UK** BY 5PM ON TUESDAY, 15 SEPTEMBER 2020, INCLUDING STIPULATING WHETHER THE ADDRESS WILL BE IN WELSH OR ENGLISH.

THE ORDER OF THE AGENDA MAY BE SUBJECT TO AMENDMENT TO BEST FACILITATE THE BUSINESS OF THE COMMITTEE

AGENDA

1. DECLARATION OF INTEREST

To receive disclosures of personal interest from Members in accordance with the Code of Conduct.

Note:

1. Members are requested to identify the item number and subject matter that their interest relates to and signify the nature of the personal interest; and
2. Where Members withdraw from a meeting as a consequence of the disclosure of a prejudicial interest they **must** notify the Chairman when they leave.

2. HUMAN RIGHTS ACT 1998 AND DEVELOPMENT CONTROL DECISIONS

To note, that when Committee Members determine the development control matters before them, they should have regard to the Development Plan and, so far as material to applications, to any other material considerations and when taking decisions, Members have to ensure they do not act in a manner that is incompatible with the Convention on Human Rights as incorporated into legislation by the Human Rights Act 1998.

3. WELLBEING OF FUTURE GENERATIONS (WALES) ACT 2015

To note that the Wellbeing of Future Generations (Wales) Act 2015 imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle and to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

4. MINUTES

To approve as an accurate record, the minutes of the meeting of the Planning and Development Committee held on 6th August 2020.

5 - 8

APPLICATIONS RECOMMENDED FOR APPROVAL BY THE DIRECTOR OF PROSPERITY & DEVELOPMENT

5. APPLICATION: 20/0201

Conversion and extension of Llantwit House to provide 8 no. self-contained flats, parking and associated works (Bat Survey Rec 16/07/2020), Llantwit House Hotel, Llantrisant Road, Llantwit Fardre, Pontypridd.

9 - 24

6. APPLICATION: 20/0433

Re-submission to use a property for a single occupancy care home with a young person in supported living, with all staff and support workers on waking shifts, 9 Avondale Road, Gelli, Pentre.

25 - 34

7. APPLICATION: 20/0631

Renewable energy scheme using a heat recovery system to provide heating to Fynnon Taf Primary School and the Pavilion, Taffs Wellspring Heat Network, Cardiff.

35 - 42

8. APPLICATION: 20/0680

6 glamping pods with infrastructure and improvements and repairs to existing barn (additional information rec. 17/08/2020)(Amended Plan Received 25/08/2020), Blaennantygroes Farm, Blaennantygroes Road, Cwmbach, Aberdare.

43 – 54

DEFERRED APPLICATIONS

9. APPLICATION: 18/0880/10

Change of use of first and second floors of property from former snooker hall (Class D2) to 22 no. self-contained residential student flats (Sui Generis) and associated works (Amended description received 03/10/2016) (Listed Building Consent). (Amended Heritage Impact Assessment Received 12/07/2019). 1 Fothergill Street, Treforest, Pontypridd, CF37 1SG.

55 - 68

10. APPLICATION: 18/0886

Change of use of first and second floors of property from former snooker hall (Class D2) to 22 no. self-contained residential student flats (Sui Generis) and associated works. 1 Fothergill Street, Treforest, Pontypridd, CF37 1SG.

69 - 116

11. APPLICATION: 18/1291/10

Change of use of site to storage yard of steel storage containers (amended details, including enlarged site area, lighting details and hours of operation received 26/11/2019). Land adjacent to Glynfach Road, Glynfach, Porth.

117 - 132

INFORMATION REPORT

12. INFORMATION FOR MEMBERS, PERTAINING TO ACTION TAKEN UNDER DELEGATED POWERS

To inform Members of the following, for the period 24/08/2020 – 04/09/2020:

Planning and Enforcement Appeals Decisions Received; and Delegated Decisions Approvals and Refusals with reasons.

133 - 144

13. URGENT BUSINESS

To consider any items which the Chairman by reason of special circumstances is of the opinion should be considered at the Meeting as a matter of urgency.

Service Director of Democratic Services & Communication

Circulation:-

Members of the Planning & Development Committee

The Chair and Vice-Chair of the Planning & Development Committee
(County Borough Councillor S Rees and County Borough Councillor G Caple respectively)

County Borough Councillors: Councillor J Bonetto, Councillor P Jarman,
Councillor D Grehan, Councillor G Hughes, Councillor J Williams, Councillor W Owen,
Councillor R Yeo, Councillor D Williams and Councillor S Powderhill

Service Director of Democratic Services & Communication
Director of Prosperity & Development
Head of Major Development and Investment
Head of Planning
Highways Development Control Manager
Head of Legal Services



RHONDDA CYNON TAF COUNCIL PLANNING AND DEVELOPMENT COMMITTEE
Minutes of the virtual meeting of the Planning and Development Committee held on Thursday, 6 August 2020 at 3.00 pm.

County Borough Councillors - Planning and Development Committee Members in attendance:-

Councillor S Rees (Chair)

Councillor G Caple	Councillor J Bonetto
Councillor P Jarman	Councillor D Grehan
Councillor G Hughes	Councillor J Williams
Councillor W Owen	Councillor R Yeo
Councillor D Williams	Councillor S Powderhill

Officers in attendance:-

Mr C Jones, Head of Major Development and Investment
Mr S Zeinali, Highways Development Control Manager
Mr S Humphreys, Head of Legal Services

County Borough Councillors in attendance:-

Councillor R Bevan, Councillor G Davies, Councillor W Jones, Councillor M Powell and Councillor S. Rees-Owen

256 DECLARATION OF INTEREST

In accordance with the Code of Conduct, County Borough Councillor S Rees declared a personal interest in respect of Application No: 20/0091 - Construction of 3 no. Garages. (Amended Plans received 28/05/20)
LAND ADJACENT TO JAMES STREET, CWMDARE, ABERDARE
"The applicant is known to me through my role as a councillor."

257 HUMAN RIGHTS ACT 1998 AND DEVELOPMENT CONTROL DECISIONS

It was **RESOLVED** to note that when Committee Members determine the development control matters before them, they should have regard to the Development Plan and, so far as material to applications, to any other material considerations and when taking decisions, Members have to ensure they do not act in a manner that is incompatible with the convention on Human Rights as incorporated into legislation by the Human Rights Act 1998.

258 WELLBEING OF FUTURE GENERATIONS (WALES) ACT 2015

It was **RESOLVED** to note that the Wellbeing of Future Generations (Wales) Act 2015 imposes a duty on public bodies to carry out sustainable development

in accordance with the sustainable development principle and to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

259 MINUTES

It was **RESOLVED** to approve as an accurate record, the minutes of the meeting of the Planning and Development Committee held on the 2nd July 2020.

260 CHANGE TO THE ORDER OF THE AGENDA

The Committee agreed that the agenda would be considered out of sequence and as detailed in the minutes set out hereunder.

261 APPLICATION NO: 20/0491

**Change of use from dwelling to a post office and re-location of ATM (amended description received 08/06/20).
27 CHURCH ROAD, TON PENTRE, PENTRE, CF41 7EB**

In accordance with adopted procedures, the Committee received Mr Marc Morgan (Applicant) who was afforded five minutes to address Members on the abovementioned proposal.

Non-Committee/ Local Member – County Borough Councillor S Rees-Owen spoke on the application and put forward her support in respect of the proposed Development.

The Head of Major Development and Investment informed Members of the details of a petition received in support of the application and read the contents of 3 written submissions from the following:

- Non-Committee/ Local Member – M Weaver
- Mr B McGrath (Objector)
- Mr R Morgan (Supporter)

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

(Note: In accordance with the Code of Conduct, the following County Borough Councillors declared a personal interest in this matter:

- G Hughes “A member of public who submitted a written representation is known to me”
- R Yeo A member of public who submitted a written representation is known to me“)

262 APPLICATION NO: 20/0404

**Virgin Media Telecommunications Cabinet.
1 THE PARADE, PONTYPRIDD, CF37 4PU**

Non-Committee/ Local Member – County Borough Councillor M Powell spoke on the application and put forward his concerns in respect of the proposed Development.

The Head Of Major Development & Investment presented the application to Committee and the Highways Development Control Manager provided Members with information regarding the position of the proposed cabinet in relation to the footpath.

Following consideration by Members it was **RESOLVED** to defer the Application for a Site Inspection to be undertaken by the Planning and Development Committee to consider the impact of the proposed development on highways safety.

263 APPLICATION NO: 20/0479

**New access and car park to rear (12 parking spaces)
LLANMOOR DEVELOPMENT CO LTD, 63-65 TALBOT ROAD, TALBOT
GREEN, PONTYCLUN, CF72 8AE**

The Head of Major Planning & Investment read out the contents of 3 written submissions from the following:

- Mr D Kelly (Objector)
- Ms C Hall (Objector)
- Mr & Mrs McCann (Objector)

The Head of Major Planning & Investment presented the application to Committee and informed Members that should they be minded to approve the application the following amendments to conditions listed in the report be agreed:

- Removal of condition 6
- Amendment to condition 2 to include planning reference 1013-03.

Following consideration it was **RESOLVED** to approve the application in accordance with the recommendation of the Service Director Planning subject to the amendment of conditions outlined above.

264 APPLICATION NO: 20/0091

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

The Head of Major Development & Investment presented the application which was originally reported to Committee on 2nd July 2020 with a recommendation for approval but Members were minded to refuse the application, contrary to the officer recommendation of the Service Director, Planning.

Members gave consideration to the further report, highlighting the potential strengths and weaknesses of approving contrary to officer recommendation and following discussions, it was **RESOLVED** to refuse the application contrary to the recommendation of the Service Director, Planning for the reason set out in the updated report.

265 APPLICATION NO: 20/0146

Customer Car Port and first floor reception area (Amended plans received 29/05/2020)

TY YSGOL BLAENCWM, HENDREWEN ROAD, BLAENCWM, TREHERBERT, CF42 5DR.

Non-Committee/ Local Members – County Borough Councillors G Davies and W Jones spoke on the application and put forward their support in respect of the proposed Development.

The Development Control Manager presented the application which was originally reported to Committee on 16th July 2020 with a recommendation for refusal but Members were minded to approve the application, contrary to the recommendation of the Service Director, Planning.

Members gave consideration to the further report, highlighting the potential strengths and weaknesses of approving contrary to officer recommendation and following discussions, it was **RESOLVED** to approve the application contrary to the recommendation of the Service Director, Planning subject to the four conditions set out in the updated report 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.

(Note: At this point in proceedings in accordance with the Code of Conduct, County Borough Councillor G Caple declared a personal interest in respect of Application No: 20/0491 Change of use from dwelling to a post office and re-location of ATM (amended description received 08/06/2020.

27 CHURCH ROAD, TON PENTRE, PENTRE, CF41 7EB

“A member of public who submitted a written representation is known to me”)

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

Members **RESOLVED** to receive the report of the Service Director, Planning in relation to Planning and Enforcement Appeal Decisions received, Delegated Decisions Approvals and Refusals with reasons, Overview of Enforcement Cases and Enforcement Delegated Decisions received for the period 06/07/2020 – 17/07/2020.

This meeting closed at 3.45 pm

**CLLR S REES
CHAIR.**

PLANNING & DEVELOPMENT COMMITTEE

17 SEPTEMBER 2020

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 20/0201/10 (KL)
APPLICANT: M Hope Capital Ltd
DEVELOPMENT: Conversion and extension of Llantwit House to provide 8 no. self-contained flats, parking and associated works (Bat Survey Rec 16/07/2020).
LOCATION: LLANTWIT HOUSE HOTEL, LLANTRISANT ROAD, LLANTWIT FARDRE, PONTYPRIDD,
DATE REGISTERED: 27/02/2020
ELECTORAL DIVISION: Llantwit Fardre

RECOMMENDATION: APPROVE

REASONS:

The development would enable the beneficial re-use of a predominantly redundant building that is located in a sustainable location. The site is in close proximity to a range of services and shops within Llantwit Fardre and the surrounding area and has access to bus services to the immediate and wider area.

Furthermore, in addition to its contribution to the regeneration of the local area, the refurbished building would result in an improvement to the appearance of the street scene, whilst providing a mix of additional housing units.

REASON APPLICATION REPORTED TO COMMITTEE:

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

APPLICATION DETAILS

Full planning permission is sought for the conversion and extension of Llantwit House to provide 8 no. self-contained flats, off-street car parking and associated works.

The proposal would include the construction of a part-width, three-storey extension to the rear elevation which would measure 5.9 metres in width by 3 metres in depth with a mono-pitch roof design which would measure a maximum of 9.1 metres in height (8.1 metres to the eaves). All materials proposed would match the existing building.

The extended building would provide a total of 8 self-contained flats which would be arranged over 4 floors:

- Lower Ground Floor (basement) – 2 no. 1 bed flats;
- Ground Floor – 1 no. 2 bed flat;
- First Floor – 1 no. 2 bed flat & 2 no. 1 bed flats;
- Second Floor (roof space) – 2 no. 1 bed flats.

The 6 flats at ground, first and second floor would be accessed via a communal entrance at the front of the building (onto Llantrisant Road). The 2 flats at lower ground floor would have separate entrances onto the proposed parking area at the rear.

The proposal includes the provision of 7 off-street car parking spaces at the rear of the building. These would be accessed via an existing lane off Crown Hill to the west. An external bin store would be provided to the side of the building.

Details submitted with the application indicate that the existing takeaway (Use Class A3) unit would be retained at ground floor.

SITE APPRAISAL

The application site relates to a large, detached building that is located on Llantrisant Road, the main road through the village of Llantwit Fardre. The building has a frontage directly onto the footway to the north but also benefits from a secondary access at the rear which is accessed via an un-made lane off Crown Hill to the west. An existing Indian takeaway occupies part of the ground floor of the building whilst the remainder of the building is used for residential (basement flat and 5 no. bedsits) and storage purposes.

The surrounding area is predominantly residential in character however, there are a number of commercial units in the vicinity. The site is bound by existing residential properties to the east, west and south with further residential properties and a Public House (The Crown) being located on the opposite side of the road to the north.

PLANNING HISTORY

Previous relevant applications that have been made on this site are as follows:

12/0206	Shaz's Indian Takeaway, Bryn House,	Extension of A3 takeaway into adjoining shop	Refused	20/11/2012
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Llantrisant
Road, Llantwit
Fardre

07/0263	Llantwit House, Main Road, Church Village, Pontypridd, CF38 1RN	Change of use from photographers to hairdressing salon (Class A1)	Granted	14/05/07
04/1537	Llantwit House, Main Road, Church Village, Pontypridd, CF38 1RN	Change of Use from Cheers Off Licence to A3. Use - Hot Food Takeaway.	Refused Appeal: Dismissed	18/11/04 05/05/05
94/0721	Charlotte's Restaurant, Llantwit House, Llantrisant Road, Llantwit Fardre, Pontypridd.	Change of Use from Class A1 Use to Class 3 Hot Food Use.	Granted	14/12/94
78/0801	Llantwit House, Main Road, Church Village, Pontypridd, CF38 1RN	Parking touring caravan at rear of house on garage hardstanding	Refused	26/07/78
78/0017	Llantwit House, Main Road, Church Village, Pontypridd, CF38 1RN	Change of use of ground floor from empty café to insurance broker and building society	Granted	18/07/78

PUBLICITY

The application has been advertised by means of direct neighbour notification and through the erection of site notices in the vicinity of the site. A total of 3 letters of objection have been received in relation to the proposal and are summarised as follows:

Highways

- This property is down a very narrow lane and parking is already an ongoing problem;
- Inadequacy of the lane and increase of traffic – it is in constant use to my garage and access is required by the electricity board to the adjacent sub-station;
- Extra vehicles will cause people to drive in and reverse out onto a very busy road and dangerous junction, causing an impact on road safety;
- It will be a problem for Emergency vehicles to access the lane;
- There is insufficient parking for 8 vehicles and they will be forced to park on the public highway. There is insufficient parking for existing residents;
- The car-parking spaces are located at the rear and at basement level whilst the main entrance to the property is off the main road at ground floor level – nobody will park in the car park and walk around to the front of the property. They will just park on the main road and take up essential parking spaces of the people of Llest Terrace;
- The plan is for 8 residences and only 7 spaces provided;
- The increase of 2 residential units will have a major effect of the car parking in the immediate area;
- There are no available spaces along Llantrisant Road and Crown Hill;
- All residents should be clearly informed that their parking is at the rear, not on Llantrisant Road;

Amenity and Privacy

- The flats will overlook our property and impact on our privacy;
- The scale of the works will impact other residents and houses;
- There will be disturbance from extra noise with construction etc.;
- The design and construction of these flats will cause major incidents going forward – the building already has history with anti-social behaviour with police visits and overall disturbance in the area;
- Concern with the number of flats proposed;
- We have had serious issues with short-term occupancy and undesirable people (i.e. newly released criminals, paedophiles, violent individuals) – this is not the type of people we want moving into the locality and the term bedsit implies that this will be the case;

General Concerns

- There is an existing watercourse running through a culvert right through the side driveway – if this was damaged during construction, this would cause serious flooding;
- The water culvert needs to be protected throughout the process to ensure no flooding;
- The plans indicate that the area to the side of the building will be fenced off with a narrow gate. We will object to any bins being stored on the roadside;

- There is very little space for the number of bins necessary for 8 new flats plus the existing takeaway;
- How will the existing trade waste be separated from the increased volume of the 8 new residences?
- No one has consulted the immediate neighbours- we have waited a long time for something to be done about this former hotel, hostel, home for former criminals and paedophiles, drug growing farm and, more recently, an empty decaying bird and rat infested liability;
- We are in full agreement that the property should be refurbished to private dwellings, not short-term rentals;
- A maximum of 6 new units should be considered, not 8;
- Bin storage for the takeaway must be included in the new residents bin storage area and fenced off for protection;
- Details of the external façade, including roof coverings, should be provided.

CONSULTATION

Ecology – No objection, subject to condition to secure bird and bat box requirements.

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

Highways and Transportation – No objection, subject to conditions relating to the laying out of the access and parking facilities prior to the development being brought into use and a scheme for secure cycle stands (8no.) to be submitted for consideration.

Housing Strategy – It is recommended that 1 no. 2 bedroom flat be secured for low cost home ownership (market standard)

Natural Resources Wales – No objection

Streetcare – Waste collection will be from the main road (Llantrisant Road)

The Coal Authority – No objection or condition suggested

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

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

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

Core Policies

Policy CS2 – emphasis on sustainable growth that benefits Rhondda Cynon Taf as a whole by focusing development within defined settlement boundaries and promoting the reuse of under used and previously developed land and buildings.

Policy CS4 & CS5 – concerned with meeting the housing requirement of 14,385 dwellings over the plan period, including the provision of affordable housing.

Area Wide Policies

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

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

Policy AW4 – sets out what planning obligations may be sought, including affordable housing.

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

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

Policy AW8 – seeks to preserve and enhance the natural environment, including protected and priority species. This policy will only apply should option 3 (including the demolition of a bungalow) be pursued.

Policy AW10 – sets out criteria for environmental protection and public health.

Southern Strategy Policies

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

Policy SSA12 – requires 20% affordable housing in the Southern Strategy Area on developments of 5 or more units.

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

Supplementary Planning Guidance

Access, Circulation and Parking

Affordable Housing

Design and Placemaking

Development of Flats

Planning Obligations

Nature Conservation

National Guidance

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

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

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

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

Chapter 1 Managing New Development

Chapter 2 Maximising Well-Being and Sustainable Places through Placemaking

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

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

Other relevant 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

Policies CS2, AW1, AW2 and SSA13 all support residential development within sustainable locations with Policy AW2 defining a sustainable location as a site that is located within defined settlement boundary, has good accessibility by a range of sustainable transport options and has good access to key services and facilities. It also requires proposed developments to be compatible with surrounding land uses.

The application site is located inside the defined settlement boundary for Llantwit Fardre and within an area which is predominantly residential in character. There are a number of amenities located in the vicinity and the towns of Pontypridd and Llantrisant/Talbot Green are accessible by local bus services that run along Llantrisant Road.

Policy AW1 further supports residential development through the conversion of suitable structures whilst Policy CS2 promotes the reuse of underused and previously developed land and buildings. The building is currently in a poor state of repair and does not make a positive contribution to the surrounding streetscape however, it is noted that it has previously been in residential use which would suggest that the building is a suitable structure for the provision of residential units.

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

Impact on the character and appearance of the area

The overall visual appearance of the main building would remain unchanged in terms of its scale and design, although a small-scale extension would be constructed at the rear. The proposed extension would replace an existing extension in this location and whilst it would be of a slightly greater scale (2.5 metres wider, 0.5 metres deeper and 1.8 metres higher), it would be sympathetic and subservient to the scale of the existing building. Furthermore, details submitted with the application indicate that the extension would be finished with materials to match the existing building and, as such, it is not considered that the extension would adversely impact upon the character and appearance of the site or the surrounding area.

As detailed above, the site is currently in a poor state of repair and does not positively contribute to the visual appearance of the area. It is therefore considered that the development would provide an opportunity to improve the appearance of the building and subsequently the wider street scene.

Taking the above into consideration, the proposal would comply with Policies AW5 (criterion 1.a) and AW6 (criterion 1, 2 & 3) of the Rhondda Cynon Taf Local Development Plan.

Residential amenity and privacy

The proposal would result in the conversion of an existing building to 8 no. self-contained flats. With the exception of a replacement extension being constructed at the rear and the blocking up of a side entrance door on the eastern elevation, the majority of the works would involve internal alterations which would not impact upon surrounding residents.

The proposed extension, whilst larger than the extension currently in place, would be sufficiently set in from the side and rear boundaries and would not result in any overshadowing or loss of outlook that would be detrimental to the amenity currently enjoyed by existing residents.

One letter of objection has been received which raises concern that the proposal would result in overlooking towards the property at the rear of the site ('Langham'). This issue is acknowledged and noted, particularly as the proposed extension would incorporate windows in the rear elevation that would face towards that property. However, the building has previously been in residential use and the applicant's fall-back position is to retain the existing extension, which already has windows in the rear elevation, and re-furbish the building to be used as it previously has been. Whilst the extension projects 0.5 metres further than the existing extension and includes additional windows, it is not considered that the overlooking impact would be significantly greater or indeed any more detrimental than what could be experienced through the fall-back position.

Further objections have highlighted previous problems at the site with anti-social behaviour which has been detrimental to the amenity of the surrounding area and whilst these issues are appreciated, neither the behaviour of the likely future occupiers nor the tenure of the accommodation can be considered as relevant to planning.

In terms of the amenity of any future occupiers of the flats, SPG: Development of Flats requires flats to provide an acceptable quality of accommodation. It states that flats should be of suitable size and habitable rooms should have a reasonable outlook and level of natural daylighting and ventilation. It also states that flats are unlikely to be acceptable where they are located solely in basements, where habitable rooms would only have rooflight windows, or where they are accessed solely from the rear of the building.

It is noted that the proposal includes 2 flats within the basement, which is of concern. However, taking into account that there is an existing flat within the basement and that the fall-back position in this case would be to refurbish the existing flat and extend its footprint across the full width of the building, this concern is not considered to be so significant as to warrant the refusal of the application in this regard.

There is also some concern with regard to the quality of the accommodation proposed within the roof space, particularly due to the modest floor space/head heights and the

provision of predominantly roof light windows. However, whilst modest, the flats would provide sufficient living space for potential occupiers to undertake typical day to day tasks. These flats would also be predominantly served by rooflights, with the exception of a single window in each of the main living areas (new window openings created to the front and side elevations respectively). This would ensure that levels of outlook would be acceptable and these, along with the proposed rooflights would ensure sufficient levels of natural light and ventilation in the main living areas (i.e. living room, bedrooms and bathrooms). Furthermore, the Council's Public Health and Protection Team have not objected or raised any concern with regards to the size or quality of the accommodation proposed.

Taking the above into consideration, the proposal would not have such a significant impact upon the amenity and privacy of neighbouring properties or upon future occupiers to warrant the refusal of the application. The application is therefore considered to comply with Policy AW5 (criterion 1.c) of the Rhondda Cynon Taf Local Development Plan and Supplementary Planning Guidance: Development of Flats.

Highway Safety

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

Access

The proposal includes two access points to the flats which would be served off Llantrisant Road, one directly off the footway and one via a set of steps serving the rear basement flats. There is slight concern with regards to direct pedestrian access off the rear lane however, taking into account that there is direct access via the steps off Llantrisant Road, the proposal is considered to be acceptable.

The vehicular access would be sited at the rear of the property and served off an un-adopted lane adjacent to Crown Hill. The lane has no footways with a width of 5.4 metres at its widest and 3.2 metres at its narrowest.

Parking

In accordance with the Council's SPG: Access, Circulation & Parking 2011, the proposed development requires up-to a maximum of 2 spaces per flat which equates to a requirement of 16 spaces. The proposal includes the provision of 7 spaces at the rear of the site.

There is concern that the proposal is short on the maximum standards however, taking into account that 6 of the proposed flats are one bedroom, the sustainable location of the site and the existing use of the building (6 residential units), the proposal is considered to be acceptable.

Cycle Parking

To mitigate the impact of the proposal and to promote sustainable modes of travel, in accordance with Planning Policy Wales 10th Edition, secure cycle storage shall be provided. It is recommended that this be added as a condition, should Members be minded to approve the application.

It is noted that all of the objectors raise concerns with regards to parking and highway safety in the area however, taking into account the comments received from the Council's Highways section, the proposal is considered to be acceptable in this regard and the application would therefore comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan in this regard.

Other issues

Public Health

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

Ecology

The proposal would involve the conversion of the roof space to habitable living space and a bat survey has therefore been submitted to support the application. The report confirms that no bats were found during the survey and no objection has therefore been raised by the Council's Ecologist. A condition has, however, been recommended to ensure mitigation in the form of house martin and bat boxes as well as 3 swift boxes on the high southern elevation.

Other issues raised by objectors

It is noted that one letter of objection raises concern that the proposal would result in noise and disturbance as a result of the construction works. Whilst this is noted and appreciated, it is not a material planning consideration and cannot be taken into consideration.

The objectors have also raised concern with regard to bin storage. The plans indicate that an enclosed bin storage area with a gate directly onto Llantrisant Road would be provided to the side of the building which would be for use of the occupiers of the proposed flats and the existing takeaway. The Council's Streetcare Team have not

raised any objection to this arrangement however, it is indicated that bin collection would be directly off Llantrisant Road which would be easily accessible from the intended bin storage area.

It is also noted that one objector has stated that no one has consulted the immediate neighbours of the site of this proposal. As indicated earlier in this report, direct neighbour notification has been undertaken with 9 properties surrounding the site (dated 4th March 2020) along with the erection of 3 site notices in the vicinity of the site (date 21st July), 2 near to the front of the site on Llantrisant Road and 1 near to the rear entrance of the site on Crown Hill.

Two objectors agree that the property should be refurbished to provide private dwellings, not short-term rentals. Whilst the tenancy of the flats is not a material consideration, the applicant's agent has indicated that these would be for private rent.

It is also suggested that a maximum of 6 units should be provided. The proposal is for 8 units and the application should be considered on that basis.

Community Infrastructure Levy Liability

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

The application is for development of a kind that is liable for a charge under the CIL Regulations 2010 as amended. The application lies within Zone 3 of Rhondda Cynon Taf's Residential Charging Zones, where there is a liability of £85 / sqm for residential development.

The proposed development involves the change of use of the existing building with a small extension. To determine the CIL liable amount the developer is gathering evidence to demonstrate that part of the existing building satisfies the CIL tests of being an 'in-use' building to enable the existing floor space to be deducted from the proposed.

Section 106 Contributions / Planning Obligations

Section 106 of the Town and Country Planning Act (as amended) enables Local Planning Authorities and developers to agree to planning obligations to require operations or activities to be carried out on land (in-kind obligations) or require payments to be made (financial contributions), to mitigate any unacceptable impacts of development proposals.

The Community Infrastructure Levy (CIL) Regulations 2010, with effect from 6 April 2010, state that a planning obligation (under S.106) may only legally constitute a reason for granting planning permission if it is:

1. necessary to make the development acceptable in planning terms;
2. directly related to the development; and,
3. fairly and reasonably related in scale and kind to the development.

The Welsh Government Development Management Manual and Welsh Office Circular 13/97 Planning Obligations provides procedural guidance on the role of planning obligations in mitigating the site-specific impacts of unacceptable development to make it acceptable in planning terms. The Welsh Government Development Management Manual also advises planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition and when it meets the three tests above. Further guidance regarding what types of obligations developers may be expected to contribute towards is also contained within Policy AW4 of the Local Development Plan and the Council's SPG on Planning Obligations, however it is made clear that this is intended to form the basis of negotiations between all parties.

The Section 106 requirements in this case

The proposal would provide 8 units and the applicant has confirmed that all 8 are intended for private tenants. However, Policy SSA12 requires residential developments for 5 or more units to provide 20% affordable housing. In the case of this application, 1 unit is required to be offered for affordable housing and the Council's Housing Strategy Team have specified a need for 1 no. 2 bed flat for Low Cost Home Ownership (market standard) in the area.

Therefore, a S106 agreement will be required to ensure that one unit is established and maintained as an affordable unit, for the continued purpose of meeting identified local needs.

Conclusion

The development would enable the beneficial re-use of a predominantly redundant building that is located in a sustainable location. The proposed extension at the rear of the property would help to facilitate an acceptable level of living accommodation for future occupiers and would not give rise to any significant or detrimental impact upon the character and appearance of the area or upon neighbouring properties in the area. Furthermore, the proposal would include 7 off-street car parking spaces at the rear of the property, which has been accepted by the Council's Highways and Transportation Department.

RECOMMENDATION: APPROVE, SUBJECT TO S106 AGREEMENT & CONDITIONS

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

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

2. The development hereby approved shall be carried out in accordance with the approved plans and documents received by the Local Planning Authority, unless otherwise to be approved and superseded by details required by any other condition attached to this consent:
 - Drawing No. A001: Site Plan;
 - Drawing No. 2109-007 Proposed Site Plan;
 - Drawing No. 2109-011 B Proposals (Elevations and Floor Plans).

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

3. Before the development is brought into use, the means of access, together with the parking facilities, shall be laid out in accordance with the submitted plan 2109-007 and approved by the Local Planning Authority. The car parking spaces shall remain for the parking of vehicles only in association with the proposed thereafter.

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

4. Prior to the development being brought into use, 8 no. secure cycle stands shall be provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The approved details shall remain thereafter for secure cycle storage.

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

5. The development shall be carried out in accordance with the recommendations set out in Section 8 of the Bat Survey (conducted by Eco Logical Services Ltd – dated July 2020) received by the Local Planning Authority on 16th July 2020, unless other agreed in writing by the Local Planning Authority. A further 3 no. Swift Boxes shall also be provided high on the southern elevation and retained in perpetuity.

Reason: To afford protection to animal species in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

6. No development shall commence until all relevant matters outlined on the attached Planning Requirements Relating to Flood Risk Management including full drainage details have been submitted to and approved in writing

by the Local Planning Authority. These details shall indicate how the development is to comply with the requirements of Section 8.3 of Technical Advice Note 15.

Reason: To ensure that drainage from the proposed development does not cause or exacerbate any adverse condition on the development site, adjoining properties, environment and existing infrastructure arising from inadequate drainage.

7. The area detailed for the storage of bins on drawing no. 2109 – 007 shall be laid out prior to the beneficial occupation of the flats. The area shall be retained as such in perpetuity.

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

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PLANNING & DEVELOPMENT COMMITTEE

17 SEPTEMBER 2020

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 20/0433/10 (GH)
APPLICANT: Independence Pathways Ltd
DEVELOPMENT: Re-submission to use a property for a single occupancy care home with a young person in supported living, with all staff and support workers on waking shifts.
LOCATION: 9 AVONDALE ROAD, GELLI, PENTRE, CF41 7TP
DATE REGISTERED: 13/05/2020
ELECTORAL DIVISION: Ystrad

RECOMMENDATION: GRANT SUBJECT TO THE CONDITIONS BELOW:

REASONS:

The change of use sought would provide a home for looked-after children and due to the small scale of the development and the absence of external alterations to the property, it is considered that no harm has been caused to highway safety or any discernible impact to the appearance of the street scene.

In addition the property is located within a residential area and in a sustainable location within the settlement boundary. It is considered that a continued residential use of the dwelling, as a care home of limited size, is compatible with the surrounding dwellings and is not detrimental to the amenity of existing neighbouring residents.

Consequently, the development is considered to comply with Policies AW2, AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

REASON APPLICATION REPORTED TO COMMITTEE

Five letters of objection have been received from neighbouring residents.

APPLICATION DETAILS

Full retrospective planning consent is sought for the change of use of 9 Avondale Road, Gelli from a dwelling to a residential children's home for a single young person in supported living.

The proposal is a resubmission of an earlier application, 20/0084/10, which lacked supporting detail about the proposed use and options to mitigate the potential for surface water flooding. Consequently, the application was refused on the basis of insufficient information.

The home is operational all year and according to the details submitted with the application, has members of staff on duty at all times, who operate waking shifts.

No physical changes are proposed or have been carried to the layout of the dwelling, which would contain a living room, kitchen, bathroom and staff toilet to the ground floor, and two bedrooms and an office to the first.

In order to inform the application and for the benefit of consultees and residents, the Applicant was asked to provide some further background detail.

Supporting information was provided clarifying that the company offers a home for young people from the age of 10 up to the age of 18, which may include those with emotional and behavioural difficulties, self-harming, complex needs, referrals via looked after children services and so forth.

Two further documents have been received, the first of which comprises details of mitigation measures for surface water flooding and internal procedures for their implementation. The second document outlines the management of the property in respect of staffing details, staff to child ratios, qualifications of staff, vetting procedure and a list of general house rules.

SITE APPRAISAL

The application property is a two storey Victorian house located towards the centre of the village of Gelli, and positioned mid-terrace on Avondale Road.

The principal elevation of the dwelling faces towards the south and is immediately adjacent to the highway. The house benefits from a large single storey extension to the rear, whilst the remaining amenity space benefits from direct access to an adopted rear lane.

The closest neighbouring properties are mostly residential in nature and are located immediately to the west and east, and 10.4m to the south. In addition there are retail properties and other dwellings located along Gelli Road to the north.

PLANNING HISTORY

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

20/0084/10: Change of use from a domestic property to a care home. Decision: 29/04/2020, Refused.

PUBLICITY

The application has been advertised by direct notification to eleven neighbouring properties and notices were erected on site.

Objections were received from five properties raising the following concerns:

- There is no information about who would be living at the address and how this might affect me as a neighbour.
- Will my quality of life be compromised with regard to noise and safety?
- I am an elderly lady living on my own and this is a great concern to me.
- This is a quiet terraced street with many elderly residents and before any decisions are made they need to be aware of any potential consequences.
- Parents are concerned about the safety of their children.
- Parking is already a nightmare and with carers back and forth it will make matters worse.
- There is a high percentage of elderly residents in the street that this is causing anxiety to.
- We are worried about noise and safety with it being a terraced house.

CONSULTATION

Transportation Section

No objection is raised or conditions suggested.

Public Health and Protection

Conditions are recommended in respect of demolition and the control of noise, dust, waste and hours of operation during construction. However, since the development does not include any construction work such conditions would be unnecessary.

Dwr Cymru Welsh Water

No objection.

South Wales Police

Young persons in care are a particularly vulnerable group in society who sometimes have complex support needs and a detailed management plan is requested as a condition of any consent.

Flood Risk Management

The property is within an area of medium to high risk of surface water flooding. It is suggested that the proposed mitigation measures are captured within a flood strategy.

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

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies within the settlement boundary.

Policy CS1 - sets out criteria for achieving strong sustainable communities including: promoting residential and commercial development in locations which support the role of principal towns and key settlements; provide high quality, affordable accommodation that promotes diversity in the residential market; and ensuring the removal remediation of dereliction by promoting the re-use of under used and previously developed land and buildings.

Policy AW2 - development proposals will only be supported in sustainable locations, including sites within the defined settlement boundary, which would not unacceptably conflict with surrounding uses, have good accessibility by a range of sustainable transport options, have good access to key services and facilities and support the roles and functions of the Principal Towns.

Policy AW5 - sets out criteria for new development and requires there to be no significant impact on the amenities of neighbouring properties, for it to be compatible with other uses in the locality and to design out the opportunity for crime and anti-social behaviour.

Policy AW10 - supports development proposals which are not detrimental to public health, the environment or local amenity.

Supplementary Planning Guidance

Access, Circulation and Parking Requirements

National Guidance

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

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

It is considered that this proposal meets the seven wellbeing of future generations goals inasmuch as they relate to the proposed development and that the site has been brought forward in a manner consistent with the five ways of working.

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

Chapter 1 (Managing New Development)

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

Chapter 4 (Active and Social Places)

Other policy guidance considered:

PPW Technical Advice Note 12 - Design

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

Principle of the proposed development

The application relates to the change of use of the existing dwelling into a children's care home which represents a change from use class C3 to C2. Although the size of the property would limit the accommodation to just one or two children, the change of use is required because the property would be considered to be a residential institution, rather than a dwelling.

The reason for this is that children living together could not be considered to constitute a single household as they would be incapable of undertaking the tasks associated with running and living within a dwellinghouse. This was established by the courts in the case of North Devon District Council v First Secretary of State [2003].

Conversely, it is worth noting that a proposal for a care home for up to six adults, which might include those with emotional and behavioural difficulties and with an element of

live-in care, would not constitute a change of use because class C3(b) already determines that this would be lawful.

In this case, notwithstanding the degree of care and the permanent staff presence, it is considered that a small care home of this size would mostly exhibit the same residential characteristics as the surrounding dwellings and the internal layout of the application property would be no different from any other typical dwelling.

However, since the carers do not live on the premises, and there is no accommodation proposed for them other than an office, such an arrangement would clearly differentiate its operation from that of a traditional dwelling.

Nevertheless, given the limited scale of the development and the size of the property, it is considered that the application is acceptable in principle, subject to the material planning matters discussed below.

Impact on the character and appearance of the area

No external changes are proposed to the appearance of the property, and thus the street scene. Consequently, there are no observations in this regard.

Impact on amenity and safety

It is considered that a key concern about the acceptability of the new use is how it will continue to be able to assimilate and operate without causing detriment to neighbouring residents. Since there are no physical alterations proposed there has been no intensification of existing overlooking issues, so the likelihood of any harm to privacy, or to outlook, would not be a consideration.

However, given the proximity of the property to neighbouring houses and the nature of the care use, the possibility of any noise disturbance from occupants and the comings and goings of any visitors is pertinent, and the correspondence from neighbours has revealed that there is genuine concern about how residents could be affected.

Were the care home proposed within a detached dwelling in large grounds, rather than a densely populated street of similar terraced houses, then the likelihood of neighbours being affected by the noise of occupants or staff would be insignificant.

Nonetheless, guidance provided by Development Control Practice has been considered, which states “It is difficult for local authorities to sustain arguments that a children’s home would cause additional noise and disturbance, specifically arising from the fact that occupants would be children, many from backgrounds with difficulties.”

In this regard an example of an allowed appeal (Medway 3222409) is comparable since one of the main issues considered by the Inspector was the effect of the proposal on the living conditions of neighbouring occupiers.

The Inspector determined that the appeal should be allowed, stating that “noise generated within the house and garden from the occupiers would be unlikely to be significantly different from that created by its use as a single dwelling. The Medway development also benefitted from a Management Plan with ‘*Design for crime prevention*’ appendices and a staff training schedule.

As noted by the consultation response from South Wales Police, the matter of safe, secure and well-managed care provision is of concern and there is a need for such proposals to be supported by adequate management plans.

South Wales Police has advised that there are now twenty-six Care Home/Supported Living/Respite placements within RCT of which twenty-two are privately run/managed, all of which provide approximately 94 bed spaces. The placements are a mix of CIW registered Care Homes alongside several 16+ “Support” only provisions. Amongst the total a number provide Care Home provision for children with learning disabilities or short break “respite” accommodation to disabled children and their families.

The South Wales Police Missing/CSE Safeguarding Team has highlighted a growing concern about the numbers of children who are reported missing and has stated that between 1/10/2019 – 31/3/2020 there were 735 missing occurrences reported for the RCTCBC area of which 169 (23%) were children 17 and under. Of those 169 missing youngsters 135 (80%) were from Regulated Care Home and Non-regulated 16+ Support Provisions in RCT.

The reasons why children run away from care are varied and that children and young people that go missing may be at risk of serious harm. There are particular concerns about the links between children running away and the risks of sexual exploitation. Missing children may also be vulnerable to other forms of exploitation, to violent crime, gang exploitation, or to drug and alcohol misuse. Children who are looked after are three times more likely to go missing than their peers.

As a result of these concerns South Wales Police has reflected that PPW10 and TAN 12 require Local Authorities to have regard of how development can contribute to the prevention of crime and disorder and provide places to live that are safe and attractive.

As indicated previously, the Applicant has provided details concerning the management of the property, which includes direct contact details for both the duty manager and for the responsible person at Independence Pathways. It has been confirmed that staffing ratios will be on a 1 to 1 basis and all staff are registered with Social Care Wales and enrolled with the All Wales Induction Framework. Furthermore the staff, who are subject to advanced DBS checks, are qualified to a minimum of QCF (level 3) and are supported to progress with further training opportunities.

In addition to the management details referred to above, it is noted that children's social care services and care homes for children are regulated by Care Inspectorate Wales. CIW also decides who can provide such services. Therefore, given the small scale of this care home and the management and staffing details provided, and in the knowledge of the Welsh Government's regulatory oversight, it is considered that the development is acceptable in terms of the amenity of neighbouring residents.

Highways and accessibility

The Council's Highways and Transportation section has noted that the primary means of access is via Avondale Road which is acceptable.

In respect of off-street parking provision the Council's SPG for Access, Circulation and Parking requirements note that the existing use of the property as a 3 bedroom dwelling would require a maximum of 3 spaces, although none are provided.

Similarly the SPG also notes that a change of use to a care home would also require 3 spaces and therefore both uses have the same level of shortfall in curtilage parking.

Since there is no potential for providing additional space and on-street parking demand would not be exacerbated, the shortfall in parking is considered acceptable on balance.

Flooding

As highlighted by the response from the Council's Flood Risk Management Team, the application property lies within an area designated as being at medium to high risk from surface water flooding, as identified by Natural Resources Wales Development Advice Maps.

Whilst this wouldn't necessarily preclude the change of use, given that the site is part of a long-established residential area, it has been noted that a care home would be identified by the Flood Risk Management Plan as 'critical infrastructure'. Initially the FRM Team objected to the proposal unless mitigation for a flood event could be demonstrated.

The Flood Risk Management Team has agreed that such measures should be incorporated within a flood alleviation strategy, including their future maintenance to ensure continuity of the standard of protection afforded to the property.

The Applicant has provided details of mitigation measures to include the fitting of a flood proof front door and air brick defences, and advised that NRW's flood alert service would be signed-up to, with information provided within the property and responsibility about who would implement any preventative measures. The development is therefore considered to be acceptable in these terms.

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 application property to a small care home is acceptable on account of its sustainable location and the nature of its residential use is compatible with that of the surrounding dwellings.

It is considered the development has little impact on the character and appearance of the locality and does not cause unacceptable detriment to the amenity or privacy of neighbouring residents.

Therefore, the application is considered to comply with Policies AW2, AW5 and AW10 of the Local Development Plan.

RECOMMENDATION: Grant

1. The use of the premises shall be carried out in accordance with the submitted documents entitled 'Management Plan and Flood Defence' (dated 24th August 2020) and 'Gelli Planning Submission' (dated 23rd August 2020), received by the Local Planning Authority on 25th August 2020.

Reason: In the interest of public safety, safeguarding, crime prevention and residential amenity in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

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PLANNING & DEVELOPMENT COMMITTEE

17 SEPTEMBER 2020

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 20/0631/08 (BJW)
APPLICANT: RCT
DEVELOPMENT: Renewable energy scheme using a heat recovery system to provide heating to Fynnon Taf Primary School and the Pavilion
LOCATION: TAFFS WELLSRING HEAT NETWORK , CARDIFF, CF15 7PF
DATE REGISTERED: 15/07/2020
ELECTORAL DIVISION: Ffynon Taf

RECOMMENDATION: Approve

REASONS:

The proposed development would provide a renewable and sustainable heat source for the nearby school and pavilion which would reduce costs, carbon production and the reliance on expensive fossil fuels.

The works would be of minimal impact, with the majority of works being buried below ground and what is visible being of a modern, utilitarian and acceptable character and appearance.

The works would not have an adverse impact on either the building itself or the setting of the nearby listed wellhouse building, from which it would be physically distinct.

The proposal is therefore considered to be acceptable.

REASON THAT THE APPLICATION IS BEING REPORTED TO COMMITTEE

The application is being made by the Council for an upgrade to its own facilities and, as such, is within a category of development where the decision is not delegated to officers.

APPLICATION DETAILS

Full planning permission is sought to provide a heating network to replace the existing heating systems at the Pavilion and the Ffynnon Taf Primary School using the heat from the naturally occurring thermal spring at Taffs Well, Wellhouse. The new system will integrate with the existing school heating system but fully replace the electric heating system at the Pavilion building.

The engineering works proposed for the project are:

- Interceptor pipework and a pumping station in the river bank between the spring housing and discharge outlet at the river.
- Pipework in the river bank to transfer flows from the pumping station to heat exchangers located in a small GRP housing and return pipework to the river discharge system.
- Pipework from the 'secondary side' of the heat exchangers to the heat pumps located at the school and at the Pavilion.
- Electric power cabling from the school to the pumps in the pumping chamber and buried in trench with the pipework.
- A self-contained GRP housing at the school for the heat pumps and all associated pumps, pipes and control equipment required to provide heat for the existing school and new extension planned.
- Pipework from the heat exchangers to and from a heat pump and associated equipment at the Pavilion.

Other than the heat exchangers in a secure housing on the flood protection embankment all works at the river (pumping station, pipes and electric power cabling) will be buried. Upon completion the only signs of construction works will be the manhole cover providing access into the pumping station.

Within the heat exchangers some 10°C will be removed from the spring water which will then flow back to river through the existing river discharge outlet. There will be no contact between the spring water and heat pump water and no change will be made to the existing chemical composition of the spring.

At the school all heat pumps (3 no.) and associated equipment will be housed in a new GRP/plastic housing near the site of the new school extension; the existing plant room is unsuitable for the new heat pump equipment and new standby gas boilers. The exact size of the new building is not yet known and it will not be until the full designs and equipment selection / layout stage has been undertaken through the tender process, however the building will be no larger than 5m by 5m.

At the Pavilion the new heat pump and equipment will be housed within a store room and connected to new radiator and pipework; the existing heating system comprises eight electric radiators which are not suitable for connection to a heat pump system.

All pipes will be laid in trench and follow the route shown on the Pipe Route drawing included in the land ownership plan of the area.

On completion of the project the installation of the chamber and pipes will be covered, the ground restored and levelled with suitable top soil to conceal the installation. The pump chamber will be adjacent to the existing spring discharge water chambers and will have a suitable secured lid to provide maintenance access to the pumps.

Following Storm Dennis earlier this year it was identified that the pump control panel and primary heat exchangers will need to be located above the highest flood water levels in a suitable GRP cabinet. A suitable location was identified at a discreet location on top of the banking adjacent to the Thermal Spring building. It will be to the rear of the treeline in the corner of the boundary fence and will not be visible from the park. Access to the cabinet for maintenance and monitoring will be via the park's existing car park.

Additional documents submitted in support of the application are as follows:

- Design and Access Statement; and
- Business Plan

SITE APPRAISAL

The site consists of Ffynnon Taf Primary School, the Pavillion in Taffs Well Park and a pipe run between these buildings, down to the pathway and banking along the river Taff to its boundary with the Wellhouse within the park.

The majority of the works are the installation of pipes within the school yard, connecting lanes and the park area and river bank plateau, leading to the Wellhouse and Pavillion.

PLANNING HISTORY

19/1307	Ffynnon Taf Primary School, Cardiff Road, Taffs Well, CF15 7PR	The construction of two temporary classroom blocks and yard.	GTD	13/02/2020
16/1142	As above	It is proposed to install a temporary double classroom demountable building onto the playing field adjacent to the playground.	GTD	29/11/16
11/1358	As above	Conversion and extension of a storage building to a classroom with 2 toilets and store room.	GTD	17/01/12

PUBLICITY

This has included site notices and the direct notification of properties surrounding the site. No comments have been received.

CONSULTATION

Flood Risk Management (Drainage) – no response received within the consultation period. Members will be updated orally at the meeting should comments be received.

Public Health and Protection Division – no objection, subject to conditions in relation to a restriction of the hours of operation during construction and standard informative notes.

Natural Resources Wales (NRW) – no objection, subject to standard advice in relation to flooding.

Dwr Cymru Welsh Water (DCWW) – no objection.

Taffs Well Community Council - no response received within the consultation period. Members will be updated orally at the meeting should comments be received.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

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

Policy 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 as a result of flooding.

National Guidance

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

The Welsh Government published Planning Policy Wales 10 on 5th December 2018. 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)

Planning Policy Wales Technical Advice Note 12 Design

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

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main issues:

Principle of the proposed development

The principle of the proposed development, the substitution and improvement of the heating system for the school and pavilion with a renewable and sustainable alternative is considered to be entirely acceptable.

The proposed system would utilise an existing heat source and provide all of the heating required for the school and pavilion. The business case indicates that the investment would be paid back within 15 years of its installation with other savings possible, such as decommissioning of the existing boiler, dependent on results.

The project would be one of a kind and would also provide useful data for other heat recovery projects, such as mine-water recovery schemes, as well as being a useful teaching resource within the wider locality.

Consequently, it is considered that the principle of the development is acceptable.

Impact on neighbouring residential properties

The site would be largely contained within the existing school yard, adjacent park, river back and their connecting lanes.

Although there would inevitably be some disruption during the construction period of the development, this would cease when the installation is complete. The physical works are restricted to underground pipes and two GRP kiosks that would be located within the school yard and on the river bank and would not, therefore adversely affect any neighbouring properties.

It is also acknowledged that there have been no responses to the consultation exercise for the application. Consequently, it is considered that the proposal is acceptable in this regard.

Visual amenity of the area

As detailed above, the entirety of the pipework installed would be fitted “in trench” and then buried below ground. The heat recovery system would also be unobtrusively located below ground with the only above ground installations being two GRP control kiosks located within the existing school yard and the river bank respectively.

The works are considered to be of an appropriate scale and utilitarian and contemporary appearance that it is considered would be in keeping with the area. The majority of the works would be below ground and would quickly blend into the existing infrastructure while the kiosks would be located within areas within which they would not be obtrusive or visually dominant.

It is acknowledged that the kiosk on the river bank would be fairly close to the Listed Wellhouse. However, the kiosk would be located above the site on the existing bund and would not therefore adversely affect the setting of this important Listed structure.

Therefore, having regard to the above, the development is considered to be acceptable in this respect.

Other issues

The comments of the Public Health and Protection Division are acknowledged, however it is considered that due to the distance to the closest neighbouring residential property that a condition to restrict the hours of operation would be unnecessary.

Additionally, this issue can be more effectively dealt with by other legislative controls available to the Council.

Natural Resources Wales (NRW) have also been consulted and have raised no objection to the application subject to the provision of advice regarding potential flooding due to the close proximity of the River Taf. This issue has already been addressed by the proposal which has acknowledged the recent flood events leading to the position of the GRP kiosk on the river bank above the extreme flood outline.

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 application is considered to represent a flagship project that could lead the way for similar community-based energy projects within the borough. The project is well researched, has a sound financial basis and has tangible benefits for the future of the School and the wider community use of the existing Pavilion.

Having regard to the above, it is recommended that the application be approved.

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)

- Location Plan
- Heat Network Schematic, Drawing No. TW1, Revision B
- Heat Network – Proposed Pipe Route, Drawing No. TW2, Revision B
- External Heat Exchanger Plant Room, Drawing No. TW3, Revision B
- Primary Heat Exchanger Location, Drawing No. TW4, Revision B

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.

PLANNING & DEVELOPMENT COMMITTEE

17 SEPTEMBER 2020

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 20/0680/10 (KL)
APPLICANT: Mr & Mrs Harper
DEVELOPMENT: 6 glamping pods with infrastructure and improvements and repairs to existing barn (additional information rec. 17/08/2020)(amended plan received 25/08/2020)
LOCATION: BLAENNANTYGROES FARM, BLAENNANTYGROES ROAD, CWMBACH, ABERDARE, CF44 0EA
DATE REGISTERED: 14/07/2020
ELECTORAL DIVISION: Cwmbach

RECOMMENDATION: Approve, subject to conditions

REASONS: The proposal for the siting a 6 no. glamping pods and associated works would enable the expansion of an existing holiday-let business within a semi-rural location. The overall use would remain compatible with surrounding land uses and, given the siting, scale, design and overall visual appearance of the proposed glamping pods, it is not considered that they would have an adverse impact upon the character and appearance of the area, the Special Landscape Area, the amenity and privacy of surrounding residential dwellings or upon highway safety in the vicinity of the site.

REASON APPLICATION REPORTED TO COMMITTEE

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

APPLICATION DETAILS

Full planning permission is sought for the siting of 6 no. glamping pods on a parcel of land associated with Blaennantygroes Farm which is located at the most northern end of Blaennantygroes Road in the village of Cwmbach.

The pods would be sited to the south of the main dwelling and existing holiday-let cottages and to the east of the existing access track. They would be arranged in a linear fashion with access being via a new internal track to their north-eastern elevation. The pods and associated track would be accessed via the existing network of tracks within the farm.

Each pod would measure 3.3 metres in width by 6 metres in depth with a curved roof design that would measure a maximum of 3.1 metres from ground level. The pods

would be of a timber construction with timber entrance doors and upvc windows within the north-eastern side and south-eastern rear elevations (total 3 no. windows per pod). Internally, each pod would have a living/sleeping area with basic kitchen facilities for approximately 1-2 people and a small shower room/toilet facility.

An existing barn, which is located to the north of the intended pods, is also intended to be used as a shared kitchen area and bike storage for users of the pods.

A total of 6 parking spaces are proposed between the pods and the existing barn/shared facilities.

The application is accompanied by the following:

- Coal Mining Risk Assessment

SITE APPRAISAL

The site relates to a parcel of land that forms part of Blaennantygroes Farm which is located at the most northern end of Blaennantygroes Road in the village of Cwmbach. It measures approximately 0.09ha and, due to its location on a valley hillside, slopes upwards in a north-easterly direction from Blaennantygroes Road.

Access to the site is via an existing private access track off Blaennantygroes Road. An existing dwelling, 4 existing holiday-let cottages and an associated parking area are located at the top of the track with fields/paddocks being located to north, south and east.

The site is located outside of the defined settlement boundary and therefore considered to be in the open countryside. However, it is noted that there are a number of residential properties situated on the eastern side of Blaennantygroes Road, the nearest of which are approximately 50 metres away from the intended glamping pods.

The site had already been cleared and some groundworks undertaken at the time of the site assessment. The works to the barn had also already commenced.

PLANNING HISTORY

None registered within the last 10 years.

PUBLICITY

The application has been advertised by means of direct neighbour notification, through the erection of 3 site notices in the vicinity of the site and through the publication of a press notice. A total of 3 letters of objection have been received from local residents which are summarised as follows:

Access/traffic

- The road is very narrow and blind and already problematic with very limited footpath;

- There are concerns over the current usage of the road and safety of pedestrians as it stands, without this application being approved;
- Issues raised regarding speed of vehicles travelling along the road;
- The volume of traffic will be increased with usage of the road by people not familiar with the dangers the road currently encompasses;
- There are many pinch points which renders the road to single track which is not suitable for increased volume of traffic;
- There is a local convenience store at the bottom of the road where parking issues cause considerable problems to vehicles trying to access and egress Blaennantgroes Road;
- No means of escape for pedestrians using the pedestrian lane;
- The road becomes almost impassable on match days which in turn makes it difficult for emergency vehicles to progress along the road;
- Residents of dwellings along Blaennantgroes Road park their vehicles at the front of their properties, again rendering the road to single track;
- Some residents have no option other than to park illegally on corners of junctions;
- The area at the top of the road is used as a turning circle by residents however, due to the lack of parking, it is continuously used to park vehicles which results in large vehicles reversing down Blaennantgroes Road or attempting to turn in people's driveways.

Noise

- Noise echoes down the road;
- Campers, especially younger types that would be attracted to glamping, will enjoy themselves in groups;
- We could hear the men working on the groundworks talking;
- Concerns of noise, particularly at night.

Environmental Issues

- Residents have endured heavy plant and tractors using the road to prepare the site in anticipation for the planning application – much of this work has been carried out in the evening and at weekends with mud being left the road being left on occasions and no attempts to clean the road surface;
- Concerns raised with regards to the source of earth, rubble and soil being transported to the site (i.e. contaminated land);

Other

- Issues with water supply. Sub pump half way down supplies top half and is already marginal at times – a further 6 units will have further impacts;
- The supply is dependent on an electricity pumping station to ensure adequate supply of water to existing properties. When the electricity supply to the pumping station cuts out, it renders the water supply to a trickle;
- Raises questions on whether the current sewerage system is adequate to cope with the additional volume required for the proposed development without any new infrastructure being incorporated into the proposed development.

CONSULTATION

Highways – No objection or condition suggested

NRW – No objection or condition suggested

Countryside, Ecology & Landscape – The land has already been cleared of all vegetation and ecological surveys which would ordinarily be required cannot be undertaken.

The Coal Authority – No objection however further more detailed considerations of ground conditions and/or foundation design may be required as part of any building regulations application.

Welsh Water – No objection subject to standard condition and advisory notes

Public Health & Protection – No objection subject to standard conditions

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

No other comments have been received.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The site lies outside the defined, fixed settlement boundary of Aberdare, within the village of Cwmbach. The land in question falls within a designated Special Landscape Area as well as a coal mineral resource area. Furthermore, the area where the glamping pods are proposed is within a designated Site of Importance for Nature Conservation (SINC), whilst the application boundary borders a nationally designated Site of Special Scientific Interest (SSSI) (Caeau Nant y Groes). The following policies are therefore considered to be relevant to this application:

Policy CS1 – The policy emphasis is on building strong, sustainable communities. This will be achieved by encouraging a strong, diverse economy which supports traditional employment and promotes new forms of employment in the leisure and tourism sectors.

Policy AW2 - This policy provides for development in sustainable locations which are defined thus: within the settlement boundary; would not unacceptably conflict with surrounding uses; have good access to services and facilities; and have good accessibility by a range of sustainable transport options.

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. Additionally proposals must be designed to protect and enhance landscapes and biodiversity.

Policy AW8 – states that development proposals will only be permitted where there would be no unacceptable impact upon features of importance to landscape or nature conservation.

Policy AW10 - states that development proposals will not be permitted where they would cause or result in a risk of unacceptable harm to health and/or local amenity due to noise/light pollution or any other identified risk to the environment, local amenity and public health and safety.

Policy AW 14.4 – The policy stipulates that coal resources, as indicated on the proposals map, will be safeguarded from development that would unnecessarily sterilise the minerals or hinder their extraction.

Policy NSA 25.5 – The policy stipulates that development within the defined special landscape area will be expected to conform to the highest standards of design, siting, layout and materials, appropriate to the character of the area.

Supplementary Planning Guidance

Design and Placemaking
Access Circulation and Parking

National Guidance

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

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

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

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

Chapter 3 Strategic and Spatial Choices
Chapter 5 Productive and Enterprising Places
Chapter 6 Distinctive and Natural Places

Other relevant policy guidance consulted:

PPW Technical Advice Note 6: Planning for Sustainable Rural Communities;
PPW Technical Advice Note 11: Noise;
PPW Technical Advice Note 12: Design;
PPW Technical Advice Note 18: Transport;
Manual for Streets

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

The key considerations in the determination of this application are the compatibility of the proposed use of the glamping pods with surrounding land uses, the impact of the development upon the character and appearance of the immediate area, the impact of the development upon the amenity of the neighbouring residential properties, the impact of the development upon highway safety in the vicinity of the site and the potential impact of the development upon the adjacent Site of Special Scientific Interest (SSSI).

Principle of the proposed development

The proposal relates to the siting of 6 glamping pods on a parcel of land associated with Blaennantgroes Farm. The land extends to approximately 0.09ha and lies to the south of the main farmhouse and existing holiday-let cottages. The application seeks to expand the existing holiday-let business by offering alternative accommodation for smaller groups.

The application site is located outside the defined settlement boundary of Cwmbach and is considered to be in the open countryside. Whilst development in this location would ordinarily be contrary to Policy AW2, national policy does not hold this as a barrier to development, as countryside locations are the types of areas that are typically associated with traditional holiday-let tourism uses. National policy is very supportive of sustainable tourism proposals in appropriate locations, on account of the fact that it contributes to a healthy, diverse economy. National Policy does however caution that proposals need to be sympathetic in nature and scale to the local environment. As such, careful consideration needs to be given to the layout of the proposal and design of the proposed structures so as to ensure that they do not impinge upon the character and appearance of the surrounding countryside, particularly its landscape, biodiversity and amenity value. These matters are considered in greater detail below.

Whilst it is noted that there are a number of existing residential properties along Blaennantgroes Road, the site is already associated with a tourism-related use with a small number of holiday-let cottages available. The proposal to provide 6 glamping pods would therefore not significantly change or intensify the existing use of the wider site and it is considered that the site would remain compatible with surrounding land uses.

Taking the above into consideration, there is no policy objection to the principle of tourism-related development in this location. Despite the application site being outside the defined settlement boundary, both local and national policy recognise the positive role that tourism plays in contributing to a strong and diverse economy.

Impact on the character and appearance of the area

The application site is located within the open countryside and within a Special Landscape Area. It is therefore important to ensure that any development in such locations conform to the highest standards of design, siting, layout and materials appropriate to the character of the area.

The proposed glamping pods are considered to be relatively modest structures with an overall height of 3.1 metres and a floor area of 18 square metres. They would have a curved roof design with elevations clad in timber panelling which are typical of such developments in other countryside locations.

Whilst the siting of the proposed pods would affect the character of the small area of land concerned, the surrounding area would largely be unaffected by the proposal. Furthermore, given their location and the topography of the site, the pods would be largely screened from view of the nearest road and distant views of the site would be largely obscured by existing trees and vegetation to the south, south-east and south-west of the site.

Overall, whilst the structures would form visible features within the immediate context of the site, they would be contained within a relatively small parcel of land that is well screened. The pods would also be constructed using appropriate materials and it is therefore not considered that the design or siting of the proposed pods would result in a visual intrusion in the landscape that would be harmful to the wider countryside setting or indeed the Special Landscape Area. The proposal is therefore considered to comply with Policies AW5, AW6 & NSA25 of the Rhondda Cynon Taf Local Development Plan.

Impact on residential amenity and privacy

The proposed glamping pods would be sited within the open countryside however, it is noted that there are a number of residential properties located along Blaennantgroes Road. It is therefore important to consider the potential impact of the proposal upon the amenity of these properties.

The nearest neighbouring properties to the site are located approximately 50 metres to the west of the proposed glamping pods and given the separation distances involved, combined with the topography of the landscape and the location of existing trees and vegetation, it is unlikely that the pods would give rise to any overshadowing, overbearing or overlooking impact and it is therefore not considered that the proposal would result in any loss of amenity in those regards.

However, it is noted that 3 letters of objection have been received from local residents that raise concerns in relation to noise generated from the use of the pods. The proposal includes the siting of 6 pods which are of a limited scale and only intended

for 1-2 people. Therefore, the pods will accommodate a maximum of 6 small groups or a total of 12 people at full capacity. Whilst it is noted that users of the pods may use the outside space, it is unlikely that the maximum number of people will give rise to significant or unacceptable levels of noise. Furthermore, it is not considered that the noise would be any greater than existing residents using their outdoor amenity spaces.

As such, the proposal is considered to be acceptable in terms of the impact it would have on the amenity and privacy of surrounding residents and the application would therefore comply with Policies AW5 & AW10 of the Rhondda Cynon Taf Local Development Plan. .

Access and highway safety

The proposal has been assessed by the Council's Highways and Transportation Department with a view to determining its potential impact upon highway safety in the vicinity of the site. The comments received are summarised below:

Access

The application site is located off Blaennantgroes Road which is a public highway. It is noted that the road is lacking in segregated footways with a virtual footway painted on the carriage as a safe route to school assessment. The carriageway varies in width and has a number of areas reduced to single file traffic due to existing high on-street car parking demand. This, coupled with the lack of footway provision, raises cause for concern.

The private access track off Blaennantgroes Road has a single width of 3 metres only which is sub-standard for two vehicles to pass one-another and offers no space for a pedestrian and a service vehicle to pass one-another which raises cause for concern. It is noted that this could be overcome by providing 2 no. passing bays with the carriageway widened to 4.8 metres for a minimum distance of 12 metres and a condition is recommended accordingly. Following the publication of these comments, the applicant submitted a further plan which included the two required passing bays. Further comments from the Highways and Transportation Department indicate that the amended plans are acceptable and a condition to ensure the provision of the passing bays, as indicated in the plan, is recommended accordingly.

There is satisfactory turning facilities at the access to the existing holiday-let cottages.

Parking

The proposal provides for 1 parking space per pod with secure cycle storage which would promote sustainable modes of travel with less reliance on the private motor vehicle which is acceptable.

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

Other Issues:

The following other material considerations have been taken into account in considering the application, though were not the key determining factors in reaching the recommendation.

Ecology

A significant proportion of the site is located within a designated Site of Importance for Nature Conservation. The barn is located outside of the SINC however the 6 glamping pods are wholly within it.

Following an assessment of the proposal, the Council's Ecologist initially requested that an ecological assessment of the vegetation and protected species be undertaken. However, it became clear during the officer's site visit that the site had already been cleared of all vegetation and some groundworks had already been undertaken. As such, all ecological impacts have already occurred and there is nothing left to assess.

It is also noted that the site is located adjacent to a Site of Special Scientific Interest. NRW have assessed the information submitted with the application and are satisfied that the site is located outside of the boundary of the SSSI. No objection has therefore been raised.

Other issues raised by objectors

It is noted that concerns have been raised by local residents in relation to the water supply and sewerage capacity in the area. Consultation has been undertaken with Dwr Cymru Welsh Water, Natural Resources Wales and the Council's Flood Risk Management Team and it is noted that no objections have been received in these regards. Indeed, Dwr Cymru Welsh Water have confirmed that there is capacity available at the receiving Cynon Waste Water Treatment Works and that a water supply can be made available to serve the proposed development. In terms of the drainage of the site, the Council's Flood Risk Management Team notes that the proposal includes some surface water drainage details (soakaway). However, given the scale of the construction works, a separate application is required under Schedule 3 of the Flood and Water Management Act 2010 for sustainable drainage approval prior to works taking place. It is also commented that the applicant will be required to comply with Part H of the Building Regulation. As such, no objection is raised or condition suggested and the need for a sustainable drainage application will be added to any grant of planning consent as an advisory note.

The concerns raised with regards to contaminated soil, rubble and earth are also noted however, there is no evidence to support the claim that the material is contaminated. Furthermore, this is a matter better dealt with by separate Environmental Health legislation.

One objection also raises concern with heavy plant and tractors using the road to prepare the site in anticipation for the planning application, much of which has occurred in the evening and at weekends. It is regrettable that works have already commenced on site and the disruption already experienced by residents is acknowledged. It is considered that the construction period would be for a limited time

only and any disturbance experienced in this regard would therefore be short-lived. However, if Members are minded to approve the application, a condition restricting construction hours for the remainder of the development can be imposed.

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

Having taken account of all of the issues discussed above, the proposal to provide 6 no. glamping pods at Blaennantgroes Farm is considered to be acceptable in terms of its compatibility with the rural setting in which it would be sited and with existing residential properties that are located along Blaennantgroes Road. The scale and design of the glamping pods themselves is considered to be acceptable and would have a limited impact upon the character and appearance of the area and upon the amenity and privacy of the nearest residential properties. Furthermore, whilst concerns raised by local residents in relation to highway safety are noted, no objection has been received from the Council's Highways and Transportation Section. The application is therefore considered to comply with the relevant policies of the Rhondda Cynon Taf Local Development Plan and is recommended for approval, subject to the conditions suggested below.

RECOMMENDATION: Grant

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

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

2. The development hereby approved shall be carried out in accordance with the approved plans 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:
 - Site Plan (Rec. 15th July 2020);
 - Drawing No. 2692 C 02: Proposed Layout (Block Plan) (Rec. 25th August 2020);
 - Drawing No. 2692 C: Proposed Elevations and Floor Plans (Rec. 15th July 2020)

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

3. The proposed development shall only be occupied as holiday units and no unit shall be occupied by any individual, family or group for more than a continuous period of two months in any calendar year.

Reason: The site is unsuitable for general residential use by reason of its unsustainable location outside of settlement limits, in accordance with Policy AW2 of the Rhondda Cynon Taf Local Development Plan.

4. During the construction phase of the development, the hours of work shall be restricted to the following:

Monday to Friday	08:00 to 18:00 hours
Saturday	08:00 to 13:00 hours
Sunday and Bank Holidays	Not at All

Reason: In the interests of the amenity of existing residential properties, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

5. Before the development is brought into use, the means of access, together with the passing bays, parking spaces and turning facilities, shall be laid out in accordance with the submitted plan 2692 C 02 Rev B and approved by the Local Planning Authority. The approved details shall be implemented before beneficial use of the first glamping pod

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

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PLANNING & DEVELOPMENT COMMITTEE

17 SEPTEMBER 2020

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below

APPLICATION NO: 18/0880/10 - CHANGE OF USE OF FIRST AND SECOND FLOORS OF PROPERTY FROM FORMER SNOOKER HALL (CLASS D2) TO 22 NO. SELF-CONTAINED RESIDENTIAL STUDENT FLATS (SUI GENERIS) AND ASSOCIATED WORKS (AMENDED DESCRIPTION RECEIVED 03/10/2016) (LISTED BUILDING CONSENT). (AMENDED HERITAGE IMPACT ASSESSMENT RECEIVED 12/07/2019), 1 FOTHERGILL STREET, TREForest, PONTYPRIDD, CF37 1SG

1. PURPOSE OF THE REPORT

Members are asked to consider the determination of the above application for Listed Building Consent (LBC).

2. RECOMMENDATION

That Members consider the proposed updated report and determine the application having regard to the advice given.

3. BACKGROUND

This application was originally reported to the Planning and Development Committee on 16th July 2020 with an officer recommendation of approval, subject to a favourable referral to Cadw (a copy of the original report is reproduced as Appendix A).

Following consideration of the report, Members resolved to defer the application to undertake a site visit (minute 249 refers).

The site visit was held on 28th July 2020 and the application, along with the associated planning application (18/0886/10) were reported back to the 20th of August 2020 meeting of the Planning and Development Committee. Following further consideration Members resolved that they were minded to refuse the application contrary to the recommendation of the Director, Prosperity & Development as Members were of the view that the development will be detrimental to the character and architectural features of the Listed Building.

Therefore, the matter was deferred to the next appropriate meeting of the Planning and Development Committee for a further report of the Director, Prosperity & Development, if necessary in consultation with the Director, Legal & Democratic Services, highlighting the potential strengths and weaknesses of making a decision contrary to officer recommendation (minute 275 refers).

The considerations of the application for Listed Building Consent (LBC) are set out in full in the original Committee report. It is considered that while the conversion would regrettably lead to the loss of some existing historic features, the proposal represents an acceptable compromise in order to secure a productive, long-term use for the property that would preserve the majority of its external façade. However, if after further consideration, Members are of the opinion that the application should be refused, the following reason for refusal is suggested to reflect their views as previously expressed.

Reasons for refusal

1. The proposed development would lead to an unacceptable loss of historically and architecturally important features of a Listed Building, contrary to Policy AW7 of the Rhondda Cynon Taf Local Development Plan and Technical Advice Note (TAN) 24: The Historic Environment.

PLANNING & DEVELOPMENT COMMITTEE

16 JULY 2020

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

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

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

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

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

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

The use of this part of the property would be a sympathetic use of the upper floors of the building, which would retain its commercial uses at ground floor level. The proposal would also comply with the requirements of the Council's Supplementary Planning Guidance (SPG) for the conversion of larger buildings for residential purposes.

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

that have been raised and offering comments and justification for the approach proposed.

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

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

REASON APPLICATION REPORTED TO COMMITTEE

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

APPLICATION DETAILS

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

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

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

- (i) Each of the existing windows at first floor level on both the properties front (eastern) and rear (western) facing elevations would be replaced with larger openings to suit the residential nature of the proposed use. A further new window opening would also be installed on the properties front elevation at first floor level to serve one of the proposed units. All new windows would be of grey uPVC.
- (ii) 6 no. dormer roof extensions would be installed to both the front and rear elevations to serve the new units. A single roof light would also be installed to the front to provide light to the main access stairwell. All new windows would be of grey uPVC.

(iii) A modern grey standing seam extension would be sited above the existing terracotta entrance block to allow access to the second floor and to provide space for the management office. Grey uPVC windows would be located throughout.

(iv) The external elevations would be subject of general refurbishment works including new through colour render throughout the main body of the building; replacement of slate roof tiles where required; and tidying up of the terracotta entrance façade.

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

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

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

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

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

1. 24 hour secure entry systems;
2. 24 hour helpline for occupants to assist with any management or maintenance issues;
3. Management programme of the cycle store and refuse/recycling areas;
4. A programme of planning and reactive maintenance, supported by the 24 hour helpline, with high risk issues being dealt with as an emergency;
5. Inspections of all student rooms at periodic intervals;
6. Regular cleaning and landscaping of external areas;
7. All necessary health and safety precautions;
8. A condition of the tenancy that any occupiers cannot keep cars;
9. Welcome pack and introductions.

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

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

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

SITE APPRAISAL

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

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

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

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

Location

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

History

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

Exterior

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

Interior

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

Listed

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

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

PLANNING HISTORY

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

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

PUBLICITY

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

CONSULTATION

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

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

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

Further information on the building's historic interior is given in the list description:

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

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

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

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

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

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

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

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

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

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

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

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

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

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

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

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

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

Policy AW7 – identifies that proposals which impact upon sites of architectural or historic merit will only be permitted where it can be demonstrated that the proposal would preserve or enhance the character of the area.

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

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

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

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

Supplementary Planning Guidance

- (v) Design and Placemaking;
- (vi) The Historic Built Environment;
- (vii) Design in Town Centres;
- (viii) Nature Conservation;
- (ix) Access, Circulation and Parking;
- (x) Development of Flats.

National Guidance

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

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

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

Other relevant policy guidance consulted:

Planning Policy Wales Technical Advice Note 12 Design.

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

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

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

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

REASONS FOR REACHING THE RECOMMENDATION

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

Main Issue:

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

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

The building, while both prominent and distinctive, has been the subject of many modern alterations, particularly on the ground floor where there are several commercial properties. What remains of its original use, as a cinema, has also been eroded as its last substantive use as snooker/pool hall and bar. The result is such that much of the internal detailing and features of the property have either been removed entirely or have been damaged by the installation of modern interventions such as partitions or suspended ceilings. Consequently, while remnants of the historic plaster ceiling remain within the property, they are extensively damaged by both the accumulation of tobacco smoke and the drilled fixings of the suspended ceiling that obscures them from view.

It is clear that the ceilings would be completely lost should the application proceed in its current form. This could be wholly reduced with a lesser number of flats within the property, however this could render the scheme financially unviable leading to a further period of disuse and likely decline in the condition of the building. Where this is not strictly a consideration for Listed Building Consent, where "Heritage Deficit" (the existing value of the asset plus the cost

of bringing it back into productive use is greater than the value upon completion) it does have clear implications for the current scheme in wider planning and regeneration terms.

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

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

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

This building, like many historic properties within RCT, suffers from its inability to adapt to alternative uses, particularly commercial uses, given its location, dimensions and historic restrictions. The building has seen a lack of investment, maintenance and interest required to secure a viable future which has seen its condition decline over a sustained period. While the current owner has some responsibility, it is an accumulation of all the preceding owners that have led to the deterioration of the property to its current state. It is for these reasons that it is considered prudent to accept what is not an ideal scheme, but is likely the best scheme for the future longevity of the building in the medium to long term.

Impact on the visual quality of the Castle Square Conservation Area

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

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

Conclusion

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

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

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

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

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

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

1. 3158 P001 – Site Location
2. 3158 P004 – Ground and 1st Floor Plans - Proposed
3. 3158 P005 – 2nd Floor and Roof Plans – Proposed
4. 3158 P007 – Elevations and Section – Proposed

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

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

3. Building operations shall not be commenced until samples of the materials proposed to be used have been submitted to and approved in writing by the Local Planning Authority and all materials used shall conform to the sample(s) so approved.

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

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

Reason: To ensure that the appearance of the proposed works will be in-

keeping with the special architectural and historic character of the Listed Building, in accordance with Policy AW7 of the Rhondda Cynon Taf Local Development Plan.

5. Notwithstanding the approved details, no development shall commence on site until the design and details of the following have been submitted to and approved in writing by the Local Planning Authority:
- window repairs and replacements;
 - rainwater goods;
 - soffits and fascias;
 - stone and bricks.

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

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

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

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

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

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

PLANNING & DEVELOPMENT COMMITTEE

17 SEPTEMBER 2020

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below

APPLICATION NO: 18/0886/10 - CHANGE OF USE OF FIRST AND SECOND FLOORS OF PROPERTY FROM FORMER SNOOKER HALL (CLASS D2) TO 22 NO. SELF-CONTAINED RESIDENTIAL STUDENT FLATS (SUI GENERIS) AND ASSOCIATED WORKS, 1 FOTHERGILL STREET, TREForest, PONTYPRIDD, CF37 1SG

1. PURPOSE OF THE REPORT

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

2. RECOMMENDATION

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

3. BACKGROUND

This application was reported to the 16th 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 defer the application for a site visit which was undertaken on 28th July 2020 (the site visit report is attached as Appendix B). The application was then reported back to the Planning and Development Committee meeting on 20th August 2020 where Members were minded to refuse the application contrary to the officer recommendation. Members considered that:

- The proposed development would result in an over-intensive use and overdevelopment of the building; and in trying to accommodate as many self-contained flats as possible within the building and with no amenity space, would result in the creation of cramped and poor quality living accommodation for future occupiers.

- With no off-street parking provision provided and no space within the site to accommodate any, future occupants would be forced to park in the surrounding residential streets which are already congested, resulting in indiscriminate on-street parking, to the detriment of pedestrian and highway safety in the vicinity.
- The proposed bin store area would be sited directly adjacent to the highway and at the junction of Park Street and Cyrch-y-Gwas Road with no footway provision. Therefore occupants would have to enter the busy highway to use the communal bins. This would result in significant highway and pedestrian safety implications for both future residents and highway users alike.
- The building's rear entrance would inevitably be used as a primary means of access by some occupants. With no footway provision here, this would be extremely dangerous for future occupants.

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

4. PLANNING ASSESSMENT

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

Overdevelopment of the building / poor quality living accommodation

It is accepted that a considerable number of units are proposed and the self-contained units would be relatively small in nature, essentially forming bedsits. However, they are generally considered acceptable in respect of their scale, design, outlook and resulting living accommodation. It is also accepted that there would be no outdoor amenity space for the occupants, but again, this is typical of these types of facilities or many blocks of flats. As such the proposed development is considered to generally comply with the Council's adopted Supplementary Planning Guidance (SPG): Development of Flats.

However, notwithstanding the above and the fact that the broader principle of using the property for a number of student flats is generally considered acceptable, given the number of units proposed within the building and the minor scale of each unit proposed, it could be considered the conversion would result in an over-intensive use of the building and overdevelopment of the site; resulting in poor quality and cramped living accommodation for future residents, contrary to the guidance set out in Policy AW5 of the LDP and SPG: Development of Flats which explains that poor quality living accommodation can cause health, safety and welfare issues.

This is demonstrated by the fact that each of the units proposed would accommodate only approximately 18m² floor space, which is barely large

enough to accommodate a bed, let alone any additional facilities required such as adequate kitchen/bathroom spaces along with storage units and furniture etc. This would result in a very limited living space and inadequate facilities within each flat, and would also likely result in noise, disturbance and privacy issues for the occupants of the proposed flats living in such cramped conditions, again contrary to the guidance set out in the aforementioned Policy and SPG.

It is acknowledged that a number of large student accommodation blocks have recently been constructed in the area where room sizes are comparable to that proposed within this scheme, however, those developments form purpose built 'halls of residence' student accommodation facilities whereby each occupier has their own bedroom with en-suite bathroom, with larger communal living and kitchen areas, essentially forming a number of houses in multiple occupation. In such instances smaller room sizes are generally considered acceptable because they simply form bedrooms and occupants would spend a large amount of their general time within the communal kitchen/living areas provided. However, in this instance, each unit would form a self-contained flat with no additional shared or independent living/amenity areas, and there would be no outdoor amenity space which is a further recommendation of the SPG. Consequently residents would be restricted to the room they are occupying only at all times, which essentially forms a small bedroom with only enough space for minimal facilities.

Therefore, whilst the general conversion of the property to a number of self-contained student flats could generally be considered acceptable in principle, it could be considered that the number of units proposed would place significant pressure on the plot, representing an over-intensive use of the building and overdevelopment of the site; and furthermore, in trying to accommodate as many units as possible within the building, would result in the creation of cramped and poor quality living accommodation for future occupiers to the detriment of their health and wellbeing. Consequently it could be considered that the use of the property for 22 no. self-contained flats would be overdevelopment and therefore not appropriate.

Highway Safety

Following consideration of the scheme the Council's Transportation Section commented that the proposed facility would have a satisfactory means of primary access; and whilst no off-street parking is proposed and none can be provided, the site is located in a highly sustainable location with good access to various public transport links. Therefore, on balance, the scheme is generally considered acceptable in respect of its potential impact upon pedestrian and highway safety in the vicinity of the site.

However, it is inevitable that the introduction of 22 no. self-contained residential units at the site would result in an intensification of use and that many, if not all, of the future occupiers could have their own vehicle. Therefore with no off-street parking provided and no space within the site to accommodate any, future occupiers would be forced to park on the highways

along the neighbouring residential streets which are already congested, potentially resulting in indiscriminate on-street parking and associated pedestrian and highway safety implications throughout the wider area.

Furthermore, the proposed bin store area to the rear of the building would be sited directly adjacent to the highway and at the junction of Park Street and Cyrch-y-Gwas Road with no footway provision. Therefore occupants would have to enter the busy highway to use the communal bins which would have significant highway and pedestrian safety implications for both future residents and highway users alike.

It would also be extremely difficult to enforce the use of the building's rear entrance to 'use of the bin store only' which for convenience, would inevitably be used by some occupants as their primary means of access. This again, with no footway provision, would be dangerous for both occupants and highway users alike.

As such there is concern with both the lack of off-street parking provision and the secondary means of access / bin store area and the proposed development will inevitably result in a degree of impact to the safety of future occupiers and highway users alike in these respects. Consequently the proposed development could therefore be considered unacceptable in respect of its potential impact upon pedestrian and highway safety in the vicinity.

Conclusion

Whilst the application is recommended for approval, subject to the conditions set out in the original report, if, having considered the above advice, Members remain of a mind to refuse planning permission, it is suggested that the following reasons for refusal would reflect those views:

1. The proposed development would place significant pressure on the plot, representing an over-intensive use and overdevelopment of the site; and in trying to accommodate as many self-contained flats as possible within the building and with no amenity space, would result in the creation of cramped and poor quality living accommodation for future occupiers. As such the proposal is contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan and the Council's adopted Supplementary Planning Guidance: Development of Flats.

2. The proposed development would have a detrimental impact upon pedestrian and highway safety in the vicinity of the site, contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan, for the following reasons:

- i. The proposed development would result in an intensification of use at the site and additional traffic along the residential streets which are already oversubscribed with on-street car parking narrowing the available width to single file traffic and blocking footways to the detriment of safety of all highway users and the free flow of traffic.

- ii. With no off-street parking provision proposed and no space within the site to provide any, future occupiers would be forced to park on the highways along neighbouring residential streets which are already congested, resulting in indiscriminate on-street parking to the detriment of safety of all highway users and the free flow of traffic.
- iii. The proposed bin store area would be sited directly adjacent to the highway at the junction of Park Street and Cyrch-y-Gwas Road with no footway provision. Consequently future occupants would have to enter the busy highway to use the communal bins to detriment of their safety and that of highway users.
- iv. It would be extremely difficult to enforce the control of the building's secondary access at the junction of Park Street and Cyrch-y-Gwas Road to that of 'use of the communal bin store only' which would result in occupants using this entrance as their primary means of access with no footway provision, to the detriment of pedestrian and highway safety in this area.

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PLANNING & DEVELOPMENT COMMITTEE

16 JULY 2020

REPORT OF THE SERVICE DIRECTOR, PLANNING

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

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

RECOMMENDATION: Approve

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

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

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

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

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

REASON APPLICATION REPORTED TO COMMITTEE

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

APPLICATION DETAILS

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

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

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

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

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

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

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

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

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

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

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

The application is accompanied by the following supporting documents:

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

SITE APPRAISAL

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

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

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

PLANNING HISTORY

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

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

PUBLICITY

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

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

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

CONSULTATION

Transportation Section – No objection, subject to conditions.

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

Flood Risk Management – No objection. Standard advice offered.

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

Waste Services – No objection. Standard advice offered.

Natural Resources Wales – No objection. Standard advice offered.

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

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

Western Power Distribution – No objection. Standard advice offered.

South Wales Police – No objection. Standard advice offered.

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

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

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

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

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

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

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

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

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

Policy AW7 – identifies that proposals which impact upon sites of architectural or historic merit will only be permitted where it can be demonstrated that the proposal would preserve or enhance the character of the area.

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

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

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

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

Supplementary Planning Guidance

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

National Guidance

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

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

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

Other relevant national policy guidance consulted:

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

REASONS FOR REACHING THE RECOMMENDATION

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

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

Principle of the Proposed Development

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

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

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

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

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

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

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

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

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

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

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

Visual Impact

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

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

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

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

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

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

Residential Amenity

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

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

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

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

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

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

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

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

Highway Safety

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

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

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

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

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

Public Health

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

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

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

Ecology

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

Land Drainage and Flood Risk

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

Other Issues

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

Community Infrastructure Levy Liability

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

The application is for development of a kind that is liable for a charge under the CIL Regulations 2010 (as amended), however purpose built student accommodation is classified as a Sui Generis use and the CIL rate for this type of development as set out in the Charging Schedule is £nil. Therefore no CIL would be payable.

Conclusion

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

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

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

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

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

RECOMMENDATION: Grant

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

PLANNING & DEVELOPMENT COMMITTEE

28th July 2020
SITE MEETING

APPLICATION NO's: 18/0880 and 18/0886- Change of use of first and second floors of property from former snooker hall (Class D2) to 22 no. self-contained residential student flats (Sui Generis) and associated works (Amended description received 03/10/2016) (Listed Building Consent). (Amended Heritage Impact Assessment Received 12/07/2019)
1 FOTHERGILL STREET, TREForest, PONTYPRIDD, CF37 1SG.

REPORT OF THE SERVICE DIRECTOR, DEMOCRATIC SERVICES & COMMUNICATION

Author: Jessica Daniel, Council Business Unit.

1. PURPOSE OF THE REPORT

- 1.1 To consider the outcome of the site inspection in respect of the above-mentioned proposal and to determine the application, as outlined in the report of the Director, Prosperity & Development, attached at Appendix 1.

2. RECOMMENDATION

It is recommended that Members:

- 2.1 Approve the application in accordance with the recommendation of the Director, Prosperity & Development.

3. BACKGROUND

- 3.1 In accordance with Minute No 193 (Planning and Development Committee – 16th July 2020) a site inspection was undertaken on Tuesday 24th July 2020 to consider the impact of the proposed development on highway safety.
- 3.2 Due to Welsh Government social distancing restrictions in response to Covid-19, Committee Member attendance at the site visit was reduced to ensure the safety of those attending. The meeting was attended by the

Planning and Development Committee Members County Borough Councillors S. Rees, G. Caple, S. Powderhill and J. Williams.

- 3.3 Members met at the front of the proposed development 1 Fothergill Street, Treforest, Pontypridd.
- 3.4 The Planning Officer in attendance informed members that listed building consent and planning permission is sought for the conversion of the first and second floors of the property from a former snooker hall (Class D2) to 22 no. self-contained residential student flats (Sui Generis).
- 3.5 The Planning Officer outlined the details of the application to Members and Members walked to the rear of the proposed development. They noted the lack of parking provision within the application. The Highways Officer advised Members that the existing use requires substantially higher parking requirements than the proposed. Members were also informed that the site is in a highly sustainable location with access to public transport, local amenities, employment and the University. The applicant also proposes 15 secure cycle stands and therefore on that basis the Highways Officer confirmed that no highway objection is raised.
- 3.6 Members also expressed concerns regarding highways safety noting the busy roads alongside the proposed development. The Highways Officer advised Members that the local highway network serving the site incorporates a comprehensive traffic management scheme to maintain highway safety and the free flow of traffic. The existing traffic management, coupled with the suggested condition for HGV deliveries during construction and powers made available to the Council as Highway Authority under Highways Act 1980, would enable necessary action to be taken if the highway safety requirements are breached.
- 3.7 Members also raised concerns over the location of the refuse and recycling storage area. Members felt that this area was small in size and close to the highway. The Highways Officer advised Members that the storage area must be outside the limit of the adopted highway and any obstruction could be dealt with under separate Highway legislation, which empowers the Council to take necessary enforcement action if required.
- 3.8 Members raised the potential for neighbouring properties to be overlooked as a result of the proposed development. The Planning Officer showed Members images of the design for the final development and acknowledged that this would result in some degree of overlooking into the properties opposite. The Planning Officer advised Members that the degree of overlooking is not considered significant enough to warrant an officer recommendation of refusal.

- 3.9 Members also discussed concerns over the proposed number of flats sought as part of the application. Members expressed concern that 22 would be an overdevelopment of the site and the number could exacerbate their other concerns detailed above. The Planning Officer informed Members that the possibility of reducing the number of units had been discussed with the applicant however this would impact on the viability of the proposed development.
- 3.10 Members also discussed the application for listed building consent. The planning officer acknowledged that the proposal would lead to the loss of some internal historic fabric, specifically the plaster ceilings in the main, first-floor hall area and informed Members that while this would be regrettable, it was considered that due to the poor state of repair that the ceilings were in that this would be an acceptable loss if a viable alternative use was found for the building. The Planning Officer advised Members that the lost ceilings would also be recorded, and the details retained on the architectural record by the imposition of suitably worded condition.
- 3.10 The Chair thanked the officers for the report and closed the meeting.



RHONDDA CYNON TAF

PLANNING & DEVELOPMENT COMMITTEE

16 JULY 2020

REPORT OF THE SERVICE DIRECTOR, PLANNING

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

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

RECOMMENDATION: Approve

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

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

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

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

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

REASON APPLICATION REPORTED TO COMMITTEE

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

APPLICATION DETAILS

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

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

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

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

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

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

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

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

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

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

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

The application is accompanied by the following supporting documents:

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

SITE APPRAISAL

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

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

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

PLANNING HISTORY

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

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

PUBLICITY

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

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

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

CONSULTATION

Transportation Section – No objection, subject to conditions.

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

Flood Risk Management – No objection. Standard advice offered.

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

Waste Services – No objection. Standard advice offered.

Natural Resources Wales – No objection. Standard advice offered.

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

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

Western Power Distribution – No objection. Standard advice offered.

South Wales Police – No objection. Standard advice offered.

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

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

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

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

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

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

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

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

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

Policy AW7 – identifies that proposals which impact upon sites of architectural or historic merit will only be permitted where it can be demonstrated that the proposal would preserve or enhance the character of the area.

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

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

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

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

Supplementary Planning Guidance

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

National Guidance

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

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

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

Other relevant national policy guidance consulted:

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

REASONS FOR REACHING THE RECOMMENDATION

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

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

Principle of the Proposed Development

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

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

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

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

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

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

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

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

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

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

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

Visual Impact

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

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

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

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

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

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

Residential Amenity

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

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

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

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

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

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

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

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

Highway Safety

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

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

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

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

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

Public Health

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

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

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

Ecology

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

Land Drainage and Flood Risk

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

Other Issues

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

Community Infrastructure Levy Liability

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

The application is for development of a kind that is liable for a charge under the CIL Regulations 2010 (as amended), however purpose built student accommodation is classified as a Sui Generis use and the CIL rate for this type of development as set out in the Charging Schedule is £nil. Therefore no CIL would be payable.

Conclusion

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

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

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

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

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

RECOMMENDATION: Grant

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

PLANNING & DEVELOPMENT COMMITTEE

17 SEPTEMBER 2020

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 18/1291/10 - CHANGE OF USE OF SITE TO STORAGE YARD OF STEEL STORAGE CONTAINERS (AMENDED DETAILS, INCLUDING ENLARGED SITE AREA, LIGHTING DETAILS AND HOURS OF OPERATION RECEIVED 26/11/2019), LAND ADJACENT TO GLYNFACH ROAD, GLYNFACH, PORTH

1. PURPOSE OF THE REPORT

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

2. RECOMMENDATION

That Members consider the proposed updated report and determine the application having regard to the advice given.

3. BACKGROUND

This application was originally reported to the Planning and Development Committee on 20th August 2020 with an officer recommendation of approval (a copy of the original report is reproduced as Appendix A).

Following consideration of the report, 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 application is incompatible with the residential area and is detrimental to local amenity. Members also considered the proposal would form an unsympathetic development and the access and egress is sub-standard giving rise to highway safety issues.

Therefore, the matter was 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 (minute 272 refers).

The material planning considerations of the application are considered in full in the original Committee report. It is considered that the proposal would bring a currently disused piece of land back into beneficial use, would provide an acceptable storage facility within the area and would be served by an acceptable means of access. However, if after further consideration, Members remain of the opinion that the application should be refused, the following reasons for refusal are suggested to reflect their views as previously expressed.

Reasons for refusal

1. The proposed development would represent a commercial use, the operation of which, would be incompatible with the residential nature of the surrounding area. The 24 hour operation of the site would cause noise and disturbance to nearby residential properties, particularly at unsociable hours, to the detriment of their residential amenity, contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan and, as a result of the impact, contrary to the Well Being of Future Generations Act.
2. The proposed development would lead to an increase in the use of the existing, sub-standard access and egress to the site to the detriment of safety of all highway users and free flow of traffic within the area, contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

PLANNING & DEVELOPMENT COMMITTEE

20 AUGUST 2020

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 18/1291/10 (BJW)
APPLICANT: A P Plant Hire
DEVELOPMENT: Change of use of site to storage yard of steel storage containers (amended details, including enlarged site area, lighting details and hours of operation received 26/11/2019).
LOCATION: LAND ADJACENT TO GLYNFACH ROAD,
GLYNFACH, PORTH, CF39 9LL
DATE REGISTERED: 26/11/2019
ELECTORAL DIVISION: Cymmer

RECOMMENDATION: Approve

REASONS:

The proposed change of use would be a suitable and appropriate use for this otherwise surplus area of land. The operation of the use would not have a detrimental impact on the amenity of neighbouring residential properties.

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

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 of this currently disused piece of land opposite Glynfach Road, Glynfach, Porth to a storage container yard.

The application differs from the originally submitted proposal in that it encompasses a larger site area, includes only one point of access off Glynfach Road (the initial proposal also included a second access point onto the eastern boundary of Dyllas Road) and is solely for container storage and does not include the storage of caravans.

Specifically, the application proposes the following:

- The repositioning of the existing outer gates next to Glynfach Road. This is to allow customers to drive in to the site without having to wait on Glynfach Road and temporarily block it having to open the security gates;
- Retrofit the existing inner security gates will be with an automatic gate opening/closing system as we have in an existing facility in Tonyrefail. This would then be operated by the means of a programmed access security card, so that all customers who use the yard are recorded on a database, details which include customer name, date and time of entry or exit. The automated gates are silent running and would not be heard by local residents. Gates can be remotely operated from our main office, homes and smartphones. Until such time that the gates are automated, the gates would continue to be manually operated and locked with a combination padlock.
- The installation of up to 16 CCTV cameras installed with cameras monitoring the entry and exit of customers with cameras located on containers to ensure site safety and security. Monitoring will be achieved from our main office, our homes and smartphones. The cameras include mostly fixed units with a single pan, tilt and zoom (PTZ) unit attached to the lamp post by the inner gate.
- The installation of a mixture of small and larger storage containers within the plateau of the existing yard area, an area of 72.6m in length and 14.1m in depth (50 total containers). The submitted layout plan indicates 23 larger containers immediately abutting the Glynfach Road boundary measuring 6.1m(l) x 2.44m(w) x 2.6m(h) with a volume of 33.1 cubic metres and 27 smaller containers, 3 at the main entrance/Glynfach Road boundary and the other on the southern boundary, these units would measure 3m(l) x 2.44m(w) x 2.6m(h) with a volume of 15.1 cubic metres. All of the containers would be constructed with steel doors, sides, frames and under structures and with a marine-ply floor.
- The site would have a single lamp post installed by the internal gate, 7m high, providing light from a 100W LED luminaire positioned face down and cowled to illuminate the inner gate, operated by a dusk to dawn sensor, to provide safe passage to and from the site and provide sufficient light for a customer to exit a vehicle safely to use the gate automation system. The luminaire would not interfere or shine into properties but would be installed as per street lighting specification.

There will be a maximum of 6 x 15w LED luminaires controlled by a dusk to dawn sensor, attached to selected 20ft containers, positioned faced down and cowled to provide safety and security lighting.

Each container will have an individual 8W LED luminaire with a PIR fitted above the container doors to allow safe opening, closing and use of the container. These luminaires will only be activated when customers are present. These are not shown on the site plan as it affects all containers.

8W LED with PIR	-	Slimline Guardian PIR Part No: LFSP6B150
15W LED without PIR	-	Slimline Guardian Part No: LFS12B150
100W LED Floodlight	-	Meridian Part No: IFL100

- The outer chain- link fence will be replaced and any damaged concrete posts will be replaced by the Landlord.
- The proposed hours of operation of use sought are 24 hours, 7 days a week. In their supporting statement the applicant has provided the following by way of justification:

We request that the site has access 24 hours per day, 7 days per week for the benefit of our customers, many who will be local residents and business customers. The storage business is a very quiet and will have no impact on noise or disturbance to local residents. From our records of operation in Tonyrefail, most customers use their containers in normal daytime hours and we rarely have customers visit outside these times. Our existing facility is used by local domestic customers for house moves, recreational and general storage purposes and local businesses, requiring general storage for the safe-keeping of tools and materials from van thefts overnight to additional storage for seasonal use or project works.

The application is also accompanied by a Coal Mining Risk Assessment by Rhondda Geotechnical Services in support of the proposal.

SITE APPRAISAL

The application site relates to a broadly rectangular parcel of land situated adjacent to Glynfach Road, Porth. It is bounded by the highway of Glynfach Road to the south, a steep embankment to the north and Dyllas Road to the east. It is served by an existing access point off Glynfach Road.

The site is situated approximately 3 metres below the level of road and the ground slopes steeply from down to a flat plateau. Beyond this plateau, there is a steep embankment that falls away from the site in a north-easterly direction.

PLANNING HISTORY

14/1622	Land adjacent to Glynfach Road, Cymmer, Porth	Construction of new residential dwelling (Amended plans received 13/3/2015)	GTD 08/06/15
R/01/6280	Land at Glynfach Road, Cymmer, Porth	Erection of 5 no. 3 bedroom dwellings	GTD 07/12/01
R/98/6222	Former Market site, Glynfach	Residential Development	GTD 12/02/99

	Road, Cymmer, Porth		
97/6713	Former Market site, Glynfach Road, Cymmer, Porth	Temporary consent for 6 months – car park	GTD 09/03/98
92/0082	Former Market site, Glynfach Road, Cymmer, Porth	Residential Development	Refused 03/08/92
87/0893	Former Market site, Glynfach Road, Cymmer, Porth	Landfill	GTD 29/04/88
86/1096	Land at Glynfach Road, Cymmer, Porth	Open Air Market	
85/0393	Land at Glynfach Road, Cymmer, Porth	Tipping	Refused 01/10/85
82/0525	Land at Glynfach Road, Cymmer, Porth	Tipping	GTD 15/02/83
79/0158	Land at Glynfach Road, Cymmer, Porth	Extension to caravan site	GTD 10/04/79

PUBLICITY

This has included site notices and the direct notification of properties surrounding the site for both the initial proposal and the amended details. A total of nine responses have been received, from five separate respondents, objecting to the application. The main points of the responses are detailed below:

- The use as a storage yard is incompatible with a residential area and will cause noise and disturbance particularly if allowed as a 24 hour operation.
- Increased vehicular movements on what is already a busy route and a bus route.
- The lighting used will cause a light nuisance to neighbouring properties.

- The land has been previously built up and previous applications for housing have not been implemented. What guarantee is there that the land can withstand the weight of the containers that are proposed?
- The existing highway network is unsuitable for larger vehicles that may access the site.
- The applicant has already been using this site and the adjacent one causing noise and disturbance to neighbouring properties. We have been woken on many occasions at early hours with shouting, music blaring from vans and machines being moved onto trailers.
- At the moment, in my view the land behind and adjacent to the area is being used inappropriately. The land is being used for railway workers who are not supposed to be using it and are attending at unsociable hours making lots of noise and disturbances which is having a detrimental effect on the livelihood of those surrounding.
- The land should only be used for residential purposes to enhance our area and not degrade it.

CONSULTATION

Transportation Section – no objection. There is some concern regarding the intensification of use of the sub-standard access in terms of visibility onto Glynfach Road. However, taking into account that the proposal is for container storage served off an existing private shared access with limited extra vehicular movement and considering the previous approved planning for a singular dwelling on Glynfach Road, on balance the proposal is considered acceptable.

Land Reclamation and Engineering (Drainage) – no objection.

Public Health and Protection Division – No objection, subject to conditions to control the hours of operation during the construction phase of the development and to require a site investigation survey in relation to potentially previously contaminated land uses and standard informative notes.

Dwr Cymru Welsh Water (DCWW) – no objection. Standard advice is offered in relation to the proximity of DCWW apparatus which may affect the development site which the developer will have to liaise with DCWW.

Coal Authority – no objection. The initial planning application and the subsequently amended details are supported by a Coal Mining Risk Assessment dated 13th December 2018 and prepared by Rhondda Geotechnical Services. It is noted that this report establishes the extent of treatment and remediation in respect of shallow mine workings from previous planning applications. The site has been remediated through sufficient measures to suit the requirements for the development.

In respect of the mine entry, the report author has identified the presence of the adit on the outskirts of the planning application boundary. The report author notes that due to the nature of development and the distance of the mine entry from the boundary, that there is no risk to ground stability.

On the basis of the information submitted, and the professional opinion of the report author set out therein, the Coal Authority has no objection to proposed development.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies within the settlement boundary for Porth and is unallocated

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

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 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

The land does meet the criteria for previously developed land as set out in National Guidance and as is clear from its planning history.

It is apparent that unauthorised works of a heavy engineering nature have been carried out from the site (the rail industry being one such previous use identified by respondents) and that these uses have caused noise and disturbance to neighbouring properties.

The proposed use is one of storage and is being presented by LS Storage who already operate a similar facility in Tonyrefail on a former Council yard. The applicant is looking to expand their business interests with this site having operated their other site successfully for several years.

It is considered that the application represents a productive use of the site that would be less intensive and cause less disturbance to local residents than the unauthorised uses at the site have previously caused.

The site is within a sustainable location with good access and infrastructure and the features that would be installed at the site would improve the safety and visual appearance of the site.

Consequently, the principle of the development is considered to be acceptable, subject to conditions.

Impact on neighbouring properties

The site is within a plateau located approximately 3m below the road level of Glynfach Road. Consequently, the proposed containers will not be immediately visible from properties in Glynfach Road and similarly neither will visitors/customers to much of the site.

The lighting arrangements would consist of a single, cowled 100W light on a 15m pole to illuminate the main entrance gates which are located within the site. Additional illumination would be present on and around individual containers which would not be immediately visible from neighbouring properties on Glynfach Road.

The use of the site for storage would be mainly undertaken during the standard working day. While the applicant was requested to apply for restricted hours they have advised that they require 24 hour operation for the convenience of their customers.

While this is not ideal, their current operation, in Tynybryn Road, Tonyrefail (application 17/0943/10 refers), is also located in a residential area, is operated on a 24 hour basis and has caused no issues in terms of noise or disturbance. The proposal at this site would follow the same operational methods of the existing site.

Whilst it is acknowledged that the previous, unauthorised uses, on the site have caused noise and disturbance to neighbouring properties that have adversely affected their residential amenity. It is considered, however, that the proposed storage use would have a generally lower level of activity and its use would preclude the particularly heavy and noisy uses that have characterised previous uses at the site.

Consequently, it is considered that the proposed use and its operation would be such that it would not have an adverse impact to the amenity of neighbouring properties and is acceptable in this regard

Visual amenity

The site is currently visually poor with rusty chain-link fencing, some damaged concrete posts on the Glynfach Road (southern) boundary and a variety of unauthorised items that are being stored on the land (such as caravans, a storage unit and a boat).

It is considered that the proposal would represent an opportunity to improve the appearance of the site with new fencing and repairs to the concrete posts along the Glynfach Road boundary as well as formalising the arrangement of storage containers within the site.

It should also be noted that the plateau, within which the majority of containers would be placed, are approximately 3m below the street level of Glynfach Road and the impact on the visual and residential amenity is already of a low level.

Having regard to the above, it is considered that the application is acceptable in this respect.

Highway safety

The Transportation Section has raised no objection to the application. This view acknowledges the following:

The proposal lies within the settlement boundary and is in a sustainable location. It would make use of a previously developed parcel of land situated within an established residential area of Porth. There have been no objections to the previous planning applications in regards to a singular dwelling and the proposal is considered acceptable in terms of highway safety.

The proposed is located on a bus route with bus stops a short walk from the proposed. There are also a number of local businesses within walking distance, which is acceptable.

Access

The proposed is served off Glynfach Road, which has a carriageway width of 6.8m with no parking restrictions and footways that vary in width between 1.8m – 2.0m, which is acceptable to serve the proposed steel container storage. Glynfach Road has a mixture of terraced residential dwellings and semi-detached dwellings. To the west of the existing / proposed access are two semi-detached dwellings with direct access onto Glynfach Road.

There is an existing access, which is proposed as a private shared access to serve the land to the west and the proposal area. The access measures 5.5m in width, which is satisfactory for the two-way vehicular movement and is therefore acceptable. The existing access gates are to be remodelled to provide sufficient space for a vehicle to park off the highway to open and shut gates to both sites which is acceptable.

The proposal is to use the existing access off Glynfach Road as a private shared access with adjacent landowner to the west. The developer has proposed a private shared access into the boundary shown red on the submitted location plan measuring 5.5m wide allowing two vehicles to pass at any one time without effecting the free flow of traffic.

Visibility

Glynfach Road has a speed limit of 30Mph requiring a visibility splay of 2.4m x 40m in accordance with TAN 18.

Taking into account the more critical visibility splay is from the west the worst-case scenario has been assessed 2.4m x 35m for visibility from the private shared access.

The achievable visibility from the existing access is 2.4 x 28m left to the east and 2.4m x 22m to the right west which is below recommended standard. Therefore, any increase in vehicular movement off the sub-standard access would be to the detriment of safety of all highway users.

Accident Data

The accident data for the period 30/06/2013 – 19/06/2018 has been assessed with no accidents recorded on Glynfach Road.

However, taking into account that the proposal is for container storage served off an existing private shared access, with access/egress in forward gear by all vehicles with no accidents within the vicinity of the existing access due to sub-standard geometry or visibility this concern alone would not warrant a highway objection.

In conclusion, there is some concern regarding the intensification of use of the sub-standard access in terms of visibility onto Glynfach Road. However, taking into account that the proposal is for container storage served off an existing private shared access with limited extra vehicular movement. In addition to the previous approved planning for a singular dwelling on Glynfach Road, on balance the proposal is considered acceptable.

Other issues

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

It is considered that a well-managed site is capable of being located within a residential area without detriment to the amenities of neighbouring properties as evidenced by the applicant's other premises in Tonyrefail.

The impact on the existing highway network has been examined by the Council's Transportation Section who have raised no objection to the application.

The lighting proposed for the development would be mainly located on and around the containers that are within the plateau within the site which are approximately 3m below the level of the southern highway boundary. The main, single lighting column would be cowled and directed away from neighbouring properties and into the site.

The site has been approved for other commercial uses as well as residential purposes and there has been no indication of land instability. Additionally, the application details include a Coal Mining Risk Assessment (CMRA). The CMRA has been examined by the Coal Authority who have accepted its findings and raise no objection in this regard.

The previous unauthorised use of the site is acknowledged as are the occasions of noise and disturbance. It should be noted however that some of this activity has been for the adjacent site located to the west of the main entrance point. Additionally, storage uses tend to generate less noise and disturbance than the heavy industrial uses to which respondents refer to in their comments.

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.

However, their recommendation for site investigations due to potentially contaminating previous land uses are considered to be reasonable and necessary to include.

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 site 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 and the impact on neighbouring properties and the visual amenity of the area (Policies AW5 and AW6).

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)

- Amended site location plan
- Layout/lighting 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. The development hereby permitted shall not begin until a scheme to deal with contamination has been submitted and approved in writing by the Local Planning Authority (hereafter referred to as "the LPA"). The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing.

- A desk-top study carried out by a competent person to identify and evaluate all potential sources and impacts of contamination relevant to the site. The desk top study should contain a conceptual site model.

- A site investigation shall be carried out by a competent person to fully and effectively characterise the nature and extent of any contamination and its implications. The site investigation shall not be commenced until a desk-top study has been completed satisfying the requirements of paragraph (1) above.
- A written method statement for the remediation of contamination affecting the site shall be agreed in writing with the LPA prior to commencement and all requirements shall be implemented and completed to the satisfaction of the LPA by a competent person. No deviation shall be made from this scheme without the express written agreement of the LPA.

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

4. The development hereby permitted shall not be occupied and/or operated until the measures approved in the scheme (referred to in Condition 3) have been implemented and a suitable validation report of the proposed scheme has been submitted to and approved in writing by the LPA. Any validation report shall be carried out by a competent person.

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

5. If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals then work shall cease and revised contamination proposals shall be submitted to and approved in writing by the LPA prior to the work recommencing. Any revised contamination proposals shall be carried out by a competent person.

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

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

by the LPA. Only material approved by the Local Planning Authority shall be imported.

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

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PLANNING & DEVELOPMENT COMMITTEE

17 SEPTEMBER 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 24/08/2020 – 04/09/2020

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

17 SEPTEMBER 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

APPEAL DECISIONS RECEIVED

APPLICATION NO: 20/0220
APPEAL REF: D/20/3254513
APPLICANT: Mr D Rowley
DEVELOPMENT: Vehicle access.
LOCATION: 26 RAYMOND TERRACE, TREForest, PONTYPRIDD,
CF37 1ST
DECIDED: 29/04/2020
DECISION: Refused
APPEAL RECEIVED: 06/07/2020
APPEAL DECIDED: 26/08/2020
APPEAL DECISION: Allowed with Conditions

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
DECIDED: 24/04/2020
DECISION: Refused
APPEAL RECEIVED: 09/07/2020
APPEAL DECIDED: 04/09/2020
APPEAL DECISION: Allowed with Conditions

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Report for Development Control Planning Committee

Hirwaun

20/0688/10 Decision Date: 04/09/2020
Proposal: Two storey rear extension.
Location: 20 DAVIES ROW, HIRWAUN, ABERDARE, CF44 9SS

Aberdare West/Llwydcoed

20/0715/10 Decision Date: 04/09/2020
Proposal: Construction of retaining walls to facilitate hardstand to front garden (retrospective).
Location: 20 MILL STREET, TRECYNON, ABERDARE, CF44 8PA

Mountain Ash East

20/0709/10 Decision Date: 24/08/2020
Proposal: Proposed porch.
Location: CEFN PENNAR UCHAF FARM, CEFNPENNAR ROAD, CWMBACH, ABERDARE, CF45 4EF

Mountain Ash West

20/0579/10 Decision Date: 25/08/2020
Proposal: Change of use from commercial to residential.
Location: SHOP ADJACENT TO NO. 35 HIGH STREET, MOUNTAIN ASH, CF45 3PE

Abercynon

20/0764/10 Decision Date: 03/09/2020
Proposal: Single storey duo-pitch extension to side.
Location: THE MEADOWS, PARK VIEW, ABERCYNON, MOUNTAIN ASH, CF45 4TR

Treorchy

20/0267/10 Decision Date: 03/09/2020
Proposal: Detached double garage (retrospective).
Location: LAND REAR OF 205 PARK ROAD, CWMPARC, TREORCHY, CF42 6LD

20/0768/10 Decision Date: 25/08/2020
Proposal: Proposed two storey side and rear extensions (Re-submission).
Location: 9 GETHIN ROAD, TREORCHY, CF42 6SE

Report for Development Control Planning Committee

Penygraig

20/0677/10 Decision Date: 01/09/2020
Proposal: Demolition of existing single story rear extension and erection of new single story rear extension.
Location: 1 LLANFAIR ROAD, PENYGRAIG, TONYPANDY, CF40 1TA

Porth

20/0665/10 Decision Date: 01/09/2020
Proposal: Proposed ground floor rear extension.
Location: 10 PARK STREET, PORTH, CF39 0DH

Ynyshir

20/0601/10 Decision Date: 27/08/2020
Proposal: Proposed two storey rear extension.
Location: 39 YNYS STREET, YNYSHIR, PORTH, CF39 0HL

Tylorstown

20/0644/10 Decision Date: 25/08/2020
Proposal: Proposed rear single storey extension and first floor side extension.
Location: 18 GROVE HOUSE COURT, PONTYGWAITH, FERNDAL, CF43 3LJ

Ferndale

19/1058/10 Decision Date: 01/09/2020
Proposal: Creation / refurbishment of 5 no. flats on 2nd floor of property.
Location: FLAT ABOVE THE FERNDAL HOTEL, DUFFRYN STREET, FERNDAL, CF43 4EL

20/0667/10 Decision Date: 25/08/2020
Proposal: Two storey extension.
Location: 23 BROWN STREET, FERNDAL, CF43 4SF

Town (Pontypridd)

20/0736/18 Decision Date: 28/08/2020
Proposal: Proposed reduction, shaping and crown lift of copper beech tree.
Location: 1 TYFICA ROAD, PONTYPRIDD, CF37 2DA

Report for Development Control Planning Committee

Graig

20/0679/10 Decision Date: 26/08/2020
Proposal: Change of use from A2 (office) to Sui Generis (tattoo parlour).
Location: UNIT 2 FIRST FLOOR, THE OLD COURTHOUSE, COURT HOUSE STREET, GRAIG, PONTYPRIDD, CF37 1LJ

Treforest

20/0569/10 Decision Date: 26/08/2020
Proposal: Two storey rear extension.
Location: 25 OLD PARK TERRACE, TREForest, PONTYPRIDD, CF37 1TG

Hawthorn

20/0577/10 Decision Date: 24/08/2020
Proposal: Two storey rear extension.
Location: 76 YNYSLYN ROAD, RHYDYFELIN, PONTYPRIDD, CF37 5AR

20/0678/10 Decision Date: 28/08/2020
Proposal: Single storey side extension.
Location: PENTYLA, POPLAR ROAD, RHYDYFELIN, PONTYPRIDD, CF37 5LT

Ffynon Taf

20/0549/10 Decision Date: 03/09/2020
Proposal: Two storey rear extension.
Location: 9 OXFORD STREET, NANTGARW, TAFFS WELL, CARDIFF, CF15 7ST

20/0648/10 Decision Date: 25/08/2020
Proposal: Rear single storey extension.
Location: 3 PANT PLACE, TAFFS WELL, CARDIFF, CF15 7QG

20/0685/10 Decision Date: 04/09/2020
Proposal: Proposed installation of 2.5 meter high palisade fence around goods inwards and despatch area.
Location: UNIT 1 BIOCATALYSTS, CEFN COED, NANTGARW, TAFFS WELL, CARDIFF, CF15 7QQ

Report for Development Control Planning Committee

Church Village

20/0570/09 Decision Date: 25/08/2020

Proposal: Single storey rear extension

Location: 19 NIGHTINGALE GARDENS, CHURCH VILLAGE, PONTYPRIDD, CF38 1GB

20/0727/19 Decision Date: 27/08/2020

Proposal: Proposed 30% crown reduction to oak tree (T1).

Location: WOODLAND TO REAR OF 18 TY CRWYN, CHURCH VILLAGE, PONTYPRIDD, CF38 2HX

Tonyrefail East

20/0649/10 Decision Date: 01/09/2020

Proposal: Reduction in height of an existing double detached garage.

Location: 63 TYLCHA FACH ESTATE, TONYREFAIL, PORTH, CF39 8BT

Town (Llantrisant)

20/0589/01 Decision Date: 01/09/2020

Proposal: Installation of 3 Fascia Sign, 1 Hanging Sign & 5 'Other' Signs, both illuminated and non-illuminated.

Location: THE CO OPERATIVE FOOD, 2-6 SOUTHGATE AVENUE, LLANTRISANT, PONTYCLUN, CF72 8DQ

20/0640/10 Decision Date: 28/08/2020

Proposal: Removal of an existing rear conservatory. Construction of ground floor rear extension.

Location: 34 PARKDALE VIEW, LLANTRISANT, PONTYCLUN, CF72 8DT

Talbot Green

20/0594/10 Decision Date: 25/08/2020

Proposal: Ground floor rear extension.

Location: 13 LANELAY ROAD, TALBOT GREEN, PONTYCLUN, CF72 8HZ

20/0710/10 Decision Date: 27/08/2020

Proposal: Single storey rear extension to replace existing conservatory

Location: CARTREF, TALBOT ROAD, TALBOT GREEN, PONTYCLUN, CF72 8AH

Report for Development Control Planning Committee

Pontyclun

20/0480/10 Decision Date: 24/08/2020
Proposal: To provide vehicle access over public footpath to drive and garage. Amended plans received 10/07/20.
Location: ASHDENE, NEW MILL CORNER, MISKIN, PONTYCLUN, CF72 8JQ

20/0596/10 Decision Date: 24/08/2020
Proposal: Change of use from betting office (Class A2) to a podiatrist clinic (Class D1).
Location: LADBROKES PLC, 8 COWBRIDGE ROAD, PONTYCLUN, CF72 9ED

20/0638/10 Decision Date: 26/08/2020
Proposal: Two-storey side extension, upgrading conservatory to orangery.
Location: 10 BRYN CREIGIAU, GROES-FAEN, PONTYCLUN, CF72 8RT

20/0655/10 Decision Date: 01/09/2020
Proposal: First floor side/rear extension.
Location: 61 CLOS BRENIN, BRYNSADLER, PONTYCLUN, CF72 9GA

20/0692/10 Decision Date: 27/08/2020
Proposal: Single storey ground floor extension.
Location: 16 BRYNAMLWG, PONTYCLUN, CF72 9AU

Total Number of Delegated decisions is 33

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Aberdare West/Llwydcoed

20/0659/10 Decision Date: 03/09/2020

Proposal: To extend the existing garden curtilage of the property (40 Tan Y Bryn Gardens) to include an area of land locked wasteland, located parallel to the property.

Location: 40 TAN Y BRYN GARDENS, LLWYDCOED, ABERDARE, CF44 0TQ

Reason: 1 The proposal would encroach on land safeguarded for rail network improvements associated with the former rail freight line between Aberdare and the former Tower Colliery site (Hirwaun), and would also impact on the provision of station improvements at the former Railway Site and Freight Head (Hirwaun). The application would therefore be contrary to Policy NSA 22 of the Rhondda Cynon Taf Local Development Plan.

Reason: 2 By virtue of its location and scale, the proposed curtilage extension would be an unjustified intrusion into the open countryside as defined by the Rhondda Cynon Taf Local Development Plan. As such, the proposal would have a detrimental visual impact on the character and appearance of the surrounding area and upon a Special Landscape Area. The proposal is therefore contrary to Policy AW 5 and NSA 25 of the Rhondda Cynon Taf Local Development Plan.

Reason: 3 By virtue of its location and scale, the proposed curtilage extension would cause or result in a risk of unacceptable harm to health of occupants of 40 Tan-y-Bryn Gardens and future users of any passenger rail network. The application is therefore contrary to Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

Aberaman South

20/0612/10 Decision Date: 24/08/2020

Proposal: Change of use of land at rear of 15, 16 and 17 Parc Aberaman to garden curtilage (retrospective).

Location: LAND TO REAR OF 15, 16 AND 17 PARC ABERAMAN, ABERAMAN, ABERDARE, CF44 6EY

Reason: 1 By virtue of its prominent position and adverse visual impact on the surrounding area, the fencing is considered to be an incongruous and detrimental addition to the street scene; and as such, does not comply with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

Reason: 2 The proposed extension of the garden curtilage will encroach onto public highway land, restrict inter-visibility between the arms of the roundabout and will jeopardise future improvements to the roundabout, B4275 and access for maintenance of the highway embankment and surface water carrier drain to the detriment of safety of all highway users.

Further, there is a lack of information with regards the location of existing statutory undertakers equipment located within the verge area and their ability to carry out future maintenance. As such, the development does not comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Report for Development Control Planning Committee

Tonyrefail West

20/0647/10 Decision Date: 03/09/2020

Proposal: Proposed two storey, two bed detached dwelling.

Location: LAND ADJ. 8 OFFICE ROW, PENRHIW-FER, TONYPANDY, CF40 1SQ

Reason: 1 The site lies outside the settlement boundary identified in the Rhondda Cynon Taf Local Development Plan (LDP). New residential development is not supported in such a location, and no suitable justification has been submitted to negate this.

The proposal therefore is contrary to Policies AW1 and AW2 of the Rhondda Cynon Taf Local Development Plan.

Reason: 2 The proposed development is located in an unsustainable location and would be heavily reliant on the use of private motor vehicles, contrary to the sustainable transport hierarchy set out in Planning Policy Wales edition 10.

The proposal therefore is contrary to PPW 10 and Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Llanharry

20/0624/10 Decision Date: 25/08/2020

Proposal: Two-storey extension to front, side & rear, canopy to front, internal works.

Location: 65 SYCAMORE ROAD, LLANHARRY, PONTYCLUN, CF72 9HP

Reason: 1 By virtue of its scale, mass and design, the proposed side/front extension would form an obtrusive and overbearing addition, which would serve to 'unbalance' the appearance of the pair of semi-detached dwellings of which it is a part, creating a development that is out-of-keeping with the character of the local area and detrimental to the visual amenity of its surroundings. The development is therefore contrary to Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan and Supplementary Planning Guidance 'A Design Guide for Householder Development (2011)'.

Total Number of Delegated decisions is 4