



CYNGOR BWRDEISTREF SIROL
RHONDDA CYNON TAF
COUNTY BOROUGH COUNCIL

GWŶS I GYFARFOD PWYLLGOR

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

Dolen gyswllt: Jess Daniel - Council Business Unit, Democratic Services (01443 424103)

Bydd rhithwir cyfarfod o'r **Pwyllgor Cynllunio a Datblygu** yn cael ei gynnal ar **DYDD IAU, 7FED IONAWR, 2021** am **3.00 PM**.

MAE MODD I AELODAU NAD YDYN NHW'N AELODAU O'R PWYLLGOR AC AELODAU O'R CYHOEDD OFYN I ANNERCH Y PWYLLGOR YN YSTOD Y CYFARFOD SY'N YMWNEUD Â'R MATER SYDD WEDI'I NODI. RYDYN NI'N GOFYN EICH BOD CHI'N RHOI GWYBOD AM EICH BWRIAD I SIARAD DRWY E-BOSTIO GWASANAETHAUCYNLLUNIO@RCTCBC.GOV.UK ERBYN 5PM AR DYDD MAWRTH, 5 IONAWR 2021, GAN NODI A FYDDWCH CHI'N SIARAD YN GYMRAEG NEU'N SAESNEG.

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

AGENDA

Tudalennau

1. DATGAN BUDDIANT

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

Nodwch:

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

2. DEDDF HAWLIAU DYNOL 1998 A PHENDERFYNIADAU RHEOLI DATBLYGU

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

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

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

4. COFNODION

Cymeradwyo a chadarnhau bod y cofnodion o gyfarfod y Pwyllgor Cynllunio a Datblygu a gynhaliwyd ar 19 Tachwedd, 2020 yn rhai cywir.

5 - 8

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

5. CAIS RHIF: 20/0468

Estyniad yn y cefn i greu fflat hunangynhwysol 1 ystafell wely ar gyfer rheolwr. (Derbyniwyd Disgrifiad, Cynlluniau a ffurflen gais ddiwygiedig ar 19/11/20),

Fflat uwchben gwesty The Ferndale, Stryd y Dyffryn, Glynrhedynog

9 - 16

6. CAIS RHIF: 20/0646

Dwy annedd 4 ystafell wely rhanedig gyda garejys a mannau parcio a rennir. Darparu llwybr troed. (Amlinelliad) (Effeithio ar Hawl Tramwy Cyhoeddus ANT/340/1) (Diwygiwyd y disgrifiad. Derbyniwyd cynlluniau a gwybodaeth ddiwygiedig ar 5 Hydref, 6 Tachwedd a 9 Tachwedd 2020)

Tir yn Otters Brook, Parc Ivor, Brynsadler, Pont-y-clun

17 - 32

7. CAIS RHIF: 20/1213

Cadw a chwblhau bloc garej (ailgyflwyno cais 20/0091/10)

Tir cyferbyn â Stryd James, Cwmdâr, Aberdâr

33 - 42

8. CAIS RHIF: 20/1265

Trosi'r adeilad masnachol presennol yn 7 fflat ac uned fasnachol lai sy'n wynebu'r stryd (Dosbarth Defnydd A2)
Lloyds TSB, 80 Stryd y Fasnach Aberpennar

43 - 54

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

9. CAIS RHIF: 20/0959

6 o fflatiau 1 ystafell wely (newidiwyd y disgrifiad a derbyniwyd cynlluniau diwygiedig ar 4 Tachwedd 2020)
Hen Glwb y Lleng Brydeinig, Stryd Howell, Cilfynydd, Pontypridd

55 - 66

ARCHWILIAD O'R SAFLE

10. CAIS RHIF: 20/0680/10

Gweld lluniau drôn, awyrluniau a lluniau 'dash cam' mewn perthynas â chais am 6 pod glampio gydag isadeiledd, gwelliannau ac atgyweiriadau i'r ysgubor bresennol (derbyniwyd gwybodaeth ychwanegol ar 17/08/2020) (derbyniwyd cynllun diwygiedig ar 25/08/2020)
**FFERM BLAEN NANT-Y-GROES, HEOL BLAEN NANT-Y-GROES,
CWM-BACH, ABERDÂR, CF44 0EA**

67 - 78

ADRODDIAD ER GWYBODAETH

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

Rhoi gwybod i'r Aelodau am y canlynol, am y cyfnod 07/12/2020 – 18/12/2020

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

79 - 96

12. MATERION BRYD

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

Cyfarwyddwr Gwasanaeth y Gwasanaethau Democrataidd a Chyfathrebu

Cylchrediad:-

Aelodau o'r Pwyllgor Cynllunio a Datblygu:

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

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

Cyfarwyddwr Gwasanaeth y Gwasanaethau Democrataidd a Chyfathrebu
Cyfarwyddwr Materion Ffyniant a Datblygu
Pennaeth Datblygu Mawr a Buddsoddi
Pennaeth Cynllunio
Pennaeth y Gwasanaethau Cyfreithiol
Uwch Beiriannydd

**PWYLLGOR CABINET CYNGOR RHONDDA CYNON TAF
PWYLLGOR CYNLLUNIO A DATBLYGU**

Cofnodion o rhithwir gyfarfod y Pwyllgor Cynllunio a Datblygu a gynhaliwyd Dydd Iau, 19
Tachwedd 2020 am 3.00 pm.

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

Y Cyngorydd G Caple (Cadeirydd)

Y Cyngorydd S Rees Y Cyngorydd J Bonetto
Y Cyngorydd P Jarman Y Cyngorydd D Grehan
Y Cyngorydd G Hughes Y Cyngorydd J Williams
Y Cyngorydd W Owen Y Cyngorydd R Yeo
Y Cyngorydd D Williams Y Cyngorydd S Powderhill

Swyddogion oedd yn bresennol

Mr J Bailey, Pennaeth Cynllunio
Mr S Humphreys, Pennaeth y Gwasanaethau Cyfreithiol
Mr A Rees, Uwch Beiriannydd
Mr C Jones, Pennaeth Datblygu Mawr a Buddsoddi

31 DATGAN BUDDIANT

Yn unol â'r Cod Ymddygiad, roedd Cyngorydd y Fwrdeistref Sirol G Caple wedi datgan buddiant personol a buddiant sy'n rhagfarnu ynglŷn â Chais Rhif:20/1099 - Dymchwel y garej bresennol a chodi garej newydd. 1 HEOL AUBREY, GLYNFACH, Y PORTH, CF39 9HY

“Mae fy ngwraig a minnau'n berchen ar yr eiddo sy'n gysylltiedig â'r cais hwn a byddaf yn gadael y cyfarfod ar gyfer yr eitem hon.”

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

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

33 DEDDF LLESIANT CENEDLAETHAU'R DYFODOL (CYMRU) 2015

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

34 COFNODION

PENDERFYNWYD cymeradwyo cofnodion cyfarfod y Pwyllgor Cynllunio a Datblygu a gynhaliwyd ar 17 Medi, 2020 yn rhai cywir.

35 CAIS RHIF: 17/1202

Datblygiad ar gyfer hyd at 2,112 metr sgwâr gros o fannau cyflogaeth newydd (dosbarthiadau defnydd B1, B2, B8) mewn hyd at 16 uned, mynediad newydd, tirlunio a gwaith datblygu cysylltiedig. TIR YM MHARC BUSNES CWM CYNON, HEOL NEWYDD, ABERPENNAR, CF45 4ER

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

36 CAIS RHIF: 19/1314

Gwaith adnewyddu cyffredinol ac addasiadau allanol gan gynnwys dwy ardal teras allanol newydd (derbyniwyd yr adroddiad Ecoleg ar 09/10/2020). TAFARN Y MALTSTERS ARMS, STRYD Y BONT, PONTYPRIDD, CF37 4PF

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

37 CAIS RHIF: 20/0791

**Balconi yn y cefn.
6 HEOL Y FEDWEN, PONTYPRIDD, CF37 2HE**

Cyflwynodd y Pennaeth Materion Cynllunio y cais i'r Pwyllgor. Ar ôl trafod y cais, **PENDERFYNWYD** cymeradwyo'r cais yn unol ag argymhelliad y Cyfarwyddwr - Materion Ffyniant a Datblygu, yn amodol ar yr Amodau a amlinellir yn yr adroddiad.

38 CAIS RHIF: 20/1099

**Dymchwel y garej bresennol a chodi garej newydd.
1 HEOL AUBREY, GLYNFACH, Y PORTH, CF39 9HY**

(Nodyn: Ar ôl iddo ddatgan buddiant sy'n rhagfarnu mewn perthynas â'r mater yma (gweler cofnod Rhif:31), gadawodd Cynghorydd y Fwrdeistref Sirol G Caple y cyfarfod a chamodd Cynghorydd y Fwrdeistref Sirol S Rees i rôl y Cadeirydd.)

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

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

PENDERFYNODD yr Aelodau dderbyn adroddiad y Cyfarwyddwr Gwasanaeth – Materion Cynllunio mewn perthynas â'r Penderfyniadau Apeliadau Cynllunio a Gorfodi a ddaeth i law, Cymeradwyaethau Penderfyniadau a Gwrthodiadau Dirprwyedig gyda rhesymau, Trosolwg o Achosion Gorfodi a Phenderfyniadau Gorfodi Dirprwyedig ar gyfer y cyfnod 26/10/2020 – 06/11/2020.

Daeth y cyfarfod i ben am 3.45 pm

**Y Cyngorydd G Caple
Cadeirydd.**

tudalen wag



PLANNING & DEVELOPMENT COMMITTEE

7 JANUARY 2021

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 20/0468/10 (JE)
APPLICANT: Mr G Silverthorn
DEVELOPMENT: Rear infill extension to create 1 bedroom self-contained managers flat. (Amended Description, Plans and application form received 19/11/20)
LOCATION: FLAT ABOVE THE FERNDALE, DUFFRYN STREET, FERNDALE, CF43 4EL
DATE REGISTERED: 19/11/2020
ELECTORAL DIVISION: Ferndale

RECOMMENDATION: APPROVE

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

REASON APPLICATION REPORTED TO COMMITTEE

The application is reported to Committee for determination as it proposes the extension of a public house.

APPLICATION DETAILS

Full planning permission is sought for the construction of an infill extension to create a one bedroom self-contained managers flat at The Ferndale, Duffryn Street, Ferndale. The proposed extension would be located centrally along the building's rear elevation, infilling an area between two existing rear projections.

Given the nature of the property, which appears as a three-storey building from its rear elevation with the presence of a lower ground floor, the proposal would be elevated above ground level by 4 metres to create the new flat accommodation at ground and

first floor level. The proposed extension would measure a width of 6 metres and would protrude outwards to a depth of 6.4 metres. It would have a flat roof design measuring a full height of 11 metres from the rear ground level and would be finished in external materials to match that of the host property. The proposed managers flat would also require an area of the existing public house to be converted to accommodate the proposed living accommodation over two floors. The following layout is proposed: bathroom and living room/ kitchen at ground floor level, and 1 no. bedroom and office on the first floor.

SITE APPRAISAL

The site consists of a three storey, commercial scale public house/hotel building located at the end of a terrace of predominantly residential properties in a prominent, main road location within the village of Ferndale. The property is currently occupied by a public house at ground floor level with a number of residential flats across the upper floors.

PLANNING HISTORY

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

18/1277/09: THE FERNDALE, DUFFRYN STREET, FERNDALE, CF43 4EL
Refurbishment of flats within the existing building.
Decision: 18/01/2019, Refuse

19/0364/10: 101 FERNDALE HOTEL, DUFFRYN STREET, FERNDALE, CF43 4EL
Refurbishment of 5 flats (first floor only).
Decision: 15/08/2019, Grant

19/1058/10: FLAT ABOVE THE FERNDALE HOTEL, DUFFRYN STREET, FERNDALE, CF43 4EL
Creation / refurbishment of 5 no. flats on 2nd floor of property.
Decision: 01/09/2020, Grant

20/0416/38: 101 FERNDALE HOTEL, DUFFRYN STREET, FERNDALE, CF43 4EL
Discharge of conditions 4 parking & 5 provision of cycle stands of planning permission 19/0364/10.
Decision: 13/07/2020, Grant

PUBLICITY

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

No letters of objection or representation have been received.

CONSULTATION

Transportation Section: No objection or conditions suggested.

Public Health and Protection: No objection although conditions suggested to restrict the hours of operation during construction, noise, dust and waste.

Dwr Cymru Welsh Water – No objection.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies within the settlement boundary for Ferndale and is not allocated for a specific purpose.

Policy CS1 - sets out criteria for achieving sustainable growth.

Policy AW2 – supports development in sustainable locations.

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

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

Policy AW8 - only permits development where it would not cause harm to features of the natural environment.

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

Supplementary Planning Guidance

- Development of Flats – Conversions and New Build.

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 (PPW) sets out the Welsh Government's (WG) current position on planning policy. The document incorporates the objectives of the Well-being of Future Generations (Wales) Act into town and country planning and sets out the WG's policy on planning issues relevant to the determination of planning applications.

It is considered that the proposed development is consistent with the key principles and requirements for placemaking set out in PPW; and is also consistent with the Well-

being of Future Generations (Wales) Act's sustainable development principles through its contribution towards the Welsh Ministers' well-being objectives of driving sustainable development and building healthier communities and better environments.

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 extension of an existing public house in order to form an associated manager's flat. The proposed managers flat would assist in the running of the public house and would also provide onsite assistance to the occupiers of the self-contained residential flats which occupy the remainder of the first floor and second floor of the property.

The Council's Supplementary Planning Guidance: Development of Flats (SPG) sets out guidance for the development of new flats. It is considered the proposal generally complies with the SPG with proposed flat being of an acceptable size and each habitable room having at least one window, natural light and reasonable outlook. It is noted however that access would be through the ground floor of the public house or via rear of the property utilising the steps and rear lane, and the SPG advises access should be from main streets where possible. Whilst there is some concern in this respect, when considering the flat would be occupied by the public house landlord and its use ancillary to the running of the commercial property, the proposed access is considered acceptable in this instance. Nevertheless, this would not be acceptable for a self-contained flat and therefore a condition is suggested below restricting the use of the flat to that ancillary to the public house.

In light of the above, the principle of proposed development is considered acceptable, subject to the criteria set out below.

Impact on the character and appearance of the area

Whilst the proposed extension would form a large-scale addition to the property, it would be located to the rear of the building and would infill an area between two existing rear projections. As such, when considering the scale of the existing building and the dimensions of the proposed extension, it is considered the proposal would form a sympathetic addition and would not significantly impact upon the appearance of the property. In addition, it is not considered the proposed extension, given its siting and dimensions, would form a feature that would be widely visible from outside of the immediate vicinity. As such, it is not considered the proposal will detract from the character or appearance of the area.

The application is therefore considered acceptable in this regard.

Impact on residential amenity

The proposed extension would form a visible addition from properties at New Street to the rear. However, when considering the proposed extension would infill an area between two existing rear projections and would not protrude beyond them, it is not considered it would exacerbate the impact currently experienced by these properties.

With regards to privacy, although the proposal would see new window openings to the rear of the property facing the adjacent dwellings behind, when considering the existing fenestration layout on the rear elevation of the property and the terraced nature of the area, it is not considered the proposal would significantly increase the existing levels of overlooking experienced by neighbouring properties.

It is also noted that no letters of objection have been received following consultation with neighbouring occupiers. As such, the application is considered acceptable in this regard.

Highway Safety

The Council's Transportation Section were notified during the consultation process in order to provide comments with regard to highway safety and parking provision. Following assessment of the scheme it was commented that the proposed access is acceptable however the managers flat would increase the car parking demand for the whole site by 2 no. off-street car parking spaces (in accordance with the SPG: Access, Circulation & Parking), with none proposed. However, the property is located on the outskirts of the Ferndale retail area within easy walking distance of bus stops which would promote sustainable modes of transport. Additionally, through previous planning applications at the site, the applicant has provided the maximum number of off-street car parking and cycle storage spaces possible within the space available in the rear yard (6 spaces). Further, the existing use as a hotel would have generated vehicular movement. Therefore, given the sustainable location of the application site, the proposal is also considered acceptable in respect of parking provision.

In light of the above highways assessment, the application is considered acceptable in this regard.

Public Health and Protection

The Council's Public Health and Protection Division suggested a number of conditions with regard to hours of operation, noise, dust and waste during construction. Whilst these comments are appreciated, it is considered that these matters can be dealt with more efficiently under separate legislation. As such, it is considered the conditions are not necessary and an appropriate informative note would be sufficient instead.

Community Infrastructure Levy (CIL) Liability

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

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

Conclusion

It is not considered that the proposal would have any undue impact upon the character and appearance of the locality, the residential amenity of the surrounding properties, or upon highway safety in the vicinity of the site. The application is therefore considered to comply with the relevant policies of the Local Development Plan.

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)

- Existing front and rear elevations drawing no. SG1 01
- Elevation and location plans drawing no. SG1 02
- Existing basement plan drawing no. SG1 03
- Existing ground and first floor plans drawing no. SG1 04
- Existing and proposed second floor plans drawing no. SG1 05
- Proposed side elevations drawing no. SG1 07

- Proposed basement plans drawing no. SG1 08
- Revised ground and first floor plans drawing no. SG1 09A

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 manager's flat, hereby approved, shall be used as manager's accommodation in association with the Ferndale public house only and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To define the extent of the consent granted in accordance with Policies AW2 and AW5 of the Rhondda Cynon Taf Local Development Plan.

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PLANNING & DEVELOPMENT COMMITTEE

7 JANUARY 2021

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 20/0646/13 (GW)
APPLICANT: Mr T Danaher
DEVELOPMENT: Two split level 4 bed dwellings with garages and shared drive. Provision of foot path. (Outline) (Affecting Public Right of Way ANT/340/1)(Description amended. Amended plans and information received 5th October, 6th November and 9th November 2020).
LOCATION: LAND AT OTTERS BROOK , IVOR PARK, BRYNSADLER, PONTYCLUN, CF72 9BY
DATE REGISTERED: 09/11/2020
ELECTORAL DIVISION: Pontyclun

RECOMMENDATION: GRANT

REASONS: Previously a similar application for outline development (Ref: 20/0248) was refused for the reason that the access was considered unacceptable to serve two additional residential dwellings and the vehicular and pedestrian movements associated.

This proposal is the same, however it would provide a pavement link between Talygarn Drive and Ivor Park and as previously proposed an improved turning head for Ivor Park.

Objections from local residents detail the access is sub-standard and is too narrow for safe movement. The Council's Transportation Section recognise this, however as the application provides a betterment of improved highway facilities no objection is raised. Furthermore, the increased use of the sub-standard road, as a result of only 2 more dwellings, is considered would not be significant enough to reasonably require further improvements to be made.

In all other material planning considerations, the application would be acceptable.

REASON APPLICATION REPORTED TO COMMITTEE

The proposal is not covered by determination powers delegated to the Director of Prosperity & Development as three or more letters of objection have been received.

APPLICATION DETAILS

This re-submitted application seeks outline planning permission for two residential dwellings within the curtilage of Otters Brook, Ivor Park, Brynsadler. The development would involve the demolition of an existing garage. It also indicates the existing turning head would be increased in size in accordance with RCT Highway Design Guide Standards and a 2m wide pavement would be provided.

Previously application (20/0248/13), which included the above development, was refused for the following reason:

'The proposed access off Talygarn Drive and Ivor Park is considered unacceptable to serve two additional residential dwellings and vehicular and pedestrian movements associated with the residential dwellings due to its sub-standard width to facilitate satisfactory passing of 2 large vehicles, sub-standard turning areas, and missing footway links. In addition, the proposed intensification of use would be detrimental to highway safety and the free flow of traffic'.

This application is the same as previous, however it now includes the provision of a section of pavement to link Talygarn Drive and Ivor Park. It is noted this crosses the end of a Public Right of Way footpath that leads from High Street. The application is also supported by a Transport and Highways – Technical Note from Vectos and dated July 2020.

The application was made in outline with all matters reserved for future consideration. However, as the applicant is trying to overcome the objection with regard to the access, it has been agreed that these details are to be considered at this stage. In addition to the above an indicative site plan, elevations, sections and floorplans are provided.

The minimum/maximum parameters of the dwellings are as identified as follows:

Width:	10.3 – 11.8 metres
Depth:	9.5m to 10.5m for lower ground and first floor 12.5m to 14.5m for ground floor (including terrace)
Height:	10.87 – 11.87metres from lower ground floor 8.17 – 8.67 metres from ground floor level

SITE APPRAISAL

Otters Brook is a large, residential bungalow set within a substantial plot, immediately adjacent to the M4 motorway that is located to the south of the site.

The property is situated on sloping land at a higher level than the M4 Motorway that is approximately 50m from the dwelling and 15m from the boundary of the site.

Access to the site is gained via Talygarn Drive and Ivor Park.

PLANNING HISTORY

20/0248	Land at Otters Brook, Ivor Park, Brynsadler	Two split level 4 bed dwellings with garages and shared drive (Outline).	Refused 17/06/2020
19/5093	Land at Brynsadler	2 new split level dwellings on land associated with Otters Brook Lodge	Raise no objection 30/07/2019
18/0581	Otters Brook Trout Pools, Ivor Park, Brynsadler	New landscaped bund to the front of the property to form an acoustic screen (retrospective)	Granted 19/09/18
18/0222	As above	Extension of the existing dwelling through the creation of a new second floor and roof space, along with granny annexe at lower ground floor (internally linked) and associated hard and soft landscaping.	Granted 16/11/18
15/1629	As above	Block wall and fence as sound barrier to M4 motorway and filling in of small ponds with inert material	Granted 22/08/17
15/0776	As above	Block retaining wall and earth bund as sound barrier to M4 motorway	Refused 07/09/15
14/0582	As above	Landscape works to provide sound barrier to M4 motorway	Refused 17/07/14

12/0715	As above	Lawful Development Certificate for the continued use of residential dwelling	Granted 28/08/12
07/0393	Land adjoining Otters Brook, Talygarn	Infilling of former fishing pond with inert waste.	Refused 02/07/07
98/2797	As above	Alterations to provide pitched roof over veranda and erection of detached double garage	Granted 31/01/00
92/0866	Land being part of Otters Brook Trout Farm, Talygarn	Construction of two dwellings and demolition of existing double garage	Refused 15/01/93 Appeal Dismissed 29/09/93

PUBLICITY

The application has been advertised by direct neighbour notification and site notice. Ten letters of objection, including one from Pontyclun Community Council, have been received and the comments are summarised as follows:

- There have been a number of refusals at the site on highway safety grounds and therefore there should be a consistency in decision making and these should be taken into account.
- Access to the site is via a privately owned road, which is sub-standard. There are a number of highway safety issues including: sub-standard access roads, intensification of use, sub-standard carriageway widths, sub-standard footways, sub-standard turning circles, unsafe reversing movements taking place, creation of hazards detrimental to the safety of all highway users and the free flow of traffic, two large vehicles unable to pass each other and no proposals to widen the carriageway width.
- The provision of a footway link should not result in a “about turn” in the decision as the access, in particular the road width, is still sub-standard.
- The latest RCT Highways assessment does not mention highway safety or the sub-standard nature of the access.
- Residents already have to park on the pavement to allow traffic to pass.
- Ivor Park is not adopted and maintenance is the responsibility of each property owner. The road may be damaged during construction.
- The development would have a negative impact upon the condition of the highway at Talygarn Drive also.
- The footway provision will cross land that I have used as a garden for 23 years. It would block access to my side gate and may damage water and sewerage

supplies to our property. It would also only link to the vehicle crossover, installed by 16 Talygarn Drive, rather than the Council footpath.

- It will have a detrimental impact on the public right of way. The application has not been advertised correctly in these terms.
- It would result in the overlooking of our property and loss of privacy.
- It would result in the loss of some trees. This will greatly increase noise nuisance from the nearby motorway.
- There is concern that the development including the changes to the turning head may impact upon neighbouring properties in terms of drainage and ground stability.
- Noise and Disturbance during construction would have an adverse impact upon neighbouring residents.
- Otters Brook is a large area of land, if development were allowed it would set a precedent for future development on this land.
- There is no evidence the appropriate certificate of ownership has been completed.
- It would have a detrimental effect on the value of my property.

CONSULTATION

Dŵr Cymru Welsh Water - No objection subject to standard conditions and advisory notes.

RCT Countryside Section - The garage to be demolished looks to be in good condition with no obvious holes/gaps that bats might access through. It is also simple structure, looks to be well used and lit by natural light. There look to be no opportunities for bats to get between a roof lining and tiles. No evidence of bat droppings can be seen in the photos provided. Based on the above, the bat potential is considered negligible and based on our bat survey protocol it would be unreasonable to require a bat survey. However, an appropriate bat informative should be appended to any planning permission. Some enhancement measures are required through bat/bird brick/box provision.

In terms of the adjacent trees, from the plans submitted, it appears that providing the building alignments don't extend very far beyond the curtilage of adjacent properties and that garden space does not involve lowering or raising levels within the root zones of the woodland to the north (which is part of Ivor Woods - SINC 97), then the impact on the woodland should be acceptable. A tree protection plan would be required by condition.

No objection raised with regard the impact on the Public Right of Way. Advice is provided on the need to apply for a temporary closure order for the period of construction that will affect the Public Right of Way and that planning permission does not authorise the interference with, obstruction, diversion, or stopping-up, of a public right of way.

RCT Flood Risk Management – No objection or recommendation for a condition in relation to surface water flood risk. I am satisfied that the developments surface water flood risk will be adequately managed by both the Building regulations and Schedule 3 of the Flood and Water Management Act 2010.

RCT Public Health & Protection – No objection subject to conditions in respect of demolition, noise, dust, waste and hours of operation and noise from the road are recommended.

RCT Transportation Section – The means of access to the proposed development via Talygarn Drive and Ivor Park is sub-standard in comparison to current standards and the proposal would intensify its use. However, the proposed development includes the provision of an improved turning area at the end of Ivor park and missing pedestrian footway links. The proposed improvements will offer a betterment to existing large vehicles using the streets and pedestrians walking along Ivor Park. On balance, the proposed development is considered acceptable, subject to the suggested conditions below.

Taff Ely Ramblers – No objection

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies within the settlement boundary for Pontyclun and is not allocated for a specific purpose.

Policy CS 2 – sets out the criteria for development in the Southern Strategy Area.

Policy AW 1 – sets out the criteria for new housing proposals.

Policy AW 2 – supports development in sustainable locations.

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

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

Policy AW 7- covers the protection and enhancement of the built environment and public rights of way.

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

Policy AW 10 – does not permit proposals where they could cause or result in a risk of unacceptable harm to health and/or safety.

Policy SSA 11 – details a minimum of 35 dwellings per hectare unless it can be justified as an exception.

Policy SSA 13 – identifies the criteria for assessment of development proposals within settlement boundaries.

Supplementary Planning Guidance

Design and Placemaking

Delivering design and Placemaking: Access, Circulation & Parking Requirements

Nature Conservation

National Guidance

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

Planning Policy Wales Edition 10 (PPW) sets out the Welsh Government's (WG) current position on planning policy. The document incorporates the objectives of the Well-being of Future Generations (Wales) Act into town and country planning and sets out the WG's policy on planning issues relevant to the determination of planning applications.

It is considered that the proposed development is not consistent with the key principles and requirements for placemaking set out in PPW; and is also not consistent with the Well-being of Future Generations (Wales) Act's sustainable development principles through its contribution towards the Welsh Ministers' well-being objectives of driving sustainable development and building healthier communities and better environments. Other policy guidance considered:

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; and

PPW Technical Advice Note 23: Economic Development.

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.

Previously planning permission (20/0248) was refused solely on highway safety grounds. This application is the same as that application apart from the provision of a

footway link between Talygarn Drive and Ivor Park to attempt to overcome that objection.

Main Issues:

Principle of the proposed development

The application relates to the construction of two dwellings within a parcel of land currently forming part of an existing residential curtilage and within the settlement boundary identified in the Local Development Plan (LDP). Policies AW 1 and AW 2 of the LDP supports residential development in such locations. The proposed density is relatively low compared to that required by Policy SSA 11. However, taking into account the access and protection of the character of the rural fringe it would be acceptable. Therefore, the principle of residential development would be acceptable subject to consideration of the material planning considerations assessed below.

Access and Highway Safety

The access to Ivor Park is from Talygarn Drive and dwellings are arranged along one side. Talygarn Drive serves 16 dwellings and is adopted; however, Ivor Park is not adopted and serves 10 dwellings. From the consultation process it has been stated that the residents of Ivor Park are responsible for the maintenance of their road.

Many objections have been received, from the public consultation exercise, with regard to highway safety as detailed above. In summary, it is detailed that Ivor Park and Talygarn Drive are sub-standard and that the main issue is that Ivor Park is not wide enough for two vehicles to pass which results in highway safety issues. It is further detailed that the only difference to the previous application (20/0248) is the provision of the pavement link and this would not overcome the sub-standard nature of Ivor Park itself.

Consultation has been undertaken with the Council's Transportation Section with a view to assessing any potential impacts upon highway safety. In terms of the access they have responded as follows:

"The proposed development is located on land associated with Otters Brook Lodge, adjacent to the existing turning area on Ivor Park (a private residential street). Access to the publicly maintained highway network is via Talygarn Drive.

Talygarn Drive has a carriageway width of 4.8m with a 1.8m wide footway on its development side and a grass verge opposite. Talygarn Drive serves 15 no. dwellings and terminates at a sub-standard (to current standards) turning area before becoming a private residential street in the name of Ivor Park. There is a missing footway link approximately 14m in length between Talygarn Drive and Ivor Park.

Ivor Park is a private residential street with a carriageway width of 4.8m, a 1.6m wide footway on its development side and a verge opposite. Ivor Park terminates at a sub-standard (to current standards) turning area. Otters Brook Lodge is served off the turning area via a private access.

Submitted drawing no. "1302 Rev A" indicates that the proposed 2 no. residential dwellings would be served via the existing private access to Otters Brook Lodge. The drawing also shows that the existing turning area at the end of Ivor Park is to be improved and a 2.0m wide footway provided between the existing footway on Ivor Park and the proposed dwellings. The private drive is also to be widened to 5.5m across the site frontage.

The amended site location plan indicates that the missing footway link between Talygarn Drive and Ivor park is to be provided as part of the development. When considering the development is for 2 residential dwellings on an existing street, the provision of the improved turning area and missing pedestrian connectivity links is considered enough mitigation against the increased trip generation.

The proposed footway indicated on submitted drawing no. "1105 Rev A" is considered acceptable in principle. However, the drawing lacks enough detail regarding the construction of the footway. A suitably worded planning condition is suggested below accordingly."

The Council's Transportation Section further detail that a suitable level of parking can be provided on the site.

Members are advised that whilst the Council's Transportation Section consider the access is acceptable as proposed; further improvements such as widening the road to current adoptable standards would require significant works along the length of Ivor Park. The land required for the widening is outside the application site and contains a number of trees that form a larger buffer with the M4 to the south. Furthermore, the road, whilst sub-standard, already serves 10 dwellings and that an additional two dwellings would not intensify its use significantly enough to warrant the improvements. As such it is considered it would be unreasonable to require the applicant to do these works.

The new pavement link would cross the end of a Public Right of Way that links High Street to the division of Talygarn Drive and Ivor Park. An objection has also been raised as a result of the public consultation exercise that the area where the pavement would be, to the front of 16 Talygarn Drive, has been used as a garden and the grass maintained by them over a number of years, would block side access to the property and may damage services. It is however noted that this land is part of the adopted highway and no objection is raised by the Council's Transportation Section or Rights of Way Officer.

It has also been raised that Ivor Park is maintained by the residents and construction vehicles and further intensification would result in the existing residents having to pay for any damage as a result of the development. Whilst this is noted and appreciated no conditions have been suggested by the Council's Transportation Section in relation to this. Any damage caused to the highway by the developer and any necessary

permissions would form a private matter to be resolved between the developer and the landowners and would not warrant a refusal reason in the determination of this planning application.

In summing up, the means of access to the proposed development, via Talygarn Drive and Ivor Park, is sub-standard in comparison to current standards and the proposal would intensify its use. However, the proposed development includes the provision of an improved turning area at the end of Ivor Park and a missing pedestrian footway link between Talygarn Drive and Ivor Park. The Council's Transportation Section detail the proposed improvements will offer betterment to existing large vehicles using the streets and pedestrians walking along Ivor Park. Parking provision and the impact on the Public Right of Way would be acceptable. Furthermore, the development is only for 2 additional dwellings to the 10 that already use the sub-standard access and the increased use is not considered significant enough to reasonably require further improvements to be made. The objections of the residents are noted and appreciated, however, on balance, the proposed development is considered acceptable in these terms.

Impact on residential amenity and privacy

The proposal is the same as assessed in the previous application (20/0248) where it was considered acceptable in these terms. The following is taken from the report for that application:

“As the site is located within settlement limits, in a predominantly residential area, it is important to consider the potential impacts of the development upon the levels of amenity and privacy that existing neighbouring occupiers currently enjoy.

The illustrative layout demonstrates that the dwellings would be set back from Ivor Park similar to the existing dwellings along the road. Details as to the fenestration have been submitted and it is indicated that no windows or doors would be positioned within either of the side elevations, however, the application is for all matters reserved. Based on the indicative elevations provided it is considered that the dwellings of scale detailed could be constructed on the site without resulting in a loss of privacy to the occupiers of neighbouring properties.

Given the submitted scale parameters, it is noted that the proposed dwellings would have an overall footprint and height that would be larger than the neighbouring properties at Ivor Park. However, given the relationship of the site with neighbouring properties which are set at a comparative ground level and separated by a minimum of 9 metres, it is considered that dwellings of the scale proposed could be constructed on site without resulting in a significant impact upon the residential amenity of neighbouring properties.

However the layout, scale and fenestration details of the scheme are reserved for future consideration. This would allow the Council to reject any future scheme that would have an adverse impact upon the residential amenity and privacy of

neighbouring properties and their occupiers, and would ensure the development complies with Policy AW5 of the Rhondda Cynon Taf Local Development Plan”.

Further to the details above, it is noted the curtilage of Plot 1 would extend behind the rear of 9 Ivor Park Road. If allowed, it is considered this could result in a detrimental impact on the amenity of occupiers of that dwelling. A suitable sized curtilage, for Plot 1, could be created by restricting its size using the existing line of the side boundary of number 9 and extending it. As detailed below, this would also help protect the adjacent Site of Importance for Nature Conservation (SINC) and provide an area for biodiversity enhancements. It is considered these details would be necessary and reasonable and it is recommended they can be obtained by a suitably worded condition.

Impact on the character and appearance of the area

The proposal is the same as assessed in the previous application (20/0248) where it was considered acceptable in these terms. The following is taken from the report for that application:

“As an outline proposal the submitted plan, illustrating how the plot could be laid out, demonstrates that two dwellings could be accommodated within the site along with their associated access, parking, and amenity spaces. Therefore, it is not considered that the dwellings of the size proposed would result in overdevelopment of the plot.

Additionally, it is not considered that two dwellings in this location would be out of keeping with the area given that there are residential properties sited all along this side of the highway at Ivor Park. Therefore, the proposal is considered to be acceptable in this regard”.

Impact on Ecology and Biodiversity

The proposal is the same as assessed in the previous application (20/0248) however no assessment of these impacts was made at the time.

The site is within the settlement boundary; however, it is adjacent to a Site of Importance for Nature Conservation (SINC). Section 6 (para 6.4.5) of Planning Policy Wales states, *“Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means that development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity.”*

The Council’s Ecologist, as detailed above, doesn’t object, but would require a condition to obtain a tree protection plan and biodiversity enhancements. A bat informative note would also be required to be attached to any permission granted.

Further to this, it is noted the site goes behind the rear of 9 Ivor Park. It is recommended in the interests of protection of the adjacent SINC and biodiversity enhancements that a buffer is created. This would also help protect the amenity of

the occupiers of 9 Ivor Park. Details of this can be obtained by suitably worded conditions.

In addition, it was noted there may be some invasive species on the site. It is recommended a suitably worded informative note, to advise the applicant that they should be eradicated, would be prudent.

Other Issues

Public Health & Protection

With regard to the issues raised by the Public Health and Protection Section it is considered noise, dust and waste matters from construction activities can be more efficiently controlled by other legislation. An appropriate note can be added to any permission concerning dust issues.

The condition with regard the impact of noise from the M4 on the potential occupiers of the dwelling is noted and a condition is recommended.

Other Issues Raised by Objectors

The objectors raised concerns with regards to drainage at the site and impact on ground stability during the construction phase, the concerns are appreciated however issues such as these would be dealt with via a Sustainable Drainage Approval application and Building Control during the setting out and constructions phases.

Concern is raised with regards to disturbance during construction, it is acknowledged that any construction in this location would cause some degree of disturbance in terms of noise and increased usage of the highway at Ivor Park, however, any disturbance would be temporary during the construction phase and any excessive noise disturbance can be sufficiently controlled via separate Public Health legislation.

The residents also raise concern that allowing two dwellings in this location may set a precedent for allowing further dwellings within the large area of grounds surrounding Otters Brook Lodge. This point is noted, however this scheme relates solely to the construction of two dwellings at the application site and any future schemes would be assessed on their own merits.

Concerns have been raised with regard the advertising of the application. The application has been advertised by direct neighbour notification (including 16 Talygarn Drive and all properties on Ivor Park), site notice and relevant press notice. As such it is considered the correct advertising has been carried out.

Concerns have been raised with regards to whether the correct owner's notification have been issued and the correct owner's certificates signed. Land ownership within the red line area of the site includes the applicant, J & G Developments Limited, a dissolved company (the access) and RCT's highways land. As directed by the Council's Legal Officers the relevant owners have been notified and the relevant certificate signed and submitted.

The objection that the development would result in a detriment to property values is noted. However, this is not an issue that would warrant a refusal reason.

Community Infrastructure Levy (CIL) Liability

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

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

Conclusion

The proposed development is considered to be compliant with the relevant policies of the Local Development Plan (Policies AW 1, AW 2, AW 5, AW 6, AW 7, AW 8, AW 10, SSA 11 and SSA 13).

The development would also contribute to national sustainable placemaking outcomes, identified in Planning Policy Wales, in the following areas: Makes best use of natural resources, would be accessible by active travel and public transport, has good connections, unlocks potential and regenerates and fosters economic activity.

RECOMMENDATION: Grant

1. (a) Approval of the details of the layout, scale and appearance of the building(s), the means of access thereto and the landscaping of the site (hereinafter referred to as "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

(b) Plans and particulars of the reserved matters referred to in (a) above relating to the layout, scale and appearance of any building to be erected, the means of access to the site and the landscaping of the site shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

(c) Applications for the approval of reserved matters shall be made before the expiration of three years from the date of this permission.

(d) The development hereby permitted shall be begun before whichever is the latter of either (i) the expiration of 5 years from the date of this permission or (ii) the expiration of 2 years of the final approval of the reserved matters or in the case of approval on different dates the final approval of the last such matter to be approved.

Reason: To comply with Section 92 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 no:

- Dwg no. 1001 Site Location Plan (Received 5th October 2020)

and documents received by the Local Planning Authority on 9th July and 9th November 2020 unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

3. Notwithstanding the submitted plan, Dwg no. 1105 Rev A Proposed Highways Improvements (Received 6th November 2020), development shall not commence until details providing for the creation of the missing footway link between Talygarn Drive and Park Ivor have been submitted to and approved in writing by the local planning authority. The approved details shall be implemented on site prior to beneficial occupation of any dwelling.

Reason: To provide improved pedestrian connectivity, in the interests of safety for all highway users in accordance with Policy AW 5 of the Rhondda Cynon Taf Local Development Plan.

4. The existing turning area at the end of Ivor Park shall be improved in accordance with submitted drawing no. 1302 Proposed Site Plan (Received 9th July 2020) prior to the first beneficial occupation of any dwelling hereby approved.

Reason: To provide improved vehicular turning facilities and pedestrian connectivity, in the interests of highway safety in accordance with Policy AW 5 of the Rhondda Cynon Taf Local Development Plan.

5. The means of access to the proposed development shall be constructed in permanent materials prior to beneficial occupation of any dwelling.

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

6. The off-street parking spaces, indicated on submitted drawing no. 1302 Proposed Site Plan (Received 9th July 2020), shall be constructed on site in permanent materials and, together with the proposed garages, shall remain for the purpose of vehicular parking only.

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

7. All HGV deliveries during the construction period shall only take place between the hours of 09:00 am and 16:30 pm on weekdays to and from the site.

Reason: In the interests of the safety and free flow of traffic in accordance with Policy AW 5 of the Rhondda Cynon Taf Local Development Plan.

8. No development shall commence until a scheme for protecting the future occupiers of the development hereby permitted from noise from M4 has been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved scheme prior to occupation of any of the dwellings hereby approved.

Reason: To protect the amenity of residents in accordance with Policy AW 10 of the Rhondda Cynon Taf Local Development Plan.

9. Prior to development commencing, a scheme for biodiversity enhancement, such as incorporation of permanent bat roosting features and or nesting opportunities for birds shall be submitted to and agreed in writing with the Local Planning Authority. The approved details thereafter shall be implemented, retained and maintained for the designed purpose in accordance with the approved scheme. The scheme shall include, but not be limited to, the following details:

- a) Description, design or specification of the type of feature(s) or measure(s) to be undertaken.
- b) Materials and construction to ensure long lifespan of the feature/measure
- c) A drawing(s) showing the location and where appropriate the elevation of the features or measures to be installed or undertaken.
- d) When the features or measures will be installed and made available.
- e)

Reason: To provide biodiversity enhancement, in accordance with Chapter 6 of Planning Policy Wales and Policy AW 8 of the Rhondda Cynon Taf Local Development Plan.

10. The details of layout and landscaping required to be submitted to and approved by the Local Planning Authority in accordance with Condition 1 above shall include:

i). identification of the site curtilage of each dwelling to enable a buffer zone to the rear boundary of 9 Ivor Park and the adjacent Site of Importance to Nature Conservation.

- ii). a scheme for additional native species soft landscaping; and
- iii). indications of all existing trees and hedgerows on the land and details of any to be retained together with measures for their protection during the course of development.

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

Reason: To ensure that the new development will be visually attractive, to protect residential amenity and to provide biodiversity enhancement in accordance with Policies AW 5, AW 6 and AW 8 of the Rhondda Cynon Taf Local Development Plan

11. All planting, seeding or turfing in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building(s) or completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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



PLANNING & DEVELOPMENT COMMITTEE

7 JANUARY 2021

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 20/1213/10 (JE)
APPLICANT: Mr M Agostini
DEVELOPMENT: Retention and completion of garage block (re-submission of application 20/0091/10).
LOCATION: LAND ADJACENT TO JAMES STREET, CWMDARE, ABERDARE
DATE REGISTERED: 03/11/2020
ELECTORAL DIVISION: Aberdare West/Llwydcoed

RECOMMENDATION: GRANT SUBJECT TO THE BELOW CONDITIONS:

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

REASON APPLICATION REPORTED TO COMMITTEE

- Three or more letters of objection have been received from occupiers of neighbouring properties.

APPLICATION DETAILS

Full planning permission is sought for the retention and completion of 3no. garages at land adjacent to James Street, Cwmdare. The application is a re-submission of previously refused planning application ref. 20/0091/10 which was refused because it was considered the proposal would result in unsafe vehicle movements in the vicinity of the site, to the detriment of highway safety.

The resubmission proposes no changes to the scale of the garage block which would be set back from Dare Road by a paved driveway/apron to the front (minimum of

4.5m). The block measures a width of 10.4 metres by a depth of 5.7 metres and would incorporate a flat roof design to a maximum height of 2.7 metres once completed. 2no. up and over garage doors and 1no. smaller double door would be installed within its front elevation. 2no. windows and a pedestrian access door would be sited within its rear elevation.

The 3no. garages would be interconnected by lockable internal access doors which the applicant has detailed would allow the unit to be rented out as either 1no. 2no. or 3no. separate units if required. The previously refused application proposed 3no. roller shutter doors on the front elevation of the garage block. However, the amended scheme would see the northernmost and central units now incorporating traditional up and over garage doors of 2.5m in width, with the opening of the southernmost unit reduced to a width of 1.6 metres. It is proposed that the northernmost and central units could accommodate cars, however it is detailed that the southernmost unit would be used for motorcycle and/or domestic storage purposes only, hence the smaller door here and not a traditional garage door.

Both this current application and the previously refused application (20/0091/10) follow approval of a similar scheme at the site in 2015 (application ref. 15/0125/10) which is not being built in accordance with the approved plans. As such this application seeks to retain the development as being built.

SITE APPRAISAL

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

At the time of the Officer's site visit works had commenced on site with the footprint and external walls of the garages in place.

PLANNING HISTORY

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

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

Residential Development - One Dwelling (Outline)

Decision: 02/01/2007, Refuse

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

Erection of three garages.

Decision: 24/06/2015, Grant

19/0598/38: LAND ADJACENT TO JAMES STREET, CWMDARE, ABERDARE.

Discharge of conditions 3 (samples of materials) and 4 (site drainage) of previous planning application 15/0125/10.

Decision: 04/02/2020, Withdrawn by Applicant

20/0091/10: LAND ADJACENT TO JAMES STREET, CWMDARE, ABERDARE

Construction of 3 no. Garages. (Amended Plans received 28/05/20).

Decision: 13/08/2020, Refuse

PUBLICITY

The application has been advertised by direct notification to neighbouring properties as well as notices displayed at the site. 3no. letters of objection have been received following the consultation process from neighbouring occupiers (summarised below):

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

CONSULTATION

Transportation Section: No objection raised subject to conditions to restrict the use of the garages and construction details to be submitted to and approved by the Local Planning Authority.

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

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

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

Policy AW2 – supports development in sustainable locations.

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

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

Policy AW10 – does not permit development which would adversely impact upon the amenity of neighbouring occupiers.

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

National Guidance

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

Planning Policy Wales Edition 10 (PPW) sets out the Welsh Government's (WG) current position on planning policy. The document incorporates the objectives of the Well-being of Future Generations (Wales) Act into town and country planning and sets out the WG's policy on planning issues relevant to the determination of planning applications.

It is considered that the proposed development is consistent with the key principles and requirements for placemaking set out in PPW; and is also consistent with the Well-being of Future Generations (Wales) Act's sustainable development principles through its contribution towards the Welsh Ministers' well-being objectives of driving sustainable development and building healthier communities and better environments.

Other policy guidance considered:

PPW Technical Advice Note 12 – Design

PPW Technical Advice Note 18 – Transport

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

Principle of the proposed development

The application seeks to retain and complete 3no. domestic garages and associated works on a previously vacant plot between James Street and David Street, Cwmdare. The site is located within the settlement boundary and benefits from existing planning consent (15/0125/10) for 3no. domestic garages. It is therefore considered the principle of the proposed development is acceptable and has already been established.

Impact on the character and appearance of the area

It is acknowledged that the proposed garages would form a visible feature along Dare Road, however it is not considered the finished structure would result in an overly prominent addition to the street scene, or an impact significant enough to warrant refusal of the application.

The proposed garages are considered to be of an acceptable domestic scale and would be of a comparable design to other domestic garage blocks located in the wider area and throughout the County Borough. Furthermore, they would be finished in appropriate external materials that would match that of many other buildings in the locality; the wider apron would be appropriately landscaped to reduce any impact; and the proposal would result in an improvement to the visual appearance of what was previously an unkempt site.

It is also noted that the overall scale and design of the garage block proposed has not altered significantly from that previously approved at the site (15/0125/10). The only noticeable difference would be garage openings, instead of 3no. uniform traditional garage door openings on its front elevation, as set out above, the opening of the southernmost unit would be reduced to restrict its use.

It is subsequently considered that the proposal will not detract from the character or appearance of the area and is acceptable in this regard.

Impact on residential amenity and privacy

It is noted that a number of objections have been received from local residents in this regard, however, whilst it is accepted that the proposed development would inevitably result in a degree of impact to the levels of amenity and privacy currently enjoyed by the nearest residents, it is not considered that any potential impact would be significant enough to warrant refusal of the application.

The proposed garages would be sited towards the north east corner of the site, set back from the highway by a minimum of 4.5 metres. Therefore, given the relationship they would have with the closest properties along both James Street, David Street and Dare Road; and the fact that they would be of an appropriate domestic design, scale and height, it is not considered they would result in any undue impact upon these properties from issues such as loss of sunlight and overbearing affects.

Further objections have been raised with regard to the potential of the garages being used for commercial purposes that could result in noise and disturbance and a loss of privacy. Members are advised that the application details the garages would be used for the parking of private motor vehicles and domestic storage only. Furthermore, if permission were to be granted, a condition restricting the use of the garages to the parking of private motor vehicles and domestic purposes could be attached and is suggested below. It is acknowledged that a domestic use could result in some noise and disturbance from the comings and goings of users, however it is considered the impact would not be significantly greater than the existing use of the adjacent highway for access to the nearby Country Park.

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

Finally, it is noted that objectors have commented that the construction of the garages has resulted in noise and disturbance to surrounding residents and that this would continue should the application be approved. Whilst these comments are appreciated, construction noise/disturbance would only occur for a limited time and can be controlled by other legislation available to the Council if necessary.

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

Highway Safety

A previous planning application ref. 20/0091/10 was submitted at the site on 17/02/20. The scheme proposed a similar development of 3no. garages and was refused because it was considered the proposal would result in unsafe vehicle movements within the vicinity of the site, to the detriment of highway safety. This resubmission has proposed that the 1no. of the garages would be used for motorcycle and/or domestic storage purposes only to address the earlier concerns in relation to access.

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

The application site is served off a 4.5m wide adopted highway (Dare Road) that leads to the Dare Valley Country Park. There are no footways leading to the plot which means that pedestrians share the same surface as moving motor vehicles which is of concern and there are limited off-street car parking facilities available in the vicinity of the site leading to on-street car parking narrowing the available width of the carriageway to single file traffic, to the detriment of safety of all highway users. However, given there is sufficient width of carriageway for vehicles to pass pedestrians and vehicular movements at this location are limited, no highway objection is raised in this respect.

Access to the garages is via a 6m wide vehicular access which is acceptable for safe movement. However, the garage entrance door of 2.5m requires a minimum reversing width of 5.5m for the garages to be accessible by a standard family car. At present there is only a 4.5m reversing width which is not acceptable for use by a standard vehicle. Therefore the garages as part constructed on site are only suitable for a small vehicle to access / egress which would make the garages less desirable for use. The third garage has only a 1.6m wide double access door which is accessible for motorbikes or storage only. However, the use of the garages would be driven by the market and these concerns are not significant enough to warrant a highway objection.

It is noted however that there is a drop off from the application site to Dare Road which raises some cause for concern. However, it is considered this concern could be overcome through the installation of vehicle containment along the boundary with Dare Road. Therefore a condition is suggested in this respect.

A further condition is also suggested in respect of the design and detail of the proposed access ramp and tie in with Dare Road to ensure this aspect of the scheme is constructed correctly.

In light of the above comments from the Transportation Section, whilst the views of the objectors in relation to the impact of the proposed development upon highway safety are acknowledged, on balance, the application is considered acceptable in this regard.

Other issues

A number of objectors have commented that the approval of garages on the site would set an unwanted precedent for future residential development due to the design of the proposal and because the garages benefit from water and foul connection. Whilst the objectors concerns are acknowledged, this application seeks consent for 3no. garages only and can only be determined based on that fact. Any future application for residential development would be considered and determined on its own individual merits.

Community Infrastructure Levy (CIL) Liability

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

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

Conclusion

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

RECOMMENDATION: Grant

1. The development hereby approved shall be carried out in accordance with the approved plan(s) no(s)
 - 2008.PLG01 – Received 29/10/20
 - 2008.PLG02 – Received 29/10/20
 - 2008.S01 – Received 29/10/20

unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

2. Within 28 days of the date of this consent, design and detail of the garage entrance apron and tie in with Dare Road shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented to the satisfaction of the Local Planning Authority prior to beneficial use and shall remain in place thereafter.

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

3. Within 28 days of the date of this consent, design and detail of vehicular containment along the frontage of Dare Road shall be submitted to and approved in writing by the Local Planning Authority. The approved details

shall be implemented to the satisfaction of the Local Planning Authority prior to beneficial use and shall remain in place thereafter.

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

4. Prior to the garages hereby approved being brought into beneficial use, the vehicular access to the site shall be laid out, constructed and retained thereafter with 2.4m x site frontage vision splays. The vision splays shall remain in place thereafter.

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

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

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

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

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

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PLANNING & DEVELOPMENT COMMITTEE

7 JANUARY 2021

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 20/1265/10 (KL)
APPLICANT: Sohail
DEVELOPMENT: Conversion of an existing commercial building into 7 apartments and smaller street facing commercial unit (Use Class A2)
LOCATION: LLOYDS TSB, 80 COMMERCIAL STREET, MOUNTAIN ASH, CF45 3PP
DATE REGISTERED: 11/11/2020
ELECTORAL DIVISION: Mountain Ash West

RECOMMENDATION: Approve, subject to conditions

REASONS: The application site is located in a highly sustainable town centre location where residential flats above shops are generally considered to be acceptable.

The proposal would provide an opportunity to bring a currently vacant building back into beneficial use. The building would largely be retained in its current form with only minor external alterations and refurbishment works proposed. The overall visual appearance of the building and subsequently that of the surrounding area would therefore be improved.

The building would not be subject to any construction works with only minor alterations to the external layout. It is therefore not considered that the amenity and privacy of existing surrounding properties would be adversely affected. Furthermore, the residential use of the site would be compatible with the A2 use at ground floor and with the residential properties that are located to the rear of the site.

The quality of the accommodation proposed is considered to be acceptable and the health and well-being of prospective future occupiers would not be adversely affected.

Whilst no off-street parking would be provided at the site, the site is located within town centre location with good access to a range of sustainable transport options and to a number of key local services.

As such, the application is considered to comply with the relevant policies of the Rhondda Cynon Taf Local Development and it is therefore recommended for approval, subject to conditions.

REASON APPLICATION REPORTED TO COMMITTEE

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

APPLICATION DETAILS

Full planning permission is sought for the conversion of the first and second floors of the former Lloyds TSB building in Mountain Ash to 7 self-contained flats. The existing A2 commercial use at the ground floor would be retained, albeit at a reduced scale.

The conversion would predominantly be undertaken through a number of internal alterations in order to facilitate a smaller commercial unit (Use Class A2) and 1 two-bedroom flat at ground floor, 3 one-bedroom flats at first floor and 3 one-bedroom flats at second floor. The only external alterations would be the replacement of one window in the front elevation with a pedestrian access door to provide access to the residential flats and the replacement of a door in the side elevation with a window.

The external appearance of the building would be refurbished, including the rendering of any exposed blockwork (side elevation), the cleaning and repair/repainting of the existing render (front and side elevations) and provision of dedicated space for new signage (front elevation). The existing windows would be retained however, the ground floor windows would be altered to include shutters.

The existing commercial unit at ground floor would be reduced in scale to provide a commercial floor area of 58m². The existing access to the front elevation of the building would be retained.

The flats would be accessed via the new pedestrian access door within the front elevation. Each flat would consist of an open plan living room/kitchen, a bathroom and either one or two bedrooms with internal floor areas varying between 38m² and 84m². The first and second floor flats situated towards the rear of the building would have a secondary access via an existing fire escape to the rear elevation. No parking is proposed as part of this proposal.

The flats would have access to two bin and bicycle storage rooms which would be located internally at ground floor level. The existing basement would be retained for storage purposes.

SITE APPRAISAL

The application site relates to a large three-storey commercial building which is located on the corner of a busy junction towards the northern end of Mountain Ash town centre. The property was most recently occupied by Lloyds TSB bank and associated offices however, it is understood that the building has been vacant for some time.

The site is located within the defined retail zone of Mountain Ash and is therefore surrounded by a number of commercial properties. However, a number of residential properties are situated to the rear of the site in Pryce Street.

PLANNING HISTORY

The following applications are associated with the application site:

13/0259	Lloyds TSB, Commercial Mountain Ash	80 Street,	Erection of multiple advertisements	Granted 03/05/13
06/2299	Lloyds TSB, Commercial Mountain Ash	80 Street,	New Bank Signage	Granted 23/01/07
98/4473	Lloyds TSB, Commercial Mountain Ash	80 Street,	Fascia and projecting signs	Granted 16/10/98

PUBLICITY

The application has been advertised by means of direct neighbour notification as well as through the erection of site notices along Commercial Street and Pryce Street. One letter of objection has been received and is summarised as follows:

- There is no need for any more commercial premises or apartment/flats in Mountain Ash;
- There are currently 11 empty commercial premises in Commercial Street and numerous empty flats above commercial premises;
- There are 2 commercial properties currently to let in Pryce Street and have been for quite some time;
- There are already a number of large residential buildings of flats/apartments that are under-occupied in Mountain Ash;
- The property is situated at a very busy crossroads in the town centre and is surrounded by double yellow lines with no current access to parking and no parking proposed;
- Pryce Street have endured continuous problems with parking – people have parked outside our property, blocking access, despite there being double yellow

lines, a dropped kerb and double gates – adding more residents will exacerbate this situation;

- Pryce Street has residential parking with allocated parking permits. The 5 allotted parking spaces are already insufficient for the number of residents in the street without adding 7 more unnecessary apartments which will have an adverse effect on the vicinity;
- The actual building works to convert these premises will undoubtedly cause major upheaval to the town centre and surrounding residents.

CONSULTATION

The following consultations have been received in relation to this application:

Flood Risk Management – No objection raised, or condition suggested

Highways and Transportation – No objection raised, or condition suggested

Public Health and Protection – No objection raised, subject to standard conditions relating to hours of operation (construction), noise, dust and waste.

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

No other responses have been received.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

Policy CS1 - emphasis on sustainable growth by promoting residential development in locations which support and reinforce the roles of Key Settlements.

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

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

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

Policy AW10 - development proposals must overcome any harm to public health, the environment or local amenity due to land instability, contamination, or any other identified risk to local amenity and public health.

Policy NSA2 - supports proposals for residential and commercial development within Key Settlement of Mountain Ash that support and reinforce the role of the centre as a Key Settlement, that are of a high standard of design and integrates positively with existing development, that promotes the beneficial re-use of vacant and under-used floor space, that supports the provision of local services and that promotes accessibility to services by a range of sustainable modes of transport.

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

Policy NSA12 – The policy permits development within settlement boundaries if they demonstrate that infrastructure and car parking will not be adversely affected.

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

Supplementary Planning Guidance

Design and Placemaking

Design in Town Centres

Nature Conservation

Access Circulation and Parking

Shopfront Design

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.

Planning Policy Wales Edition 10 (PPW) sets out the Welsh Government's (WG) current position on planning policy. The document incorporates the objectives of the Well-being of Future Generations (Wales) Act into town and country planning and sets out the WG's policy on planning issues relevant to the determination of planning applications.

It is considered that the proposed development is consistent with the key principles and requirements for placemaking set out in PPW; and is also consistent with the Well-being of Future Generations (Wales) Act's sustainable development principles through its contribution towards the Welsh Ministers' well-being objectives of driving sustainable development and building healthier communities and better environments.

Other relevant national policy guidance consulted:

PPW Technical Advice Note 4: Retailing and Town Centres;

PPW Technical Advice Note 5: Nature Conservation and Planning;

PPW Technical Advice Note 12: Design;

PPW Technical Advice Note 18: Transport;

REASONS FOR REACHING THE RECOMMENDATION

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purposes of any determination to

be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

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

Main Issues:

Principle of the proposed development

The application seeks to convert part of the ground floor and the first and second floors of an existing commercial unit from offices to 7 self-contained residential flats. The existing commercial (A2) unit and retail frontage would be retained, albeit at a reduced scale.

The site is located within the defined settlement boundary and within the defined retail centre of Mountain Ash which is identified as a Key Settlement in the Rhondda Cynon Taf Local Development Plan. As such, the site has good access to a number of key services and facilities and is accessible by a range of sustainable transport options with both bus stops and a train station within reasonable walking distance. The site is also conducive to travel on foot and bicycle. The site is therefore considered to be situated within a highly sustainable location and the proposal would comply with the main objectives of Policy AW2.

Policy CS1 also supports residential and commercial development in locations that would support and reinforce the roles of Key Settlements. Whilst the town is predominantly characterised by retail and commercial uses, PPW 10 encourages mixed-use centres as they provide a sustainable form of living whilst also contributing to the daytime and evening economy of the centre and subsequently adding to the vitality and viability of the town. It is not considered that the residential use of the site would unacceptably conflict with the predominantly retail character of the town, particularly given that there are already a number of flats above shops along the length of Commercial Street and in the area immediately to the rear of the site.

Furthermore, Policy CS1 seeks to ensure the removal and remediation of dereliction by promoting the re-use of under used and previously developed land and buildings. As detailed earlier in this report, the application property has been vacant for some time and so the proposal would inevitably provide an opportunity to bring a vacant property back into beneficial use and improve the overall visual appearance of this prominent town-centre building.

One letter of objection has been received from a local resident that raises concern that there is no need for any further retail or residential flats in the town centre as many existing units remain empty. Whilst this may be the case, the commercial unit at ground floor is existing with the only change being a reduction in the floor area available. In

terms of the provision of additional flats, it is beyond the remit of the Planning Department to determine market requirements and it has to be assumed that the developer has carried out suitable and sufficient market research to identify a need within the area prior to going to the expense of formulating and submitting an application for planning permission

Taking the above into consideration, the principle of the proposal is considered to be acceptable subject to an assessment of the material planning considerations set out below:

Impact on the character and appearance of the area

The application site is located within a prominent location on the main junction entering the town centre from the A4059 (New Road). It is therefore highly visible when entering the town from this direction. The property has clearly been vacant for some time which is evident by its current neglected appearance. The proposal to convert and refurbish the building would therefore provide an opportunity to improve the visual appearance of the property as a whole and to provide a positive contribution to the public realm in this prominent section of Mountain Ash town centre. The proposal would not involve any significant alterations to the external appearance of the application property and its main structure and overall form would therefore be unaltered.

As such, it is considered that the proposal would have a positive impact upon the character and appearance of the application property and the wider area and the application would therefore comply with Policies AW5 and AW6 of the Rhondda Cynon Taff Local Development Plan.

Impact on residential amenity and privacy

The application site is located within the defined retail zone of Mountain Ash town centre in which there are a number of commercial properties. However, it is also noted that there are a number of residential properties to the rear of the site in Pryce Street and a number of residential flats above shops along the length of Commercial Street. It is therefore important to consider the impact of the proposal upon the amenity and privacy of existing residents.

As the conversion of the building would mostly involve internal construction work and only two minor alterations to the window/door layout, the development is not likely to alter the outlook of any residential properties that surround the site, except for an evident improvement to the visual appearance of the building. It is also not considered that the privacy of any surrounding residents would be adversely affected as the window openings would largely remain unchanged. The replacement window in the side elevation would be situated within a façade containing a number of other windows and so the level of overlooking would not be unacceptably increased.

It is noted that the use of the site would effectively be intensified through the provision of 7 residential units however, it is not considered that the noise and disturbance

generated by this residential use would be any greater than the existing use as a bank, which would have generated a large number of comings and goings. Furthermore, the site is located within a busy town centre location and existing residents should therefore already be accustomed to the noise and disturbance associated with the town.

In terms of the amenity and privacy of potential future occupiers of the proposed development, the Council's SPG: Development of Flats states that new flats should provide an acceptable quality of accommodation for residents. It states that flats should be of a suitable size and habitable rooms should have a reasonable outlook and level of natural daylighting and ventilations. They should also have a main entrance to the front of the building and have access to either private or communal outdoor space.

It is considered that the level of accommodation proposed is reasonable with adequate space provided within each unit for future occupiers to carry out day to day tasks. Each unit would have a number of windows within the main living areas which would ensure that a good level of natural daylight and ventilation could be achieved whilst also providing a reasonable outlook. All 7 flats would be accessed via the new pedestrian access door within the front elevation. Whilst there is a small courtyard area to the rear of the property, this appears to be accessible from the ground floor flat only and so the proposal would lack communal outdoor space. However, given the location of the building in an area which benefits from a number of public amenity spaces, it is not considered that this issue would be significant to warrant the refusal of the application.

Consequently, it is not considered that the proposal would have an adverse impact upon the amenity and privacy of existing neighbouring properties or upon the health and well-being of future occupiers. The application would therefore comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan and Supplementary Planning Guidance: Development of Flats.

Access and highway safety

The application has been subject to consultation with the Council's Highways and Transportation Section with a view to assessing the potential impact of the proposal on highway safety in the vicinity of the site. Whilst it is noted that an objection has been received which raises concern in relation to parking and highway issues, the comments received from the Highways and Transportation section do not raise any objection to the proposal and no recommendations are made for the imposition of any planning conditions. The comments received are summarised as follows:

Access

The application site is located on Commercial Street (B4275) and directly located on the existing signalised junction with traffic controls preventing on-street parking to maintain free flow of traffic.

Parking

The proposal requires up-to a maximum of 17 spaces (14 no. resident spaces, 1 no. visitor space and 2 no. retail spaces). There is concern with regards to the lack of off-street car parking facilities associated with the proposal however, taking into account the existing traffic regulations in place preventing on street car parking in the vicinity of the site, the sustainable location of the site in terms of its proximity to both bus and rail stops and its location within Mountain Ash retail zone which offers a variety of local facilities which places less reliance on the private motor vehicle as the primary mode of transport, the proposal is considered to be acceptable in this regard. Furthermore, there is no space within the curtilage of the site to provide off-street parking and taking into account that the existing and proposed off-street car parking requirements are similar, it is not considered that the proposal would result in any highway issues that would significantly greater than if the building was to be re-used in its current form.

Cycle parking

The plans indicate the provision of two store rooms on the ground floor for secure cycle storage which is considered to be acceptable and goes some way to mitigate the impact of the proposal and promotes sustainable modes of travel in accordance with Planning Policy Wales 10th Edition.

In light of the above comments, the proposal is considered to be acceptable in terms of the impact it would have upon highway safety in the vicinity of the site and the application would therefore comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Other Issues:

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

Drainage

The proposal would involve the conversion of an existing building with no construction works proposed. As such, no objection has been received from the Council's Flood Risk Management team, nor has any condition been recommended.

Ecology

The proposal would not involve any demolition works or result in any works to the existing roof and so bat surveys are not considered necessary in this instance.

Public Health

The Council's Public Health and Protection section have recommended that a number of conditions be added to any grant of planning consent in respect of building regulations, hours of construction, noise, dust and waste. These are issues that are better dealt with by separate environmental health legislation and it is therefore not considered necessary to duplicate this through the imposition of planning conditions.

Other issues raised by objector

The objector raises concern that the conversion works would result in great upheaval to the town. The works to convert the building would be undertaken over a limited period of time and any disruption would cease upon completion. The issue is therefore considered to be temporary and it would not be reason to reuse the application.

Community Infrastructure Levy (CIL) Liability

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

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

Conclusion

The application site is located in a highly sustainable town centre location where residential flats above shops is generally considered to be acceptable.

The proposal would provide an opportunity to bring a currently vacant building back into beneficial use. The building would largely be retained in its current form with only minor external alterations and refurbishment works proposed. The overall visual appearance of the building and subsequently that of the surrounding area would therefore be improved.

The building would not be subject to any constructions works with only minor alterations to the external layout. It is therefore not considered that the amenity and privacy of existing surrounding properties would be adversely affected. Furthermore, the residential use of the site would be compatible with the A2 use at ground floor and with the residential properties that are located to the rear of the site.

The quality of the accommodation proposed is considered to be acceptable and the health and well-being of prospective future occupiers would not be adversely affected.

Whilst no off-street parking would be provided at the site, the site is located within town centre location with good access to a range of sustainable transport options and to a number of key local services.

As such, the application is considered to comply with the relevant policies of the Rhondda Cynon Taf Local Development and it is therefore recommended for approval, subject to conditions.

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 on 11th November 2020, unless otherwise to be approved and superseded by details required by any other condition attached to this consent:

- Drawing No. 611-100: Site Plan;
- Drawing No. 611-1010: Proposed Floor Plans;
- Drawing No. 611-1011: Proposed Elevation Plans.

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

3. 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 other residents in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

tudalen wag



PLANNING & DEVELOPMENT COMMITTEE

7 JANUARY 2021

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 20/0959/10 (GH)
APPLICANT: Cartrefi Limited
DEVELOPMENT: 6 x 1 bedroom flats (description changed and revised plans received 4th November 2020).
LOCATION: FORMER BRITISH LEGION CLUB, HOWELL STREET, CILFYNYDD, PONTYPRIDD
DATE REGISTERED: 03/11/2020
ELECTORAL DIVISION: Cilfynydd

RECOMMENDATION: REFUSE

REASONS: The position and height of the rear elevation of the proposed building would be considered to be overbearing, dominate and be harmful to the outlook of neighbouring residents to the west and cause an unacceptable degree of overshadowing.

Furthermore, the windows within the proposed south-facing side elevation would enable intrusive views towards the rear amenity space and windows of habitable rooms of the neighbouring property to the south.

Consequently, the proposal is considered to have a significant detrimental impact on the amenities of neighbouring occupiers and represents development inappropriate to the local context, which would therefore not comply with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan or the Council's SPG for the Development of Flats.

REASON APPLICATION REPORTED TO COMMITTEE

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

APPLICATION DETAILS

Full planning consent is sought to construct a building to contain six self-contained one-bedroom flats, at the site of the former British Legion Club, Howell Street, Cilfynydd. The new accommodation would be arranged over three floors, each of which would have two flats.

As the description of development suggests, the original proposal was for a larger building which would have accommodated 4 x one-bedroom and 2 x two-bedroom flats.

However, to address concerns raised during the initial consultation, revised plans were received which reduced the height and footprint of the building; removed fenestration to the rear elevation of the building to prevent overlooking of Cilfynydd Road dwellings; and relocated the building slightly further to north to help mitigate any impact on the property to the south.

Due to the topography of the site the principal elevation, facing eastwards towards Howell Street, would appear as a two storey structure. The flats occupying the ground and first floor would have a separate entrance to the parking area between the principal elevation and the highway.

Conversely the entrance to the lower ground flats would be within the side elevations and accessed by a flight of steps to either side. The split level arrangement means that from the rear the three storeys of the building would be evident.

As noted, off-street parking spaces are proposed to the front of the site, with a total of seven being laid out both adjacent and perpendicular to the highway. However, other than for a bin store being indicated to one side, no specific external amenity space is identified.

External finishes would comprise elevations of painted render with uPVC fenestration, all of which would be enclosed by a twin pitch roof of man-made slate tiles.

In addition to the plans and elevation drawings accompanying the application, a design and access statement has been submitted.

SITE APPRAISAL

The application property is a rectangular-shaped parcel of land located at Howell Street within the settlement of Cilfynydd.

Comprising a surface area of approximately 0.037 hectares the eastern boundary of the land is aligned with the highway to the east. The land falls significantly in level towards the east. The site previously accommodated the British Legion Club, and

although the remains of foundations have been visible, the Club was demolished in excess of 15 years ago.

Neighbouring land uses are residential, where dwellings on the opposite side of Howell Street are part of a typical linear Victorian terrace. The land immediately to the south is occupied by a modern bungalow, whilst a pair of semi-detached houses, on Cilfynydd Road occupy the lower ground to the west.

PLANNING HISTORY

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

10/5661/32: 4 dwellings. Decision: 26/08/2010, Raise Objections

07/1856/13: Construction of 2 dwellings. (Outline with indicative scheme). Decision: 28/01/2008, Grant

PUBLICITY

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

Ten letters of objection were received in response to the first consultation. A further five letters of objection were received to the reconsultation of the revised plans. The following concerns were highlighted:

Amenity:

- The proposed development is only 13.5m away from the back of my house instead of the recommended 21m.
- My privacy will be completely gone due to the position, height, size and the fact there are 12 windows on the rear elevation.
- The proposed overbearing development will stand 12.7m above our bedroom windows.
- The proposed development is overbearing to my property, the height and size will overshadow the rear of my house and back garden. I am already overshadowed by an out of control tree on the rear garden of the cottage next door.
- There is a widely used rule amongst many local councils where 25 degrees is the recommended angle from the centre of the lowest window to the top of any new development to ensure no loss of daylight. From the centre of the lowest window in our ground floor, the angle to the new build would be 45 degrees, thus having a huge effect on the light entering our home.
- The original building that sat on the land was far smaller, set about 5m back from our boundary and our property was faced by the gable end

- The increased noise associated with flats. I object to the change of use from a former commercial premise to residential flats.
- The view we currently have will be spoilt by a block of flats which will I guess take value from the houses as will have flats looking over them.
- The side elevation of the plans show windows from 2 different flats looking straight into my modest back yard and garden, taking away all my privacy, this is surely not acceptable.

Highways/Parking:

- There is no parking in the street now and they want to put a load of flats where people park now.
- This would stop parking for approximately 6 cars in the street. Sometimes we have to park on the hill or another street as it stands.
- This road is also a bus route and buses have trouble passing parked cars as it is at times.

Design:

- The proposed building is an absolute monstrosity, extremely unsightly and completely and utterly out of character with the area and current houses in the street.
- The proposed building is not in keeping with the surrounding houses including my own, the height of the building will over shadow my own and stop all light to the rear of my property and bedroom.
- The plot is clearly too small for the block of 6 flats, or any block of flats for that matter.
- Two newer houses at the opposite end of Howell Street i.e. Forest View and May House were built long after Tre-goed, but in a similar design and therefore more in-keeping.

Other:

- For many years since the demolition of the British Legion the land has been left unmaintained. There is a major problem with Japanese Knotweed and also, I believe sewerage issues were never resolved.
- I strongly object to "housing association" flats bring built that as highlighted and identified by yourselves can bring unsought characters to the area and highlights potential problems that flats can bring thus being privacy and nuisance issues.
- We have had many anti-social behaviour issues with other flats close by. Drug dealing, armed Police visits, illegal parking and even food/litter dropped from windows are just some of the issues we have had to endure.
- The existing stone retaining wall, that borders our property, was no doubt built at the same time as the British Legion building and has become weak, especially due to the large plant machinery that has been on the land in recent

years. There will need to be a new retaining wall built behind this stone wall in order to prevent its collapse into our property.

- The stone boundary wall is not a retaining wall and would not withstand the construction works of any proposed building, and as the topography of the area is quite extreme there would be major ground works required from the developer
- No neighbours have been consulted or received direct notification about this proposal.
- The siting of the household waste bins will attract vermin onto our property.
- We would urge you to consider your responsibilities of the Council under the Human Rights Act in particular Protocol 1, Article 1, which states that a person has the right to peaceful enjoyment of all their possessions which includes the home and other land. Article 8 of the Human Rights Act states that a person has the substantive right to respect for their private and family life.

CONSULTATION

Highways and Transportation

No objection subject to conditions regarding vehicular crossover, parking and HGV delivery times.

Housing Strategy

No objection

Public Health and Protection

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

Western Power Distribution

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

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

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies within the settlement boundary for Cilfynydd

Policy CS2 - The policy emphasis in the Southern Strategy Area (SSA) is on sustainable growth that protects the culture and identity of communities by focusing development within defined settlement boundaries.

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

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

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

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

Policy AW6 - The policy supports development proposals that are of a high standard of design that reinforce attractive qualities and local distinctiveness.

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

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

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

Supplementary Planning Guidance

- Design and Place-making
- Access, Circulation and Parking Requirements
- Affordable Housing
- Planning Obligations
- 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.

Planning Policy Wales Edition 10 (PPW) sets out the Welsh Government's (WG) current position on planning policy. The document incorporates the objectives of the Well-being of Future Generations (Wales) Act into town and country planning and sets out the WG's policy on planning issues relevant to the determination of planning applications.

It is considered that the proposed development is neither sufficiently consistent with the key principles and requirements for placemaking as set out in PPW, or with the Well-being of Future Generations (Wales) Act's sustainable development principles, which seek a positive contribution towards the Welsh Ministers' well-being objectives of driving sustainable development and building healthier communities and better environments.

Other relevant national policy guidance consulted:

PPW Technical Advice Note 2: Planning and Affordable Housing;
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:

Principle of the proposed development

The application relates to the construction of a residential development at a site within Cilfynnd, which is within the settlement boundary.

LDP Policy CS2 supports residential developments that are focussed within settlement boundaries and where the re-use of previously developed land is proposed. Policy AW1 also recognises that the supply of new housing will occur on unallocated land within the defined settlement boundaries of smaller settlements.

The sustainability of the location is also a key consideration, and the development would accord with the relevant criteria of Policy AW2, e.g. its location within the settlement boundary; compatibility with surrounding residential uses, accessibility to sustainable transport options; and access to key services and facilities.

Furthermore, the Council's Housing Strategy Team has advised that this scheme has been designed to help address the need for additional affordable housing within Cilfynydd, and the unit mix and tenure proposed are in accord with the Local Housing

Market Assessment 2017/23. Therefore, the proposal satisfies Policy SSA12 and would also be able to meet the density requirements set by Policy SSA11.

In addition, some of the matters above coincide with national sustainable placemaking outcomes, against which PPW10 suggests development proposals should be assessed, particularly the reuse of previously developed land, the provision of homes to meet society's needs and accessibility to public transport and goods and services.

In light of the above, the development could be considered acceptable in principle, however in this instance the proposal would result in a significant detrimental impact on the amenities of neighbouring occupiers and represent development inappropriate to the local context.

Impact on the character and appearance of the area

There are no concerns in respect of the design and style of the building per se and it is acknowledged that revisions to the original design were submitted in order to address concerns raised during the consultation process, although these relate more to neighbour amenity issues, rather than visual impact.

Nonetheless, whilst it is recognised that there are buildings of comparable size and scale within Cilfynydd and close to the site - such as the Church, Community Centre and Commercial Hotel - they were contemporary to the Victorian era when much of the wider community was constructed, and therefore assimilated better with the residential terraces.

The responses from objectors questioned whether the proposal was in-keeping with its setting. These concerns are understood since more recent infill development, such as Tregod to the south and the two dwellings known as Forest View and May House further to the north, are smaller, less intrusive and, all being split-level, appear as single storey structures from Howell Street.

Therefore, whilst there are fewer concerns about the design being of a more modern appearance, the scale and massing of the development, which have consequences for the neighbour issues discussed below, are considered to be excessive and inappropriate to the local context and street scene.

As such, it is considered that the proposed development would detract from the character and appearance of the area, contrary to the provisions of Policy AW6.

Impact on neighbouring occupiers

The Councils SPG for the Development of Flats makes specific references to matters of neighbour amenity, that are encompassed by Policy AW5.

The SPG states that the Council will resist proposals which have a detrimental impact on the existing built or natural environment or the amenity of neighbours. It more specifically advises that “the impact on neighbouring properties in terms of loss of privacy, overlooking and overbearing impact will need to be carefully considered” and that where the development includes new buildings, that loss of daylight and impact on outlook are valid considerations.

In respect of the neighbouring properties located on the opposite side of Howell Street, objections were made relating to a loss of view and privacy. The former cannot be considered material, although there is a concern that the windows of habitable rooms within the flats would have views towards those of the houses and vice versa.

The relationship between the flats and the two properties to the west, known as Trefechan and Cilfor, is a key concern, particularly given the acute change to topography, although the revised plans removed all fenestration from the rear elevation to prevent overlooking.

The submitted plans demonstrate that the distance between the rear elevations of those two properties and the existing boundary wall is 12.6m. The current 8.1m height of the wall is proposed to be increased to 8.7m, on top of which there would be a 2m high fence. Beyond the wall and fence, and set back by 1.9m, would be the 6m high rear elevations of the flats.

This arrangement would result in the outlook from Trefechan and Cilfor being dominated by an overbearing structural mass that would be harmful to neighbour amenity and living conditions. In addition, this mass would, for the first part of the day, reduce natural light and overshadow their rear elevations and windows. The helpful section provided by a resident, which shows a 45 degree angle between ground floor rooms and the roof of the flats, clearly emphasises that impact.

Lastly, the windows within the side elevations of the flats would directly overlook the rear amenity space and side windows of the neighbouring property to the south, Tregoed, which is considered to be unacceptable.

Therefore, in terms of the impact on the amenity and privacy of neighbouring residents, the application is considered not to comply with Policy AW6 or the Council’s SPG for the Development of Flats.

Access and highway safety

The proposed flats would be served via direct access from their frontage to Howell Street, Cilfynydd.

The Council’s Highways and Transportation Section has advised that the proposed means of access gives no undue cause for concern, although a vehicular footway

crossover would be required for the proposed 7 no. off-street parking spaces, which could be addressed by a condition.

With regard to off-street parking, the Council's SPG advises that 1-2 bedroom dwellings have an off-street parking requirement of 2 spaces, plus 1 space per 5 dwellings for visitors. The development would therefore have a total requirement of 13 spaces, whereas the proposed site plan for 7 no. off-street parking spaces would result in a shortfall of 6 spaces, which gives cause for concern.

However, when considering that the proposed development is located in a sustainable location within defined settlement boundaries, that residents of flats often have lower car ownership rates, and the development is entirely for 1 bedroom flats, the provision of 7 no. spaces, i.e. 1 space per flat plus 1 visitor space, is considered acceptable.

Other Issues

Most of the relevant material considerations contained within the representations of neighbours and residents have been addressed within the preceding sections.

However, whilst concerns about the effect on property values, tenure of the development and anti-social behaviour issues at other properties are noted, they are not germane planning considerations in the context within which they are raised.

Therefore, no material weight has been apportioned either to these or those that could be controlled by other legislation, including those that would fall within the scope of Building Regulations.

Community Infrastructure Levy (CIL) Liability

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

The application is for development of a kind that is liable for a charge under the CIL Regulations 2010 as amended. The application lies within Zone 2 of Rhondda Cynon Taf's Residential Charging Zones, where there is a liability of £40m² for residential development.

The CIL (including indexation) for this development is expected to be £22,571.55. However, social housing relief may be claimed on the social housing element of the development.

Section 106 Contributions / Planning Obligations

Section 106 of the Town and Country Planning Act (as amended) enables Local Planning Authorities and developers to agree to planning obligations to require operations or activities to be carried out on land (in-kind obligations) or require

payments to be made (financial contributions), to mitigate any unacceptable impacts of development proposals.

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

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

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

The Section 106 requirements in this case

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

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

Conclusion

For the reasons outlined above it is considered the proposal would be of an excessive scale and have a harmful impact on the residential amenity of the surrounding neighbouring properties. These concerns are considered sufficient to outweigh the factors in favour of the development, in particular the need for affordable housing provision. The application is therefore considered not to comply with Policies AW5 and AW6 of the Local Development Plan.

RECOMMENDATION: Refuse

1. The position and height of the rear elevation of the proposed building would be considered to be overbearing, dominate and be harmful to the outlook of neighbouring residents to the west and cause an unacceptable degree of overshadowing.

Furthermore, the windows within the proposed south-facing side elevation would enable intrusive views towards the rear amenity space and windows of habitable rooms of the neighbouring property to the south.

Consequently, the proposal would have a significant detrimental impact on the amenities of neighbouring occupiers and represent development inappropriate to the local context, which would therefore not comply with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan or the Council's SPG for the Development of Flats.

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

7 JANUARY 2021

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 07/12/2020 – 18/12/2020

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

7 JANUARY 2021

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

APPEALS RECEIVED

APPLICATION NO: 18/1291
APPEAL REF: A/20/3264090
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
APPEAL RECEIVED: 01/12/2020
APPEAL START DATE: 12/12/2020

APPEAL DECISIONS RECEIVED

APPLICATION NO: 20/0312
APPEAL REF: D/20/3261423
APPLICANT: Mr Stewart
DEVELOPMENT: Proposed rear dormer, loft conversion, balcony & new windows.
LOCATION: 20 SION STREET, PONTYPRIDD, CF37 4SD
DECIDED: 13/08/2020
DECISION: Refused
APPEAL DECIDED: 16/12/2020
APPEAL DECISION: Dismissed

APPLICATION NO: 20/0708
APPEAL REF: D/20/3261762
APPLICANT: Mr & Mrs John
DEVELOPMENT: Demolition and rebuild of existing rear garage.
LOCATION: 1 TYNBYEDW TERRACE, TREORCHY, CF42 6RL
DECIDED: 21/08/2020
DECISION: Refused
APPEAL DECIDED: 15/12/2020
APPEAL DECISION: Dismissed

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Report for Development Control Planning Committee

Penywaun

20/1205/10 Decision Date: 16/12/2020
Proposal: Proposed single storey side extension.
Location: 3 GARWELLT, PENYWAUN, ABERDARE, CF44 9LT

Aberdare East

20/0721/10 Decision Date: 15/12/2020
Proposal: Change of use from a dental laboratory (B1) to a residential dwelling (C3) (Flood Consequences Assessment received 07/11/2020).
Location: 41 SEYMOUR STREET, ABERDARE, CF44 7BL

20/1197/10 Decision Date: 10/12/2020
Proposal: Two storey & single storey extensions to rear.
Location: 13 MAELGWYN TERRACE, GADLYS, ABERDARE, CF44 8AU

Cwmbach

20/1152/10 Decision Date: 15/12/2020
Proposal: Proposed single storey extension to rear and side of existing bungalow (amended plans received 15/11/2020).
Location: 7 ELAN CLOSE, CWMBACH, ABERDARE, CF44 0LH

Mountain Ash East

20/1012/10 Decision Date: 08/12/2020
Proposal: Proposed first floor rear extension and side extension.
Location: 15 BECKETT STREET, MOUNTAIN ASH, CF45 4AW

Penrhiwceiber

20/1227/10 Decision Date: 16/12/2020
Proposal: External stair lift & associated groundworks.
Location: 1 PENYBRYN TERRACE, PENRHIWCEIBER, MOUNTAIN ASH, CF45 3TJ

Aberaman North

20/1189/10 Decision Date: 10/12/2020
Proposal: Detached garage (Re-submission of 20/0819/10).
Location: 48 JUBILEE ROAD, ABERAMAN, ABERDARE, CF44 6DD

Aberaman South

20/0899/10 Decision Date: 09/12/2020

Proposal: Detached Dwelling.

Location: PLOT 2, FOUNDRY VIEW, GODREAMAN, ABERDARE CF44 6DW

Report for Development Control Planning Committee

Treherbert

- 20/0940/10** Decision Date: 08/12/2020
Proposal: Garden extension with footbridge across river Rhondda and store with vegetable patch.
Location: THE TABERNACLE, BROOK STREET, BLAENRHONDDA, CF42 5SB
-

- 20/1160/10** Decision Date: 15/12/2020
Proposal: Proposed flat roof single storey rear extension.
Location: 24 PARK PLACE, TREHERBERT, TREORCHY, CF42 5LN
-

Ystrad

- 20/1108/10** Decision Date: 15/12/2020
Proposal: Change of use from ground floor shop to flat with external alterations and rear first floor extension.
Location: 181 GELLI ROAD, GELLI, PENTRE, CF41 7NA
-

- 20/1161/10** Decision Date: 16/12/2020
Proposal: Rear single storey extension.
Location: 8/9 TAFF STREET, GELLI, PENTRE, CF41 7TZ
-

- 20/1175/10** Decision Date: 09/12/2020
Proposal: Two storey rear extension, internal alterations, re-profiling of rear garden.
Location: 17 SHADY ROAD, GELLI, PENTRE, CF41 7UG
-

Llwynypia

- 20/0756/10** Decision Date: 16/12/2020
Proposal: Alterations and boundary edge treatment, 5 No. new windows, replacement of brick panels with 1500mm high railings to the northern boundary wall.
Location: FORMER MAGISTRATES COURT, LLWYNYPIA ROAD, LLWYN-Y-PIA, TONYPANDY, CF40 2HZ
-

Cwm Clydach

- 20/1112/10** Decision Date: 08/12/2020
Proposal: Proposed first floor bedroom extension.
Location: 3 JONES STREET, CLYDACH, TONYPANDY, CF40 2BZ
-

Trealaw

- 20/1120/10** Decision Date: 10/12/2020
Proposal: Two storey extension build over existing ground floor building.
Location: 21 PERGWM STREET, TREALAW, TONYPANDY, CF40 2UP
-

Report for Development Control Planning Committee

Porth

20/1255/15 Decision Date: 16/12/2020
Proposal: Removal of condition 4 to allow premises to be used as a Cafe/Bar (Description amended 23/11/2020).
Location: 26 HANNAH STREET, PORTH, CF39 9RB

Cymmer

20/1113/10 Decision Date: 07/12/2020
Proposal: Proposed full width rear extension.
Location: 19 RIVER TERRACE, PORTH, CF39 9LS

Ynyshir

19/1268/10 Decision Date: 10/12/2020
Proposal: Clad the gable end with metal box profile sheets.
Location: YNYSHIR AND WATTSTOWN BOYS CLUB MORIAH CHAPEL, YNYSHIR ROAD, YNYSHIR, PORTH, CF39 0EE

Tylorstown

20/0565/10 Decision Date: 15/12/2020
Proposal: Detached garage to rear / side curtilage
Location: 30 PLEASANT VIEW, TYLORSTOWN, FERNDALE, CF43 3NF

20/1078/10 Decision Date: 08/12/2020
Proposal: Triple garage.
Location: 895 HEOL TEIFIONYDD, PENRHYS, FERNDALE, CF43 3RW

Maerdy

20/1164/10 Decision Date: 15/12/2020
Proposal: Proposed first floor rear extension.
Location: 40 PENTRE ROAD, MAERDY, FERNDALE, CF43 4DP

20/1272/10 Decision Date: 18/12/2020
Proposal: First floor extension.
Location: 86 OXFORD STREET, MAERDY, FERNDALE, CF43 4BL

Report for Development Control Planning Committee

Glyncoch

- 20/1106/10** Decision Date: 08/12/2020
Proposal: Increase height of workshop, clad exterior, new roller shutter doors to workshop and UPVC door and window to new office space.
Location: DIAMOND AUTO REPAIRS, YNYSYBWL ROAD, GLYNCOCH, PONTYPRIDD, CF37 3BL
-

Town (Pontypridd)

- 20/1102/10** Decision Date: 15/12/2020
Proposal: Pitched roof two storey infill extension to rear of existing dwelling and attached single storey flat roof extension
Location: 69 LANWOOD ROAD, GRAIGWEN, PONTYPRIDD, CF37 2EP
-

- 20/1103/10** Decision Date: 07/12/2020
Proposal: Front and rear dormers along with a single storey rear extension.
Location: 47 WHITEROCK DRIVE, GRAIGWEN, PONTYPRIDD, CF37 2HA
-

- 20/1180/10** Decision Date: 15/12/2020
Proposal: Change of use from A1 (fruit & veg shop) to A3 (hot food takeaway).
Location: STOKES FRUIT AND VEG STORE, 6 FRATERNAL PARADE, TAFF STREET, PONTYPRIDD, CF37 4UG
-

Trallwn

- 20/1115/10** Decision Date: 10/12/2020
Proposal: Conservatory extension to principle elevation.
Location: WILLOWBANK, 18 TY-GWYN ROAD, PONTYPRIDD, CF37 4AA
-

- 20/1181/10** Decision Date: 18/12/2020
Proposal: Ground floor extension to rear of existing dwelling, enlargement of existing balcony & alterations to existing outbuilding.
Location: HEATHERVIEW HOUSE, HEATHERVIEW ROAD, PONTYPRIDD, CF37 4DL
-

Treforest

- 20/0891/15** Decision Date: 14/12/2020
Proposal: Variation of condition 1 to extend time to submit reserved matters and commence development of outline planning permission for (17/1078/15).
Location: ASHGROVE HOUSE, GLYN TAFF ROAD, GLYN TAFF, PONTYPRIDD, CF37 4AT
-

Report for Development Control Planning Committee

Hawthorn

20/0782/10 Decision Date: 16/12/2020
Proposal: Two storey rear extension, insertion of rooflights to loft.
Location: 17 GLYN-DWR AVENUE, RHYDYFELIN, PONTYPRIDD, CF37 5PD

20/0937/10 Decision Date: 09/12/2020
Proposal: Detached garage and new boundary walls
Location: 20 HAWTHORN ROAD, RHYDYFELIN, PONTYPRIDD, CF37 5AT

20/1138/01 Decision Date: 15/12/2020
Proposal: Proposed new fascia sign to front of shop.
Location: CATHYS FRUIT AND VEG, 14B DYFFRYN ROAD, RHYDYFELIN, PONTYPRIDD, CF37 5RW

Ffynon Taf

20/0593/10 Decision Date: 07/12/2020
Proposal: Replacement of cleaning bay infrastructure. (Air Quality Assessment Report received 7th November 2020)
Location: G E AIRCRAFT ENGINE SERVICES LTD, CAERPHILLY ROAD, NANTGARW, TAFFS WELL, CARDIFF, CF15 7YJ

20/1193/01 Decision Date: 15/12/2020
Proposal: 3 no. new digital freestanding signs and 1 no. 15" digital booth screen.
Location: MCDONALDS RESTAURANT, HEOL YR ODYN, TREForest INDUSTRIAL ESTATE, TAFFS WELL, CARDIFF, CF15 7QX

Llantwit Fardre

20/0818/10 Decision Date: 17/12/2020
Proposal: Single storey extension, 2 dormer windows, infill in undercroft to front corner, reinstate front door to original position, reinstate square bay windows.
Location: HOLLY COTTAGE, CROWN HILL, LLANTWIT FARDRE, PONTYPRIDD, CF38 2NA

20/1117/10 Decision Date: 09/12/2020
Proposal: Detached garage.
Location: 1 HEOL BRYNHYFRYD, LLANTWIT FARDRE, PONTYPRIDD, CF38 2RH

20/1209/10 Decision Date: 10/12/2020
Proposal: Construction of additional upper floor to existing split level dwelling and construction of garden store.
Location: COPPINS, DEHEWYDD LANE, LLANTWIT FARDRE, PONTYPRIDD, CF38 2EN

20/1239/10 Decision Date: 10/12/2020
Proposal: Single storey rear extension.
Location: 10 YORK DRIVE, LLANTWIT FARDRE, PONTYPRIDD, CF38 2NR

Report for Development Control Planning Committee

Tonyrefail West

20/0953/10 Decision Date: 09/12/2020
Proposal: Two storey rear extension. (Amended Plans received 11/11/2020)
Location: 3 FRANCIS STREET, THOMASTOWN, TONYREFAIL, PORTH, CF39 8DR

20/1172/09 Decision Date: 15/12/2020
Proposal: Single storey rear extension
Location: 29 WORCESTER COURT, TONYREFAIL, PORTH, CF39 8JU

Tonyrefail East

20/1109/10 Decision Date: 08/12/2020
Proposal: Single story side extension and garage conversion.
Location: 34 HIGHFIELDS, TONYREFAIL, PORTH, CF39 8GA

Beddau

20/1276/10 Decision Date: 15/12/2020
Proposal: Two storey side extension and garage.
Location: 29 HEOL UNDEB, BEDDAU, PONTYPRIDD, CF38 2LB

Ty'n y Nant

20/1162/09 Decision Date: 15/12/2020
Proposal: Single storey side/rear extension.
Location: 10 CLAVERTON CLOSE, BEDDAU, PONTYPRIDD, CF38 2SB

Report for Development Control Planning Committee

Town (Llantrisant)

20/0350/10 Decision Date: 16/12/2020
Proposal: Conversion of a single dwelling into 2 no. flats (amended location plan and parking layout received 20/10/2020).
Location: 25 SWAN STREET, LLANTRISANT, PONTYCLUN, CF72 8ED

20/1014/10 Decision Date: 14/12/2020
Proposal: Two-storey side extension, new decking podiums to the rear. (Amended plans received 18/11/20).
Location: TY DIWEDD, 2 POLICE HOUSES, HEOL LAS, LLANTRISANT, PONTYCLUN, CF72 8EJ

20/1116/09 Decision Date: 18/12/2020
Proposal: Swyddu ar y llawr gwaelod a fflat ar llawr cyntaf. (Ground floor office with first floor flat).
Location: 6 HIGH STREET, LLANTRISANT, PONTYCLUN, CF72 8BP

20/1218/10 Decision Date: 18/12/2020
Proposal: Two storey side extension and porch
Location: 51 HEOL GWYNNO, LLANTRISANT, PONTYCLUN, CF72 8DD

20/1318/10 Decision Date: 18/12/2020
Proposal: Proposed single storey rear extension including demolition of existing conservatory.
Location: 14 BURGESSE CRESCENT, LLANTRISANT, PONTYCLUN, CF72 8QB

Talbot Green

20/1075/09 Decision Date: 15/12/2020
Proposal: Construction of a rear dormer and gable build-up together with insertion of roof lights to the front elevation to form a loft conversion.
Location: 18 DANYGRAIG DRIVE, TALBOT GREEN, PONTYCLUN, CF72 8AQ

20/1194/10 Decision Date: 15/12/2020
Proposal: Single storey rear extension, rear dormer, front bay remodelling and porch.
Location: 58 LANELAY ROAD, TALBOT GREEN, PONTYCLUN, CF72 8HY

20/1215/10 Decision Date: 14/12/2020
Proposal: Change of use from A1 to A2 (Estate Agents).
Location: ALL SORTS, 22 STUART TERRACE, COWBRIDGE ROAD, TALBOT GREEN, PONTYCLUN, CF72 8AA

20/1285/10 Decision Date: 15/12/2020
Proposal: Removal of existing carport and single storey extension to rear. Proposed single storey rear extension, rear dormer, front bay remodelling and porch.
Location: THE LINKS, 57 LANELAY ROAD, TALBOT GREEN, PONTYCLUN, CF72 8HY

Report for Development Control Planning Committee

Pontyclun

20/1222/10 Decision Date: 18/12/2020

Proposal: Single-storey side extension.

Location: 56 YNYSDDU, PONTYCLUN, CF72 9UA

Llanharry

20/1252/10 Decision Date: 15/12/2020

Proposal: Double garage, photographic studio and storage.

Location: WILD ROSE, TYLA GARW, PONTYCLUN, CF72 9EZ

Llanharan

20/1136/10 Decision Date: 14/12/2020

Proposal: Proposed new kennel block.

Location: CYNLLAN LODGE, LLANHARRY ROAD, LLANHARRY, PONTYCLUN, CF72 9NH

Brynna

20/0793/10 Decision Date: 14/12/2020

Proposal: All weather outdoor horse riding manège (for private use) (Affecting Public Right of Way PSM/27/1).

Location: FFERM LLANBAD FACH, LANE TO LLANBAD-FAWR, BRYNNA, PONTYCLUN, CF72 9QT

20/1107/10 Decision Date: 14/12/2020

Proposal: Single storey wrap around side and rear extension to include off street parking. Removal of chimney stack to side elevation.

Location: 47 DUFFRYN CRESCENT, LLANHARAN, PONTYCLUN, CF72 9RR

20/1128/10 Decision Date: 08/12/2020

Proposal: Proposed change of use of first floor triple garage from storage to holiday let. (Re-submission)

Location: THE OLD COACH HOUSE, LLANILID, PENCOED, BRIDGEND, CF35 5LA

20/1240/10 Decision Date: 16/12/2020

Proposal: Create new driveway with off-street parking including installation of dropped kerbs.

Location: BREEZES, BRYNNA ROAD, BRYNNA, PONTYCLUN, CF72 9QE

Total Number of Delegated decisions is 60

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Report for Development Control Planning Committee

Penygraig

20/1266/15 Decision Date: 14/12/2020

Proposal: Removal of condition 5 (Amended parking area) of planning permission 20/0784/10 for residential development.

Location: 83 HUGHES STREET, PENYGRAIG, TONYPANDY, CF40 1LX

Reason: 1 The proposal would result in a lack of off-street parking that would have a detrimental impact on the safety of all highway users and free flow of traffic. As such the proposal would not be in accordance with Policies AW 5 and NSA 12 of the Rhondda Cynon Taf Local Development Plan.

Trallwn

20/0658/10 Decision Date: 17/12/2020

Proposal: Construct wrap around 2 storey side and rear annex with a single storey rear extension to form new 2 bed dwelling.

Location: 64 COEDPENMAEN ROAD, PONTYPRIDD, CF37 4LP

Reason: 1 The proposal to construct a new dwelling at the site would be contrary to Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan in that the scale, form and design of the dwelling would result in overdevelopment of the plot which would have an adverse impact upon the character and appearance of the site and the surrounding area.

Reason: 2 The proposal to construct a new dwelling at the site would be contrary to Policies AW5 and SSA13 of the Rhondda Cynon Taf Local development plan in that it would result in additional on-street parking demand to the detriment of highway safety and the free flow of traffic

Tonyrefail West

20/1210/10 Decision Date: 18/12/2020

Proposal: First floor garage extension & ground floor rear extension

Location: 6 WORCESTER COURT, TONYREFAIL, PORTH, CF39 8JR

Reason: 1 By virtue of its scale, mass and design, the proposed extension would form an obtrusive and overbearing addition, which would serve to create a development that would be out-of-keeping with the character of the local area and detrimental to the visual amenity of its surroundings.

By virtue of its scale and proximity to the common boundary, the proposal would have an unacceptable detrimental impact to the residential amenity of the adjacent occupiers of No.4 Worcester Court by way of loss of light and outlook. The proposal is therefore considered overbearing, excessive and unneighbourly.

The proposed 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)'.

20/1250/10 Decision Date: 17/12/2020

Proposal: Double storey side extension.

Location: 39 BEECH WOOD DRIVE, TONYREFAIL, PORTH, CF39 8JL

Reason: 1 The development would introduce an unsympathetic addition as a result of its scale, design, and siting, which would detract from the character and appearance of the existing dwelling and wider street scene. As such, the proposal is contrary to Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

Reason: 2 The development, as a result of its scale, design and resulting mass and bulk would have a detrimental impact upon the residential amenity and privacy of the immediate neighbouring properties arising from overbearing and a loss of privacy. As such, the proposal is contrary to Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

Report for Development Control Planning Committee

Tonyrefail East

20/1214/10

Decision Date: 15/12/2020

Proposal: Extension and alterations to upper floor to create three self contained flats.

Location: 18 MILL STREET, TONYREFAIL, PORTH, CF39 8AA

Reason: 1 The proposed residential use, in the form of 3 no. flats is considered to represent an inappropriate development that would result in the creation of cramped and poor quality living accommodation contrary to the Council's Supplementary Planning Guidance: Development of Flats – Conversion and New Build and Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Reason: 2 The proposed development would result in the intensification of use of the rear lane as a primary means of access and would result in additional on-street parking demand to the detriment of highway safety and the free flow of traffic, contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Town (Llantrisant)

20/1143/09

Decision Date: 15/12/2020

Proposal: Single storey extension to rear.

Location: 33 CARDIFF ROAD, LLANTRISANT, PONTYCLUN, CF72 8DG

Reason: 1 The proposal does not meet all the criteria set out in Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013. Consequently, the development is not lawful for planning purposes and planning permission is required for the proposed extension. A Certificate of Lawfulness cannot therefore be issued.

Total Number of Delegated decisions is 6

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