



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

**COMMITTEE SUMMONS**

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

Meeting Contact: Jess Daniel - Council Business Unit, Democratic Services (07385401877)

A virtual meeting of the **PLANNING AND DEVELOPMENT COMMITTEE** will be held on **THURSDAY, 11TH MARCH, 2021** at **3.00 PM**.

NON-COMMITTEE MEMBERS AND MEMBERS OF THE PUBLIC MAY REQUEST THE FACILITY TO ADDRESS THE COMMITTEE AT THEIR MEETING ON THE BUSINESS LISTED. IT IS KINDLY ASKED THAT SUCH NOTIFICATION IS MADE TO **PLANNINGSERVICES@RCTCBC.GOV.UK** BY 5PM ON TUESDAY, 9 MARCH 2021, INCLUDING STIPULATING WHETHER THE ADDRESS WILL BE IN WELSH OR ENGLISH.

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

**AGENDA**

**1. DECLARATION OF INTEREST**

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

**Note:**

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

**2. HUMAN RIGHTS ACT 1998 AND DEVELOPMENT CONTROL DECISIONS**

To note, that when Committee Members determine the development

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

### **3. WELLBEING OF FUTURE GENERATIONS (WALES) ACT 2015**

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

### **4. MINUTES**

To approve as an accurate record, the minutes of the meeting of the Planning and Development Committee held on 21<sup>st</sup> January 2021.

**5 - 8**

## **APPLICATIONS RECOMMENDED FOR APPROVAL BY THE DIRECTOR OF PROSPERITY & DEVELOPMENT**

### **5. APPLICATION NO: 20/1004**

Construction of new single storey Transport Hub with link to overhead railway bridge, including the development of a new 7 bay bus station and apron.

**PORTH STREET, PORTH, CF39 9RR**

**9 - 24**

### **6. APPLICATION NO: 20/1082**

Redevelopment of Co-op Store site to provide a purpose-built store and improved car park.

**THE CO OPERATIVE FOOD, 30 CARDIFF ROAD, TAFFS WELL, CARDIFF, CF15 7RF**

**25 - 40**

### **7. APPLICATION NO: 20/1176**

Conversion of original tollgate house to garage, demolition of all outbuildings and erection of new replacement detached house.

**MAESGLAS FARM, RHIGOS ROAD, HIRWAUN, ABERDARE, CF44 9UD**

**41 - 54**

### **8. APPLICATION NO: 20/1243**

Proposed conversion of attached barn to form 2 no. Air B&B (Bed and Breakfast) units of accommodation and associated alterations (Amended description 07/12/20).

**INFORMATION REPORT**

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

To inform Members of the following, for the period 15/02/2021 –  
26/02/202.

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

**67 - 78**

**10. URGENT BUSINESS**

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

**Service Director of Democratic Services & Communication**

**Circulation:-**

**Members of the Planning & Development Committee**

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

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

Service Director of Democratic Services & Communication  
Director of Prosperity & Development  
Head of Major Development and Investment  
Head of Planning  
Head of Legal Services  
Senior Engineer

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## **RHONDDA CYNON TAF COUNCIL PLANNING AND DEVELOPMENT COMMITTEE**

Minutes of the virtual meeting of the Planning and Development Committee held on Thursday, 21 January 2021 at 3.00 pm.

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

Councillor S Rees (Chair)

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

### **Officers in attendance:-**

Mr C Jones, Head of Major Development and Investment  
Mr S Humphreys, Head of Legal Services  
Mr A Rees, Senior Engineer

### **County Borough Councillors in attendance:-**

Councillor R Bevan, Councillor K Jones and Councillor S Morgans

## **78 DECLARATION OF INTEREST**

In accordance with the Council's Code of Conduct, there were no declarations made pertaining to the agenda.

## **79 HUMAN RIGHTS ACT 1998 AND DEVELOPMENT CONTROL DECISIONS**

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

## **80 WELLBEING OF FUTURE GENERATIONS (WALES) ACT 2015**

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

**81 MINUTES**

It was **RESOLVED** to approve as an accurate record, the minutes of the meeting of the Planning and Development Committee held on the 3<sup>rd</sup> December 2020.

**82 CHANGE TO THE AGENDA**

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

**83 APPLICATION NO: 20/1196**

**Variation of condition 1b extension of time of planning permission 16/1385/13. LAND WEST OF A4119, CEFN YR HENDY, MWYNDY, PONTYCLUN.**

In accordance with adopted procedures, the Committee received the following public speakers who were afforded five minutes to address Members on the above-mentioned proposal:

- Mr Peter Waldren (Agent)
- Mr David Rees (Objector)
- Mr Alvin Fripp (Objector)
- Ms Emma Heaversedge (Objector)
- Ms Helen Fisher (Objector)

The Head of Major Development and Investment read out the contents of two written submissions from Mr Ceri Thomas (Objector) and Ms Sophie Seymour (Objector).

The Agent Mr Peter Waldren exercised the right to respond to the comments made by the objectors.

Non-Committee/ Local Member – County Borough Councillor K Jones spoke on the application and put forward her objections in respect of the proposed Development.

The Head of Major Development and Investment presented the application to Committee and following consideration it was **RESOLVED** to approve the application in accordance with the recommendation of the Director, Prosperity and Development subject to a Section 106 Agreement with the following heads of terms:-

- The provision of 20% Affordable housing;
- The provision of the local centre on occupation of 75% of the dwellings (345<sup>th</sup> dwelling);
- The continued agreement of a long term management programme for the management of the open space to the north of the site and ecologically sensitive areas of the site;
- Provision of green space and play areas for management and maintenance in accordance with the Council's Supplementary Planning Guidance on planning obligations;
- The agreement of an employment and skills training plan; and
- A financial contribution of £90,000 towards the provision of additional park and ride spaces at Pontyclun railway station.

(Note: County Borough Councillor R Yeo abstained from voting on this application as he was not present for the whole debate.)

**84 APPLICATION NO: 20/1312**

**Temporary deposit and storage of approximately 8,000m<sup>3</sup> of material from Tylorstown landslip consisting of the formation of stockpiles, material consolidation, drainage, habitat/ecological mitigation measures and associated works. (Part Retrospective)  
STATION ROAD, FERNDALE**

Non-Committee/ Local Members – County Borough Councillors R Bevan and S Morgans spoke on the application and put forward their support in respect of the above-mentioned proposal and application 20/1313 detailed at Minute 85 below.

In accordance with adopted procedures, the Committee were read the contents of a written submission by Mr Chris Mutch outlining his objections to this application and application 20/1313.

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

**85 APPLICATION NO: 20/1313**

**Temporary deposit and storage of approximately 22,000m<sup>3</sup> of material from Tylorstown landslip consisting of the formation of stockpiles, material consolidation, drainage, habitat/ecological mitigation measures and associated works. (Part Retrospective).  
LAND ACROSS FROM OAKLANDS BUSINESS PARK, FERNDALE**

The Head of Major Development and Investment presented the application to the Committee and following discussion, Members **RESOLVED** to approve the application in accordance with the recommendation of the Service Director, Planning.

**86 APPLICATION NO: 20/1072**

**Erection of a detached building to be used for warehousing (Amended red line boundary received 03/12/2020). UNIT 12 TO 14 TUBEX LTD, ABERAMAN PARK INDUSTRIAL ESTATE, ABERAMAN, ABERDARE, CF44 6DA.**

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

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

Members **RESOLVED** to receive the report of the Service Director, Planning in relation to Planning and Enforcement Appeal Decisions received, Delegated

Decisions Approvals and Refusals with reasons, Overview of Enforcement Cases and Enforcement Delegated Decisions received for the period 21/12/2020 – 08/01/2021.

**This meeting closed at 4.30 pm**

**CLLR S REES  
CHAIR.**





## PLANNING & DEVELOPMENT COMMITTEE

11 MARCH 2021

### REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

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

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 20/1004/10 (GD)  
**APPLICANT:** RCTCBC - Regeneration  
**DEVELOPMENT:** Construction of new single storey Transport Hub with link to overhead railway bridge, including the development of a new 7 bay bus station and apron.  
**LOCATION:** PORTH STREET, PORTH, CF39 9RR  
**DATE REGISTERED:** 24/09/2020  
**ELECTORAL DIVISION:** Porth

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**RECOMMENDATION:** Approve

**REASONS:** The principle of the proposed development in planning terms is acceptable and the proposed development has the potential to deliver considerable regenerative benefits to Porth town centre and the surrounding locality

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

- The proposal is not covered by determination powers delegated to the Director of Prosperity & Development
- The application has been submitted by, or on behalf of the Council or involving land owned by the Council, where the Council's interest is of more than a minor nature.

#### **APPLICATION DETAILS**

The current proposal promotes a substantial regeneration proposal in the heart of Porth. The proposals would deliver a bus/rail interchange north west of the existing railway station towards its northern extremity. The proposals will involve the creation of a new building comprising, a waiting room, counter service, office service store, Stairwell and lift area, cloak room, staff rest and toilet facilities, public WC's and baby changing area, maintenance and refuse stores and courtyard area. The upper floor

area other than the stairwell and lift will contain non-public areas in the form of plant room and service areas.

The building element of the proposed development is north of the current railway ticket office, adjacent to the northbound platform area. The building is L-shaped and has maximum floor dimensions of 43.2m x 11.8m. It will be a distinct building with a waveform roof. The roof will stand 9m high at the highest point flowing down to 4m at the edge of the bus bays and 6.5m on the railway side. The roof will be completed in standing seam aluminium with similarly coloured barge boards and soffits. The building external finishes will be a combination of steel structured curtain walling and split face concrete blocks. The colour scheme for the glass/curtain walls will be a combination of dark green and silver/grey. The support pillars supporting the roof canopy will be in silver/grey. The external pedestrian area will be finished in a combination of grey and blush granite setts.

An area of public open space is set between the proposed building and the northern end of Hannah Street finished with planters and a combination of hard and soft landscaping

The 7 bus bays will be set in echelon formation south west of the building with the apron area beyond that the bus bays and apron area will be finished in permeable tarmac.

The interchange would have two access/egress points at Porth Street and Station Street. The Porth Street access would be the subject of substantial improvements with the creation of a formal junction and splitter island along with footpaths into the interchange. The works will also involve the creation of new boundary walls around the site and a new access into the telephone exchange.

The application is accompanied by the following:

- Transport Statement
- Design and Access Statement.
- Ground Investigation Factual Report
- Flood Consequences Assessment

## **SITE APPRAISAL**

The application site is an irregularly shaped area of land of some 0.507 hectare of level ground located close to the Porth Town Centre. The site was previously occupied by the Alec Jones Day Centre, Barclays Bank and Porth Farm Surgery, but the site has now been cleared of these buildings which were demolished earlier in 2020. The site lies immediately north of the designated town centre and east of a smaller group of shops on Porth Street.

## **PLANNING HISTORY**

The planning history of the site relate largely to properties that are now demolished and has no relevance to the current proposals. The following applications are relevant though.

20/0296	Demolition of Porth Farm Surgery	Approved	25th Mach 2020
19/1282	Demolition of the Alec Jones Day Centre and former Barclays bank	Approved	7th January 2020

## **PUBLICITY**

The application has been advertised by means of press notice, site notices and neighbour notification letters and one letter of objection has been received raising the following issues.

- The proposals do nothing for the residents of Powell's Place which is accessed via a single lane which it appears will be opened out for traffic.
- The access is already a very busy junction
- How are residents now to come and go safely on foot?
- Noise and fumes from buses will adversely impact the local environment.

## **CONSULTATION**

Transportation Section – No objections subject to conditions

Flood Risk Management – NO objections, the proposals will require the benefit of a separate SUDS consent.

Public health & Protection – No Objections

Countryside – No objection in light of the fact that demolition works had due regard to protected species and were undertaken at an appropriate time of year.

Corporate Estates – No objections

Western Power Distribution – No response received

Natural Resources Wales – express significant concern with the proposed development as submitted and recommend that planning permission should only be granted if the flood consequences assessment can demonstrate that the consequences of flooding can be managed acceptably over the lifetime of the development. They also indicate that they would object if the scheme does not meet this requirement.

Dwr Cymru Welsh Water – Raise no objection to the proposed development and indicate that a sewer easement might be affected by the proposed development.

South Wales Fire & Rescue Services – No objections subject to the development providing sufficient water supplies for firefighting purposes and being designed to provide sufficient access for firefighting appliances

South Wales Police – No response received

Transport for Wales – No response received

## **POLICY CONTEXT**

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

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

**Policy CS8** – supports improvements in public transport infrastructure.

**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 as a result of flooding.

### **Supplementary Planning Guidance**

Design and Placemaking

Design in Town Centres

Access Circulation and Parking

Employment Skills

### **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 11 (PPW) was issued on 24<sup>th</sup> February 2021 in conjunction with Future Wales 2040 which sets out the National Development Framework (NDF) for Wales this 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.

In this instance the proposals are considered to be compliant with the following policies relevant to the development proposed –

- Policy 1 where Wales will grow – infrastructure
- Policy 2 shaping urban growth sustainability
- Policy 3 supporting urban growth – placemaking
- Policy 6 town centre first – public services.
- Policy 12 regional connectivity – active travel, metro

It is considered that the proposed development is consistent with the key principles and requirements for placemaking set out in the NDF and 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 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 15: Development and Flood Risk;  
PPW Technical Advice Note 18: Transport;  
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.

### **Main Issues:**

The key considerations in the determination of this application are –

- The principle of the redevelopment of the site in the manner proposed, particularly in relation to planning policy.
- The impact of the proposed development on the character and appearance of the area.

- The impact of the proposals on amenity and privacy.
- Highway implications of the proposed development; and,
- The location of the proposals on the local floodplain.

### **Principle of the proposed development**

Policy CS1 of the adopted Local Development Plan promotes the creation of strong, sustainable and well integrated communities with a quality built environment within key settlements. The proposed development clearly fits with this objective. The same policy also promotes the removal and remediation of dereliction through the reuse of previously developed land and buildings, which would also be a consequence of allowing the redevelopment of this site. The site is sustainably located and makes full and proper use of an area of land and buildings that had previously come to the end of its natural development cycle. The site is well located lying within settlement limits immediately adjacent to the railway station and the commercial centre of the key settlement of Porth. As such the proposed development is considered to comply with the requirements of Local Development Plan Policy AW2 insofar as it relates to its requirements and with the policies of the National Development Framework cited above.

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

Prior to the works of demolition the buildings that occupied the site were a disparate group without any relation to each other in terms of their use, purpose or orientation. As they have now been demolished the site lies vacant enclosed and unused. The redevelopment of the site as a transport hub will therefore inevitably represent an improvement in the character and appearance of the area. The building is clearly of modern design but its scale form and design are acceptable and its use of materials is sensitive to the area and when complete it will provide the centre of Porth with a new and clearly distinguishable focal point. Members should also note that the hub building is multi-functional in purpose serving not only as a transport interchange given the other uses associated with it described above. Importantly, the redevelopment of the site will provide a solution that is coherent in terms of movement not just in terms of the movement of traffic through the site but also in terms of how it will serve and be used by pedestrians making use of public transport and in the improved access it would provide to the town centre. As such the proposals are considered compliant with policies AW5 and AW6 of the Local Development Plan in as far as they relate to this aspect of the proposed development.

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

Given the location in the centre of the town, there is limited capacity for impact on residential amenity and privacy given the intended end use of the development. However, the properties at Powell's Place and Porth Place need to be given appropriate consideration. Access to the site will be derived from Porth Street and this access currently serves Powell's Place, Oldway House and the telephone exchange.

It also provides access to the rear of Squares night club and also previously served the demolished surgery. The current arrangement is largely undefined and the benefit of the proposed development is that it would provide certainty in improved access and egress arrangements serving these areas as well as the proposed transport hub. The proposals also clearly indicate that pedestrian provision in the form of clearly defined and legible footpaths will be provided into the development and within the extent of the adopted highway towards Powell's Place as well. The single objection letter also references the potential for increased noise and air pollution as a result of bus traffic. Members should note though that Public Health and Protection have not raised objections to the proposals and that the numbers involved are not sufficient to trigger the need for an air quality assessment. Moreover, the number of buses that will pass through Porth on any given day will not alter. As such it is considered that the proposals are acceptable in terms of their impact on amenity and privacy and are therefore compliant with the requirements of Local Development Plan Policy AW5 insofar as it relates to these issues.

### **Access and highway safety**

Highways Development Control have been consulted and have given due consideration to the particulars of the case. In arriving at their conclusions they have had due regard to

- The objectives of creating the transport hub
- Proposed access arrangements
- Vision splays
- Swept path analysis
- Traffic Regulation Orders
- Parking
- Cycle parking
- Engineering design and detail
- Statutory undertakers equipment, and
- Construction method Statement.

Though there are residual concerns expressed in respect of the need for a road safety audit and designer's response, the visibility splay at Powell Place and junction arrangements, the final conclusion is that subject to conditions the proposals are acceptable.

### **Flood Risk**

Members will note from the consultation responses listed above that Natural Resources Wales have expressed significant concern with regard to the proposed development, and set a requirement that a revised Flood Consequences Assessment which demonstrates that the consequences of flooding can be acceptably managed.

If the scheme does not meet that requirement, then they object to the proposed development.

The site lies within a designated flood zone as defined by Planning Policy Wales Technical Advice Note (TAN) 15 Development & Flood Risk. However, the type of development proposed constitutes a less vulnerable form of development as defined by the TAN and is therefore subject to a series of justification tests as set out in the TAN which requires that development including transport infrastructure will only be justified if it can be demonstrated that:-

- i. Its location in zone C is necessary to assist or be part of a local authority regeneration initiative or a local authority strategy required to sustain an existing settlement; or,
- ii. Its location in zone C is necessary to contribute to key employment objectives supported by the local authority and other key partners, to sustain an existing settlement or region

And

- iii. It concurs with the aims of PPW and meet the definition of previously developed land; and
- iv. The potential consequences of a flooding event for the particular type of development have been considered and in terms of the criteria contained in sections 5 and 7 and appendix 1 found to be acceptable

In this case it is necessary that the development is located in zone C and is very much part of a local authority initiative aimed at sustaining an existing settlement (Porth). Additionally the site is quite clearly previously developed land and in this case the potential consequences of a flooding event have been considered, through the submission of a Flood Consequences Assessment and Evacuation Plan. Despite this Members will note the concerns expressed by NRW above which require further revision to the Flood Consequences Assessment which demonstrates that the consequences of flooding can be managed successfully over the lifetime of the development. To this end Natural Resources Wales (NRW) have reviewed the latest iteration of the flood consequences assessment (January 2021) and provide technical advice on the acceptability of flooding consequences in terms of risk to people and property.

In their response in respect of the current planning application including the latest iteration of the Flood Consequences Assessment, Natural Resources Wales provide the technical advice on the acceptability of flooding consequences in terms of risk to people and property. In essence they measure the findings of the Flood Consequences Assessment against the threshold criteria set down in Planning Policy Wales Technical Advice Note (TAN) 15 Development and Flood Risk.



In the case of flood risk at 1% plus climate change allowance event (1 in 100 plus an allowance for climate change), the development site is not predicted to be flood free, and as such does not meet the requirements of the TAN. The depth of flooding varies across the site with a predicted range of 1.1m (3'8") at the northern entrance to the site falling to 0.2m (8") at the southern exit to the site. Flood depths on the pavement along the transport hub building are broadly below 0.2m (8") and are similar to the 0.2m – 0.25m (8" – 10") depths that would be experienced along Station Road. By way of comparison the current levels of flooding for the site in its undeveloped form in the 1% plus climate change scenario would be 0.9m (3') at the site entrance and no flooding at the Station Street exit. The depth of flooding would vary across the site between 0.1m (4") and 0.8m (2'8") in an east to west direction

In the case at the 0.1% flood event (1 in 1000) the depth of flooding varies across the site predicted water depths within the hardstanding bus interchange area to the west of the site vary from 1.6m (5'3") at its northern entrance to 0.9 m (3') at its southern exit on to Station Street. Predicted flood depths are lower on the pavement to the South of the Transport Hub at 0.7m (2'4") which is again similar to depths predicted along Station Street for this type of storm event these depths exceed the guidance set out in the TAN of 0.6m (2'). Turning to the velocity of flood waters, the Flood Consequences Assessment states a maximum velocity of 0.84 metres (2'9") per second with an average velocity across the site stated as 0.3 metres (1') this meets the criteria set down by the TAN. By way of comparison in the depth of flooding on the site in its current form would be 1.5m (5') at the Porth Street entrance, 0.3m (1') at the Station Street exit. The depth of flooding across the site would vary between 0.5m (1'7") and 1.5m (5').

Turning to the rate of rise of flood waters the Flood Consequences Assessment calculates it as 0.53 metres (1'9") per hour which is in excess of the 0.3 metres (1') per hour set down by the TAN. However, the maximum speed of inundation to its peak is 2 hours 50 minutes which is in excess of the guidance in the TAN of 2 hours.

Members should note that there are some minor differences between the depths of flooding in the developed scenario vs the do nothing option and though very slightly deeper in some parts of the site in the as developed format these differences are minimal given the extent of flooding that the site will experience in any event and in the order of only 0.1m (4").

Natural Resources Wales are content that there is no concern over the proposed development increasing the risk of flooding elsewhere due to there being minimal alteration to the finished levels of the site, and they do not comment on whether safe access and egress can be achieved in all circumstances considering it a matter for the emergency services to determine. None of the emergency services has raised safe access and egress as a concern.

In summary –

- The proposed development floods at the 1% plus climate change situation contrary to requirements of the TAN
- The proposed development at the 0.1% situation exceeds the tolerable depth of flooding though overall velocities are acceptable the rate of rise of flood waters exceeds the criteria set down in the TAN whilst the speed of inundation is acceptable.
- There is no increased flood risk elsewhere.

Whilst it is recognised that the proposed development can meet some though not all of the requirements of TAN 15 it is for the Local Planning Authority to determine whether the risks and consequences of flooding can be adequately managed in accordance with the TAN. In mitigation on this point Members should note the following.

In the event of a flood the flood evacuation plan prepared in support of the development will be put into action should a flooding event occur. The plan summarises the flood risk that the developed site would face, and evaluates the potential hazard posed by the various flood events and the dangers that are regularly associated with flood waters. It then goes on to list the flood mitigation measures that have been incorporated into the design of the proposed development as follows -

The building itself has been designed with the following in mind –

- Goods and possessions can be moved to the upper level of the building in a flood event.
- The bus driver's rest area will only be used for rest periods and will not be used as a base.
- The upper level of the building is accessed by stairs and a lift and provides access to a steel footbridge and provides space for air handling plant and service distribution.
- The building is designed to prove resilient in a flood event minimising flood damage and flood proofed so as it can be restored to its prime use following a flood event. Measures include the following-
  1. Ground floor construction free of voids
  2. External wall construction is free of wood based or gypsum based materials and insulation is water resistant.
  3. Internal partitions are lightweight steel construction with water resistant wall board up to a height of 1.2m
  4. All skirtings are uPVC.
  5. All doors and door frames are powder coated steel
  6. All curtain wall members window cils and internal surrounds are powder coated aluminium
  7. All electrical wiring power and data outlets switches and fittings will be a minimum of 1m above floor level.

8. All furniture and fixtures below 1m above floor level will be in stainless or powder coated steel
9. No soft floor coverings or furniture will be used.
10. Flood guards up to 600mm (2') have been allowed for will be stored on site and put in place if and when required.

The document then goes on to advise that the site operator develop a business continuity plan to identify critical activities that need to be maintained to minimise disruption and deliver services in the event of an emergency.

It also sets out clear procedures for responding to a flood alert or warning including what needs to be done in the event of

- A flood alert
- A Flood Warning
- A sever flood warning

Additionally the document clearly sets out evacuation routes to be used in the event of a flood event along with safe egress procedures. Safe evacuation in a flood event would be to the south along Station Road and Hannah Street, with a secondary route available via the Railway Bridge and Syphon Street. Safe egress procedures involve staff being appropriately trained to direct the public in the case of a flood event, including the use of public address systems, and the use of appropriate signage and the designation of safe assembly points.

The plan also advocates the use of upper floor of the building in the event that evacuation becomes impossible and advises the provision of a flood emergency kit to be provided in the refuge to meet the immediate needs of those who might find themselves there. The plan also provides advice on prioritising matters post flood and recovery and includes a list of key contacts to be used in an emergency situation.

Though the proposed development site would be subject to exceedances in the 1 in 100 + climate change and a 1 in 1000 flood event beyond the standards set down in Technical Advice Note (TAN)15 Development and Flood Risk in this instance the risks posed are considered acceptable. This conclusion is arrived at in light of the fact that the development would have in place a detailed flood emergency plan that the operator of the site would sign up to and implement in the event of a flood event, which minimises risk to life and limb in extreme circumstances through clear procedures for closure and evacuation via safe egress routes as described above.

**Other matters** – Members will note that a number of the consultees have not responded in respect of the application. Though disappointing this is not considered critical in the determination of the planning application.

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

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

The application is for development of a kind that is liable for a charge under the CIL Regulations 2010 (as amended) however, the CIL rate for this type of development as set out in the Charging Schedule is £nil and therefore no CIL is payable

## **Conclusion**

The application is considered to comply with the relevant policies of the Local Development Plan and the National Development Framework in all relevant key areas as described above other than where it touches on the issue of flooding. The exception here being the requirements in respect of a flooding event. In this instance the proposals cannot satisfy all of the requirements of TAN 15, however, despite this failure the benefit of the development outweighs this technical objection. In this it should also be noted that the differences in the developed and non-developed scenario for flooding at the site is negligible. The proposed development presents the opportunity to provide Porth with a much needed transport hub facility at the optimum location within the town that will help to foster its regeneration. As such, support is offered for the current proposals.

## **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 within the following approved plans/drawings/documents:

- Site location plan drawing no. PTI-CAP-XX-00-DR-A-910001 P00
- Site plan existing drawing no. PTI-CAP-XX-00- DR-A-910002 P00
- Site plan proposed drawing no. PTI-CAP-XX-00-DR-A-910010
- GA elevations north and south & sections drawing no. PTI-CAP-XX-00-Dr-A-062101 P01
- GA elevations east & west drawing no. PTI-CAP-XX-00-DR-A-062100 P02
- Part elevation materials drawing no. PTI-CAP-XX-XX-DR-A-062102 P00
- GA plan ground floor drawing no. PTI-CAP-XX-00-DR-A-061100 P01
- GA plan first floor & roof drawing no. PTI-CAP-XX-00-DR-A-061101 P01
- Drainage strategy layout drawing no. GC3649-RED-73-XX-DR-D-0501 P01

- Proposed boundary treatments drawing no. PTI-CAP-XX-00-DR-A-910103 P01
- Proposed landscape layout drawing no. PTI-CAP-XX-00-DR-A-910100 P00
- Proposed landscape finishes drawing no. PTI-CAP-XX-00-DR-A-910101 P00
- Proposed soft landscaping drawing no. PTI-CAP-XX-00-Dr-A-910102P00

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

Reason: In order to define the extent by the permission hereby granted and in order to ensure that the development is carried out in accordance with the approved plans.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order) no external lighting equipment shall be erected or installed unless details have been submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent light pollution and to protect the amenities of neighbouring residential properties in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

4. 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

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

Reason: To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining

buildings in the interests of visual amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

6. Notwithstanding the approved plans, development shall not commence until full engineering design and details of the works to the existing highway Station Street, Porth Street B4278 and the Un-named improved access road leading to the proposed including sections; street lighting details and surface-water drainage details together with a Stage 1/2 Road Safety Audit/Designers response have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

7. No development shall take place, including any works of site clearance, until a Construction Method Statement has been submitted and approved in writing by the Local Planning Authority to provide for;
  - a) the means of access into the site for all construction traffic,
  - b) the parking of vehicles of site operatives and visitors,
  - c) the management of vehicular and pedestrian traffic,
  - d) loading and unloading of plant and materials,
  - e) storage of plant and materials used in constructing the development,
  - f) wheel cleansing facilities,
  - g) the sheeting of lorries leaving the site.

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

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

8. The development shall not be brought into beneficial use until all Traffic Regulation Orders (TRO) associated with the proposed Transport Hub have been completed unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure deliverability of Traffic Management measures and restrictions in the interests of highway safety.

9. The street lamp column / statutory undertaker's equipment affected by the proposed access shall be relocated in a position to be agreed in writing by

the Local Planning Authority / statutory undertakers prior to any works commencing on site.

Reason: In the interests of highway and pedestrian safety

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## **PLANNING & DEVELOPMENT COMMITTEE**

**11 MARCH 2021**

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

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

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 20/1082/10 (KL)  
**APPLICANT:** NMJ Property Holdings Ltd.  
**DEVELOPMENT:** Redevelopment of Co-op Store site to provide a purpose-built store and improved car park.  
**LOCATION:** THE CO OPERATIVE FOOD, 30 CARDIFF ROAD, TAFFS WELL, CARDIFF, CF15 7RF  
**DATE REGISTERED:** 14/10/2020  
**ELECTORAL DIVISION:** Ffynon Taf

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**RECOMMENDATION:** Approve, subject to conditions

**REASONS:** The proposal would result in the redevelopment of the site to provide a purpose-built retail store with associated car parking. The existing retail use would be retained however, the overall layout of the site would be improved to provide additional off-street car parking and a designated delivery area within the site.

The building is considered to be acceptable in terms of its siting, scale and design and whilst one letter of objection has been received from a local resident, it is not considered that the proposal would have an adverse impact upon the character and appearance of the site and surrounding area or upon the amenity and privacy of surrounding residential properties.

Furthermore, the proposal is considered to be acceptable in terms of its potential impact upon highway safety in the vicinity of the site.

As such, the application would comply with the relevant policies of the Rhondda Cynon Taf Local Development Plan.

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#### **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 redevelopment of the existing Co-operative Food site, which is situated on Cardiff Road, Taffs Well. The proposal would result in the demolition of the existing shop unit and the construction of a purpose-built store and improved car park.

The proposed building would be constructed towards the north-western end of the site (as opposed to its current location at the south-eastern end) with the car park being situated to the south-east. A new access would be created off Cardiff Road to the north-eastern boundary.

The proposed building would measure a maximum of 27.4 metres in width by a maximum of 12.3 metres in depth. It would incorporate a flat roof design that would measure 5.5 metres in height towards the front and north-western side and 7.8 metres in height towards the rear and south-eastern side. The main customer entrance and window features would be situated in the eastern elevation which would address Cardiff Road. The building would have a predominantly smooth render finish (white) with a smooth grey engineering brick plinth and powder coated aluminium windows and doors.

The proposed car park would provide 12 off-street car parking spaces (includes 1 accessible space) and a bicycle stand. A delivery area is also provided.

In addition to a comprehensive set out plans, the application is also accompanied by the following supporting documents:

- Planning Statement;
- Transport Note (dated 5<sup>th</sup> October 2020)
- Plant Noise Impact Assessment (dated 9<sup>th</sup> September 2020)
- Flood Consequence Assessment and Sustainable Drainage Strategy (dated 21<sup>st</sup> September 2020)
- Ecology Report (dated 11<sup>th</sup> December 2020)

## **SITE APPRAISAL**

The application site relates to a rectangular shaped parcel of land which is situated on the western side of Cardiff Road in the village of Taffs Well. The site is currently occupied by a single storey detached building (the existing Co-op store) which is located to the south-eastern end and an associated car park which is located to the north-western end. There are currently two accesses (one entrance, one exit) off Cardiff Road to the north-east.

The site is situated on the main road through the village and forms part of the designated retail zone. The surrounding area is characterised by a mix of both residential and commercial properties. Properties immediately to the north-west of the site are predominantly residential with properties to the south-east being commercial. Properties opposite the site are both residential and commercial.

The River Taff runs along the rear of the site which is a designated Site of Important Nature Conservation (SINC No. 142). The site partially falls within Flood Zone C1 with this primarily being at the most south-western boundary and towards the south-eastern end of the site (primarily at the location of the existing building).

## PLANNING HISTORY

The following planning applications are on record within the last 10 years:

16/0891	The Cooperative Food, 30 Cardiff Road, Taffs Well	1 x illuminated fascia logo sign, 2 x internally illuminated projecting signs and 9x non-illuminated wall mounted aluminium panels	Granted 04/10/16
13/0999	The Cooperative Food, 30 Cardiff Road, Taffs Well	Replacement signage scheme	Granted 18/11/13
13/0889	The Cooperative Food, 30 Cardiff Road, Taffs Well	The replacement of the existing shopfront and the installation of a new ramp	Granted 28/10/13

## PUBLICITY

The application has been advertised by means of direct neighbour notification and through the erection of a number of site notices in the vicinity of the site. One letter of objection has been received and is summarised as follows:

- Concern is raised with the proximity of the building to no. 32 Cardiff Road.
- The details do not portray its proximity and on the basis of its construction and location, it would dominate the current buildings.
- Offers to withdraw objection if details of the proposed foundations and true representation of the building alongside no. 32 were disclosed to the Council and the public.
- Secluded access to the rear is also a concern.

## CONSULTATION

The following consultation responses have been received in relation to the application:

**Countryside, Ecology and Landscape:** No objection, subject to conditions

**Flood Risk Management:** No objection or condition recommended

**Highways and Transportation:** No objection, subject to conditions

**Natural Resources Wales:** No objection or condition recommended

**Public Health and Protection:** No objection, subject to conditions

**Welsh Water:** No objection subject to condition and advisory notes

## POLICY CONTEXT

### Rhondda Cynon Taf Local Development Plan

The application site is located inside the defined settlement boundary and within a designated retail zone. It is also located adjacent to a Site of Important Nature Conservation and a C2 flood zone. The following policies are considered to be relevant to the determination of this application:

**Policy CS2** - sets out criteria for achieving sustainable growth that benefits Rhondda Cynon Taf as a whole.

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

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

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

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

**Policy AW8** - seeks to preserve and enhance the natural environment, including protected and priority species.

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

**Policy SSA16** - sets out the retail hierarchy and defines the retail zone of Taffs Well as a Local and Neighbourhood Centre.

### Supplementary Planning Guidance

Design and Placemaking

Nature Conservation  
Access Circulation and Parking  
Shopfront Design

### **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 11 (PPW) was issued on 24<sup>th</sup> February 2021 in conjunction with Future Wales: The National Plan 2040 (FW2040). PPW incorporates the objectives of the Well-being of Future Generations (Wales) Act into town and country planning and sets out Welsh Government's (WG) policy on planning issues relevant to the determination of all planning applications. FW2040 sets out the National Development Framework for Wales (NDF), WGs current position on planning policy at regional and national level.

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.

It is also considered the proposed development is compliant with the NDF, with the following policies being relevant to the development proposed:

- Policy 2 – Shaping Urban Growth – Sustainability/Placemaking
- Policy 9 – Resilient Ecological Networks – green infrastructure/ecology
- Policy 12 – Regional Connectivity – active travel/metro/electric vehicles

Other relevant national policy guidance consulted:

PPW Technical Advice Note 5: Nature Conservation and Planning;  
PPW Technical Advice Note 11: Noise;  
PPW Technical Advice Note 12: Design;  
PPW Technical Advice Note 15: Development and Flood Risk;  
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 redevelopment of an existing retail site that is located within the defined settlement boundary and within the designated retail zone. Given that the site is situated in a highly sustainable location and that the existing use of the site is comparable to that of the proposed, the principle of the proposal is considered to be acceptable, subject to an assessment of the criteria set out below.

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

The proposal would inevitably result in a visible change to the layout of the site with the existing retail unit being demolished and a new replacement building being constructed at the north-western end of the site as opposed to its current location at the south-eastern end. The relocation of the building would enable a better layout within the site to facilitate an additional car parking space and to enable a designated space for the loading and turning of delivery vehicles (deliveries are currently made direct from Cardiff Road).

The proposed building is considered to be acceptable in terms of its siting, scale and design with the overall floor area of the building, its flat roof design and proposed finishing materials being similar to the existing building at the site. Furthermore, the two-storey element would be situated towards the rear of the building which would reduce its visual impact upon the street scene and prevent the building from becoming an overly prominent/overbearing feature.

Taking the above into consideration, the proposal is considered to be acceptable in terms of the impact it would have upon the character and appearance of the site and the surrounding area and, as such, the proposal would comply with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

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

The proposal would result in the existing retail unit being demolished with a new purpose-built unit being constructed at the north-western end of the site. This would inevitably result in the building being located much closer to the residential properties located immediately adjacent to the site and it is therefore important to consider the potential impacts of the proposal upon the amenity and privacy of those properties.

The nearest residential property is located immediately to the north-western boundary (no. 32 Cardiff Road) with further properties being located opposite the site.

One letter of objection has been received from the adjacent landowner which raises concern with regards to the proximity of the proposed building to no. 32 and its potential to have an overbearing/dominating impact upon the existing property. The plans indicate that the proposed building would be situated 1.3 metres off the boundary with no. 32 and whilst its front elevation would be in line with that of no. 32, the rear of the building would project beyond its rear elevation by 3.1 metres. With a height of 5.5 metres, there is potential for the building to have some overbearing impact upon the rear aspect of no. 32. However, given that the building would be set in off the boundary, would have a flat roof construction and would project 3.1 metres from the adjacent rear elevation, it is not considered that it would result in a significant loss of outlook that would be detrimental to the adjacent occupiers. Furthermore, the area at the rear of no. 32 appears to be a parking area rather than a rear garden and the proposal would therefore have a limited impact in this regard.

Whilst the building would result in some degree of overshadowing to the rear parking area and rear windows of no. 32 due to its position adjacent to its south-eastern boundary, the level of overshadowing would predominantly be limited to the morning period only. As such, it is not considered that the proposal would have such a significant impact that it would warrant the refusal of the application.

It is also noted that there is a first-floor window in the side elevation of no. 32 that would inevitably be impacted by the siting and scale of the proposed building. However, this does not appear to serve a habitable room and the resulting impact would therefore not be significant.

The proposed building would not include any windows within the side or rear elevations that would result in any overlooking impact towards no. 32. A fire exit would be located within the rear elevation of the proposed building however, the existing boundary treatment at no. 32 would ensure that no adverse levels of overlooking through the use of this exit would occur.

It is also noted that the letter of objection received raises concern with regards to the lack of details in respect of the proposed foundations of the building. Whilst these concerns are appreciated, the plans indicate that a distance of 1.3 metres would be maintained between the proposed building and the side elevation of no. 32. As such, it is unlikely that the foundations would encroach onto the adjacent land however, it should be noted that any encroachment onto the adjacent land would require separate permission from the landowner.

The properties opposite the application site would also experience a change through the redevelopment of the site. The proposed building would be situated opposite nos. 55, 57, 59 & 61 however, it is not considered that the building would have an adverse impact upon these properties. A distance of 11.6 metres would be maintained between

the building and the front elevations of those properties which would be sufficient to ensure that no undue overbearing or overshadowing impact would occur. Whilst the building may result in some loss of outlook and, to some extent, overlooking towards those properties, the resulting impacts would not be too dissimilar to that currently experienced by nos. 47, 49, 51 and 53 as a result of the existing building.

In light of the above assessment, the proposal is considered to be acceptable in terms of the impact it would have upon the amenity and privacy of surrounding residential properties and the application would therefore comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

### **Access and highway safety**

The application has been assessed by the Council's Highways and Transportation section in order to determine the potential impact of the proposal on highway safety in the vicinity of the site. An objection was initially raised in that the information submitted with the application lacked detail regarding the access/egress of the site by the proposed 10.5m ridged delivery vehicle. An increased shortfall of off-street car parking provision in comparison to the existing store was a further concern. The applicant's agent subsequently submitted additional information which was subject to further assessment by the Highways and Transportation officer. The updated response received raises no objection to the proposal, subject to conditions. The comments received are summarised as follows:

#### *Access*

The proposal indicates that the proposed off-street car parking area would be served off a single point of access off Cardiff Road. Conditions are recommended to ensure the provision of a vehicular crossover and to ensure that the proposed building would not encroach onto the public highway.

#### *Internal Circulation*

The application is supported by a Transport Note which adequately demonstrates that typical car-sized vehicles and 10.5m ridged delivery vehicles can access/egress the site in a forward gear. As such, there is not cause for concern in this regard.

#### *Parking*

The proposed development is located within parking zone 3 and constitutes a shop or small supermarket (201m<sup>2</sup> – 1000m<sup>2</sup>). The Council's SPG: Access, Circulation and Parking sets an off-street car parking requirement of 2 commercial vehicles spaces and 1 space per 20m<sup>2</sup>.

The proposed store has a net tradeable GFA of 300m<sup>2</sup> which equates to a requirement of 2 commercial vehicle spaces and 15 car parking spaces. The plans include the



provision of a delivery area and 12 car parking spaces which results in a shortfall of 3 spaces.

Whilst the shortfall gives slight cause for concern, the parking requirements set out in the SPG are maximum requirements and, given the location of the site in a designated retail zone where a large number of trips would be undertaken on foot, on balance, the concern is not significant enough to warrant a highway objection.

### *Construction Period*

The submitted Transport Note advises that the developer's intention is to construct the proposed store on the existing carpark while the existing store stays trading. Upon completion of the proposed store the existing store would be demolished, and the proposed car park constructed in its place. This gives cause for concern as on-street parking demand in the area would be increased during the construction period of the proposed store and car park.

Nevertheless, the loss of the store during the proposed construction period of 4 months would increase the need for vehicular trips to similar stores further afield. Additionally, there are on-street parking restrictions in place along Cardiff Road that restrict on-street parking where it is unsafe to do so and the Council's Traffic enforcement section have advised that they have capacity to increase patrols within Taff's Well during the construction period. As such, the temporary lack of any off-street parking provision is reluctantly considered acceptable.

Taking the comments received from the Council's Highways and Transportation section into account, 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 application has been assessed by the Council's Flood Risk Management team who have indicated that the development would encompass works that have drainage implications over 100m<sup>2</sup> and separate Sustainable Drainage Approval will therefore be required, in accordance with Schedule 3 of the Flood and Water Management Act 2010. Furthermore, the development would need to comply with building regulations. As such, the Flood Risk Management team raise no objection to the proposal, nor is any condition recommended in relation to surface water flood risk.

Welsh Water have also been consulted on the application and the response received indicates that the proposed development site is crossed by a public sewer. It is advised that the position be accurately marked out on site prior to works commencing on site and that no operational development shall be carried out within 3 metres either side of the centreline of the public sewer.

## **Ecology**

The proposal includes the demolition of the existing retail unit and an Ecology Survey (dated December 2020) has been submitted to support the application. The findings are as follows:

### *Bats*

The report indicates that although there were no signs of bats of bats themselves in the building, the local area is known to be used by common and soprano pipistrelles and it is therefore recommended that a precautionary approach be followed with respect to its demolition. As such, a condition has been recommended by the Council's Ecologist to ensure that the works are carried out in accordance with the recommendations set out in the report.

An additional plan detailing an ecological enhancement scheme has also been submitted to include details of a bat and dipper box which would both be located on the rear elevation of the proposed building. This is in accordance with the recommendation set out in the submitted Ecological Survey however, no details have been provided to indicate the exact position (height) of the boxes. As such, the Council's Ecologist has recommended a condition to ensure that the boxes are positioned at least 3.5 metres above ground level.

### *Otters*

There is an area of sandy river bank at the rear of the site which was found to be used by otters however, there is no evidence of any holt or resting point and, as such, it is recommended that an artificial holt be installed as a means for enhancement. An additional plan has been submitted which includes the siting an artificial otter holt on the river bank opposite the site however, the Council's Ecologist has suggested a condition in order to secure details of the holt construction, landscaping and natural 'cover' provisions and aftercare.

The Ecology Report also recommends that there is no lighting of the river, trees or any enhancement bat or otter features and the Council's Ecologist considers that a condition is necessary to secure a scheme for riverbank sensitive lighting.

## **Public Health**

The application has been assessed by the Council's Public Health and Protection section who note that the site is located in close proximity to a number of residential properties. As such, a number of standard conditions relating to noise, dust, waste and lighting are recommended. Whilst this recommendation is acknowledged, these are issues that are better dealt with by other environmental health legislation and it is not considered necessary to duplicate these issues through the imposition of planning conditions.

A further condition is recommended to ensure that the plant being installed on site is as per the details submitted in the Noise Assessment accompanying the application.

### **Flood Risk**

The application site is located partially within the C1 Flood Zone with this predominantly being situated at the south-western edge of the site and at the south-eastern end where the existing building currently stands. A C2 Flood Zone is located in the immediate vicinity of the site but does not appear to extend onto the site.

The application has been submitted with a Flood Consequences Assessment which concludes that the proposal would not result in an inherent increase in the consequences of flooding as the proposal would result in the construction of a replacement store (i.e. no change in the use of the building). It also indicates that the proposed building would be sited at the higher side of the site which lies outside of the mapping areas indicating Flood Zones C1 and C2.

Natural Resources Wales have assessed the information submitted and have noted that the application is for the demolition of the existing building on site and the construction of a new replacement building that would retain the same land use. As such, no objection has been raised.

### **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 constitutes Class A1 retail development creating over 100 sqm of floor space, where there is a liability of £100/sqm.

The CIL (including indexation) for this development is expected to be £18,374.94.

### **Conclusion**

The proposal would result in the redevelopment of the site to provide a purpose-built retail store with associated car parking. The existing retail use would be retained

however, the overall layout of the site would be improved to provide additional off-street car parking and a designated delivery area within the site.

The building is considered to be acceptable in terms of its siting, scale and design and whilst one letter of objection has been received from a local resident, it is not considered that the proposal would have an adverse impact upon the character and appearance of the site and surrounding area or upon the amenity and privacy of surrounding residential properties.

Furthermore, the proposal is considered to be acceptable in terms of its potential impact upon highway safety in the vicinity of the site.

As such, the application would comply with the relevant policies of the Rhondda Cynon Taf 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 permitted shall be carried out in accordance with the approved plans and documents received on 14 December 2020 unless otherwise to be approved and superseded by details required by any other condition attached to this consent:

- Drawing No. 204611- IDL-01-ZZ-DR-A-P1001-S3-P01: Site Plan
- Drawing No. 204611-IDL-01-GF-DR-A-P2003-S3-P1: Proposed Ground Floor
- Drawing No. 204611-IDL-01-01-DR-A-P2004-S3-P1: Proposed First Floor Plan
- Drawing No. 204611-IDL-01-02-DR-A-P2005-P1: Proposed Roof Plan
- Drawing No. 204611-IDL-01-XX-DR-A-P3001-S3-P1: Proposed Elevations (Front and Side) (Sheet 1 of 2)
- Drawing No. 204611-IDL-01-XX-DR-A-P3002-S3-P1: Proposed Elevations (Rear and Side) Sheet 2 of 2)
- Drawing No. 204611-IDL-01-XX-DR-A-P3003-S3-P1: Proposed Street Elevations
- Drawing No. 204611 -IDL-01-XX-DR-A-P4001-S3-P1: Proposed Sections
- Document Ref. C20117/TN01: Transport Note (dated 5<sup>th</sup> October 2020)

- Document Ref. 89437/NIA: Plant Noise Impact Assessment (dated 27<sup>th</sup> August 2020)

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

3. Notwithstanding the submitted plans, development shall not commence until details providing for the creation, and removal of redundant, vehicular crossovers have been submitted to and approved in writing by the local planning authority. The approved details shall be implemented on site prior to within 4 months of the commencement of works on site.

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

4. Notwithstanding the submitted plans, development shall not commence until details providing for the tie-in between the proposed development and the back edge of the existing footway have been submitted to and approved in writing by the local planning authority. The approved details shall be implemented on site.

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

5. No development shall take place, including any works of site clearance, until a Construction Method Statement has been submitted and approved in writing by the Local Planning Authority to provide for;
  - a) the means of access into the site for all construction traffic,
  - b) the parking of vehicles of site operatives and visitors,
  - c) the management of vehicular and pedestrian traffic,
  - d) loading and unloading of plant and materials,
  - e) storage of plant and materials used in constructing the development,
  - f) wheel cleansing facilities,
  - g) the sheeting of lorries leaving the site.

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

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

6. The 12 no. parking spaces and delivery area indicated on submitted drawing no. "204611-IDL-01-ZZ-DR-A-P2002-S3-P01" shall be laid out and constructed on site in permanent materials within 4 months of the commencement of works onsite. The parking spaces and delivery area shall be utilised for their intended purposes only.

Reason: To ensure the parking of vehicles and delivery of goods is undertaken off the public highway, in the interests of highway safety and the free flow of traffic in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

7. The development hereby approved shall be carried out in accordance with the recommendations set out in the Ecology Report by Wildwood Ecology, dated 11<sup>th</sup> December 2020, unless otherwise agreed in writing by the Local Planning Authority.

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

8. A scheme for riverbank sensitive lighting will be submitted to and approved in writing by the Local Planning Authority prior to installation of any lighting. The lighting shall be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

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

9. The Greenwood's Eco Habitats Double Crevice Bat Box and Dipper Nest Box included in the Ecological Enhancement Scheme (plan rec. 3 February 2020) shall be positioned at least 3.5 metres above ground level on the rear elevation of the approved building.

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

10. Prior to beneficial use of the approved building, details of an artificial otter holt, including details of its construction, landscaping, natural 'cover' provisions and aftercare, shall be submitted to and approved in writing by the Local Planning Authority. The otter holt shall be provided in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

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

11. 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 neighbouring residential properties, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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## PLANNING & DEVELOPMENT COMMITTEE

11 MARCH 2021

### REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

#### PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 20/1176/10 (KL)  
**APPLICANT:** Mrs Collier  
**DEVELOPMENT:** Conversion of original tollgate house to garage, demolition of all outbuildings and erection of new replacement detached house.  
**LOCATION:** MAESGLAS FARM, RHIGOS ROAD, HIRWAUN, ABERDARE, CF44 9UD  
**DATE REGISTERED:** 06/11/2020  
**ELECTORAL DIVISION:** Rhigos

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**RECOMMENDATION:** Approve, subject to conditions

**REASONS:** The application site is located outside of the defined settlement boundary and adjacent to a Strategic Site that is specifically allocated for employment use. Whilst there is concern that the proposal to construct a new residential dwelling in this location would prejudice the delivery of the Strategic Site, the application site is currently occupied by a building that is understood to have been in residential use for most of its existence (although it currently appears to have been vacant for some time). Furthermore, the proposal would not result in any additional dwellings at the site with the existing building being converted to a domestic garage. The principle of the proposal is therefore, on balance, considered to be acceptable.

The siting of the proposed dwelling and its scale, design and overall visual appearance are considered to be acceptable in terms of the impact it would have upon the character and appearance of the site and surrounding area and in terms of the impact it would have upon the amenity and privacy of existing neighbouring properties.

The access to the site and the intended off-street parking provision are also considered to be acceptable and no objection has been received from the Council's Highways and Transportation section in this regard.

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## **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 construction of a single detached dwelling on land associated with an existing residential property known as Maesglas Farm, which is situated at Rhigos Road, Hirwaun. The existing dwelling at the site would be converted to a detached garage which would be associated with the proposed new dwelling. The proposal also includes the demolition of a number of dilapidated outbuildings at the site.

The proposed dwelling would be sited fairly centrally within the plot and just to the south of the existing dwelling that would be converted to a detached garage. Access would be provided via an existing access off Rhigos Road with a new driveway created to the front of the proposed dwelling and garage. The plans indicate that, in addition to the garage, a total of three off-street car parking spaces would be provided within the site.

The proposed dwelling would be orientated to face a north-westerly direction with a 'T' shaped footprint that would measure a maximum of 14.2 metres in width at ground floor and 10.9 metres at first floor by a maximum of 10.6 metres in depth at its widest points. It would incorporate a pitched roof design that would measure 7.1 metres in height to the ridge and 5.2 metres to the eaves. The front and rear projections would be set below this at 6.4 metres (eaves 5.2 metres) whilst the single storey projection to the side would incorporate a mono-pitch roof that would measure a maximum of 4.3 metres in height. A balcony would be positioned on the south-east facing rear and south-west facing side elevations. External materials would consist of render with raised rendered detailing around feature windows within the front, rear and side elevations. The roof would be covered with riven face/edge mock slate tiles with all windows and doors being grey aluminium.

The proposed conversion of the existing dwelling would be undertaken through the creation of a new garage door opening within the north-west facing side elevation. The original scale and form of the dwelling would be retained, including the existing window openings in the existing front elevation (fronting Rhigos Road), however, a number of later additions to the rear would be demolished.

In addition to the standard application forms and plans, the application is accompanied by the following supporting documents:

- Design and Access Statement;
- Arboricultural Report;
- Bat Survey

## **SITE APPRAISAL**

The application site relates to a broadly rectangular shaped parcel of land which is situated to the southern side of Rhigos Road which is the main road between the villages of Hirwaun and Rhigos. It measures approximately 2089m<sup>2</sup> and is relatively flat in ground profile. An existing dwelling, historically known as 'The Old Tollgate', is located adjacent to the northern boundary with a frontage directly onto Rhigos Road with a number of outbuildings being located to the rear and side. The dwelling has been vacant for a number of years, which is evident through the current run-down appearance of the site.

The northern boundary adjacent to Rhigos Road is defined by a row of trees which screen the majority of the site from view. Further trees are positioned in various positions throughout the site.

The site is located outside of the defined settlement boundary however, the surrounding area is predominantly commercial in character with Hirwaun Industrial Estate being located to the north and north-west and further commercial properties being located to the south. It is noted that there are a small number of residential properties located directly opposite the site which are of varying scales and designs.

## **PLANNING HISTORY**

No planning applications relevant to this site on record within the last 10 years.

## **PUBLICITY**

The application has been advertised by means of direct neighbour notifications and through the erection of two site notices in the vicinity of the site. A press notice has also been placed in the local newspaper.

No letters of representation have been received from any local residents as a result of this exercise.

## **CONSULTATION**

The following statutory consultation responses have been received:

**Flood Risk Management:** No objection or condition recommended. However, an advisory note is recommended to highlight the need to submit a separate application for sustainable drainage approval prior to works taking place.

**Highways and Transportation:** No objection subject to conditions relating to means of access, parking and turning facilities being laid out prior to the development being

brought into use, the provision of vision splays, the reinstatement of a full flexible footway and the submission of a Construction Method Statement.

**Natural Resources Wales:** No objection, subject to measures identified in Section 10 of the submitted Bat Survey being set out in a method statement and secured through the inclusion of the above document within the condition identifying approved plans and documents on the decision notice.

**TPO Officer:** No objection, the trees are of low to poor quality and condition and are not protected via a TPO. Furthermore, there do not appear to be any trees that would warrant issuing a TPO.

**Public Health and Protection:** No objection subject to standard conditions relating to demolition, hours of operations, noise, dust and waste.

**Welsh Water:** No objection subject to conditions and advisory notes.

**Western Power Distribution:** Advises that a separate application will need to be made to WPD if a new connection or service alteration is required.

## **POLICY CONTEXT**

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

The application site is located outside of the defined settlement boundary and is not allocated for any specific purpose. The following policies are considered to be relevant in the determination of this application:

**Policy CS1** – emphasis is on building strong, sustainable communities which will be achieved by promoting residential development in locations which will support and reinforce the roles of Principal Towns and Key Settlements and by ensuring the removal and remediation of dereliction by promoting the re-use of under used and previously developed land.

**Policy AW1** – outlines how the housing land requirement will be met, including the development of unallocated land within the defined settlement boundaries of the Principal Towns, Key Settlements and Smaller 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 AW8** – states that development proposals will be supported where there would be no unacceptable impact upon features of importance to landscape or nature conservation, including ecological networks, the quality of natural resources such as air, water and soil, and the natural drainage of surface water.

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

**Policy NSA8** – allocates land south of Hirwaun for the construction of 400 dwellings, employment, a new primary school, a retail store, medical/community centre and informal recreation contained in a landscape setting.

**Policy NSA12** – permits development within and adjoining the defined settlement boundaries.

## **Supplementary Planning Guidance**

Design and Placemaking

Nature Conservation

Planning Obligations

Access Circulation and Parking

## **National Guidance**

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

Planning Policy Wales Edition 11 (PPW) was issued on 24<sup>th</sup> February 2021 in conjunction with Future Wales: The National Plan 2040 (FW2040). PPW incorporates the objectives of the Well-being of Future Generations (Wales) Act into town and country planning and sets out Welsh Government's (WG) policy on planning issues relevant to the determination of all planning applications. FW2040 sets out the National Development Framework for Wales (NDF), WG's current position on planning policy at regional and national level.

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.

It is also considered the proposed development is compliant with the NDF, with the following policies being relevant to the development proposed:

- Policy 2 – Shaping Urban Growth – Sustainability/Placemaking
- Policy 9 – Resilient Ecological Networks – green infrastructure/ecology

Other relevant national policy guidance consulted:

PPW Technical Advice Note 5: Nature Conservation and Planning;

PPW Technical Advice Note 12: Design;

PPW Technical Advice Note 18: Transport;  
PPW Technical Advice Note 19: Telecommunications;  
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**

In the assessment of any planning application for residential development, the first consideration must be the location of the site in planning policy terms. Policies AW1, AW2 and NSA12 of the Rhondda Cynon Taf Local Development Plan primarily seeks to promote development in sustainable locations within the defined settlement boundary and development would not usually be permitted in locations outside of these areas.

The proposal relates to the construction of a single new dwelling on a parcel of land which is located outside of but adjacent to the defined settlement boundary of Hirwaun. Policy NSA12 would support development in such locations, providing that the site is bounded on at least one side by the defined settlement boundary and the scale, form and design of the proposed development does not adversely affect the amenity or character of the site, surrounding or wider area and providing that the site is not within a green wedge or a site designated for international, national or local importance. The proposal would comply with Policy NSA12 on this basis, however, a further requirement of the policy is that development proposals within and/or adjoining the defined settlement boundaries around the Strategic Sites will only be permitted where they would not prejudice the development of the Strategic Sites. The site is located immediately adjacent to a Strategic Site (NSA8 – Land South of Hirwaun) which is allocated for the construction of 400 dwellings, 36 Hectares of employment land a new primary school, a retail store of 2000m<sup>2</sup> net floor space, medical/community centre and informal recreation contained in a landscape setting. The Council's Spatial Planning team have indicated that the settlement boundary in this location was specifically drawn for the delivery of the adjacent Strategic Site (NSA8) and the delivery of its proposals and, given that the area immediately adjacent to the application site is allocated specifically for employment purposes (B1, B2 & B8), there is concern that the construction of a new dwelling in this location would conflict with

the allocated employment use and subsequently prejudice the Strategic Site being delivered. The proposal would therefore be contrary to this element of Policy NSA12. Whilst the Strategic Site also includes provision for 400 dwellings, the housing element of the allocation is located adjacent to the existing residential area of Hirwaun, which is located approximately 1km away. The proposed new dwelling would therefore not form a relationship with this element of the allocation or the existing pattern of residential development.

The site is located in close proximity to a number of existing employment uses with a factory located a short distance away to the south and Hirwaun Industrial Estate and an area set out in the LDP for waste management developments located a short distance away to the north-west (although it is recognised that there are a number of different commercial/industrial uses currently in operation there). As such, the proposed dwelling would be situated between two employment areas and, given that the character of the area is predominantly commercial/industrial in character, there is concern that the provision of a residential dwelling in this location would be inappropriate. However, in saying this, there are two existing residential properties located immediately opposite the application site with further residential properties being located immediately to the western boundary of Hirwaun Industrial Estate. It is therefore not considered that these concerns are significant enough to warrant the refusal of the application.

The site is located outside of the defined settlement boundary and it is therefore not considered to be a sustainable location. However, notwithstanding this, it is noted that the site is served by a bus service which connects with Aberdare and subsequently Cardiff and Merthyr. The site is also already occupied by a building that has been in residential use in the past and it is therefore considered that the proposal would constitute a replacement dwelling in the countryside.

Whilst the dwelling has clearly been vacant for an extended period of time, it could potentially be refurbished and extended to provide a dwelling of a modest size, although this is considered to be unlikely. Indeed, it is noted that the Planning Statement submitted with the application indicates that this would not be a satisfactory or practical solution for the applicant, given that the dwelling is intended for an extended family.

The proposed new dwelling would inevitably provide a greater floor area than what could be achieved through the reuse and extension of the existing building. However, it would provide a more modern and sustainable structure whilst also retaining the existing structure as a domestic garage in association with the main dwelling. Whilst the adopted Local Development Plan does not incorporate a policy that specifically relates to replacement dwellings, national planning policy is supportive of the principle of replacement dwellings and it is therefore not considered that the principle of a replacement dwelling in this location would run counter to the general thrust of the policies set out in the Local Development Plan.

Furthermore, there would not be an increase in the number of dwellings on site and the development would provide an opportunity to improve the overall visual appearance of the site by removing the number of dilapidated outbuildings and refurbishing the existing building to enable its reuse. It is considered unlikely that the site would be developed for any other purpose and, on balance, the principle of the proposal is considered to be acceptable.

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

The existing building at the site is considered to be of some local historical importance and is understood to have been constructed prior to 1877. Known locally as 'The Old Tollgate', the building is located immediately adjacent to the northern boundary at Rhigos Road and is of a small scale. Whilst it is understood to have been in residential use for many years, the building is currently vacant and appears to have been so for an extended period of time. The current scale and condition of the building is not considered to be suitable for use as a residential dwelling by modern standards and the applicant has indicated that the extension of the building is not a satisfactory or practical option, given that the proposed dwelling is intended to provide accommodation for an extended family in which the older generation (who have health implications) will be looked after and cared for by the younger generation(s).

The proposal would result in the construction of a detached dwelling within the centre of the plot with the existing building being retained, refurbished and reused as a domestic garage. The new dwelling, whilst significantly larger in scale than the existing building, is considered to be acceptable in terms of its siting within the site and in terms of its scale, design and overall visual appearance. The site is capable of accommodating a larger dwelling whilst also retaining ample space for outdoor amenity areas and off-street car parking. It is of a modern design which would not detract from the character of the surrounding area, particularly given that the mature trees to the front boundary would largely screen the dwelling from Rhigos Road. The majority of the existing trees on site would also be retained.

Furthermore, it is considered that the refurbishment of the existing building and the removal of the existing dilapidated outbuildings/shed would provide an opportunity to improve the overall visual appearance of the site and the surrounding area.

In light of the above, the proposal is considered to be acceptable in terms of the impact it would have upon the character and appearance of the site and surrounding area and the application would therefore comply with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

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

The proposed dwelling would be set centrally within the plot with a distance of approximately 45 metres from the nearest residential dwelling (Willow Farm) to the north-east. It is not considered that the proposal would result in any adverse impact



upon this property due to the distances between the properties and the fact that the application site is well screened from the road by a number of trees that would be retained.

There are a number of commercial properties in the vicinity however, these are set further back from the road and would not be significantly impacted by the proposal.

As such, the proposal is considered to be acceptable in terms of the impact it would have upon the amenity and privacy of surrounding properties and the application therefore complies with Policy AW5 (criterion 1.c) of the Rhondda Cynon Taf Local Development Plan in this regard.

### **Access and highway safety**

The application has been assessed by the Council's Highways and Transportation Section with a view to determining the potential impact of the proposal upon highway safety in the vicinity of the site. The response received raises no objections to the proposal (subject to conditions) with the comments received being summarised as follows:

The proposed site is served off two existing access points onto the A4061. At present, the eastern access point appears to be used as the primary access to the site however, the proposal would utilise the existing access to the west. The vision splay at this access is well below the recommended standard (2.4m x 215m) set out within TAN18 with the achievable visibility from the proposed access being 2.4m x 49m (right) and 2.4m x 70m (left). However, taking into account that vehicular speeds would be 60mph due to the close proximity of the roundabout with traffic speeds decreasing on approach to the roundabout and slow speeds of vehicles exiting the roundabout, the vision splay is considered to be acceptable.

Furthermore, the proposed access is considered to be safer than the eastern access that is currently being used as all vehicles can exit the site in forward gear with no increase in vehicular traffic to that of the existing dwelling. As such, the proposal is acceptable in this regard however, as the eastern access will no longer be in use, a condition is recommended to ensure that the footway is reinstated to full footway construction.

The proposal also provides adequate off-street car parking provision, in accordance with the Council's SPG: Access, Circulation and Parking. The access driveway also has a gate set back for provision of vehicles to park prior to opening/closing the gate which prevents blocking of the A4061, therefore maintaining the flow of traffic.

It is considered that the proposed location would result in the private motor vehicle being the main mode of transport. However, taking into account that the proposal is for a replacement dwelling, the provision of cycle network on the opposite side and

that a bus route is located in easy walking distance, the proposal is considered to be acceptable.

In light of the comments received from the Highways and Transportation section, 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 proposed construction works would be greater than 100m<sup>2</sup> and a separate application would be required for sustainable drainage approval prior to works taking place, alongside with the requirement to comply with Part H of the building regulations which sets out the design requirements associated with the use of infiltration drainage.

As such, no objection is raised by the Council's Flood Risk Management team and the proposal is considered to be acceptable in this regard.

### **Ecology**

The application is accompanied by an Ecological Survey Report (dated October 2020) that identifies that bats are present at the application site. The report has been assessed by both the Council's Ecologist and Natural Resources Wales, neither of which object to the proposal providing that a condition is added to any grant of planning consent to identify the report in the list of approved plans and documents and to ensure that the measures identified in Section 10 of the Ecological Survey Report are set out in a method statement.

Natural Resources Wales further advise that the proposed development is unlikely to give rise to the need for a bat licence application.

### **Impact upon trees**

The proposal would involve the felling of a number of unprotected trees at the site and an Arboricultural Report has therefore been submitted to support the application. The report indicates that the trees to be removed are low to poor quality and condition and the Council's TPO officer raises no objection to their removal. The report recommends that the existing trees that are to be retained should be fenced off prior to and throughout the construction phase.

In light of the recommendations set out in the Arboricultural Report and the comments received from the Council's TPO officer, the proposal is considered to be acceptable in terms of the impact it would have upon trees within and adjacent to the site. The application would therefore comply with Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

### **Public Health**

The Council's Public Health and Protection division have not raised any objections to the proposal however, a number of conditions relating to hours of operation, noise, dust and waste are recommended. Whilst these comments are acknowledged, these issues are better dealt with through other legislation and it is not considered necessary to duplicate these issues through the imposition of planning conditions.

### **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 outside of the defined settlement boundary where development would not usually be permitted. It is also located immediately adjacent to a Strategic Site for employment purposes. Whilst there is some concern that the construction of a residential dwelling in this location would prejudice the deliverability of the Strategic Site and that the surrounding area is already predominantly commercial/industrial in character, there is an existing building on the site which has been in residential use for most of its existence (although noting that it appears to have been vacant for quite some time) and on the basis that the proposal would constitute a replacement dwelling, would increase the number of dwellings on the site and would vastly improve the overall visual appearance of the existing building and wider site, the principle of the proposal is, on balance, considered to be acceptable. The proposal would not have any adverse impact upon the character and appearance of the site or surrounding area, nor would it adversely affect the amenity and privacy currently enjoyed by existing surrounding development. The Council's Highways and Transportation section have also not objected to the proposal in terms of the impact of the proposal upon highway safety in the vicinity of the site.

**RECOMMENDATION: Grant**

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

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

2. The development hereby approved shall be carried out in accordance with the approved plans and documents received by the Local Planning Authority unless otherwise to be approved and superseded by details required by any other condition attached to this consent:

- Drawing no. 2001. SLP: Site Plan (Rec. 22<sup>nd</sup> October 2020);
- Drawing no. 2001.PL01: Proposed Site Plan (Rec. 22<sup>nd</sup> October 2020);
- Drawing no. 2001. PL02A: Proposed Floor Plans (Rec. 6<sup>th</sup> November 2020);
- Drawing no. 2001. PL03: Proposed Elevations (Rec. 21<sup>st</sup> December 2020);
- Drawing no. 2001.PL07: Proposed Garage Conversion Plan (Rec. 22<sup>nd</sup> October 2020);

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

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

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

4. Before the development is brought into use the means of access, together with the parking and turning facilities, shall be laid out in accordance with the submitted plan 2001.PL01 and approved by the Local Planning Authority. The parking and turning facilities shall remain thereafter.

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

5. The vehicular access to the site shall be laid out, constructed and retained thereafter with 2.4m x site frontage vision splays.

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

6. The existing vehicular crossover to be abandoned shall be reinstated in full flexible footway construction in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site. The approved details shall be implemented to the satisfaction of the Local Planning Authority prior to beneficial occupation.

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

7. No development shall take place, including any works of site clearance, until a Construction Method Statement has been submitted and approved in writing by the Local Planning Authority to provide for;
  - a) the means of access into the site for all construction traffic,
  - b) the parking of vehicles of site operatives and visitors,
  - c) the management of vehicular and pedestrian traffic,
  - d) loading and unloading of plant and materials,
  - e) storage of plant and materials used in constructing the development,
  - f) wheel cleansing facilities,
  - g) the sheeting of lorries leaving the site.

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

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

8. Prior to commencement of development, all details of bat mitigation and enhancement measures, as identified in Section 10 of the Just Mammals October 2020 Bat Survey, shall be submitted to and agreed in writing by the Local Planning Authority. This should be in the form of a method statement and the development shall be carried out in accordance with the details agreed.

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

9. The development shall be carried out in accordance with the recommendations set out in the Arboricultural Impact Assessment (undertaken by Tender Leaf, dated 26/10/2020).

Reasons: In order to protect existing trees on site, in the interests of the visual amenity of the site and in accordance with Policies AW5 and AW8 of the Rhondda Cynon Taf Local Development Plan.



## **PLANNING & DEVELOPMENT COMMITTEE**

**11 MARCH 2021**

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

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

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 20/1243/10 (EL)  
**APPLICANT:** CYL  
**DEVELOPMENT:** Proposed conversion of attached barn to form 2 no. Air B&B (Bed and Breakfast) units of accommodation and associated alterations (Amended description 07/12/20).  
**LOCATION:** **GWRANGON ISAF FARM, CWM ISAAC, RHIGOS, ABERDARE, CF44 9AX**  
**DATE REGISTERED:** 30/11/2020  
**ELECTORAL DIVISION:** Rhigos

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**RECOMMENDATION:** Approve subject to conditions

**REASONS:** The proposal is in keeping with policies AW5 and AW9 of the Rhondda Cynon Taf Local Development Plan and National Policy in that, the existing barn is capable of conversion without major external alteration or reconstruction. Furthermore, it's re-use as bed and breakfast accommodation is in keeping with both local and national policy, which supports leisure and tourism uses in locations outside of settlement limits. The redevelopment of the barn would ensure the retention of a building which has some historic architectural merit, and the potential impacts upon residential amenity and highway safety are also considered acceptable.

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

Three or more letters of objection have been received.

#### **APPLICATION DETAILS**

Full planning permission is sought for the conversion of a barn, located within the curtilage of Gwrrangon Farm, Cwm Isaac, Rhigos to form 2 no. Air Bed and Breakfast (B&B) units of accommodation.

The conversion would be undertaken largely within the fabric of the existing building, with no increase in either the footprint or height of the building being proposed. Existing openings would be retained and utilised with a number of additional openings being formed in the rear elevation to serve the rooms created. The existing barn, which is attached to the main dwelling, is linear in form, so would be divided in order to create two separate units of accommodation. The first unit would be a 1-bedroom open plan studio-style unit, the second would be a larger two-bedroom unit. Each unit would benefit from its own point of access from the yard/ car parking area to the front of the property, the units would also be connected to each other and the main dwelling by internal access doors.

The barn and existing dwelling (to be retained) are located within a curtilage of approximately 2500 square metres, with a parking area located to the north west of the buildings and large garden areas to the south and west.

A statement provided by the applicants provides information on the market which they intend the accommodation to appeal to:

*“We live a vegan, yoga and healthy lifestyle and love the Welsh outdoors and this is what we are trying to promote to others who want to escape from the 9-5. We want to appeal to people that would like to come away for the weekend, visit all the amazing sites that Wales has to offer, such as Brecon Beacons National Park, Bike Park Wales, the water falls, the new zip word and perhaps practise some yoga and meditation. We have so much beauty and so many fantastic places that attract people to this area and we hope to provide a tranquil retreat style accommodation in the form of the old barn conversion. Making a comfortable open plan living area where couples, families and friends can relax and enjoy the local area, facilities and beauty spots that this area has to offer.”*

The planning application is accompanied by;

- A brief statement which comments on the proposed market for the use.
- A building survey undertaken by D.J.Harrison Ltd.  
This confirms that main buildings are structurally sound and there is no sign of structural movement.

## **SITE APPRAISAL**

The application site is an agricultural barn and dwelling known as Gwrrangon Farm, Cwm Isaac, Rhigos. The buildings are located within a curtilage of approximately 2500 square metres, with a parking area located to the north west of the buildings and large garden areas to the south and west. The site is served by an access lane (Cwm Isaac) which connects with Heol-y-Graig to the east. The site occupies an edge of settlement position, opening onto open countryside to the west, however the property also forms part of the village of Rhigos. The site is separated from the nearest property (to the east) by the Nant Gwrrangon watercourse. Neighbouring properties in the vicinity of



the site (along Cwm Isaac) vary in their style and construction but are largely detached dwellings.

## **PLANNING HISTORY**

There is no recent planning history recorded on the site.

## **PUBLICITY**

The application was advertised by direct neighbour notification and site notices. Two letters of representations have been received.

The first letter, has been signed by 5 residents on Cwm Isaac and is summarised as follows;

Concerns are expressed with regard to the use of the access road leading to the site. Cwm Isaac is served by a narrow lane that is already in need of repair due to a large number surface cracks and pot holes.

Concern is expressed that if permission is approved then this will result in additional traffic using the road, which in turn may cause further damage to the road.

The development would also increase congestion along the route as the access is a no through road.

It also commented that the speed of traffic using the road is of issue.

The second letter is from a neighbouring resident who expresses concern that the windows which would serve the bedrooms of the B&B accommodation would affect their privacy. They suggest that these could be fitted with obscure glaze to address the issue.

## **CONSULTATION**

Transportation Section – no objections raised, condition limiting use and occupancy suggested.

Countryside & Ecology – no objections raised. Given the fact that the roof has recently been renewed and internal spaces are in use any bat and barn owl roost potential is negligible.

Structural Engineer – no objections raised, it would be possible to convert the barn without requiring significant external structural works.

Land Reclamation & Drainage - no objections raised.

Dwr Cymru - no objections raised.

Public Health & Protection – no objections raised, informative notes recommended.

Glamorgan Gwent Archaeological Trust – no objections raised.

The Coal Authority – no objections raised, informative note recommended.

## **POLICY CONTEXT**

### Rhondda Cynon Taf Local Development Plan

Indicates that the site lies but directly adjacent to the defined settlement boundary, west of Cwm Isaac in Rhigos. The application is further situated within a coal mineral safeguarding area (AW 14.4), with no other designations affecting the site.

AW2 promotes development in sustainable locations.

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

AW6 sets out the criteria for new development in terms of design and place-making.

AW 8 provides a criteria for the protection and enhancement of the natural environment.

AW9 provides a criteria for the alteration, renovation or conversion of existing buildings outside the defined settlement boundaries

NSA 12 sets out the criteria for development within and adjacent to settlement boundaries.

### 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 11 (PPW) was issued on 24<sup>th</sup> February 2021 in conjunction with Future Wales: The National Plan 2040 (FW2040). PPW incorporates the objectives of the Well-being of Future Generations (Wales) Act into town and country planning and sets out Welsh Government's (WG) policy on planning issues relevant to the determination of all planning applications. FW2040 sets out the National Development Framework for Wales (NDF), WGs current position on planning policy at regional and national level.

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.

It is also considered the proposed development is compliant with the NDF, with the following policies being relevant to the development proposed:

- Policy 4 – Rural Communities – LDP
- Policy 5 – Supporting the Rural Economy – LDP

SE Wales Policies

- Policy 35 – Valley Regional Park – SDP/LDP/Economy/Environment/Tourism

## **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**

Full planning permission is sought for the conversion of a former agricultural building to form two residential units at Gwrangon Farm, Rhigos. The resulting units would be occupied as Air B & B units, being managed by the residents of Gwrangon Farm.

The key considerations in determining this application are the compatibility of the proposed use, in relation to existing land uses, the potential impact of the conversion upon the character and appearance of both the original building and the immediate setting; and the potential impact upon the amenity and privacy of the occupiers of adjacent properties. The impact of the proposed conversion upon highway safety is a further consideration.

### Principle of development

It is noted that the application site is located outside but immediately adjoining the defined settlement boundary of Cwm Isaac, Rhigos.

Whilst it is accepted that in general planning policy aims primarily to restrict development in countryside locations, it is noted that in certain instances the alteration, conversion and re-use of rural buildings may be acceptable in policy terms, subject to compliance with a series of criteria. Policy AW9 of the Rhondda Cynon Taf Local Development Plan sets out the criteria, which must be met when considering such

proposals. Planning policy requires that such development proposals will only be supported where:

- The existing building is structurally sound, or is capable of being made so without substantial alteration or reconstruction.
- In the case of residential use, it can be demonstrated that there are no viable alternative uses to secure the retention of the building and that the building is of architectural / historical merit.

Furthermore, it is important to note that national planning policy supports tourism development that is well-located and well-designed, in particular, it supports proposals that utilise previously developed or disused land. There is no requirement in PPW 10 for tourism proposals to be located within the defined settlement boundary however there is a need to demonstrate compliance with the national place-making agenda. In this case, despite being outside of settlement limits, the site is considered to be in a reasonably sustainable location, being read as part of the settlement of Cwm Isaac and being located relatively close to key local services and facilities. In addition to this, there are a number of public rights of way and active travel routes in the vicinity of the site, which helps to reduce car dependence by providing safe environments for walking and cycling. In support of their submission the applicants have provided a short statement outlining their proposals. They have indicated they intend to market the accommodation to those looking to enjoy an outdoors, healthy lifestyle, appealing to those looking to visit local sites such as Brecon Beacons, Bike Park Wales, the new zip word and other outdoor pursuits, thereby taking advantage of their edge of settlement position. Overall, having regard to the requirements of national planning policy, it is considered that the principle of the conversion of an existing rural building for the tourism/leisure use proposed is acceptable, subject to the scheme's compliance with the specific requirements of policy AW9, in addition to assessing any potential amenity and highway safety impacts. These matters will be considered in the following sections of the report.

#### Character, Appearance and Structural Condition

The building itself is has the appearance of a traditional stone barn, which is attached to the north side elevation of the main farmhouse. The barn is linear in plan, measuring 17.0 metres in length. Whilst the farmhouse has clearly been modernised, the traditional exposed stone work of the barn has been retained. From an internal inspection it is apparent that the roof structure of the barn has been renewed in recent years, along with the slate tiled roof. Access to the barn is gained via doors located in the west elevation, which open onto a large parking area that serves the property. Internally an original stone wall divides the barn into two, it is proposed that the conversion retain and utilise this as the division between the two B & B units. In order to assist in the assessment of the submission, the applicants have provided a building survey, which confirms that main buildings are structurally sound and there is no sign of structural movement. Based on this, along with a visual assessment of the barn,

the Council's Structural Engineer has confirmed that they are satisfied that the conversion works could be carried out without significant external structural works.

It is acknowledged that as part of the conversion a series of additional openings are proposed, in order to provide natural light to the newly created accommodation. It is accepted that these would clearly be visible changes to the existing envelope of the building; however, on balance it is not considered that they would be harmful to the general appearance of the barn. No increase in either the footprint of the barn or the height/shape of its roof structure is proposed, as such its scale and proportions will remain unchanged by the conversion. Nevertheless, should Members be minded to approve planning permission, a condition is suggested which would require the submission of final details of elements such as windows, doors and rainwater goods, to ensure they are sympathetic to the style of the building.

Overall, it is considered that the proposed conversion works are acceptable and would not result in harm to either the appearance of the original building or its wider semi-rural setting.

#### Alternative Re-Use and Amenity Impacts

In the case of national and local planning policy, the first and favoured option when considering the re-use of rural buildings is business use. In this case, whilst the proposed conversion is to a residential use, the residential units would be occupied and operated as a business, that being an Air B & B. Policy AW9 seeks to support tourism uses, and in their accompanying statement, the applicant has indicated that their aim is to attract visitors looking to visit and explore local outdoor attractions, based primarily around, cycling and walking. In this regard, it is considered that the scheme is compliant with planning policy requirements.

It is noted that the most notable change in the self-catering tourist sector in recent years has been the rise of online market places acting as brokers for 'hosts', largely comprising private property owners, enabling them to advertise spare rooms, outbuildings or entire properties as available for short term or occasional lets. The most well know name to date in this evolving market is Airbnb. The opening up of this accommodation resource offers travelers an alternative to established hotel, bed and breakfast and holiday let businesses, which can be fully booked and expensive in popular visitor destinations.

It is noted that in this case the applicant has applied for the business to be able to operate as an Air B and B (sui generis) rather than a purely conventional B and B (C1). In planning terms, it is considered that the main difference between the two types of accommodation, appears to be the potential transient nature of the occupation, where Air B and B accommodation may be let for shorter periods. It is acknowledged that frequent changes in occupation may in turn have the potential to impact upon the amenity of permanent neighbouring occupiers. However, it is considered that such impacts are likely to be greater in more densely populated urban areas. In the case

of the current scheme, the site occupies an edge of settlement position, which is more sparsely populated, with the barn being separated from the closest neighbouring dwelling by a watercourse and an overall distance of approximately 18.0 metres. It is also worthwhile noting that the applicants would be permanently resident on the site as their dwelling directly adjoins the barn. As such, they would be on hand to manage the use and control any impacts resulting from resident guests and operation of the business.

As outlined above, in the publicity section of the report, the closest neighbouring resident expressed some concern with regard to the potential for the newly created bedroom windows in the eastern elevation to adversely affect their privacy. The neighbouring dwelling in question occupies an elevated position and a separation distance of approximately 18 metres exists between the two; nevertheless, in order to mitigate any potential impacts or reduce any perception of overlooking, the applicants have agreed to fit these windows with obscure glazing. The plans have been updated to reflect this amendment. Therefore, it is not considered that the proposed conversion would result in an adverse impact upon the levels of privacy currently enjoyed by neighbouring residents.

Overall, it is considered that the proposal is compliant with both local and national planning policy, in that it represents the re-use of an existing rural building for a tourism use. Furthermore, given the location and design of the conversion, it is considered that the use could operate without unduly compromising either the levels of privacy or amenity enjoyed by neighbouring residents.

### Highway Safety

In order to aid in the assessment of the proposal upon highway safety, consultation has been undertaken with the Council's Transportation Section. Their response identifies that the site is served off Cwm Isaac, which has a carriageway width of 5.2m – narrowing to 3.0m. There is no official turning area at present along Cwm Isaac which means that service and delivery vehicles have to cross a private access bridge, with no confirmed vehicle loading, to access the site of the proposal and the existing dwelling. There is some concern with regard to the use of the sub-standard access bridge, which is in private ownership.

The Transportation Section consider that the proposed increase in traffic along the access lane (Cwm Isaac) resulting from the proposal is not likely to be significant, with the accommodation most likely being seasonal, attracting most guest stays during 'holiday periods'. Furthermore, it is not envisaged that the operation of the B & B would, in itself, generate traffic such as large delivery vehicles. It is also noted that there is sufficient space within the large 'yard' that serves the site, for vehicles to turn, thereby allowing vehicles to enter and leave the site in forward gear.

In terms of access on foot, it is acknowledged that there is footway provision for only part of the length of Cwm Isaac, which would mean that occupants of the units would,

in part, be forced to walk in the carriageway. Whilst this would be to the detriment of safety of all highway users, taking into account the limited traffic generated off Cwm Isaac, with the application site being the last dwelling served off the lane, on-balance this arrangement is considered acceptable in this instance.

In terms of parking, the proposed 1 & 2-bedroom B & B units would require up-to a maximum of 2 off-street car parking spaces to be provided per unit, in accordance with the Council's Supplementary Planning Guidance: Access, Circulation & Parking 2011. Whilst the application is not accompanied by a formal car parking layout plan, it is clear there is space within the yard to accommodate the required off-street car parking for the existing dwelling and proposed 2 no. B & B units.

It is acknowledged that a number of residents of Cwm Isaac have expressed some concern with regard to the current condition of the lane and the fact that it is already in need of repair, suffering from surface cracks and potholes. This point is noted, however this in itself would not form a reason for the refusal of the application and the highways section have confirmed that as Cwm Isaac is a public highway, the matter can be raised with the Council's Highways Depot Team who will assess the surfacing material and consider the need for any repairs.

Overall, it is acknowledged that there is some concern with regard to the sub-standard nature of Cwm Isaac, which lacks segregated footway facilities and width for safe two-way vehicular movement for part of its length, and is also served by a private bridge with no official weight restriction imposed. However, taking into account the limited additional traffic that is likely to be generated by the proposal and the fact that there is sufficient space within the site to provide car parking and turning in connection with the development, on-balance the proposal is considered acceptable in highway safety terms and therefore in compliance with policy AW5 of the 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

As set out above, consideration must be given to the potential impact of the development upon protected species, most notably bats.

Having assessed the scheme, the Council's Ecologist has concluded that given the fact that the roof has recently been renewed and internal spaces are currently in use as a workshop and storage area, any bat and barn owl roost potential is negligible. As such, no formal survey work is required in this case.

Their observations note however that there may be potential to incorporate biodiversity enhancement measures in the scheme. This could be achieved by incorporating within the conversion, either bat roost provision (in the form of bat bricks, or bat tiles) or barn owl provision (integral barn owl box in the building eaves). As such, should members be minded to grant planning permission a condition to this effect is suggested.

Overall, it is considered that the scheme is acceptable in terms of its potential ecological impacts and therefore accords with policy AW8 of the Local Development Plan.

### 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 the issues outlined above, the application proposal is considered acceptable.

The proposal represents an opportunity to retain and bring back into use a vacant rural building that has architectural merit. The proposed tourism use as Air Bed and Breakfast accommodation is considered appropriate and in compliance with the aims of local and national planning policy. It is also noted that the barn is capable of conversion without the need for major alteration or re-construction, with the resulting design of the conversion being sympathetic to the original style of the building and in character with the semi-rural appearance of its setting. The potential impacts upon both the amenity and privacy of neighbouring residents and highway safety are also considered acceptable. Therefore, the proposal is recommended for approval, subject to the conditions specified 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 plan(s) no(s)



- Site Location Plan 1:1250
- Drawing no. Gwrangon 01 – Existing plans and elevations
- Drawing no. Gwrangon 04B – Existing & Proposed Plans, Elevations & Sections.

and documents received by the Local Planning Authority on 05/11/20 and 19/01/21 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. In accordance with Drawing no. Gwrangon 04B – Existing & Proposed Plans, Elevations & Sections, the windows located in the east (rear elevation) of the barn conversion shall be fitted with obscure glazing, prior to the building being brought into beneficial use. The development shall be retained as such thereafter, unless agreed otherwise in writing by the Local Planning Authority.

Reason: To safeguard the privacy of neighbouring residents in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

4. The development shall be occupied as holiday accommodation only and no unit shall be occupied by an individual, family or group as their sole or main place of residence, or for a period exceeding two months in any calendar year.

Reason: To define and limit the extent of the permission and to protect the residential amenity of those closest to the site in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting of that Order) no other use (other than the Air Bed and Breakfast use hereby permitted) shall be operated from the site without the prior express permission of the Local Planning Authority.

Reason: To define and limit the extent of the permission and to protect the residential amenity of those closest to the site in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

6. Prior to commencement of development details of the proposed windows, doors, rainwater goods and finishes to external elevations of the development shall be submitted to and approved in writing by the Local Planning Authority. All materials used shall conform to the details so approved, unless agreed otherwise in writing by the Local Planning Authority.

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

7. Prior to the commencement of development, details for the provision of a bat and/or barn owl box shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details prior to development being brought into use and maintained as such thereafter, unless otherwise agreed in writing by the Local Planning Authority.

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



## **PLANNING & DEVELOPMENT COMMITTEE**

**11 MARCH 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 15/02/2021 – 26/02//2021

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**

**11 MARCH 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**

## **APPEAL DECISIONS RECEIVED**

**APPLICATION NO:** 20/0814  
**APPEAL REF:** A/20/3260428  
**APPLICANT:** Silver Cloud Alpacas  
**DEVELOPMENT:** Functional special and essential needs agricultural dwelling for owner of Silver Cloud Alpacas (Re-submission of Application Ref: 19/1274/10).  
**LOCATION:** PANTYDDRAINAN FARM, LLANTRISANT ROAD, CASTELLAU, BEDDAU, PONTYCLUN, CF72 8LQ  
**DECIDED:** 23/09/2020  
**DECISION:** Refused  
**APPEAL RECEIVED:** 01/10/2020  
**APPEAL DECIDED:** 23/02/2021  
**APPEAL DECISION:** Dismissed

**APPLICATION NO:** 20/0410  
**APPEAL REF:** A/20/3262231  
**APPLICANT:** Mr G Hill  
**DEVELOPMENT:** Outline planning for residential development off a private drive (re-submission of 20/0132/13).(Amended Ecology Survey rec. 11/06/2020)  
**LOCATION:** SWN YR AFON, CWMYNYSMINTON ROAD, LLWYDCOED, ABERDARE, CF44 0UP  
**DECIDED:** 15/07/2020  
**DECISION:** Refused  
**APPEAL RECEIVED:** 29/10/2020  
**APPEAL DECIDED:** 18/02/2021  
**APPEAL DECISION:** Dismissed

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**Report for Development Control Planning Committee**

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**Hirwaun**

**20/1054/10** Decision Date: 24/02/2021  
**Proposal:** Two storey side extension.  
**Location:** 50 MAESCYNON, HIRWAUN, ABERDARE, CF44 9PG

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**21/0069/10** Decision Date: 17/02/2021  
**Proposal:** Change of use from commercial premises to residential dwelling.  
**Location:** 77 BRECON ROAD, HIRWAUN, ABERDARE, CF44 9NL

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**Aberdare West/Llwydcoed**

**21/0060/10** Decision Date: 24/02/2021  
**Proposal:** Proposed two storey extension to the side of dwelling.  
**Location:** 14 PARK LANE, TRECYNON, ABERDARE, CF44 8HN

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**Aberdare East**

**20/0972/10** Decision Date: 15/02/2021  
**Proposal:** Conversion of garage to Granny Annexe (Corrected red line plan received 3/2/21)  
**Location:** ROCKLEAZE, PARK VIEW TERRACE, ABER-NANT, ABERDARE, CF44 0RR

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**20/1223/10** Decision Date: 19/02/2021  
**Proposal:** Replacement of existing doorway (currently bricked up) and proposed covered external structure.  
**Location:** STALL 15, ABERDARE MARKET, MARKET STREET, ABERDARE

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**20/1224/12** Decision Date: 19/02/2021  
**Proposal:** Replacement of existing doorway (currently bricked up) and proposed covered external structure. (Application for Listed Building Consent).  
**Location:** STALL 15, ABERDARE MARKET, MARKET STREET, ABERDARE

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**20/1282/13** Decision Date: 22/02/2021  
**Proposal:** Detached dwelling with turning head. (Coal Mining Risk Assessment received 14/01/2021)  
**Location:** SUMMERFIELD HOUSE, PLASDRAW PLACE, ABER-NANT, ABERDARE, CF44 0NS

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**20/1441/10** Decision Date: 23/02/2021  
**Proposal:** Single storey extension to side and rear  
**Location:** 10 RICHMOND TERRACE, ABERNANT ROAD, ABER-NANT, ABERDARE CF44 0SF

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**Report for Development Control Planning Committee**

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**Cwmbach**

- 20/1383/10** Decision Date: 25/02/2021  
**Proposal:** Construction of 2no. detached dwellings and associated works.(Amended Plans Received 02/02/21)  
**Location:** LAND ADJOINING LONGWAITE, WELL PLACE, CWMBACH, ABERDARE
- 

- 21/0010/10** Decision Date: 22/02/2021  
**Proposal:** Proposed side extension for a kitchen, dining room and lounge.  
**Location:** 72 LLANGORSE ROAD, CWM-BACH, ABERDARE, CF44 0LD
- 

**Mountain Ash West**

- 21/0114/10** Decision Date: 24/02/2021  
**Proposal:** Erection of single storey porch, first floor side extension, single storey extension to rear and amended roof for conservatory.  
**Location:** 9 CWM ALARCH, MOUNTAIN ASH, CF45 3DR
- 

**Penrhiwceiber**

- 20/1349/10** Decision Date: 22/02/2021  
**Proposal:** Proposed two storey extension.  
**Location:** 5 MORRIS AVENUE, PENRHIWCEIBER, MOUNTAIN ASH, CF45 3TW
- 

**Penygraig**

- 21/0055/01** Decision Date: 23/02/2021  
**Proposal:** Upgrade of existing 48 sheet advert to support digital poster.  
**Location:** 99 AMOS HILL, PEN-Y-GRAIG, TONYPANDY, CF40 1PP
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**Porth**

- 20/0828/10** Decision Date: 26/02/2021  
**Proposal:** Sub-division of retail unit and change of use of no. 31 to beauty salon (Retrospective).  
**Location:** 31-32 HANNAH STREET, PORTH, CF39 9RB
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**Report for Development Control Planning Committee**

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**Cilfynydd**

**21/0012/10** Decision Date: 26/02/2021

**Proposal:** Proposed garage.

**Location:** 14 OAKLAND CRESCENT, CILFYNYDD, PONTYPRIDD, CF37 4HD

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**Glyncoch**

**20/1425/10** Decision Date: 15/02/2021

**Proposal:** Two storey side extension, front porch and hardstanding.

**Location:** 6 GREENMEADOW CLOSE, GLYNCOCH, PONTYPRIDD, CF37 3BU

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**Town (Pontypridd)**

**20/1406/10** Decision Date: 16/02/2021

**Proposal:** Proposed single storey extension and rear dormer.

**Location:** 45 WHITEROCK DRIVE, GRAIGWEN, PONTYPRIDD, CF37 2HA

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**Graig**

**21/0018/10** Decision Date: 26/02/2021

**Proposal:** First floor rear extension, replacement of pitched roof with flat roof.

**Location:** 5 RICKARDS TERRACE, GRAIG, PONTYPRIDD, CF37 1NG

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**Ffynon Taf**

**20/1371/10** Decision Date: 18/02/2021

**Proposal:** Erection of a new secure enclosure to provide overnight storage of two mobile banking vans.

**Location:** BEECH FARM, CAERPHILLY ROAD, NANTGARW, TAFFS WELL, CAERPHILLY, CF83 1NF

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**20/1440/10** Decision Date: 17/02/2021

**Proposal:** Change of use from existing B1/B2/B8 uses to a short-term healthcare waste storage and transfer facility (Sui Generis) along with associated B1/B8 uses.

**Location:** UNIT 14, MOY ROAD INDUSTRIAL CENTRE, FFORDD BLEDDYN, TAFFS WELL, CARDIFF, CF15 7QR

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**Report for Development Control Planning Committee**

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**Llantwit Fardre**

**20/1347/19** Decision Date: 16/02/2021  
**Proposal:** Reduce the height of Oak trees, remove hanging branches to neighbours property and remove dead wood from the trees (Up to 30% reduction).  
**Location:** 11 LLYS LLEWELYN, LLANTWIT FARDRE, PONTYPRIDD, CF38 2HQ

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**20/1434/10** Decision Date: 15/02/2021  
**Proposal:** Proposed two storey rear extension.  
**Location:** 115 QUEEN'S DRIVE, LLANTWIT FARDRE, PONTYPRIDD, CF38 2NY

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**21/0092/10** Decision Date: 22/02/2021  
**Proposal:** Proposed single storey rear extension (Re-submission).  
**Location:** 28 CADWAL COURT, LLANTWIT FARDRE, PONTYPRIDD, CF38 2FA

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**Ty'n y Nant**

**20/0878/10** Decision Date: 18/02/2021  
**Proposal:** Construction of a detached dwelling (re-submission of 20/0494/10).  
**Location:** LAND ADJ TO 1 CALDERTON ROAD, BEDDAU, PONTYPRIDD, CF38 2LL

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**Talbot Green**

**21/0083/10** Decision Date: 25/02/2021  
**Proposal:** Proposed first floor side extension & garage conversion.  
**Location:** 28 WOODFIELD ROAD, TALBOT GREEN, PONTYCLUN, CF72 8JF

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**Llanharan**

**21/0078/10** Decision Date: 24/02/2021  
**Proposal:** Single storey extension to the rear.  
**Location:** 1 FFORDD HANN, TALBOT GREEN, PONTYCLUN, CF72 9WX

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**Brynna**

**20/1264/10** Decision Date: 15/02/2021  
**Proposal:** Single storey extension to rear for hydrotherapy pool (as amended).  
**Location:** 20 LONYDD GLAS, LLANHARAN, PONTYCLUN, CF72 9FZ

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**20/1399/10** Decision Date: 16/02/2021  
**Proposal:** Two storey rear extension.  
**Location:** 24 DUFFRYN CRESCENT, LLANHARAN, PONTYCLUN, CF72 9RS

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**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**  
**Development Control : Delegated Decisions (Permissions) between:**  
**Report for Development Control Planning Committee**

**15/02/2021 and 26/02/2021**

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Total Number of Delegated decisions is 28

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**Ffynon Taf**

**20/1092/10** Decision Date: 16/02/2021

**Proposal:** Change of use, partial demolition and extension of existing community hall to form a residential dwelling.

**Location:** OXFORD HALL, RHYD-YR-HELYG, NANTGARW, TAFFS WELL, CF15 7ST

**Reason: 1** As a result of its location within a designated Zone C1 as defined by the Development Advice Maps referred to under Technical Advice Note 15: Development and Flood Risk, and with no justification or appropriate mitigation proposed, the proposed development is at risk of flooding which could result in a risk to public health. The proposed development is therefore contrary to the policy guidance set out in Technical Advice Note 15: Development and Flood Risk and Policies AW2 and AW10 of the Rhondda Cynon Taf Local Development Plan and is unacceptable in principle.

**Reason: 2** The means of access to the proposed development is sub-standard in terms of horizontal geometry, carriageway width, junction radii, vision splays, forward visibility, segregated footway, street lighting, drainage and structural integrity and intensification of its use would create increased traffic hazards to the detriment of highway and pedestrian safety and free flow of traffic. Furthermore, highway improvements would require third party land and as such deliverability cannot be guaranteed. As such, the development does not comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

**Reason: 3** The proposal, as a result of its position, height, massing and relationship with the neighbouring properties located at Rhyd-yr-Helyg, would be considered to have a significant detrimental impact upon the amenity and outlook of their occupants, and would create unacceptable levels of harm. The development would therefore be contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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**Tonyrefail East**

**21/0084/02** Decision Date: 23/02/2021

**Proposal:** Application for Certificate of Appropriate Alternative Development - Dualling A4119.

**Location:** LAND ADJACENT TO PANTGLAS FARM AND A4119, COEDEL, TONYREFAIL, CF72 8GX

**Reason: 1** Planning permission would not have been granted for any development of the land in question other than the development which is proposed to be carried out by the Authority by whom the interest is proposed to be acquired.  
The site is located outside the defined settlement boundary. Therefore, the alternative uses suggested on the site would represent inappropriate development in the countryside contrary to Policies CS2, SSA13 and AW2 of the Rhondda Cynon Taf Local Development Plan.

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Total Number of Delegated decisions is 2

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