



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 (07385 411807)

A virtual meeting of the **PLANNING AND DEVELOPMENT COMMITTEE** will be held on **THURSDAY, 20TH MAY, 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, 18 MAY 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 25th March 2021.

5 - 10

APPLICATIONS RECOMMENDED FOR APPROVAL BY THE DIRECTOR OF PROSPERITY & DEVELOPMENT

5. APPLICATION NO: 21/0038

Certificate of Lawful Use (Proposed) for residential children's home within Use Class C3.

16 LLANERCH GOED, LLANTWIT FARDRE, PONTYPRIDD, CF38 2TB

11 - 16

6. APPLICATION NO: 21/0075/10

Garage and hardstand to rear of property.

59B Pantygraigwen Road, Panygraigwen, Pontypridd, CF37 2RS

17 - 24

7. APPLICATION NO: 21/0207/10

New fifteen space car park, including one disabled bay and drop off area.

Long Meadow Close, Hirwaun

25 - 32

8. APPLICATION NO: 21/0378

Part two-storey, part single-storey extension of existing school to facilitate additional classrooms and extension to hall, together with a fully accessible Welsh-medium childcare facility. Includes a car park extension and additional hard surface play area.

Ysgol Gynradd Gymraeg Aberdar, Laburnum Drive, Cwmdare, Aberdare, CF44 8RT

9. APPLICATION NO: 20/1145/10

Retention and completion of single storey rear extension, retention of first floor raised rear balcony, change of use of stock room to click and collect store and single storey extension. (Amended Plans Received 05/04/21)

Carpenters Arms Public House, Heol Ffrwd Philip, Efail Isaf, Pontypridd, CF38 1AR

59 - 66

10. APPLICATION NO: 21/0269/16

Reserved matters application seeks approval of all remaining reserved matters (layout, scale, appearance and landscaping) relating to planning application 18/0302/08.

LAND TO THE WEST OF BRYN PICA WASTE DISPOSAL SITE, MERTHYR ROAD, LLWYDCOED, ABERDARE, CF44 0BX

67 - 78

SITE INSPECTION**11. APPLICATION NO: 20/1171**

Construction of 4 No. Terraced Houses with associated curtilage car parking off rear access.

Land adjacent to 186 East Road, Tylorstown, CF43 3BY (Former Baptist Chapel Site)

79 - 92

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

To inform Members of the following, for the period 19/04/2021 – 07/05/2021

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

93 - 112

13. URGENT BUSINESS

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

Service Director of Democratic Services & Communication

Circulation:-

Members of the Planning & Development Committee

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

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

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



RHONDDA CYNON TAF COUNCIL PLANNING AND DEVELOPMENT COMMITTEE

Minutes of the virtual meeting of the Planning and Development Committee held on Thursday, 25 March 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 J Bailey, Head of Planning
Mr S Humphreys, Head of Legal Services
Mr A Rees, Senior Engineer

County Borough Councillors in attendance:-

Councillor R Bevan, Councillor J James, Councillor K Morgan and Councillor G Thomas

135 DECLARATION OF INTEREST

In accordance with the Council's Code of Conduct, the following declaration of interest was made:

- County Borough Councillor W Owen declared a personal and prejudicial interest in respect of application 20/0621/10 "Truffles" Zero waste shop. (Coal Mining Risk Assessment received 7th December 2020, Bat Survey received 11th January 2021, Drainage Report received 28/02/21) Boars Head Public House, Coedcae Lane, Talbot Green, Pont-y-Clun, CF72 9EZ.
"I own the Boars Head and this is my application."

136 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.

137 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.

138 MINUTES

It was **RESOLVED** to approve as an accurate record, the minutes of the meeting of the Planning and Development Committee held on the 4th February 2021.

139 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.

140 APPLICATION NO: 20/0963

Application for reserved matters approval (appearance, landscaping, layout and scale) for residential development including associated works, roads and infrastructure. FORMER CLARIANT SITE, LLANTRISANT ROAD, CHURCH VILLAGE, CF38 2SN.

In accordance with adopted procedures, the Committee received Mr Pete Sulley (Agent) who was afforded five minutes to address Members on the above-mentioned proposal.

Non-Committee/ Local Member – County Borough Councillor J James spoke on the application and put forward his general support in respect of the proposed Development but raised a number of matters of concern.

The Head of Planning presented the application to Committee. The Committee stressed that they were not happy with the level of affordable housing that was being provided as part of the development. The Agent Mr Pete Sulley was asked by the Chair whether there was any prospect of his clients providing any additional affordable housing. The Agent advised the Committee that his client may be able to provide one additional property as affordable housing.

Following further consideration it was **RESOLVED** to approve the application in accordance with the recommendation of the Director, Prosperity and Development subject to a Deed of Variation to vary the existing section 106 to provide an additional affordable housing unit as part of the development and to condition 5 being amended to:

5 - All plots with facades highlighted in green in figure 4.2 of the noise impact assessment (January 2021) shall utilise system 3 dMEV fans to wet rooms throughout the home to provide fresh air through acoustically treated trickle ventilators. These trickle ventilators shall be installed to the habitable rooms highlighted and shall achieve the performance detailed in table 4.4 of the noise impact assessment (January 2021). All mechanical ventilation must be designed to achieve the noise level details in figure 4.5 of the noise impact assessment (mechanical ventilation). These measures shall be implemented prior to the

occupation of the properties that the facades relate to and shall be retained as such thereafter.

Reason: To ensure that the affected properties benefit from an appropriate level of amenity and protection from noise in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

And further to the addition of the following condition:

7 - Prior to the commencement of any development (excluding any works of site clearance) at the site full details of a 4m high acoustic barrier, including full details for the timing of its erection on the site, to be erected on the south west boundary of the site which adjoins the Newtown Industrial Estate shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to protect interests of residential amenity, in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

(**Note:** County Borough Councillors G Hughes and J Williams abstained from the vote as they were not present for the full debate.)

141 APPLICATION NO: 20/1453/10

**Two bedroom detached house with car parking.
86 Queen's Drive, Llantwit Fardre, Pontypridd**

The Committee noted that Mr Stephen Waldron (Agent) who had requested to address Members on the Application was present but not able to join the meeting to do so.

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

The Head of Planning 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.

(**Note:** County Borough Councillors S Powderhill and R Yeo abstained from the vote as they were not present for the full debate.)

142 APPLICATION NO: 20/1416/10

**Retention of garage as constructed (Retrospective) (Description amended and amended plans received both 26/02/2021).
COED CELYN, TYLA GARW, PONTYCLUN, CF72 9EZ**

The Head of Major Development and Investment presented the application to Committee and following lengthy consideration it was **RESOLVED** to approve the application in accordance with the recommendation of the Director, Prosperity and Development subject to condition 3 being amended to:

3. The use of the garage hereby approved shall at all times be restricted to purposes normally associated with domestic storage. At no time shall the garage be converted to a separate unit of accommodation and no trade or business use

shall be carried out therein.

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

143 APPLICATION NO: 20/0621/10

"Truffles" Zero waste shop. (Coal Mining Risk Assessment received 7th December 2020, Bat Survey received 11th January 2021, Drainage Report received 28/02/21)

BOARS HEAD PUBLIC HOUSE, COEDCAE LANE, TALBOT GREEN, PONTYCLUN, CF72 9EZ

(Note: Having earlier declared an interest in the above-mentioned application (Minute No 135), County Borough Councillor W Owen left the meeting for this item).

The Head of Planning 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.

144 APPLICATION NO: 20/0799/13

Outline application for 20 no. dwellings with all matters reserved (amended Preliminary Ecological Assessment, Hedgerow Survey, Indicative Site Layout Plan and description received 17/02/21).

Gelli Fedi Farm, Gellifedi Rise, Brynna.

(Note: At this point in the proceedings, County Borough Councillor W Owen returned to the meeting)

The Head of Planning 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 the completion of a section 106 agreement requiring:

- Affordable Housing – the provision of at least 20% of the units on site as affordable housing in line with Policy SSA12 of the LDP.
- Ecology/Landscape – the delivery of a Tree/Hedgerow, Landscape Buffer and Ecology Habitat Mitigation/Management Plan, to be maintained in perpetuity.

145 APPLICATION NO: 20/1144/13

**Outline application for a new dwelling with access considered.
Clydfan, Rhigos Road, Rhigos, CF44 9UG**

Non-Committee/ Local Member – County Borough Councillor G Thomas spoke on the application and put forward his support 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.

146 APPLICATION NO: 20/1338/10

Retention and completion of a feed platform and fodder storage area to serve livestock.

Mynydd Mayo Farm, Eglwysilan Road, Eglwysilan, Pontypridd, CF83 4PJ

The Head of Major Development and Investment outlined the contents of a 'late' letter received from Mr & Mrs Brazis in objection of the application.

The Head of Major Development and Investment presented the application to Committee and following lengthy consideration it was **RESOLVED** to defer the determination of the application to a future meeting of the Planning & Development Committee to enable officers to gather further information in respect of the material that has been deposited on the site and to allow officers to liaise with NRW regarding this.

(**Note:** County Borough Councillor S Powderhill abstained from the vote as he was not present for the full debate.)

147 APPLICATION NO: 20/1417/10

Single storey extension to principal elevation.

1 OAKLAND CLOSE, HIRWAUN, ABERDARE, CF44 9QT

(**Note:** At this point in proceedings County Borough Councillor S Powderhill left the meeting)

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.

148 APPLICATION NO: 19/0421/10

Erection of 6 no. detached dwellings (amended plans received 22/07/19). LAND TO THE REAR OF TREFELIN, TRECYNON, ABERDARE.

The Head of Planning presented the application which was originally reported to Committee on 25th February 2021, where Members were minded to refuse the application, contrary to the officer recommendation of the Service Director, Planning (Minute 112 refers) because Members had concerns over highways safety surrounding the access to the site.

Members gave consideration to the further report, highlighting the potential strengths and weaknesses of approving contrary to officer recommendation and following discussions, it was **RESOLVED** to refuse the application contrary to the recommendation of the Service Director, Planning because:

The introduction of 6 no. dwellings at the site would result in a significant increase in vehicle movements along the highway infrastructure in the locality, with the site access located in close proximity of the busy junctions of Trefelin and Harriet Street, the main thoroughfare through the village, and the Harriet Street roundabout at the A4059, the main highway through the Cynon Valley, to

the detriment of safety of all highway users.

Further, the proposed access route to serve the main development plot would result in an intensified use of the lane to the rear of the adjacent properties along Harriet Street, which is a Public Right of Way, to detriment of safety of all highway users here, with particular reference to pedestrians using the Public Right of Way and crossing the new junction onto Trefelin.

Consequently, the proposed development would result in a detrimental impact upon pedestrian and highway safety for both existing and future residents and is therefore contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

149 APPLICATION NO: 20/0986

Construction and use of a stack with associated pipework and a continuous emissions monitoring systems gantry with ladder access. Fifth Avenue, Hirwaun Industrial Estate, Hirwaun

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

The Head of Major Development and Investment presented the application which was originally reported to Committee on 4th March 2021, where Members were minded to refuse the application, contrary to the officer recommendation of the Service Director, Planning (Minute 125 refers).

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

The erection of a 90 metre high stack would constitute an incongruous and inappropriate development which has an adverse, detrimental and unacceptable visual impact on the landscape and compromises the visual amenity at this key gateway location to the County Borough and the southern edge of the Brecon Beacons National Park. As such it considered to be out of accord with Policies AW5, AW6 & AW10 of the Rhondda Cynon Taf Local Development Plan.

150 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 01/03/2021 – 12/03/2021.

This meeting closed at 5.40 pm

**CLLR S REES
CHAIR.**



PLANNING & DEVELOPMENT COMMITTEE

20 MAY 2021

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 21/0038/09 (CA)
APPLICANT: Phoenix Childcare Ltd
DEVELOPMENT: Certificate of Lawful Use (Proposed) for residential children's home within Use Class C3.
LOCATION: 16 LLANERCH GOED, LLANTWIT FARDRE, PONTYPRIDD, CF38 2TB
DATE REGISTERED: 20/01/2021
ELECTORAL DIVISION: Church Village

RECOMMENDATION: That a Lawful Development (Proposed Use) Certificate be issued.

REASONS: The proposal to utilise the existing residential dwelling for the provision of residential accommodation and care for up to 2 no. children between the ages of 8 and 18, along with up to 3 no. support staff 24 hours a day, operating in shifts is considered to result in a prima facie change of use, Class C3 to Class C2.

Based on the evidence and supporting information submitted by the applicant however, as a matter of fact and degree, the change of use would not be considered material. Consequently, the proposed use is lawful for planning purposes and planning permission is not required. Therefore, a Certificate of Lawfulness can be issued.

APPLICATION DETAILS

This is an application for a Certificate of Lawfulness for a Proposed Use under Section 192 of the 1990 Act ('CLOPUD') that seeks to establish whether the proposed use of a residential dwelling, 16 Llanerch Goed, Llantwit Fardre, Pontypridd, as a residential children's home (as detailed in the description and submitted documents), would be lawful for planning purposes. In effect the application seeks to establish whether the proposal would result in a material change of use of the property or if it is capable of being carried out without the need for planning permission.

The proposal is supported by a statement which identifies the existing residential dwelling would be used for the provision of residential accommodation and care for up

to two children between the ages of eight and eighteen (inclusive). There would be six members of staff employed at the property, with two or three on duty at any one time during the day and two on duty at any one time during the night. The home would be supervised by staff, who would operate in shifts, for 24 hours a day. It is not envisaged there would be part time employees as the ethos of the care provider is to provide the children with a stable core team. The duration of stay of the children would vary, ranging from a few months to several years and the placements would aim to reintegrate the child back to their family or to a foster placement. For older children not planning to return home, help would be provided to prepare them for independent lives as adults. The use of the property would be managed Phoenix Care Ltd who would provide help and support for the children which would be referred to the home by the Local Authority.

The evidence submitted details the children and staff would live as a single household with the house operating as a typical domestic home in terms of daily living, cleaning, cooking, shopping etc. The children would be encouraged to attend local schools during the week and the support staff would assist the children with recreational activities and enable them to access local services within the community.

No internal or external alterations are proposed at the property as part of this application.

SITE APPRAISAL

The application site consists of a detached dwelling located on a substantial plot within a residential area of Llantwit Fardre. The dwelling is of brick construction under a tiled roof. The site is set back from the road frontage and benefits from a detached garage to the front and a garden to the rear. The surrounding area is characterised by detached dwellings of similar style and design.

PLANNING HISTORY

None.

PUBLICITY

The application seeks the determination of whether the proposed use is lawful without the need for planning permission. As such, no consultation with nearby properties is required to be, or has been, undertaken.

Notwithstanding the above, one letter of support and twenty letters of objection have been received from local residents. In addition, the Local Member has objected to the proposal.

CONSULTATION

Legal and Democratic Services – The Council’s Solicitor commented that on the basis of the evidence submitted, the proposal would not constitute a material change of use which would require planning permission.

Children's Services – No objections.

POLICY CONTEXT

The determination of this application does not include any consideration of the planning merits of the case and there are therefore no Local Development Plan policies need to be taken into account.

National Guidance:

Welsh Office Circular 24/97: Enforcing Planning Control, Annex 8, deals with 'Lawfulness and the Lawful Development Certificate.'

Paragraph 8.26 states that if the LPA are supplied with information satisfying them that the use or operations described in the application would be lawful, they shall issue a certificate to that effect and, in any other case, they shall refuse the application. The burden of proof is firmly on the applicant.

Paragraph 8.28 advises that a LDC granted under Section 192 shall specify the land to which it relates, describe the use or operations in question (identifying the relevant 'use class' where appropriate), and give the reason why the proposal would be lawful.

REASONS FOR REACHING THE RECOMMENDATION

This is an application for a Certificate of Lawfulness for a Proposed Use under Section 192 of the 1990 Act ('CLOPUD') that seeks to establish whether the proposed use of a residential dwelling, 16 Llanerch Goed, Llantwit Fardre, Pontypridd, as a residential children's home (as detailed in the description and submitted documents), would be lawful for planning purposes. In effect the application seeks to establish whether the proposal would result in a material change of use of the property or if it is capable of being carried out without the need for planning permission. As such, the application should be determined on the facts submitted and the law rather than on planning policy or the planning merits of the case.

16 Llanerch Goed is a detached dwelling house located within a residential area of Llantwit Fardre. Phoenix Care Ltd intend to use the property for the provision of residential accommodation and care for up to two children between the ages of eight and eighteen (inclusive), with up to three support staff at the property at any one time during the day and up to two support staff at the property at any one time during the night. The staff would work in shift patterns to allow for care to be provided 24 hours a day. The applicant contends that the property would be the children's home and the support staff (whilst not permanently resident at the property) would care for the children as per a domestic home. As such, it is submitted that the proposed use would not result in a material change of use of the property and that subsequently planning permission would not be required.

The supporting information details that the property would not alter externally in any way, continuing to appear as it does currently. Additionally, the applicant has stated that the property would operate as per a normal domestic home in terms of daily living, cleaning, cooking, shopping, accessing the community, sport and leisure etc. In addition, the children would contribute to household type tasks such as cooking and

clearing. Furthermore, the children would be encouraged to attend education during the week.

A children's care home use falls within Use Class C2 (residential institutions) rather than Use Class C3 (dwelling house). The children residing at the property would need to be looked after as they could not run a house or be expected to deal with all the matters that go in to running a home without the full time care of an adult and further, they would need adult supervision to ensure the household operates as it should. Additionally, in the context of this case, whilst providing care on a continuous 24 hour basis, the care would not necessarily be provided by the same person as the support staff would not reside at the property permanently, operating in shifts. Consequently there is no doubt in this instance that the proposed use would fall within Class C2. As such, in this case, the main question for determination is whether the proposed use of the property as a care home for two children would be a material change of use from a residential dwelling.

Whilst the proposed use clearly falls within Class C2, the applicant, through the supporting information, contends that the way in which the residents would occupy the property would not result in a material change of use. With regard to this point and the consideration of this application, the following Court of Appeal decision is relevant: 'North Devon District Council v First Secretary of State (2003)'.

The case relates to a semi-detached 3 bedroom dwelling house in a residential area that was being used by a private company to provide residential care for two children aged between ten and seventeen. Outside the house looked like any other house in the street and internally there was a small office at ground floor level. The children slept in individual bedrooms and there were the typical kitchen and bathroom facilities. Two non-resident support staff were on duty at all times with the house under the supervision of a team of adult carers operating in shifts. The company applied for a Certificate of Lawful Use to North Devon District Council and the application was refused. The company then appealed the Council's decision and the Inspector determined the appeal in the company's favour stating whilst the use fell within Class C2, there was no material change of use from its Class C3 use as a dwelling house. The Council appealed against that decision and the question for determination was whether the situation in this case fell within Class C2 or Class C3(b), and if it fell within Class C2, was there was a material change of use from its Class C3 use as a dwelling house. In his judgement, Mr Justice Collins concluded that:

'It seems to me that the concept of living together as a household means that, as I have put it, a proper functioning household must exist and, in the context of a case such as this, that must mean that the children and a carer must reside in the premises. Otherwise, as it seems to me, it clearly falls within Class C2. It is apparent that the size of the institution is irrelevant for the purposes of C2. If it falls within that definition it is not to be regarded as a dwelling house, then whether there are 1, 2, 10 or 15 children makes no difference to the Class. It does, however, clearly make a difference in planning terms when one considers the second point, which is whether there was, in the context of this case, a material change of use.'

Although it may sound somewhat illogical, it is accepted by both Mr Fletcher and Mr Gibbon that, notwithstanding that this may fall within Class C2 rather than Class C3,

nonetheless planning permission may not be required if the change of use was not a material change of use. I am bound to say that if an Inspector is satisfied that the use falls within C2 rather than C3, then it would appear that there is 'prima facie' a change of use. Nonetheless, the Inspector is entitled, as indeed are the Local Planning Authority, to consider whether that change of use was material. It will only be material if, as a matter of fact and degree in the circumstances of an individual case, the change of use was material.'

The Inspector understandably deals with this very briefly. In paragraph 20 he states:

"In the alternative, the Council state that the change of use is a significant factor which when weighed with other changes to the character of the use of the premises amounts to a material change of use. Since I have found that the use is as a dwelling house, the alternative does not fall to be considered. There is nevertheless no indication from my consideration of all the representations and from my detailed inspection of the site and the surroundings, that there has been a change of use from a dwelling house which could, as a matter of fact and degree, be considered as being a material one."

In light of the above and with respect to this case, given the evidence and supporting information submitted by the applicant, the future residents of 16 Llanerch Goed are considered to have a common need for accommodation and support which would be provided for by Pheonix Care Ltd. It is therefore considered this common need and purpose together with the sharing of facilities and how the residence would operate would result in the residents broadly forming a single household and subsequently the character of the property would not alter from its current use. Furthermore, care would only be provided to a maximum of two children at any one time and they would be encouraged to attend school and carry out their lives as they would in a typical domestic setting. In addition, the public would not be permitted to visit the site and the applicant has stated that the site has adequate off-street parking to accommodate the vehicles required for the proposed use.

Consequently, having considered the evidence submitted, whilst there is no doubt that the proposed use would fall within Class C2, as a matter of fact and degree, the change of use would not be considered material. This view is reiterated by the Council's solicitor who commented that having assessed the information submitted and the nature of the proposed use described, the Council could issue a Certificate of Lawfulness on the basis that the proposal does not constitute a material change of use. Consequently, planning permission is not required.

Conclusion

The proposal to utilise the existing residential dwelling for the provision of residential accommodation and care for up to two children between the ages of eight and eighteen, along with 24 hour care and supervision, provided by staff operating in shifts, is considered to result in a prima facie change of use, Class C3 to Class C2. However, based on the evidence and supporting information submitted by the applicant, as a matter of fact and degree, the change of use would not be considered material. Consequently, it is considered that as the development is lawful for planning purposes and planning permission is not required. As such a Certificate of Lawfulness can be issued for this proposal.

RECOMMENDATION: That a Lawful Development (Proposed Use) Certificate be issued.



PLANNING & DEVELOPMENT COMMITTEE

20 MAY 2021

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 21/0075/10 (JE)
APPLICANT: Mr J Slade
DEVELOPMENT: Garage and hardstand to rear of property.
LOCATION: 59B PANTYGRAIGWEN ROAD, PANTYGRAIGWEN,
PONTYPRIDD, CF37 2RS
DATE REGISTERED: 19/01/2021
ELECTORAL DIVISION: Rhondda

RECOMMENDATION: APPROVE

REASONS:

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

REASON APPLICATION REPORTED TO COMMITTEE

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

APPLICATION DETAILS

Full planning permission is sought for the construction of a garage and hardstanding at 59B Pantygraigwen Road, Pontypridd.

The proposed development would be located to the rear of the property towards its boundary with the adjacent highway, Aelybryn. The proposal would see the construction of a garage and separate hardstand above a new raised terrace area, with the proposed garage sited along the boundary with the adjoining neighbour no. 59A and the hardstand on the boundary with the other adjoining neighbour, no. 60.

Both aspects would gain vehicular access from Aelybryn and a new set of steps would be created to provide access to/from the existing amenity space.

To accommodate the proposal the development would see the construction of a new retaining wall within the existing amenity space to a height of 1.3 metres. A 0.9 metre high wall would be created above to enclose the new hardstand. The proposed retaining wall would measure a width of 6.6 metres with the new steps proposed along the boundary with no. 60.

The proposed garage would be set back 1.1 metres from the new retaining wall and would measure a width of 3.5 metres by a depth of 5.8 metres. It would incorporate a mono pitched roof design measuring a maximum height of 3.2 metres sloping to 2.6 metres at the eaves. The garage would be finished externally in down render, box profile sheet roofing and a roller shutter door.

The proposed hardstand would measure a width of 3.9 metres by a maximum depth of 6.8 metres.

SITE APPRAISAL

The application site is located within a residential area of Pantygraigwen, Pontypridd and comprises a two storey mid terrace dwelling and its associated amenity space. The dwelling is set back and elevated from the highway at Pantygraigwen Road with access gained via steps. Whilst attached, the property is set back from and at an oblique angle from no. 59A to the north west. To the rear of the property is an enclosed area of amenity space bounded on both sides by neighbouring properties. A small grass verge is located directly to the rear beyond which is the highway Aelybryn. Giving the siting of the property on a valley hillside the general topography of the area rises steeply from south west to north east. As such there is a significant increase in ground level from the front of the site to the rear with the adjacent highway to the rear, Aelybryn, set above the ridge level of the application property.

Neighbouring properties within the locality are all terraced dwellings of a similar scale and design. There are several examples of similar existing garage structures to the rear of properties at Pantygraigwen Road which are also accessed via Aelybryn.

PLANNING HISTORY

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

19/0667/10: 59B PANTYGRAIGWEN ROAD, PANT-Y-GRAIG-WEN, PONTYPRIDD, CF37 2RS

Two storey rear extension and single storey rear extension
Decision: 19/08/2019, GTD

19/1069/10: 59B PANTYGRAIGWEN ROAD, PANT-Y-GRAIG-WEN, PONTYPRIDD, CF37 2RS

Two Storey Rear Extension (Amended plans received 24/10/2019)

Decision: 18/11/2019, GTD

PUBLICITY

The application has been advertised by direct notification to 8 no. neighbouring properties. 6 no. letters of objection have been received with the points raised summarised below:

- Highway safety concerns associated with the access along Aelybryn.
- Garage/hardstanding does not benefit from required vision splays.
- Grass verge outside of applicant's ownership and has been maintained by residents for a number of years.
- Additional noise and disturbance.
- Set a precedent for future development.
- Development is out of character with area. Would result in overdevelopment of the rear of Panygraigwen Road and concerns with proposed external materials, adversely impacting the street scene at Aelybryn.
- Loss of Privacy.
- Damage to cars on the opposite side of Aelybryn created by vehicles accessing/egressing the proposed development.

CONSULTATION

Transportation Section: No objection raised, subject to the imposition of a condition.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

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

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

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

Policy AW10 - the policy ensures that development proposals are not permitted which could cause or result in a risk of unacceptable harm to public health and safety.

Supplementary Planning Guidance

- A Design Guide for Householder Development
- Delivering Design and Placemaking: Access, Circulation and Parking Requirements

National Guidance

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

Planning Policy Wales (Edition 11) (PPW) sets out the Welsh Government's (WG) current position on planning policy. The document incorporates the objectives of the Well-being of Future Generations (Wales) Act into town and country planning and sets out the WG's policy on planning issues relevant to the determination of all planning applications. Future Wales: The National Plan 2040 (FW2040) sets out guidance for development at both regional and national level within Wales, with the thrust and general context also aimed at sustainable development.

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

Furthermore, given the minor scale of the proposed development and its relationship with only the immediate surrounding area, there are limitations to the extent such a scheme can have in promoting planning objectives at a national scale. As such, whilst the scheme aligns with the overarching sustainable development aims of FW2040, it is not considered the policies set out in the document are specifically relevant to this application.

Other policy guidance considered:

PPW Technical Advice Note 12 – Design

PPW Technical Advice Note 18 – Transport

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

Principle of the proposed development

The application relates to the construction of a hardstanding and garage within the curtilage of an existing residential property. The proposed development would be used for domestic purposes in association with the host property to improving living conditions. The principle of development is therefore considered acceptable subject to compliance with the criteria set out below.

Impact on the character and appearance of the area

Concern has been raised by a number of objectors in respect of the potential impact the proposed development could have upon the character and appearance of the street scene at Aelybryn. Objectors commented that the proposal would constitute overdevelopment when viewed in the context of other garages and that it would be out-of-keeping with the character of the area.

Whilst these comments are acknowledged, when considering the fact that there are a number of existing garages spread out along Aelybryn which are comparable in scale and design to that proposed, it is not considered the proposal would result in a dominant or incongruous addition to the area and would actually be typical of the street scene here. It is also noted that the proposed garage would be of an appropriate domestical scale and design and finished in suitable external materials consistent with its domestic setting and widely seen on other structures within the vicinity.

As such, it is not considered that the proposal would detract from the character or appearance of the area and is considered acceptable in this regard.

Impact on residential amenity and privacy

The neighbouring properties at Aelybryn are elevated above the level of the highway. As such they would look over the top of the proposals and the outlook from these dwellings would not be significantly compromised.

It is acknowledged however that the raised structures would be highly visible from the adjoining properties along Pantygraigwen Road. However, the existing change in levels in the rear gardens here already results in a considerable amount of overbearing impact and it is not considered that the siting of the hardstanding and garage towards the rear of the site would significantly increase that impact. Furthermore, as set out above, this type of development/relationship is typical of the area with many similar structures along the terrace row. As such, whilst it is accepted a degree of overbearing would occur, it is not considered any impact would be to a degree that would warrant refusal of the application.

Concern was also raised regarding potential noise and disturbance created by the proposal adversely impacting upon the amenity of neighbouring occupiers. Again,

whilst these comments are acknowledged, the proposal would be typical of numerous comparable structures seen in the street and would be used for domestic storage and parking only. As such, it is not considered that the proposal would create any significant additional noise and disturbance in comparison to that which already occurs.

With regard to overlooking and loss of privacy, it is acknowledged that the proposal will have views of the adjoining properties. However, given the existing terraced nature of the area a mutual level of overlooking has been already established between neighbouring occupiers. There are also existing views from the highway at Aelybryn into the amenity spaces of properties along Pantygraigwen Road. Furthermore, the proposals will be used for domestic storage rather than general garden space where people may sit/stand for extended periods of time. As such, it is not considered any overlooking would be significantly worse than that which already occurs.

There is some concern associated with a proposed window on the rear of the proposed garage facing the properties along Pantygraigwen Road, however, it is considered that this could be overcome through the use of obscure glazing. As such a condition to this affect is suggested below.

Taking the above into account, it is not considered the proposal would adversely impact upon the residential amenity and privacy standards currently enjoyed by surrounding neighbours.

Impact on highway safety

A number of concerns with regard to highway safety associated with existing access along Aelybryn and access/egress from the proposed development were raised by objectors. However, following consultation with the Council's Transportation Section no objection was raised to the proposal.

In their assessment of the scheme the Transportation Section commented that the proposed garage and hardstanding are located to the rear of the property and would be served off Aelybryn in the same manner as numerous other garages along the street. As such, the proposed development gives no undue cause for concern in this instance. Furthermore, the proposed development would result in the creation of 2 no. off-street parking spaces that would remove existing on street parking demand to the betterment of highway safety and free flow of traffic in the area.

It was noted however that in order to facilitate access the proposal would require the construction of a vehicular crossover, but that this could be controlled through a condition.

Taking the above into account, the proposal is considered acceptable with regard to its potential impact upon highway safety.

Other issues raised by the objectors

The objectors also raised concern that access to the garage would require the use of a grass verge that is not within the ownership of the applicant and has historically been maintained by residents of Aelybryn. Whilst this is not disputed, landownership does not form a material planning consideration. However, Members are advised that the applicant has completed the relevant Ownership Certificate B and served notice on the landowner (the Council).

Community Infrastructure Levy (CIL) Liability

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

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

Conclusion

It is not considered the proposal would have a significant impact on the character and appearance of the locality, the residential amenity of the surrounding neighbouring properties or highway safety in the vicinity of the site. The application is therefore considered to comply with the relevant policies of the Local Development Plan (AW5 and AW6).

RECOMMENDATION: GRANT SUBJECT TO THE BELOW CONDITIONS

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

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

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

- Hdw/ph/js-gar.02
- Hdw/ph/js-gar.03

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

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

3. The required vehicular crossover shall be constructed in accordance with Highway Design Guide Standard Details drawing no 111 prior to beneficial use of the proposed garage and hardstand.

Reason: To ensure the adequacy of the proposed development, 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.

4. Prior to the first beneficial use of the garage hereby approved, the proposed window on the south (rear) elevation of the garage shall be glazed in a minimum of Pilkington Level 3 or above obscure glass. Once installed obscured glazing shall remain in place in perpetuity.

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



PLANNING & DEVELOPMENT COMMITTEE

20 MAY 2021

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 21/0207/08 (EL)
APPLICANT: Rhondda Cynon Taf County Borough Council
DEVELOPMENT: New fifteen space car park, including one disabled bay and drop off area.
LOCATION: LONG MEADOW CLOSE, HIRWAUN
DATE REGISTERED: 22/02/2021
ELECTORAL DIVISION: Hirwaun

RECOMMENDATION: Approve, subject to conditions

REASONS: The proposal is in keeping with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan and National Policy in that, the development to provide additional car parking in connection with Hirwaun Primary School is considered acceptable in terms of its impact upon highway safety, the character and appearance of the area and residential amenity of neighbouring occupiers.

REASON APPLICATION REPORTED TO COMMITTEE

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

Full planning permission is sought for the construction of a fifteen-space car park, including one disabled bay and drop off area on a parcel of land located off Long Meadow Close, Hirwaun.

The car park would be bounded to the west by Manchester Place, where access to the car park would be formed. To the south it would be bounded by Long Meadow Close, onto which traffic would exit, as the car park would operate on a one-way system. A footpath would be formed at the perimeter of the car parking spaces, which would connect with Manchester Place and Long Meadow Close. Minor re-profiling of the land would be required in order to create a level parking area. To the east of the car park a shallow attenuation pond would be formed on the grassed/ landscaped area that is to be retained.

The development is required to provide to provide additional car parking for Hirwaun Primary School, as required by condition 10 of planning permission 19/0685/08, which states:

Notwithstanding the details shown on the submitted plans, full engineering design and details of additional parking to provide pick up and drop off facilities shall be submitted to and approved in writing by the Local Planning Authority (LPA). The approved details must be implemented prior to beneficial use of the new school.

Reason: In the interests of highway and pedestrian safety,

SITE APPRAISAL

The application site extends to 0.2 hectares and is located at Long Meadow Close, Hirwaun. The site currently consists of an open area of grass. The site is bounded to the west by Manchester Place and to the south by Long Meadow Close. To the north the site is bounded by the rear of properties fronting Brecon Road. Hirwaun School is located to the far east of the site, also accessed off Long Meadow Close. The area surrounding the site is predominantly residential in character.

PLANNING HISTORY

18/1083	Land to the rear of Brecon Road and adjacent to Long Meadow Close, Hirwaun	Residential development	Withdrawn 04/07/19
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PUBLICITY

The application was advertised by direct neighbour notification and site notice. 2 letters of representation have been received which are summarised as follows;

- Questions are raised with regard to the legality of any planning permission that may be approved on the land in question.
- Questions are raised with regard to the land ownership of the site. It is claimed that the land in question was part of their property.
- Questions are raised with regard to how the proposals promote the objectives of the travel plan, and promote sustainable modes of travel.
- It is commented that the land is a designated 'green space'.
- The matter residents 'right of access' across the land to the rear of their properties is raised.
- Questions are raised with regard to the consultation process with neighbours.
- It is claimed by a resident of Brecon Road that there is a right of way to the rear of their property and that the development will no longer allow vehicular access to the rear of their property, which they claim to have used since 1990.
- Reference is also made to the 'Crichel Downs Rules' which require that in certain circumstances, surplus government land that was acquired by, or under a threat of, compulsion, is offered back to former owners, their successors, or to sitting tenants

CONSULTATION

Transportation Section – no objections raised.

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

Dwr Cymru – no objections raised. It is noted that the site is crossed by a public sewer.

Land Reclamation and Drainage – no objections raised.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

Indicates that the site is inside the defined settlement limits and is unallocated.

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.

AW10 sets out the criteria for environmental protection and public health

NSA12 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 24th 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 3 – Supporting Urban Growth – Council land/Placemaking/developers/regeneration/sustainable communities

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

This application seeks full planning permission for the construction of a fifteen-space car park, including one disabled bay and drop off area on a parcel of land located off Long Meadow Close, Hirwaun. The development is required to provide additional car parking for Hirwaun School, as required by a condition attached to the planning permission for the construction of the school.

As such, the key consideration in the determination of the application is the impact of the development on highway safety in the vicinity of the site. The potential impacts upon the character and appearance of the site and the amenities of the occupiers of nearby residential properties are further considerations.

Background

By means of background, planning permission was approved in August 2019 for the construction of a new combined junior and infant primary school facility with associated facilities, to replace the previous Hirwaun School buildings. As a result of the construction of the new school, it was noted that capacity would increase from 265 to 450 pupils.

As part of the assessment of the original 2019 planning application, matters relating to car parking provision were considered in detail. The assessment of the Transportation Section found that sufficient car parking provision for the proposed 16 classroom school was made within the scheme. However, it was noted that there was potential for the three Multi Use Game Area (MUGA) pitches (which formed part of the scheme) to be used by others, which in turn would require additional parking provision. It was calculated that approximately 15 additional spaces (for 30 users) would be required in connection with this element of the scheme, with none being proposed as part of the original development and no space being available within the site to provide this additional parking. In addition to this, it was commented that the drop off and pick up of pupils took place on the substandard local highway network and often resulted

in indiscriminate parking and reversing to the detriment of the safety of all highway users.

However, at the time of the application it was established that there was potential to provide additional car parking, along with a drop off- pick up area, on land which, although outside of the application site, was within the control of the applicant. As such, a condition to this effect was attached to the permission.

Following the approval of the application the Council's Education Section confirmed that the Multi Use Game Area (MUGA) would no longer be made available for wider public use. However, it was found that there was still demand for additional car parking to serve the school and it was still possible that in the future the MUGA may be opened up for public use; therefore there was still a need for the additional car parking. As such, the current car parking scheme has been prepared and submitted for consideration, in order to satisfy the requirements of the earlier planning condition and to address potential highway safety concerns that have been identified.

Highway Safety

In order to aid in the assessment of the highway safety implications of the development, consultation has been undertaken with the Council's Transportation Section.

Their observations reiterate points identified in the earlier 2019 application, these being that the new school has resulted in an increase in pupil numbers, which in turn has increased potential 'pick up and drop off' vehicular movements by parents. A travel survey was undertaken for the existing school, which indicates that 53% of pupils still travel to school by car, despite being within the expected catchment area to travel on foot. It is noted that parents will inevitably choose the most convenient mode of travel to transport pupils, especially in inclement weather conditions.

It is commented that the proposed development would provide pick up and drop off facilities for the school, which would reduce congestion at the start and end of the school day. In turn, the provision of a dedicated one-way pick up – drop area would reduce reversing movements in close proximity to the school gates. It is commented that reversing movements cause a disproportionately large number of moving motor vehicle accidents, therefore such improvements are in the interests of safety of all highway users.

The proposal provides a 15 space car park along with lay-by for pick up and drop off facilities. The Transportation Section comment that the number of car parking spaces provided is in line what experience has shown to be required in connection with most schools. In terms of access it is noted that this would be formed from Manchester Place, with vehicles exiting onto Long Meadow Close, which is considered acceptable for safe vehicular and pedestrian movement. The layout also accommodates pedestrian access via 2.0m footways, which is considered acceptable for safe pedestrian movement. Outside of the car park, it is noted a pedestrian access will also be maintained to the rear of the properties on Brecon Road.

Overall, their observations conclude by stating that the proposed car park has been designed in accordance with the Council's Supplementary Planning Guidance: Access, Circulation & Parking 2011 and its provision would ease congestion on the Long Meadow Close by providing facilities for pick up and drop off and as such would improve the safety of all highway users. Therefore, the proposals are considered to be acceptable and in accordance with the requirements of policy AW5 of the Local Development Plan.

Character, Appearance and Amenity Impacts

As set out above, the application site consists of an open area of grass, bounded to the west by Manchester Place, to the south by Long Meadow Close and to the north by the rear of properties fronting Brecon Road. Hirwaun Primary School is located to the far east of the site, also accessed off Long Meadow Close. In this regard, the site is well positioned to serve as additional car parking being bounded by two roads, means that the design of the layout has been able to incorporate a one-way arrangement, which in turn will assist with the flow of traffic. It is also positioned in close proximity to the school, being less than 100 metres from the site. In visual terms the car park is uncomplicated in its layout, with the spaces and 'drop off' bay arranged around a central access and a pedestrian footway at the perimeter of this. The scheme would involve some minor reprofiling works in order to create a level area for the road and parking, however these works would not result in a significant change in levels across the site. Whilst the formation of the car park would clearly result in the loss of some of the grass area, landscaped areas would be retained at the perimeter of the site and the 'open aspect' of the space would be retained as no buildings are proposed on the land. As such, it is not considered that the creation of the car park would result in significant visual harm to the established character of the area.

It is acknowledged that the area surrounding the site is predominantly residential in character, as such regard should be had, to the potential impacts of the development upon the amenities of neighbouring occupiers. Whilst the development would clearly be visible from the dwellings located on the three roads that bound the site, it is considered that reasonable separation distances would be maintained between the area where vehicles would park and the dwellings themselves, with the properties on Manchester Place and Long Meadow Close being separated from the site by the highway itself. In the case of the properties fronting Brecon Road, the car park would be visible from the rear of these dwellings, however, with separation distances in the region of 18 metres (from the pedestrian footway to the rear of the closest dwelling) it is not considered that significant harm would result to the levels of amenity or privacy currently enjoyed by the occupiers of these properties. It is also likely that the greatest degree of activity in the use of this facility would occur at the beginning and end of the school day, when the area is already busy with 'comings and goings' associated with the school.

OTHER MATTERS

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

Following the publicity of the planning application two letters of representation were received in connection with the proposal. The content of these is summarised above, however some of the main points raised relate to the ownership of the site, rights of access over the land and the legality of any planning permission that may be approved on the site.

Land Ownership

Whilst matters relating to land ownership are not in themselves material planning considerations, the issue has been investigated. In terms of land ownership, it has been formally established that the Council is the owner of the land in question. Furthermore, the Council is in possession of the legal conveyances from when the land was acquired (by the Council) and in addition the various official copies have been obtained from the Land Registry portal. The Council's Legal Section have confirmed that the aforementioned documentation has been reviewed and rechecked, therefore it is not considered that the ownership of the land is a matter in dispute.

In terms of process, the Council has followed the correct procedures in preparing and submitting the planning application. Planning permission for the construction of the school was approved in August 2019 and, as set out in preceding sections of the report, a condition of this consent required the submission of further scheme detailing the additional drop-off and parking provision. In the intervening period the Council's Education Section prepared the scheme and subsequently submitted these details as a formal planning application (this submission) in February 2021. This application was then subject to the same publicity and process of determination as any other application for planning permission.

Matters are also raised with regard to residents 'right of access' to the rear of their properties (Brecon Road). It is understood that certain residents claim to benefit from a right of access across the land to gain access to the rear of their properties. The current planning application does not refer to any changes in such 'rights of access' and the development is off-set from the rear boundaries of properties on Brecon Road so would not in itself compromise any lawful access which may exist.

Community Infrastructure Levy (CIL) Liability

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

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

Conclusion

Having taken account of all of the issues outlined above, it is considered that the proposals are acceptable in terms of their potential visual, amenity and highway safety impacts. The provision would also improve the parking situation around the school and should help alleviate some of the congestion which occurs at peak hours, in addition to providing further car parking facilities for out of hours activities. As such, it is considered that the proposals comply with the requirements of both local and

national planning policy. Therefore, the application 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)

- Drawing no. P222-00-71-04 Drainage Strategy
- Drawing no. P222-00-71-03 Cross Sections
- Drawing no. P222-00-71-02 General Arrangement
- Drawing no. P222-00-71-01 Location Plan & Boundary
and documents received by the Local Planning Authority on 12/02/21 and 25/03/21 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.



PLANNING & DEVELOPMENT COMMITTEE

20 MAY 2021

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 21/0378/08 (KL)
APPLICANT: Rhondda Cynon Taf County
DEVELOPMENT: Part two storey, part single storey extension of existing school to facilitate additional classrooms and extension to hall, together with a fully accessible Welsh-medium childcare facility. Includes a car park extension and additional hard surface play area.
LOCATION: YSGOL GYNRADD GYMRAEG ABERDAR,
LABURNUM DRIVE, CWMDARE, ABERDARE, CF44
8RT
DATE REGISTERED: 18/03/2021
ELECTORAL DIVISION: Aberdare West/Llwydcoed

RECOMMENDATION: Approve, subject to conditions

REASONS: The proposal would provide additional and much-needed teaching space as well as a purpose-built, fully accessible Welsh-medium childcare facility within an established school site. The site is situated within a highly sustainable location and the principle of the proposal is considered to be acceptable.

The extensions and associated works are considered to be appropriate to the existing school setting and are of a scale and design that would not adversely impact upon the character and appearance of the site or the surrounding area.

It is noted that the extensions would inevitably have some impact upon the amenity of surrounding residents however, due to their siting, scale and design, it is not considered that the resulting impact would be so significant that it would warrant the refusal of the application.

Furthermore, the proposal is considered to be acceptable in terms of the impact it would have upon highway and pedestrian safety in the vicinity of the site.

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

REASON APPLICATION REPORTED TO COMMITTEE

- Three or more letters of objection have been received.
- 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

Full planning permission is sought for the construction of two extensions and associated works at Ysgol Gynradd Gymraeg Aberdar. The works would provide additional and much-needed teaching facilities for the school as well as a purpose-built Welsh-medium childcare facility. As a result of the works, the school's overall capacity would be increased from 432 pupils (including 60 nursery places) to 480 pupils (age 3+) whilst the childcare facility would provide 30 pre-nursery childcare places.

The proposal includes the following works:

- A part single and part two-storey extension would be constructed to the eastern 'wing' of the existing school building. The extension would measure 32.1 metres in width by 18.6 metres in depth and would vary between 9.2 and 10.2 metres in height from ground level (at the northern and southern ends respectively). It would provide 4 additional classrooms with associated WCs and cloakrooms and a hall/studio/break-out area at ground floor and a fully accessible Welsh-medium childcare facility at lower ground floor. A raised walkway would extend along the northern and north-eastern elevations which would provide external access to the hall and two classrooms. It would measure between 1.6 and 3.7 metres in height from ground level (due to changes in ground level through the site) and would be enclosed by a glazed balustrade.
- A single storey extension would be constructed to the north-eastern elevation of the northern 'wing' which would increase the floor space of the existing hall by 80 square metres. The extension would measure 16.9 metres in width by 4.7 in depth with a mono-pitch roof measuring between 4.1 and 4.7 metres in height from ground level.
- The existing car park would be extended to an area of Council-owned land between the adjacent Bryndar Community home and nos. 13 and 14 Cherry Court. The extension would provide an additional 21 spaces (including 1 disabled space) which would increase the total parking provision to 42 spaces. The extended car park would be accessed via the existing access off Laburnum Drive.
- An additional hard surface play area would be provided to the south of the existing building. It would replace an existing grass playing field which is said to be unusable for much of the year.
- A new accessible footpath would be constructed between the building and the north-eastern boundary of the site to link the new Welsh-medium childcare facility to the exiting pupil drop-off area at the northern end of the school.
- A new maintenance access would be provided at the eastern boundary of the site (off Cherry Court). The access would be gated with no school access being permitted other than for maintenance purposes.

- The existing demountable units, which are located to the north-eastern side of the existing building and which currently house excess pupil numbers, would be removed from the site.
- A sprinkler tank and pump house would be placed at the northern end of the eastern boundary.

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

- Planning Statement
- Design and Access Statement
- Ground Investigations
- Ground Conditions Desk Study
- Noise Impact Assessment
- Energy Strategy
- Site Waste Management Plan
- Construction Management Plan
- Consultation Report
- Archaeological Desk Based Assessment
- Tree Report
- Transport Statement
- Drainage Maintenance Plan
- Preliminary Ecological Appraisal
- Preliminary Bat Roost and Nesting Bird Assessment
- Coal Mining Risk Assessment
- Landscaping Plan
- Shading Analysis

SITE APPRAISAL

The application site relates to an existing Welsh-medium primary school which is located within the village of Cwmdare, Aberdare. The site extends to approximately 0.95 ha with the existing school building being located towards the northern end. The site is accessed off Laburnum Drive to the western boundary where a vehicular drop-off/pick-up loop is also provided. A staff car park is provided to the north of the existing school building whilst the remaining area consists of grass and hard-surface play areas. Ground levels within the site fall gradually from north to south however, the existing school building is situated on a flat plateau.

The surrounding area is predominantly residential in character with the nearest properties to the proposed development being located immediately adjacent to the eastern boundary (nos. 12, 14 & 15 Cherry Court). There are further properties located on the opposite side of Cherry Court (nos. 14, 17, 19, 21 & 23 Camelia Close and nos. 20 22 Sycamore Close) and to the south (nos. 1, 9, 10 & 11 Cherry Court).

PLANNING HISTORY

The following planning applications are associated with the application site:

08/1818	Ysgol Gynradd Gymraeg Aberdar, Laburnu Drive, Cwmdare, Aberdare	Eco School Green Flag	Granted 20/01/09
06/0807	Ysgol Gynradd Gymraeg Aberdar, Laburnu Drive, Cwmdare, Aberdare	Erection of demountable classroom	Granted 14/07/06
05/1912	Ysgol Gynradd Gymraeg Aberdar, Laburnu Drive, Cwmdare, Aberdare	Proposed water-tight, air- tight storage container for storage of school equipment, a free- standing portable unit.	Granted 19/12/05

PUBLICITY

The application has been advertised by means of direct neighbour notification to a total of 37 properties surrounding the application site and through the erection of 5 site notices in the vicinity of the site. A total of 7 letters of objection have been received from neighbouring properties in relation to the proposal and are summarised as follows:

Amenity and Privacy

- The new building will obscure our sunlight and privacy.
- The details are not clear on how close the building would be to our property.
- The car park would be directly behind our rear boundary fence and this raises serious concerns about its impact upon our health and well-being.
- We will be unable to open doors and windows for fear of air and noise pollution and the position of the car park will affect our outdoor seating areas.
- Suggestions are made to create more space between boundaries and parking spaces, erection of acoustic sound barriers/air pollution barriers and creation of natural barriers (trees/shrubs).
- We experience significant environmental noise disturbance from the school, particularly during the summer months, when the hall doors are left open. The erection of the extension will bring the hall closer to our property, thereby exacerbating the problem.
- The extension includes a patio area which would look directly onto our property.
- The classrooms will be easily viewed from our properties.

Maintenance Access

- The maintenance access will be directly opposite my drive.
- The fence panelling has already been removed on a number of occasions for access to the school fields for fairs/circus vehicles, maintenance and drilling rigs and every time this has occurred, there has been an adverse impact on my property with longer vehicles and trailers reversing onto my private driveway and causing damage.
- The space within this area is restrictive.

- The access has been poorly managed by the school and will again be poorly managed leading to an unofficial pedestrian access point and bringing further issues.
- I require emergency access from my drive at all times (on call for South Wales Fire and Rescue Service) and the installation of a gateway and subsequent access will have an adverse impact.
- The gateway will be located on a blind bend for vehicles leaving Cherry Court – it is suggested that the gateway be re-located.
- It is suggested that the current access gate is utilised from the front of the school, allowing vehicles to traverse to the right-hand side of the school yard to access the lower section of the school.

Highways and Parking

- Parents park on Laburnum Drive blocking driveways and up on pavements so that wheelchair users and prams are unable to use them.
- People are inconsiderate and the matter has been brought to the attention of the police and the school on numerous occasions.

Other

- Objection is raised in respect of the loss of view.
- Concern is raised that the proposal would result in the devaluation of neighbouring properties.
- Concerns raised regarding the consultation process and the handling of our concerns, which have been marginalised – no one has viewed the visual perspective from our property and we have not had any feedback or response to our concerns.
- Concern has been raised that residents have been aggravated by the residents of Bryndar Home with objects (balls, etc.) being thrown over garden fences and causing damage to plants. It is requested that a requisite boundary fence is provided to ensure that the car park does not become a playground during out of school hours.
- Issues were raised with regards to the red line boundary included in the informal consultation exercise undertaken prior to the application being submitted.
- Concern raised in relation to the provision of a drop-off area at Cherry Court.
- Assurance is sought that any footpath access from Cherry Court and Laburnum Drive will be provided with robust lockable steel gates and will be securely locked outside of school hours.
- The school is big enough.
- Query about a new school for the English-speaking local children who have to survive in portable cabins and old school classrooms.

The agent also carried out an informal consultation exercise with residents prior to submitting the application. It is noted that the plans published for that exercise included a new pick-up/drop off area for the childcare facility off Cherry Court however, this has not been included in the formal submission.

CONSULTATION

Coal Authority

No objection. Advises that more detailed considerations of ground conditions and/or foundation design may be required as part of any subsequent building regulations application.

Further advice is also provided in relation to mine gas and these comments will be included as informative notes to the applicant.

Countryside, Landscape, Ecology

No objection, subject to a condition for details of precautionary ecology mitigation and biodiversity enhancement (as per section 5 of the Preliminary Ecological Survey by Acer Ecology and section 5.3 of the Preliminary Bat and Nesting Bird Survey).

Flood Risk Management

No objection or condition recommended. The development area will exceed 100m² and a separate application for Sustainable Drainage Approval will be required under the Flood and Water Management Act 2010. The proposal will also be required to comply with Part H of the Building Regulations which sets out the design requirements associated to the use of infiltration drainage.

Highways and Transportation

No objection subject to conditions. Comments discussed in more detail in *Access and Highway Safety* section below.

Natural Resources Wales

Significant concerns were initially raised and it was advised that an objection would be raised unless conditions relating to land contamination were added to any grant of planning consent. The applicant submitted further information in an attempt to negate the need for the conditions however, NRW had not provided any further response at the time of writing this report.

Public Health and Protection

No objection subject to conditions relating to hours of construction, noise, dust and waste.

These issues are more effectively dealt with under separate environmental health legislation and it is not considered necessary to duplicate these issues through the imposition of planning conditions.

Welsh Water

Advises that foul water flows can be accommodated in the public sewer system and it is acknowledged that the intention is to discharge into existing RCT surface water drain

to the ordinary water course. It is also advised that the development site is crossed by a public sewer and that its position should be accurately marked out on site before works commence to ensure that no operational development is carried out or sustainable drainage system located within 3 metres of the centreline of the public sewer.

No other comments had been received at the time of writing this report. Any further comments received will therefore be reported orally at the Planning and Development Committee meeting.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site is located inside the defined settlement boundary and is unallocated. The following policies are considered to be relevant in the determination of the application:

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

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

Policy NSA12 - identified criteria for assessment of development proposals within and adjacent to settlement boundaries

Supplementary Planning Guidance

Design and Placemaking

Nature Conservation

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 24th 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 3 – Supporting Urban Growth – Council land/Placemaking/developers/regeneration/sustainable communities'/exemplar developments.
- Policy 9 – Resilient Ecological Networks – green infrastructure/ecology

Other relevant policy guidance consulted:

PPW Technical Advice Note 5: Nature Conservation and Planning;
PPW Technical Advice Note 11: Noise;
PPW Technical Advice Note 12: Design;
PPW Technical Advice Note 18: Transport;
PPW Technical Advice Note 21: Waste;
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 proposal seeks to construct two extensions to an existing Welsh-medium primary school in order to facilitate additional teaching facilities and a fully accessible, welsh-medium childcare facility. The proposal would allow the capacity of the school to be increased from 432 pupils (including 60 nursery places) to 480 pupils (including 60 nursery places) and 30 childcare places.

The site is situated within the defined settlement boundary and within an established built-up area that is predominantly residential in character. The area has good access to local services and amenities and is accessible by a range of sustainable modes of transport with bus stops providing regular local bus services to the local and wider

area being located in close proximity to the site. There is a well-established network of pedestrian infrastructure serving the school and the surrounding area which promotes travel on foot and bicycle and the site is therefore considered to be situated within a sustainable location, as defined in Policy AW2 of the Rhondda Cynon Taf Local Development Plan.

Further requirements of Policy AW2 seeks to ensure that development would not conflict with existing uses in the area. Given the existing educational use of the site and that such uses are typically found within predominantly residential areas, it is not considered that the extension of the existing building to provide additional teaching and childcare facilities would unacceptably conflict with surrounding land uses.

As such, the proposal is considered to comply with the criteria set out in Policy AW2 of the Rhondda Cynon Taf Local Development Plan and the principle of extending the existing school building to enable its expansion is therefore considered to be acceptable, subject to an assessment of the criteria set out in the subsequent sections below.

Impact on the character and appearance of the area

Part single-storey, part two-storey extension (eastern wing)

The proposed extension to the eastern wing of the existing building would inevitably be a visible addition to the site, particularly when viewed from Cherry Court. However, it is not considered that the extension would have a significant impact upon the character and appearance of the site or the surrounding area. The extension would extend towards and broadly in line with the eastern boundary of the site and would be sympathetic to the existing ground levels which fall away to the south. The scale and design of the extension is considered to be in-keeping with the main building with the two-storey element being created as a result of the changes in ground level. The height of the extension, for the most part, would be set below the ridge line of the main roof creating an element of subservience, whilst the section immediately adjoining the existing building (i.e. the hall/studio/break-out area) would not exceed the height of the highest part of the existing roof adjacent to it.

The building would have a more modern appearance in comparison to the existing school building however, its scale and overall finish would ensure that it would not appear overly prominent or out-of-context with the wider school site. Indeed, the external materials would consist of facing buff brick with a metal standing seam roof which would either match or complement the materials used in the existing school building and it is therefore not considered that the extension would have an adverse impact upon the character and appearance of the site or the surrounding area.

Single storey hall extension (northern wing)

The single storey hall extension would be constructed on the eastern elevation of the northern wing and would not be particularly visible from the surrounding area. Neighbouring properties immediately to the east of the site would have some views of the extension however, due to its limited scale and sympathetic design, it is not considered that it would have an adverse visual impact. The extension would be

subservient to the scale of the existing building with a mono-pitch roof which would tie in with the slope of the existing roof slope. Furthermore, it would be finished with materials to match the larger extension and complement those of the existing school building and it is considered that the extension would integrate well within the wider school site.

Car park extension

The extension to the existing car park is considered to be limited in terms of its scale and, due to its position between the existing school site, the Bryndar Community Home and neighbouring properties, views would be limited to the immediate surroundings. It would be accessed via the existing school entrance off Laburnum Drive and would be enclosed by new and existing fencing, which is considered to be visually acceptable.

Ancillary works

The provision of an additional hard-surface play area would replace an existing grass play area which is understood to be unusable for most of the year. This, along with the other ancillary works proposed (i.e. provision of paths, maintenance access, sprinkler tank etc.), would be viewed in context with the wider school site and no concerns are raised in relation to their visual impact. Furthermore, the proposal includes a comprehensive landscaping scheme which would help to soften the wider development and ensure that it would have a pleasant appearance when viewed from both inside and outside the site. The landscaping scheme submitted with the application indicates that trees would be planted along the eastern boundary which, in time, would provide an element of screening.

The proposal would also result in the removal of the existing portable cabins at the site which would improve the overall visual appearance of the site.

As such, 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 immediate 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

Part single-storey, part two- storey extension

The proposed extension to the eastern wing would inevitably form a sizeable addition to the site and it is noted that the development would have some impact upon the amenity of properties located immediately adjacent to and directly opposite the eastern boundary (namely nos. 12 & 14 Cherry Court, nos. 17, 19, 21, & 23 Camelia Close and no. 20 Sycamore Close). The proposed extension would extend broadly in line with the eastern boundary and would be readily visible from either the front or rear elevations of these properties.

The closest properties to the proposed extension are considered to be nos. 12 & 14 Cherry Court, which are located immediately adjacent to the north-eastern boundary. The rear elevation of no. 12 would face towards the area of the proposed extension

whilst the front first-floor windows of no. 14 would have some oblique views towards it. It is also noted that there is a difference in ground level between the existing school building and the adjacent properties, although the ground slopes down towards the boundary so that the area immediately adjacent is more comparable but still slightly higher than the ground levels of the adjacent properties

The extension would be constructed at the eastern elevation of the eastern wing with it being orientated so that the majority of it extends towards the south of the site and broadly in line with the eastern boundary adjoining the estate road at Cherry Court. The most northern outward corner of the extension would project beyond the building line of the existing school building by a maximum of 6 metres which would bring the overall built-form closer to the boundary with no. 12. The extension, at its closest point would be sited 19 metres away from the rear elevation of no. 12 and 12 metres away from its rear boundary (currently 25 metres and 19 metres respectively). However, given that the extension would be positioned and orientated so that the outward corner of the building would be sited closest to the boundary and that it would incorporate a mono-pitch roof which would be at its lowest in this particular location (6.4 metres from the ground level immediately below), the majority of the bulk created by the extension would extend away from the no. 12 and it is considered that this would reduce its overall impact. In addition to this, the site layout plan indicates that this section of the extension would be situated more towards the rear elevation of the detached garage of no. 12 rather than the main dwelling and, as such, it is not considered that the resulting impact of the extension would be significantly greater than that created by the existing building.

It is noted that the residents raise concern that the building would block their view of the mountainside beyond the existing school building and whilst it is noted that the overall outlook from no. 12 would inevitably change, the loss of a view is not a material planning consideration and cannot be used as a reason to refuse planning permission. Given the siting, orientation and design of the extension, it is not considered that the impact would be so significant that it would warrant the refusal of the application.

In terms of overshadowing and loss of sunlight, the extension would be sited to the south of no. 12 and there is some potential for overshadowing to occur. However, given the distances between the extension and no. 12 and the design and orientation of the roof above the closest part of the extension, it is not considered that the level of overshadowing would be significantly greater than that which already occurs as a result of the existing school building. The application is supported by a sunlight/shading analysis which illustrates the shadowing effects of the existing school and the proposed extension during different times of the day (9am, 12pm and 3pm) during Spring, Summer, Autumn and Winter. From an assessment of these drawings, the extension would only impact in Winter between 10am and 1pm before the sun makes its way behind the existing school building. There is no additional shadowing impact for Spring, Summer or Autumn. As such, the impact is considered to be acceptable in planning terms.

No. 14 Cherry Court is situated further away from the proposed extension with a distance of 30 metres between the closest part of the extension and its front elevation. The orientation and layout of this dwelling is such that the extension would only be viewed from the first-floor windows within the front elevation and it is not considered

that the extension would have any significant overbearing impact upon this property. Whilst there is some concern that the extension would result in additional overshadowing on no. 14, this would only occur during the morning period and only during the winter. There would be no resulting overshadowing during the Spring, Summer or Autumn (as illustrated in the submitted sunlight/shading analysis) and, on balance, the impact is considered to be acceptable.

Residents also raise concern that the proposal would result in a loss of privacy to their properties. Whilst these concerns are noted, the position and orientation of the extension is such that the closest windows would be those of the new hall/studio. The views from these windows towards no. 12 would be obscure rather than direct and whilst the view from the northern elevation would be slightly more direct towards no. 14, the distance of 30 metres between elevations would ensure that the level of overlooking would not be harmful to the occupiers. It is also noted that a raised walkway would wrap around the side of the extension which would be enclosed by an obscurely glazed balustrade and which would help to further limit the potential impact.

The walkway would provide external access to two classrooms within the new extension and it is noted that this would result in parents crossing the walkway to drop their children off/pick them up from their classrooms at the beginning and end of every day. Concern was initially raised that direct views could be obtained from the walkway, particularly by parents who may stand and wait for their children in this location. However, a condition can be added to ensure that the balustrade is of an acceptable height (1.7 metres) in the area closest to nos. 12 & 14 Cherry Court to ensure that no unacceptable levels of overlooking would occur. The classroom windows would face towards the boundary adjacent to the estate road at Cherry Court rather than towards the boundary with no. 12 & 14 and it is not considered that these would give rise to any significant levels of overlooking towards this property.

Whilst glazed internal walkway would be provided to link the extension to the existing school (facing towards nos. 12 & 14), the transient nature of this walkway would not give rise to any significant levels of overlooking.

As indicated above, the majority of the bulk of the proposed extension would project to the south of the site, broadly in-line with the eastern boundary adjacent to the estate road at Cherry Court. The extension would be sited between 9.2 and 19.2 metres in from the boundary, resulting in an approximate distance of between 30 and 45 metres being maintained between the extension and the front elevations of nos. 17, 19, 21 & 23 Camelia Close and the rear elevation of no. 20 Sycamore Close respectively. This is considered to be a sufficient distance to ensure that no significant overbearing or overshadowing impact would occur. Similarly, the distances between the classroom windows and the affected properties would ensure that no unacceptable levels of overlooking would occur.

Single storey hall extension (north wing)

The proposed extension to the hall would result in the eastern elevation of the northern wing being extended out by 4.9 metres which would result in the building being positioned 24.6 metres away from the side elevation of no. 14 Cherry Court and 22.2 metres away from its side boundary. The extension would be situated approximately

2 metres above the ground level of no. 14, however, due to the orientation of the neighbouring property and the sympathetic siting, scale and design of the proposed extension, it is not considered that it would result in any harmful loss of outlook or in a significant level of overlooking.

It is noted that residents have raised concern that surrounding properties already experience some degree of noise and disturbance from the existing hall and that its extension would exacerbate this problem. Whilst these concerns are noted, it is understood that the nearest properties were built after the school and residents would therefore have been aware of the possibility for some degree of noise and disturbance during various parts of the school day. Given that the school day is generally limited to the hours of 8:00 and 16:00 and that the building is unlikely to be occupied outside of these hours, and that the increase in pupil numbers is not significant (48 additional pupils), it is not considered that the level of disturbance would be significantly greater than the existing situation. Furthermore, the application is accompanied by a Noise Assessment which has been assessed by the Council's Public Health and Protection section and no objection has been raised in this regard.

Car park extension

The proposed extension to the car park would be situated on Council-owned land between the existing Bryndar Community Home and the rear boundaries of nos. 14 & 15 Cherry Court. It is noted that concerns/objections have been raised by residents with regards to the impact of the car park on their health and well-being and also their enjoyment of their rear gardens. The objections suggest that the situation could be made acceptable by the provision of an appropriate fence.

Whilst the concerns raised by residents are duly noted, the car park is considered to be of a limited scale and would predominantly be used by members of staff associated with the school. As such, it is considered that vehicles would typically enter the car park in the morning and remain there until the end of the day. Due to the provision of an existing drop-off/pick-up loop on Laburnum Drive, it is not considered that the car park would be subject to numerous comings and goings throughout the day and the impact upon neighbouring residents would therefore not be significant.

The car park would be enclosed by a new fence to separate it from the grounds of the Bryndar Community Home however, it is not intended for any further fencing to be erected at the rear boundaries of no's. 14 & 15. The suggestions made by the objectors in relation to additional fencing have been considered by the applicant however, it is argued that sufficient fencing already exists in this location and additional fencing is therefore not considered necessary. Furthermore, the Noise Assessment submitted with the application indicates that the increased numbers of vehicles utilising the car park areas will be within WHO guidelines for community use.

Maintenance Access

It is noted that a new maintenance access would be created at the southern end of the eastern boundary, opposite no. 11 Cherry Court. One letter of objection has been submitted which raises concerns with regards to the impacts of the access and the management of its use. As indicated previously in this report, the access is intended

for use during the construction phase and, following the completion of the development, for maintenance purposes only. It would not be used as an entrance to the school for staff or as a pick-up/drop off area. As such, it would not be used frequently and would be locked when not in use. Whilst it is noted that the objector raises concerns with regards to the management of its use, this is an issue for the school and is not a reason to refuse planning permission. Any issues relating to the blocking of drives/highways etc. is a police matter. Furthermore, the Council's Transportation Section have not raised any concerns in relation to the position of the proposed maintenance access and a condition has been recommended to ensure that it is used for maintenance purposes only.

Ancillary developments

It is noted that a footpath would be constructed towards the eastern boundary of the site and that this would be in close proximity to the boundaries with nos. 12 & 14. The footpath would provide a link between the car park and the childcare facility at the lower ground floor of the proposed extension. Given that these properties already have adequate boundary fencing and that the path would predominantly be used by parents dropping off and picking up their children, it is not considered that the footpath would result in any significant levels of overlooking or in an unacceptable level of noise and disturbance. Indeed, it is noted that the area currently forms part of the wider playground area and the level of noise experienced by residents would not be any greater than the current situation.

Similarly, the provision of an additional hard-surface play area would not have any greater impact than the use of the wider playground area. Although it is recognised that an additional 48 pupils would be educated at the site, it is not considered that the level of noise and disturbance would be significantly increased, particularly as these areas are most likely to be used during playtime. Furthermore, given that the school has been established at the site for a number of years (since 2003), residents will already be accustomed to some degree of noise and disturbance

It is noted that a new sprinkler tank and associated pump room would be sited adjacent to the southern boundary of no. 12 Cherry Court however, these would be situated adjacent to the garage and would not be particularly visible from the windows of no. 12 or indeed it's rear garden. Furthermore, both the sprinkler tank and pump room would be of a limited height (1.8 metres and 2.5 metres in height respectively) and would not give rise to any significant overbearing or overshadowing impact or result in any loss of outlook. The issue has also been considered within the Noise Impact Assessment where it is considered that a suitable planning condition can be imposed to ensure that noise levels resulting from the equipment is limited.

In light of the above, it is considered that the proposal would have an acceptable impact 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 and Technical Advice Note 11 (Noise).

Access and highway safety

The application has been subject to consultation with the Council's Transportation Section. In their assessment of the scheme, it was noted that the site is currently accessed off Laburnum Drive to the west of the school. The access provides both vehicular and pedestrian access; and forms an established vehicle two-way drop off loop located at the front of the site, from which vehicles can enter the car park. Laburnum Drive is well established as the pickup and drop off for the existing school and it is noted that at picking up and dropping off times the residential street is fairly congested with high on-street car parking demand.

The comments note that the proposed extension would increase the number of classrooms and the number of staff employed at the school. It is indicated that, in accordance with the Council's SPG: Access, Circulation and Parking (2011), the number of spaces required as a result of the expansion is approximately 42 car parking spaces and 1 commercial vehicle space. The proposal indicates that the existing car park containing 23 spaces would be extended to an area of Council-owned land in the grounds of the adjacent Bryndar Community Home with the number of car parking spaces being increased to 42 spaces. This accords with the requirements of the SPG and is therefore considered acceptable.

It is anticipated that the new extension and nursery facility will increase AM peak two-way trips by 49 and PM peak two-way trips by 53 which raises cause for concern. However, taking into account the existing school provides for a pick-up and drop off facility served off Laburnum Drive and additional off-street car parking provision for the extension and nursery would be provided, this alone would not warrant a highway objection.

The plans indicate that a dedicated access point would be established to the south east of the site (off Cherry Court) which would temporarily be used for construction traffic and deliveries during the construction phase and then as a maintenance access following the completion of the development. There is concern that the proposed access would have a negative impact upon existing residents of Cherry Court during the construction phase however, a condition can be imposed to limit this impact by restricting HGVs used during construction to hours outside of peak travel times (i.e. 9.00am to 15:00pm weekdays, 09:00am to 13:00pm Saturdays and not at all on Sundays).

In light of the assessment made by the Highways and Transportation section, and whilst the concerns raised by objectors in this respect are noted, the application is considered to be acceptable in respect of its potential impact upon highway and pedestrian safety in the vicinity of the site, subject to the conditions set out below.

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 100m² and the applicant will therefore be required, under Section 3 of the Flood and Water Management Act 2010, to submit an application for Sustainable Drainage Approval prior to works commencing on site. The application will also be required to comply with Part H of the building regulations which sets out the design requirements associated to the use of infiltration drainage.

The surface water flood risk at the site would therefore be satisfactorily managed by both the building regulations and Schedule 3 of the Flood and Water Management Act 2010.

Welsh Water have also been consulted on the proposal and no objection is raised. It is noted that the site is crossed by a public sewer however noting its approximate position shown on the plan provided by Welsh Water, this is positioned towards the south of the site and not in close proximity to the proposed development area.

As such, it is considered that the proposal could be made acceptable in terms of the impact it would have upon local amenity in terms of flooding and the application is therefore considered to comply with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

Ecology

The application is accompanied by a Preliminary Ecological Appraisal (January 2021) and Preliminary Bat and Nesting Bird Assessment (November 2019) which have both been reviewed by the Council's Ecologist. The comments received indicate that the reports provide a sufficient assessment of the ecology at the site and it is recommended that a condition is added to any grant of consent to secure the precautionary measures set out in Section 5 of the Preliminary Ecological Appraisal.

Coal Risk

The Coal Authority confirm that the site falls within the defined Development High Risk Area and that there are coal mining features and hazards within and surrounding the application site which need to be considered in the determination of this planning application. It is noted that records indicate that the site is underlain by recorded mine workings at shallow depth and thick coal outcrops cross through the site which may have been subjected to unrecorded mine workings.

The application is accompanied by a Coal Mining Risk Assessment, a Phase 1 Ground Conditions Desk Study Report, a Phase 2 Ground Investigation Report and a further letter which confirms that a shallow spread reinforced concrete raft solution is considered appropriate to mitigate the risk associated with shallow coal mining legacy. The Coal Authority has reviewed the information submitted and raises no objection to the proposal.

Impact on trees and landscaping

The application is accompanied by an Arboricultural Report which indicates that 5 trees and 3 hedgerows would be removed from the site in order to facilitate the

construction of the proposed development. The report confirms that the trees/hedgerows to be removed are all either low (C category) or poor quality (U category) and that the loss can be mitigated for by suitable compensatory tree and hedgerow planting. The report indicates that the higher value trees within the site would be retained and it is recommended that these be suitably protected prior to construction, as per the details contained within Appendix 4 of the report (Tree Protection Plan), to ensure that no significant long-term adverse Aboricultural impact occurs upon the health of any retained trees on or adjacent to the site or to the long-term amenity of the area.

A landscaping scheme has also been submitted with the application which indicates that 9 new trees would be planted along the eastern boundary of the site as well as some additional trees around existing footpaths within the site. This would adequately compensate for the loss of existing trees and no concern is raised in this regard.

In light of the above, it is considered that the proposal is acceptable in this regard.

Archaeology

The application is accompanied by an Archaeological Report which indicates that there are six sites of archaeological interest within the 0.5km study area, and that this includes the Registered Historic Park and Garden of Aberdare Park (GM2) as well as an area within the southern boundary of the development area (Pen-twyn YGG001). There are also 15 Grade II Listed Buildings within the 1km study area but no Conservation Areas, Scheduled Monuments or Historic Landscapes.

The report considers that there would be little change in the setting of these designations beyond the construction phase due to the intervening topography as well as the proposed development comprising an extension to the existing school rather than a new development. In addition, no designated sites would be directly affected by the proposal.

The report recommends that if any groundworks are to be carried out within the area of YGG001, then a watching brief should be carried out on this portion of the works.

Consultation has been undertaken with Glamorgan-Gwent Archaeological Trust however, no response had been received at the time of writing this report. Any response received will therefore be presented to Members at the Committee.

Land Contamination

The application has been assessed by NRW who raised concerns with regards to the proposal. The application was submitted with a Phase 2 Ground Investigation report which indicated that there is on-going groundwater sampling and that the assessment will be updated upon its completion. NRW therefore recommends that conditions be attached to any grant of planning consent to secure additional information in this respect.

The applicant submitted additional information in response to the comments received from NRW however, further comments from NRW had not been received at the time

of writing this report. These will therefore be presented to Members at the Committee. The recommended conditions have been added however, these can be removed should positive comments from NRW be received.

Other issues raised by objectors

The following comments are offered for issues raised by objectors that are not addressed in the sections above:

- One objector raises concerns that the extension will obscure their view and devalue their property. Whilst these comments are noted, these are not material planning considerations and cannot be used as a reason to refuse planning permission.
- Concern has also been raised with regards to the consultation process and the handling of their concerns. It is noted that an informal consultation exercise was undertaken with residents prior to the submission of the formal application and that this led to some alterations to the scheme prior to it being submitted (i.e. removal of pick-up/drop-off area off Cherry Court). Whilst it is noted that the scheme has not been amended to address other concerns raised by residents, the issues have been addressed in the Consultation Report submitted with the application. It should be noted that as this application does not constitute a major application, formal Pre-application Consultation (PaC) is not required to be undertaken and the consultation exercise that was undertaken was done so on a voluntary basis. In terms of consultation undertaken during the course of the formal application, the application has been adequately advertised by means of direct neighbour notification and through the erection of a number of site notices in the vicinity of the site, as set out in the '*Publicity*' section above, and the concerns raised by residents have been adequately addressed in the relevant sections of this report.
- One letter of objection states that no one has viewed the visual perspective of the development from their property and that they have not had any feedback or response to their concerns. The case officer has visited the affected property and assessed the impact of the development from this perspective. It is not possible for the Council to respond to each and every objection received and all concerns and objections raised by residents are therefore addressed within the committee report.
- It is noted that two objections raise concern with objects being thrown over garden fences from the school and the adjacent Bryndar Community Home and causing damage to neighbouring properties. This is unfortunate however, it is not something that can be taken into consideration in the planning process and these issues should be taken up with the school/community home. The site would be locked at the end of every day to ensure that it would not be used as a playground outside of school hours.
- It is understood that concerns were raised that the red line boundary presented during the informal consultation exercise included a small section of land from the gardens of adjacent properties. This has been addressed in the formal planning application.
- In terms of the concerns raised in relation to the provision of a drop-off area at Cherry Court, this has been omitted from the scheme. The only access off

Cherry Court would be the construction/maintenance access which would be locked when not in use.

- One objection also seeks assurance that any footpath access from Cherry Court and Laburnum Drive will be provided with robust lockable steel gates and will be securely locked outside of school hours. All gates would be securely locked outside of school hours, as per the current arrangement that is directly managed by the school.
- It is noted that one objector raises concern with regards to parents parking inconsiderately on Laburnum Drive at pick-up and drop-off times. Whilst this is noted, the issue is a police matter and not a material planning consideration.
- A query is also raised about a new school for English speaking local children. This application relates directly to the extension of the existing Welsh school and no comments can be made in relation to provision elsewhere.

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 proposed development would provide extensions, along with associated works, to an established Welsh-medium primary school in order to facilitate much-needed additional teaching space as well as a Welsh-medium childcare facility. The extensions and associated works are considered to be appropriate to the existing school setting and are of a scale that would not adversely impact upon the character and appearance of the site or the surrounding area. A number of objections have been received from local residents in relation to the impact of the proposal upon the amenity and privacy of neighbouring properties and whilst it is noted that the extensions would inevitably have some impact upon surrounding residents, the extensions and associated works are of an acceptable scale and design and it is not considered that the resulting impacts would be so significant that they would warrant the refusal of the application. Furthermore, the proposal is considered to be acceptable in terms of the impact it would have upon highway and pedestrian safety in the vicinity of the site.

The proposed development therefore complies with the relevant local and national planning policies and is considered to be acceptable, subject to the conditions set out below.

RECOMMENDATION: Approve, subject to conditions

RECOMMENDATION: Grant

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

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

2. The development hereby permitted shall be carried out in accordance with the approved plans and documents received on 15th March 2021 unless otherwise to be approved and superseded by details required by any other condition attached to this consent:

- Drawing No. YGA-ASL-00-ZZ-DR-A-0100 Rev. P3: Site Location Plan
- Drawing No. YGA-ASL-00-00-DR-A-0102 Rev. P4: Proposed Ground Floor Plans
- Drawing No. YGA-ASL-00-02-DR-A-0104 Rev. P4: Proposed Roof Plans
- Drawing No. YGA-ASL-00-ZZ-DR-A-0105 Rev. P4: Proposed Site Elevations Sheet 1
- Drawing No. YGA-ASL-00-ZZ-DR-A-0106 Rev P4: Proposed Site Elevations Sheet 2
- Drawing No. YGA-ASL-00-00-DR-A-0202 Rev P6: Proposed Two Storey Extension Ground Floor Plan
- Drawing No. YGA-ASL-00-ZZ-DR-A-0204 Rev. P6: Proposed Elevations Sheet 1
- Drawing No. YGA-ASL-00-ZZ-DR-A-0205 Rev P6: Proposed South and East Elevations
- Drawing No. YGA-ASL-00-ZZ-DR-A-0206 Rev. P6: Hall Extension Elevations
- Drawing No. YGA-ASL-00-ZZ-DR-A-0209 Rev. P2: 3D Views
- Drawing No. YGA-ASL-00-ZZ-DR-L-0900 Rev P7: Landscape General Arrangement
- Drawing No. YBM-ASL-00-B1-DR-A-0101 Rev. P4: Proposed Lower Ground Floor Plans
- Drawing No. ASL-YGA-00-01-DR-A-0103 Rev. P4: Proposed First Floor Plans
- Drawing No. 6700-BHP-VE-XX-DR-C-(50)002 Rev. P02: Drainage Long Sections
- Drawing No. 6700-BHP-VE-XX-DR-C-(50)005 Rev. PO1: Drainage Construction Details
- Drawing No. 6700-BHP-VE-XX-DR-C-(50)006 Rev. PO1: Attenuation Tank Details – Sheet 1
- Drawing No. 6700-BHP-VE-XX-DR-C-(50)007 Rev. PO1: Attenuation Tank Details – Sheet 2
- Drawing No. 6700-BHP-VE-XX-DR-C-(50)101 Rec. PO2: Proposed Overland Flow Routes
- Drawing No. 6700-BHP-VE-XX-DR-C-(60)001 Rev. PO1: General Arrangement
- Drawing No. 6700-BHP-VE-XX-DR-C-(60)005 Rev. PO1: External Works Construction Details

- Drawing No. 2021-008 E10 Rev. 01: Proposed External Lighting Layout
- Drawing No. FDS-36993-00-0901 Rev. PO1: Fire Sprinkler Installation – Builders Work Plan and Sections
 - Document Ref. ArbTS_1060.3_YGGAberdare: Arboricultural Report (dated 8th March 2021)
 - Document Ref. 1885: Archaeological Desk Based Assessment (dated November 2019)
 - Document Ref. 8769/JA: Noise Impact Assessment (dated 10th March 2021)
 - Document Ref. FM-SITE-020: Site Waste Management Plan (dated 17/02/2021)
 - Document Ref. FM-SITE-001: Construction Management Plan (dated 17/02/2021)
 - Document Ref. YGG-HYD-XX-XX-RP-GE-1000: Phase 1 Ground Conditions Desk Study (dated 16 December 2019)
 - Document Ref. YGG-HYD-XX-XX-RP-GE-1002: Phase 2 Ground Investigation Report (dated 10 June 2020)

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

3. Before the new school 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 (60) 001 REV PO1 and approved by the Local Planning Authority. The off-street car parking shall remain for the parking of vehicles associated with both schools 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.

4. The only access permitted off Cherry Court after construction will be for maintenance vehicles only with no pedestrian access or pick up and drop off facilities permitted.

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

5. Notwithstanding the details shown on the approved plans, development shall not commence until design and details of the new vehicular crossover for maintenance vehicles served off Cherry Court have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to beneficial use.

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

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

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

7. HGV's used during construction shall be restricted to 09:00am to 15:00pm weekdays, 09:00am to 13:00pm Saturdays with no deliveries on Sundays and Bank Holidays unless otherwise agreed in writing with the Local Planning Authority.

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

8. Prior to the commencement of development, details of traffic management and wheel washing facilities shall be provided on site in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and maintained throughout the construction period unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that mud and debris are not deposited from the construction site onto the public highway, in the interests of highway safety, in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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

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

10. Before the extension is brought into beneficial use, the glazed balustrade along the edge of the raised walkway to the north and eastern elevations shall be installed with obscure glazing and to a height of 1.7 metres. The balustrade shall be retained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenity and privacy of neighbouring residential properties immediately adjacent to the site and in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

11. Prior to the installation of any external lighting within the extended car park area hereby approved, a scheme of external lighting shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details.

Reason: In the interests of the amenity of neighbouring residential properties immediately adjacent to the site and in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

12. All planting, seeding or turfing comprised in the approved details of landscaping (drawing no. YGA-ASL-00-ZZ-DR-L-0900 Rev. P7) shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

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.

13. Prior to the construction of any retaining wall, the developer shall submit to the Local Authority details of all retaining walls to be built as part of the development, including drawings and structural calculations. The submitted details shall be accompanied by a certificate from an appropriately accredited independent consulting engineer confirming that the proposed retaining wall(s) are acceptable from a structural perspective. The approved retaining wall(s) shall be built in accordance with the agreed details. Following construction of the retaining wall(s), additional certification from an independent suitably accredited engineer confirming that the works have been constructed in accordance with the agreed details and that they are physically fit for their intended purpose shall be supplied to the Local Planning Authority.

Reason: In the interests of amenity and public safety, in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

14. Any external plant (including the sprinkler water tank) shall not exceed the plant noise limits set out in Section 8 of the approved Noise Impact Assessment.

Reason: In the interests of amenity and public safety, in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

15. Prior to the construction of the extensions hereby approved, details of all ecological mitigation and enhancement measures, as set out in the Preliminary Bat and Nesting Bird Assessment (Dated November 2019) and the Preliminary Ecological Appraisal (Dated January 2021), shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented, retained and maintained in accordance with the approved details.

Reason: To provide biodiversity mitigation and enhancement, in accordance with policy AW8 of the Rhondda Cynon Taf Local Development Plan.

16. No development or phase of development shall commence until the following components of a scheme to deal with the risks associated with contamination at the site, has been submitted to and approved in writing by the Local Planning Authority.

1. A preliminary risk assessment which has identified:
 - All previous uses
 - Potential contaminants associated with those uses
 - A conceptual model of the site indicating sources, pathways and receptors
 - Potentially unacceptable risks arising from contamination at the site (largely completed)
2. A site investigation scheme, based on (1) above to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) above and, base on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

The remediation strategy and its relevant components shall be carried out in accordance with the approved details.

Reason: To ensure the risks associated with contamination at the site have been full considered prior to commencement of development as controlled waters are of high environmental sensitivity; and where necessary remediation measures and long-term monitoring are implemented to prevent unacceptable risks from contamination, in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

17. Prior to the occupation of the development or phase of development, a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to an approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include long-term monitoring and maintenance plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be carried out in accordance with the approved details.

Reason: To ensure the methods identified in the verification plan have been implemented and completed and the risk associated with the contamination at the site has been remediated prior to occupation or operation, to prevent both future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to

ensure that the development can be carried out safely without unacceptable risk to workers, neighbours and other offsite receptors, in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

18. If during development, contamination not previously identified is found to be present at the site, then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be carried out as approved.

Reason: To ensure the risks associated with previously unsuspected contamination at the site are dealt with through a remediation strategy, to minimise the risk to both future users of the land and neighbouring land, and to ensure that the development can be carried out safely without unacceptable risks, in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

19. No infiltration of surface water drainage into the ground site is permitted other than with the express consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To prevent both new and existing development from contributing to or being put at unacceptable risk from or being adversely affected by unacceptable levels of water pollution, in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

20. No development shall commence until details of piling or any other foundation designs using penetrative methods sufficient to demonstrate that there is no unacceptable risk to groundwater have been submitted to and approved in writing by the Local Planning Authority. The piling/foundation designs shall be implemented in accordance with the approved details.

Reason: To ensure there is no unacceptable risk to groundwater during construction and methods/design, in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

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PLANNING & DEVELOPMENT COMMITTEE

20 MAY 2021

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 20/1145/10 (JE)
APPLICANT: Mr C Davies
DEVELOPMENT: Retention and completion of single storey rear extension, retention of first floor raised rear balcony, change of use of stock room to click and collect store and single storey extension. (Amended Plans Received 05/04/21)
LOCATION: CARPENTERS ARMS PUBLIC HOUSE, HEOL FFRWD PHILIP, EFAIL ISAF, PONTYPRIDD, CF38 1AR
DATE REGISTERED: 28/10/2020
ELECTORAL DIVISION: Llantwit Fardre

RECOMMENDATION: Approve, subject to conditions

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

REASON APPLICATION REPORTED TO COMMITTEE

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

APPLICATION DETAILS

Full planning permission is sought for the retention and completion of a single storey rear extension, retention of a raised first floor balcony, change of use of stock room to click and collect store and the construction of single storey extension at Carpenters Arms Public House, Heol Ffrwd Philip, Efail Isaf.

The proposed single storey extension measures a width of 6.8 metres by a depth of 12 metres and has been constructed at the site of the beer garden alongside an existing rear projection. The proposed extension has a flat roof design measuring a maximum height of 2.5 metres. The extension would have bifold doors on its rear elevation and a new opening would be created on the external wall of the public house to allow access into the area.

The raised balcony is located above the extension at the rear of the property and is used as part of the residential owners flat on the first floor with access gained via French doors on the rear elevation. The raised balcony measures a width of 6 metres and protrudes outwards to a depth of 4 metres. The proposed balcony has been constructed from composite decking and benefits from 1.6 metre high opaque glass privacy screens on its side elevations and a glass balustrade along the rear.

The proposed single storey extension would be located to the rear of the existing projection along the boundary with Ffordd Y Capel. This extension would measure a width of 3 metres to match the existing arrangement and would extend outwards to a depth of 4 metres. The proposed extension would have a dual pitched roof design to match the existing arrangement measuring a maximum height of 3.23 metres sloping to 2.1 metres at the eaves. The extension would be used in associated within an existing storeroom to provide an area to facilitate a click and collect store serving the local community.

SITE APPRAISAL

The application property consists of an established public house located within the village of Efail Isaf. The site is located on the corner of Heol Ffrwd Philip and Ffordd Y Capel which are the main highways through the village. The public house is located towards the south west of the plot and is accessed from Heol Ffrwd Philip with a car park at the rear accessed from Ffordd Y Capel. The public house benefits from a residential flat at first floor level which is accessed from the rear. At the time of the Officer's site visit work on the rear extension had commenced with the wooden framework and roof in place and the area being used as a covered beer garden.

The surrounding area is residential in nature and is characterised by a number of property types.

PLANNING HISTORY

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

20/0540/09: CARPENTERS ARMS PUBLIC HOUSE, HEOL FFRWD PHILIP, EFAIL ISAF, PONTYPRIDD, CF38 1AR

Lawful development certificate for a use class of A3 and A1.

Decision: 09/10/2020, Refuse

PUBLICITY

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

One letter of objection has been received following consultation with neighbouring occupiers. The points raised have been summarised below:

- Loss of privacy from balcony.
- Noise and disturbance from public house – complaints have been logged with Public Health.

- Patrons of the public house now use the car park as a smoking area as this has been removed and replaced by the proposed extension. This has created additional noise and could result in safety hazards.
- Lack of sound insulation in the walls, roof or entrance.
- Addition has resulted in an adverse impact upon the area and has increased antisocial behaviour.

CONSULTATION

Transportation Section: No objection or conditions suggested.

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

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

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

Policy CS2 - sets out criteria for achieving sustainable growth.

Policy AW2 – supports development in sustainable locations.

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

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

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

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) 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 all planning applications. Future Wales: The National Plan 2040 (FW2040) sets out guidance for development at both regional and national level within Wales, with the thrust and general context also aimed at sustainable development.

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

Furthermore, given the minor scale of the proposed development and its relationship with only the immediate surrounding area, there are limitations to the extent such a scheme can have in promoting planning objectives at a national scale. As such, whilst the scheme aligns with the overarching sustainable development aims of FW2040, it is not considered the policies set out in the document are specifically relevant to this application.

Other policy guidance considered:

PPW Technical Advice Note 4 – Retail and Commercial Development

PPW Technical Advice Note 11 – Noise

PPW Technical Advice Note 12 – Design

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:

Principle of the proposed development

The application relates to an extension and alterations within the curtilage of an existing public house within the settlement boundary for Efail Isaf. The proposals are required to improve existing commercial and residential facilities at the property. Taking this into account, the principle of proposed development is considered acceptable, subject to the criteria set out below.

Impact on the character and appearance of the area

Whilst the proposed extension forms a large-scale addition to the property, it is located to the rear of the building alongside an existing rear projection. As such, when considering the scale of the existing building and the dimensions of the proposed extension, it is considered the proposal forms a sympathetic addition and does not significantly impact upon the appearance of the property. In addition, it is not considered the proposed extension, given its siting and dimensions, would form a feature that would be widely visible from outside of the immediate vicinity.

When considering the first floor rear balcony, given its location set back from the rear elevation of the extension and siting alongside a pitched roof which acts as screening, the balcony does not form a prominent feature along Ffordd Y Capel in the vicinity of the site. Whilst the balcony is visible from the rear of the site, its location above an existing roof structure and the use of glass balustrades/ screens does not create a

dominant or incongruous addition. As such, it is considered that the balcony has a minimal impact upon the appearance of the public house.

In relation to the proposed single storey extension to form a click and collect shop. This addition is a small scale and sympathetic addition to the public house that is not considered to result in any adverse impact upon the character and appearance of the application site or surrounding area.

Taking the above into account, the application is considered acceptable in this regard.

Impact on residential amenity and privacy

The objector has raised a number of concerns with regard to noise and disturbance created by patrons of the public house since the construction of the proposed extension. Whilst comments are acknowledged, when considering that the proposed extension is located at the site of what was previously used as a beer garden, the proposal would not bring patrons closer to residential properties and would actually reduce noise with customers now being enclosed within the building, resulting in a betterment to the existing arrangement.

With regard to the balcony, concern has been raised in relation to a loss of privacy. Members should note that the balcony has been in place since 2018 and has been constructed with opaque glass privacy screens along its side elevations which restrict the most harmful opportunities for overlooking. Whilst it is noted that the balcony does allow for outlook opportunities to north east, the majority of these views would be outwards over the carpark with no. 24 Ffordd-Y-Capel which is separated by approximately 33 metres. It is suggested by the objector that the balcony results in the loss of privacy to properties along Waun Hir which are located to the east. However, when considering the relationship between the properties at an oblique angle and separated by a minimum of 18 metres from the balcony, it is not considered that any overlooking impact is significant enough to warrant a refusal of the application. Additionally, a condition has been added below to ensure that the privacy screens remain in perpetuity which will ensure any impact is kept to a minimum.

In relation to the proposed single storey extension, this would form a minimal addition to the site that would be separated from the closest neighbouring property by 14 metres. As such, it would not result in any adverse overbearing impact. With regard to additional comings and goings associated with the proposed use as a click and collect store, when considering the minor scale of the proposed use and the existing use of the site as a public house, it is not considered that the proposal would exacerbate existing noise and disturbance levels that currently occur.

Taking the above into account, the application is considered acceptable with regard to its impact upon residential amenity and privacy.

Highway Safety

Concerns were raised by the objector with regard to highway safety. As such, the Council's Transportation Section were notified during the consultation process in order to provide comments with regard to highway safety and parking provision. In their

assessment of the scheme the Transportation Section commented that the existing public house benefits from a large parking area to the rear accessed via Ffordd-y-Capel and that the proposed development will have no impact to the size of the available parking area. Additionally, it was commented the proposed development is small in scale and as such it is not envisaged it would result in any undue detriment to highway safety or the free flow of traffic.

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

Public Health and Protection

The Council's Public Health Division acknowledged the noise complaints referenced by the objector and commented that one complaint was received from a neighbour regarding noise from patrons of the Carpenters Arms in the outdoor seating area. As such a noise monitor was installed and the complainant made a few recordings on which the noise (voices, shouting etc.) could be heard. It was also suggested however that as the complaints have been linked to the outdoor seating area, the proposed extension may help in negating the issues. It was also noted that any future complaints from outside noise could be more effectively controlled by licensing and statutory nuisance routes. As such no objections were or conditions in this respect suggested.

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

Other issues raised by objectors

The objector also raised concerns that the proposed development has led to patrons of the pub using the car park as a smoking area and has resulted in an increase anti-social behaviour. Whilst these points are noted, Members are advised that the public house are entitled to use this area as a beer garden without planning permission and that any noise/disturbance issues experience as a result of this could be controlled more effectively by licensing/public health legislation.

Community Infrastructure Levy (CIL) Liability

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

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

Conclusion

It is not considered that the proposal would have any undue impact upon the character and appearance of the locality, the residential amenity of the surrounding properties,

or upon highway safety in the vicinity of the site. The application is therefore considered to comply with the relevant policies of the Local Development Plan.

RECOMMENDATION: Approve, subject to conditions

1. The development hereby approved shall be carried out in accordance with the approved plan(s) no(s)
 - Rear Elevation “To-Be”
 - Ground floor “To-Be”
 - Roof Plan “To-Be”
 - Side Elevation “To-Be”

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

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

2. The privacy screens erected along both side elevations of the first floor balcony hereby approved shall remain in place and obscure in nature in perpetuity.

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

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PLANNING & DEVELOPMENT COMMITTEE

20 MAY 2021

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 21/0269/16 (CHJ)
APPLICANT: Rhondda Cynon Taff County Borough Council
DEVELOPMENT: Reserved matters application seeks approval of all remaining reserved matters (layout, scale, appearance and landscaping) relating to planning application 18/0302/08.
LOCATION: LAND TO THE WEST OF BRYN PICA WASTE DISPOSAL SITE, MERTHYR ROAD, LLWYDCOED, ABERDARE, CF44 0BX
DATE REGISTERED: 03/03/2021
ELECTORAL DIVISION: Aberdare West/Llwydcoed

RECOMMENDATION: GRANT SUBJECT TO CONDITIONS

REASONS: The proposed development represents a significant investment into the County Borough. The uses, which have been approved previously, are compatible with the surrounding areas and the nature of them is complimentary to the principal use of the site and accords with the allocation within the LDP.

The details proposed by this application will result in an attractive development that sits well within the landscape and will not have any significantly adverse impacts on the setting or special qualities of the nearby Brecon Beacons National Park.

REASON THE APPLICATION IS REPORTED TO COMMITTEE

The nature of the applicant's relationship with the Council is such that the application is not covered under the Delegated Authority provisions.

APPLICATION DETAILS

This is an application for **reserved matters** pertaining to the outline approval granted by Committee on 20th December 2018 (Reference 18/0302).

This consent also included the imposition of 9 conditions, some of which require the submission of further details before the development can commence. These are being submitted (where necessary) both integrated and parallel to the application process.

The outline application sought to secure the principal of the development of “*approximately 10,100m² of Class B1, B2 & B8 uses and associated vehicle parking*”. Only “means of access” was considered as part of that application and consisted largely of it being the existing access road into the Bryn Pica facility.

This application seeks approval of the remaining matters (the details) of:

- Layout
- Scale
- Appearance and
- Landscaping.

Committee is advised that an *illustrative* layout plan was submitted with the outline application (as required by the Regulations). Members will be familiar with the advice given as part of the presentations relating to outline applications, that such plans are not binding on the applicant nor do they form part of the consent (they are *just* illustrative). This has caused some confusion amongst consultees who may have based their original (outline) comments on the submitted layout. Full explanations (where necessary) have been given as part of the PLANNING CONSIDERATIONS section of this report.

In summary, the *actual* proposed development provides:

- 4 industrial buildings (approximately 50m x 30m) with associated office and staff welfare space. Each of the 4 units will provide 1450 sq.m. of flexible internal space.
- An “Energy Centre” building (approximately 11.7m x 13.4m) with associated external “thermal store” tanks.
- Car parking for 140 vehicles (to include 14 spaces for disabled persons and 14 electric vehicle charging points.
- Cycle storage for 24 bicycles.
- A surface-water attenuation lagoon and associated (in response to Condition 9 of the outline consent)
- An enhancement of the landscaping and biodiversity at the site providing extensive new areas of landscaping and natural habitat.

- The incorporation of “secure by design” principles.

A copy of the proposed layout plan has been included as APPENDIX 1 for Committee’s convenience. Details of the layout and design will also form part of the presentation to Committee.

Committee is advised/reminded that B1, B2 & B8 uses relate to the development of Light Industry (including offices), General Industry and Storage & Distribution facilities which are consistent with the existing uses at the site and for the intention for the site to become an Eco Park.

SITE APPRAISAL

The site lies approximately 2.5km north of Aberdare Town Centre and 4.5km south west of Merthyr Tydfil town centre (although the County Borough boundary lies much closer). The site also lies within close proximity to the administrative boundary of the Brecon Beacons National Park.

The existing Bryn Pica site is licensed and permitted to recycle, recover, re-use and dispose of waste materials through established operational facilities and activities.

Existing on-site activities include a material recycling facility, a green-waste recycling facility, an anaerobic digestion facility, site offices and a landfill site.

The application site occupies gently sloping ground bordered by areas of conifer planting and scrub woodland. The Bryn Pica landfill site is located to the south with the built infrastructure of the waste management facility being located to the east.

A planning application for a recycling / recovery and storage building was approved on the site in November 2007. Although it was never constructed, the site was cleared. The proposed Eco-park development will occupy the same site location, upon a re-engineered site area as the previously approved scheme, with a similar form.

Part of the site lies within a “High Risk” area for potential impact from past mining activities. A Coal Mining Risk Assessment (CMRA) was prepared and submitted with the outline application. The site also lies within 1km of a Special Area for Conservation (SAC). An assessment of the likelihood of any impact was also undertaken as part of the outline application.

PLANNING HISTORY (Recent / Relevant)

05/0850/10	Bryn Pica Landfill Site, Llwydcoed, Aberdare	Modification to the waste containment area and final restoration contours of the Landfill Site.	Grant 04/01/2006
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07/0272/10	Bryn Pica Waste Management Facility, Llwydcoed, Aberdare	Construction of a recycling/recovery and storage building at Bryn Pica Waste Management facility	Grant 28/11/2007
12/1312/10	Land To The North-West Of Bryn Pica Waste Management Facility, Llwydcoed, Aberdare	Construction of a subsurface petrol interceptor to the north-west of the Bryn Pica Waste Management Facility, including the provision of underground pipeline and erection of two masonry headwalls and associated connection pipes (amended description 12/02/13).	Grant 08/05/2013
13/0186/10	Land At Bryn Pica Landfill, Bryn Pica, Llwydcoed, Aberdare	Construction of an anaerobic digestion facility, landscaping and associated infrastructure	Grant 12/07/2013
14/1029/10	Land Surrounding Bryn Pica Landfill, Bryn Pica, Llwydcoed, Aberdare	Installation of underground electrical and water service connections, including booster station, associated with the permitted Anaerobic Digestion Facility (Permission Reference: 13/1313/15) at the Bryn Pica Landfill Site, Bryn Pica	Grant 10/03/2015
18/0302	Land to the west of Bryn Pica Waste Disposal site, Llwydcoed.	The development of approximately 190,100m ² of Class B1, B2 & B8 (industrial) uses and associated vehicle parking (with all matters reserved except for access)	Approved 20/12/18.

The following applications are linked to the same BLPU(s) as 18/0302/08:

18/0807/08	Waste Transfer Station, Bryn Pica Waste Disposal Site, Merthyr Road, Llwydcoed, Aberdare, Cf44 Obxwaste Transfer Station, Bryn Pica Waste Disposal Site, Merthyr Road, Llwydcoed, Aberdare	Extension to mattress building and associated external works	Approved
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PUBLICITY

As part of the application process Notices were placed on site and in the Press. No correspondence was received as part of this process.

CONSULTATION

The following were consulted as part of this application. A brief precis of responses have been included for Committees information:

Transportation Section – no objection

Drainage Section – No objection

Countryside / Ecology – no objection subject to condition

NRW – no response to date

Brecon Beacons National Park – no response to date

Dwr Cymru / Welsh Water – no objection.

POLICY CONTEXT

Committee is advised that since the outline application was considered, Planning Policy Wales (Edition 11) and Future Wales 2040 have been issued by Welsh Government.

As this application is for the reserved matters (with the principle of development having been firmly established) there are no policies in either of these documents that are directly relevant to the consideration of the issues that form part of this application (although it is still considered that the principle of the development would still be supported by the changes in guidance). Therefore, the application largely falls to be considered in light of the relevant policies in the Rhondda Cynon Taf Local Development Plan. The most relevant of which are:

Proposals Map

The site is (a) outside any settlement boundary and (b) forms part of a site identified for regional waste management.

Core Policies

Policy CS 1 promotes development that emphasises the building of strong, sustainable communities. This is to be achieved partly by commercial development that supports the principal towns (1), and partly by encouraging a strong, diverse economy (6).

Policy CS 9 identifies 57.9 hectares of land at Bryn Pica, including the 4.1 hectare application site for development to accommodate a “range of waste management options, including recycling and composting, at a regional level”.

Area Wide Policies

Policy AW 2 promotes development in sustainable locations.

Policy AW 5 gives amenity and accessibility criteria for new development.

Policy AW 6 gives design criteria for new development.

Strategy Area Policies

None.

SPG

- Access, Circulation & Parking
- Employment Skills

The Bryn Pica site is part of the “Cynon Gateway – Energizing the Region” project that had Cabinet approval in September 2017.

PLANNING CONSIDERATIONS (REASONS FOR REACHING THE DECISION)

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 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.

This application seeks consent for:

- Layout

- Scale
- Appearance and
- Landscaping

For the development of an Industrial Estate type development (Eco Park) at Bryn Pica. All matters of principle have already been considered. The principal issues in the determination of the application relate to, essentially, how the development sits within the landscape and surrounding area.

In respect of **layout**, the orientation of the buildings is legible, and the site is easy to navigate. Parking is provided in accordance with the details provided as part of the outline consent and the Transportation Section has acknowledged this as part of their consultation response. The buildings are grouped to make an efficient use of space within the application site and to minimise any potential for “sprawl” when viewed from surrounding areas.

The **scale** of the buildings is also considered acceptable. While it is a prominent location, regard must be had to the operational requirements of the prospective users. While the units are relatively large (when considered on a human scale) they are entirely consistent with other developments of industrial-type buildings within this and other County Borough areas.

Similarly, the materials proposed which will give the buildings their “public-facing” **appearance** are consistent with developments of this type and are not unduly prominent. A condition has been added which requires the submission of samples prior to their use. Committee is advised that this is a relatively standard condition and enables fine detailing of the colours and finishes to be agreed.

The Countryside Section are satisfied that the proposed **landscaping** is appropriate to the site and are native to the area with associated ecological benefits.

Impact on the Brecon Beacons National Park

The issue of the potential for the development to impact upon the setting and special qualities of the Brecon Beacons National Park was considered at the outline stage. It was concluded that while it would have an impact, the impact would not be so detrimental to warrant the recommendation of a refusal. Regard was also had to the existing development at this site and the presence of other “human” influences (such as the existing A465 / the proposed dualling of the “new” A465 and the gas tanks near Baverstocks) against which the proposed development will sit.

However, the outline application only contained an “illustrative” layout for which it would be difficult to have any specific regard to any potential for impact. As part of this application, the applicant provided a more detailed assessment of any impacts and the BBNP were consulted. At the time of writing this report, no response had been received. It is considered unlikely that the BBNPA will offer any objection to the

proposal, but any response will be reported orally at Committee along with any conditions that may be considered necessary. Notwithstanding the non-response from the BBNPA, the impact of the development on the setting and special qualities has been assessed and is considered to be acceptable.

Ecology

Committee is advised that the issue of ecological mitigation and enhancement was considered (and conditioned) as part of the outline application. However, some of the information submitted by the applicant and considered by both NRW and the Council's Ecologist was based upon the illustrative layout submitted at that time. Subsequently, the actual proposed layout changed which requires some relatively minor reassessment of the location of the mitigation and enhancement works. At the time of writing the report, discussions have concluded, and alternative mitigation and enhancement has been agreed (on land that is also within the ownership and control of the applicant). The Council's Ecologist is satisfied that, following this agreement, the consideration of the reserved matters is acceptable. At the time of writing the report no formal response has been received from NRW but any response will be updated orally at Committee although is largely covered by Condition 8 attached to the outline consent.

CIL

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

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

RECOMMENDATION: Grant

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

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

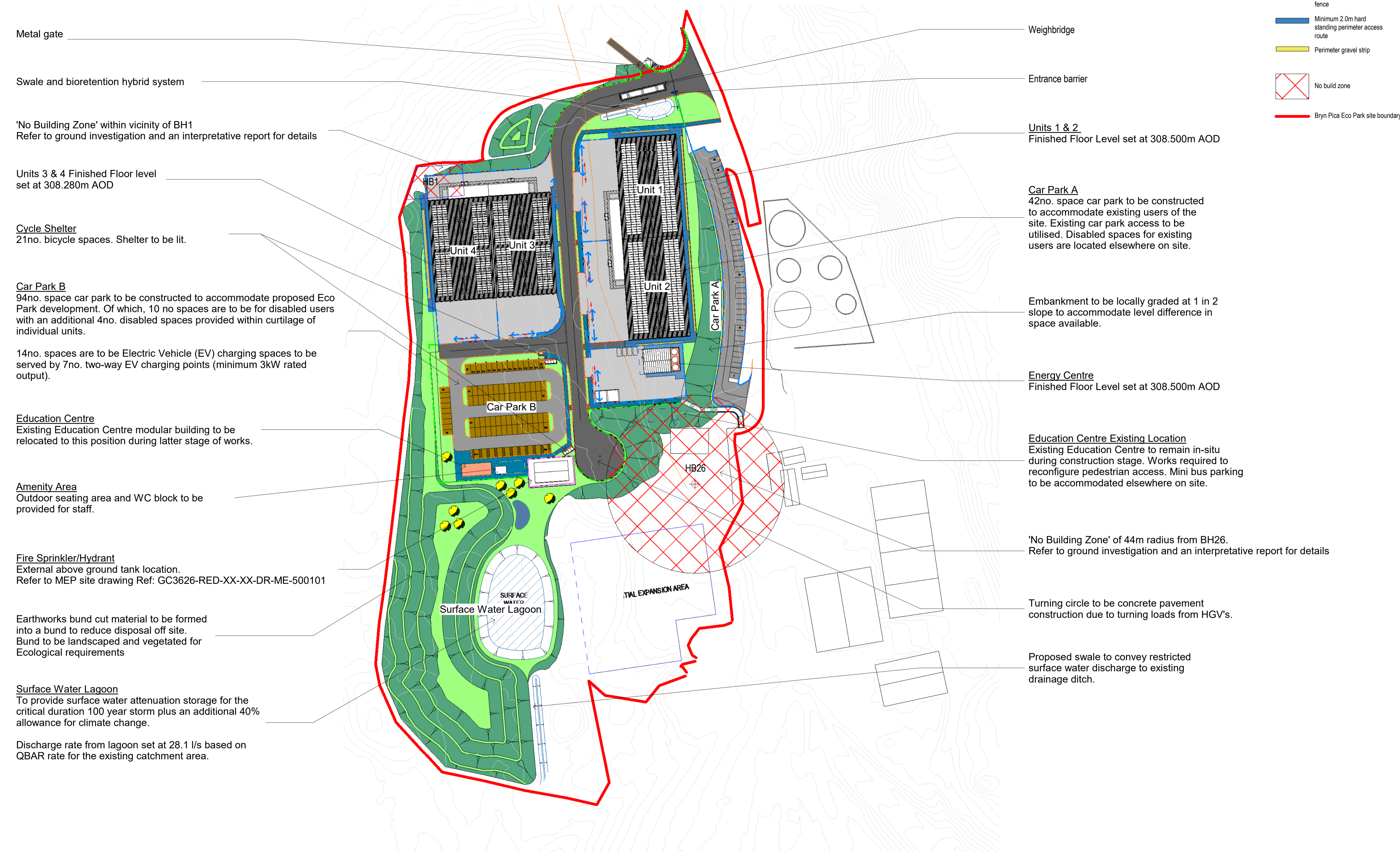
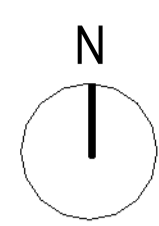
2. All planting, seeding or turfing in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building(s) or completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from 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.

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- Site Plan Boundary Legend**
- 2.1m high weldmesh security fence
 - Sliding vehicle gates to enclose service yards
 - 1.8m high wooden fence enclosure to Fire Hydrant/Sprinkler facility
 - 1.2m high wooden post and wire stock proof boundary fence
 - Minimum 2.0m hard standing perimeter access route
 - Perimeter gravel strip
 - No build zone
 - Bryn Pica Eco Park site boundary



Metal gate

Swale and bioretention hybrid system

'No Building Zone' within vicinity of BH1
Refer to ground investigation and an interpretative report for details

Units 3 & 4 Finished Floor level
set at 308.280m AOD

Cycle Shelter
21no. bicycle spaces. Shelter to be lit.

Car Park B
94no. space car park to be constructed to accommodate proposed Eco Park development. Of which, 10 no spaces are to be for disabled users with an additional 4no. disabled spaces provided within curtilage of individual units.

14no. spaces are to be Electric Vehicle (EV) charging spaces to be served by 7no. two-way EV charging points (minimum 3kW rated output).

Education Centre
Existing Education Centre modular building to be relocated to this position during latter stage of works.

Amenity Area
Outdoor seating area and WC block to be provided for staff.

Fire Sprinkler/Hydrant
External above ground tank location.
Refer to MEP site drawing Ref: GC3626-RED-XX-XX-DR-ME-500101

Earthworks bund cut material to be formed into a bund to reduce disposal off site. Bund to be landscaped and vegetated for Ecological requirements

Surface Water Lagoon
To provide surface water attenuation storage for the critical duration 100 year storm plus an additional 40% allowance for climate change.

Discharge rate from lagoon set at 28.1 l/s based on QBAR rate for the existing catchment area.

Weighbridge

Entrance barrier

Units 1 & 2
Finished Floor Level set at 308.500m AOD

Car Park A
42no. space car park to be constructed to accommodate existing users of the site. Existing car park access to be utilised. Disabled spaces for existing users are located elsewhere on site.

Embankment to be locally graded at 1 in 2 slope to accommodate level difference in space available.

Energy Centre
Finished Floor Level set at 308.500m AOD

Education Centre Existing Location
Existing Education Centre to remain in-situ during construction stage. Works required to reconfigure pedestrian access. Mini bus parking to be accommodated elsewhere on site.

'No Building Zone' of 44m radius from BH26.
Refer to ground investigation and an interpretative report for details

Turning circle to be concrete pavement construction due to turning loads from HGV's.

Proposed swale to convey restricted surface water discharge to existing drainage ditch.

P05	Planning Issue	09.02.21
P04	Building Control Amendment Issue	08.02.21
P03	Building Control Issue	02.02.21
P02	Office/Welfare block position amendment	12.11.20
P01	Issue for Stage 3 Approval	30.10.20
Rev	Description	Date

Purpose of Issue
D5 - Planning Approval

Classification
Commercial in Confidence



Project
Bryn Pica Eco Park Development

Drawing
Proposed Site Plan

Scale @ A1	Drawn	Checked	Approved
As indicated	EC	PBM	DS

Project No. **GC3626** Date **30.01.20**

Drawing Identifier	BS1192 Compliant
project	origin zone level type role number revision
GC3626 - RED - 00 - ZZ - DR - A - 910001	P05



1 Proposed Site Plan
 1 : 1000



St David's House, Pascal Close, St Mellons, Cardiff, CF3 0LW
 www.redstartwales.com

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RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

PLANNING & DEVELOPMENT COMMITTEE

5th May 2021

SITE MEETING

**APPLICATION NO. 20/1171 – CONSTRUCTION OF 4 NO. TERRACED
HOUSES WITH ASSOCIATED CURTILAGE CAR PARKING OFF REAR
ACCESS. LAND ADJACENT TO 186 EAST ROAD, TYLORSTOWN,
CF43 3BY (FORMER BAPTIST CHAPEL SITE)**

**REPORT OF THE SERVICE DIRECTOR, DEMOCRATIC SERVICES &
COMMUNICATION**

Author: Jessica Daniel, Council Business Unit.

1. PURPOSE OF THE REPORT

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

2. RECOMMENDATION

It is recommended that Members:

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

3. BACKGROUND

- 3.1 In accordance with Minute No 110 (Planning and Development Committee – 25th February 2021) a site inspection was undertaken on Wednesday 5th May 2021 to consider highways safety and access to the proposed parking location on the site.
- 3.2 The meeting was attended by the Planning and Development Committee Members County Borough Councillors S. Rees, G. Caple, D. Grehan, S Powderhill and J. Williams.

- 3.3 Local Member, County Borough Councillor R Bevan was also present at the meeting.
- 3.4 Apologies for absence were received from Committee Members - County Borough Councillors J. Bonetto, G. Hughes, P. Jarman, W. Owen, D. Williams and R. Yeo
- 3.5 Members met at the proposed front entrance to the site on East Street and walked around the rear of the site to view the proposed rear access and parking site. The Planning Officer in attendance informed members that planning permission is sought to construct four terraced dwellings on a parcel of previously developed land between no's 186 and 187 East Road, Tylorstown. The properties would be constructed between the two extant dwellings and on their southern side would adjoin the side elevation of no. 187 so that the terrace would partly be continuous.
- 3.6 The Planning Officer advised that the new dwellings would have a two-storey principal elevation facing East Road, but a three-storey rear elevation due to the topography of the location. A rear parking area, comprising two spaces per dwelling, would be accessed from the existing adopted back lane.
- 3.7 The Highways Officer present advised Members that the primary access to the site would be at the front of the proposed development with the rear area being retained for off street parking solely.
- 3.8 Members noted the number of parking spaces provided within the application as 2 per dwelling being below the maximum required in accordance with the SPG for Access, Circulation & Parking. The Highways Officer advised Members that due to the sustainable location of the site close to a number of local facilities and public transport links, the 2 spaces per dwelling provided is considered acceptable.
- 3.9 Members questioned the safety of utilising an unadopted lane as highways access to the rear of the proposed development. The Highways Officer informed Members that the proposal included a 6m curtilage set back from the lane at the rear to allow movement of vehicles and given that the lane would be used for secondary access and for off-street car parking, which generate limited vehicular movement, the proposal is, on balance, acceptable in this respect.
- 3.10 Members questioned the possibility of ensuring that the parking access be completed prior to the start of the development on the residential dwellings and were informed by the Planning Officer that Condition 4 of the original report outlines that prior to the first unit being brought into beneficial

occupation the means of access, together with the parking facilities, shall be laid out in accordance with the submitted plan 2018.PL01 and approved by the Local Planning Authority. The car parking spaces shall remain thereafter for the parking of vehicles in association with the proposed development. Furthermore, Members were advised that condition 3 sought the submission engineering design and details for the parking area and its tie-in with the adopted lane, prior to the commencement of development.

- 3.11 Non-Committee Member/ Local Member, County Borough Councillor R. Bevan expressed his concerns in respect of the proposed development and in particular, to the potential for increased issue of parking on East Street and the lack of safety for vehicles parking at the rear of the proposed site. He also raised the concern of overdevelopment of the site resulting in too many vehicles potentially utilising the confined rear parking. Finally, he also questioned the suitability of the unadopted lane being used and highlighted the limited vehicle movement currently in the lane.
- 3.12 The Chair thanked the officers for the report and closed the meeting.

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PLANNING & DEVELOPMENT COMMITTEE

25 FEBRUARY 2021

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 20/1171/10 (GH)
APPLICANT: Mr Allyjaun
DEVELOPMENT: Construction of 4no. terraced houses with associated curtilage car parking off rear access.
LOCATION: LAND ADJACENT TO 186 EAST ROAD, TYLORSTOWN, CF43 3BY (FORMER BAPTIST CHAPEL SITE)
DATE REGISTERED: 26/10/2020
ELECTORAL DIVISION: Tylorstown

RECOMMENDATION: GRANT SUBJECT TO THE CONDITIONS BELOW:

REASONS: The proposal is considered to be an appropriate scale and form of infill development that would be in keeping with the character and appearance of the area and would make a productive use of the site. Furthermore, it is considered that the new dwelling would not cause undue harm to the amenity and privacy of the neighbouring residential properties or be detrimental to highway safety.

REASON APPLICATION REPORTED TO COMMITTEE

A request has been received from Councillor Robert Bevan, and supported by Councillor Mark Adams, for the matter to come to Committee due to concerns about the ability to achieve the proposed off-street parking to the rear, and whether the proposal would represent overdevelopment.

APPLICATION DETAILS

Full planning consent is sought to construct four terraced dwellings on a parcel of previously developed land between no's 186 and 187 East Road, Tylorstown.

The properties would be constructed between the two extant dwellings and on their southern side would adjoin the side elevation of no. 187 so that the terrace would partly be continuous.

Like their immediate neighbours the new dwellings would have a two-storey principal elevation facing East Road, but a three-storey rear elevation due to the topography of the location. A rear parking area, comprising two spaces per dwelling, would be accessed from the existing adopted back lane.

The accommodation would comprise a kitchen/diner to the lower ground floor; single bedroom, WC and living room to the ground, with two double bedrooms and a bathroom to the first. In addition, each dwelling would be provided with an enclosed garden and patio, together with a balcony, essentially the roof of the kitchen/diner below, leading from the living room.

The application is accompanied by a Design and Access Statement (DAS). The DAS states that the development would accord with national planning policy objectives and those within the Local Development Plan.

SITE APPRAISAL

The application site is an irregular-shaped parcel of land, of approximately 0.05 hectares, which is located between 186 and 187 East Road, and is both within Tylorstown and the defined settlement boundary.

Historic mapping shows that the site previously accommodated a Baptist Chapel as a continuation of the west-facing terrace fronting East Road, albeit that this building was demolished at least twelve years ago.

The site is level with East Road but falls significantly towards the east, at which point the site boundary meets an adopted rear lane. This access is shared both with the neighbouring properties on East Road and those at Edmondes Street, the gardens of which back onto it.

The majority of the surrounding development dates from the Victorian era and most, if not all, accommodates residential land uses.

PLANNING HISTORY

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

16/0391/13: 4 new terraced houses with rear parking (outline). Decision: 07/06/2016, Grant.

PUBLICITY

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

One letter of objection was received from a resident of Edmondes Street raising concerns in respect of the reduction in sunlight to the rear of their property, and therefore being of less appeal to future buyers.

It was also stated that the rear access to the new properties through the lane could lead to general disturbance, and that anti-social behaviour already occurs.

CONSULTATION

Transportation Section

No objection subject to conditions in respect of access, parking and timing of HGV deliveries.

Dwr Cymru Welsh Water

DCWW notes and accepts the intention is to drain foul water to the mains sewer and surface water to a sustainable drainage system. DCWW has also acknowledged that the proposed site plan drawing no. 2018.PL01 suggests that the SuDs percolation zone will be located within the easement of a public sewer; no operational development shall be carried out, or SuDs feature located within 3 metres either side of the centreline of the public sewer.

Public Health

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

However, these matters are proposed to be incorporated within an informative note, since they can be controlled within the scope of existing environmental health legislation.

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

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies within the settlement boundary for Tylorstown.

Policy AW1 - identifies how new housing will be supplied.

Policy AW2 - directs development towards 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 - supports development proposals which are not detrimental to public health or the environment.

Policy NSA12 - supports development within the settlement boundary

Supplementary Planning Guidance

Design and Placemaking
Access, Circulation and Parking

National Guidance

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

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

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

Other relevant national policy guidance consulted:

PPW Technical Advice Note 12: Design;
PPW Technical Advice Note 18: Transport;

Manual for Streets

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

Principle of the proposed development

The application site is within the defined settlement boundary and fulfils the requirements of LDP Policy NSA12 and most of the relevant criteria of Policy AW2; the latter identifying that the location would be considered to be a sustainable one. Consequently, the LDP establishes that there would be a presumption in favour of the principle of residential development.

In addition, the site's planning history demonstrates that the construction of four dwellings, with rear parking, was previously considered to be an appropriate development, having gained outline consent by virtue of planning application 16/0391/13.

That decision was taken within the context of the current Local Development Plan and the circumstances of the site have not changed materially since then. Therefore, the previous consent is considered to carry significant weight in favour of the proposed development.

Nonetheless, whilst the principle of residential infill development is supported by Local Development Plan policy, the details of the application are subject to consideration of the relevant matters outlined below.

Impact on the character and appearance of the area

The site was formerly occupied by the Libanus Methodist Chapel, which was constructed in 1885 and closed in 1982. In the intervening period, the Chapel has been demolished and the site mostly left as maintained grass or scrub.

Whilst the Chapel was a large and prominent structure, the construction of four dwellings would still represent a substantial change to the appearance of the street scene, because the site had been vacant for a long period.

Nonetheless, since the scale and form of the new dwellings would be sympathetic to the surrounding residential properties, which are predominantly characterised by terraced dwellings with the occasional larger detached and semi-detached house, the development would not be considered detrimental to the appearance of the site.

The submitted plans demonstrate that the principal elevation of the new terrace would be directly adjacent to East Road, as is the case with the houses to either side, and whilst the ridge line would be slightly higher, this would not cause an unacceptable

divergence from the pattern of development in the area, where some variation can already be found.

To the rear, the proportions of the development would mirror those of the neighbouring dwellings to the south, being comparable both in terms of depth, height and massing, and where the lower ground level is apparent due to the steep drop in level. Conversely, the four neighbouring properties to the north have a much greater mass to the rear, since three of these benefit from very large three storey off-shots.

In respect of design, as stated above, the scale and form of the development would respect the existing built environment; however rather than try to create 'new' Victorian houses, the elevations would be of a contemporary style, being finished in render and without the kind of fenestration detail found on the older properties.

Consequently, the proposed development is considered to be acceptable in terms of the design, siting, massing, scale, materials and overall visual appearance.

Impact on neighbouring occupiers

The public consultation only resulted in one objection, which was from a resident of Edmond Street, and raised concerns about the impact on daylight, the appeal to potential buyers, and possible disruption from use of the lane and anti-social behaviour.

Although the 'right to light' is a civil matter with any options for recourse based on the provisions of the Prescription Act of 1832, it is still relevant to planning where the proximity or layout of a development can cause overshadowing.

Generally, for overshadowing to be unacceptable in planning terms, a development would have to be very much closer than that which is proposed. As an example, the distance between the rear elevation of the new dwellings and those on Edmond Street varies within the region of 25m to 31m. Given the density and pattern of the settlement, this is considered ample, to maintain outlook, privacy and prevent overshadowing.

It is also appreciated that there are four or five properties on the western side of East Road, which currently benefit from views through the gap towards the opposing side of the valley, which was created when the Chapel was demolished.

Whilst the loss of a view is not a material consideration, the development would undoubtedly change the outlook from those dwellings. However, with a gap of 13m between opposing elevations, which would be in common with the relationship between other properties up and down East Road, this would not be considered sufficient a reason to withhold planning permission.

Lastly, the location and level of the proposed ground floor balcony/deck and lower ground level garden were considered, as to whether these would enable intrusive views towards other dwellings and their habitable rooms. Notwithstanding the high degree of overlooking that already exists between neighbouring houses, the balcony and garden would not exacerbate this.

Therefore, having regard to the layout and design of the properties, it is considered that the arrangement of the proposal, both in respect of topographical changes and the distance between the development and existing properties, would not cause a harmful impact to the amenity or privacy of neighbouring occupiers.

Highways and accessibility

Primary access is from East Road (A4233) which is a principle route and carries a substantial amount of vehicular traffic. The carriageway is 7.3m in width and has double yellow lines on both sides of the carriageway, with continuous 1.5m-1.6m wide footways. This is considered acceptable for safe vehicular and pedestrian movement.

To the rear is an adopted lane which varies in width between 3.6m – 4m and is proposed to be used to access off-street car parking. There is some concern that the visibility at each end of the lane is sub-standard (2.6 x 6m to the left and right at the northern end; and 2.4m x 3m to the right and 2.4m x 5m to the left at the southern end).

However, the Council's Highways and Transportation Section has advised that taking into account the lane would be used for secondary access and for off-street car parking, which generate limited vehicular movement, the proposal is, on balance, acceptable in this respect.

In accordance with the SPG for Access, Circulation & Parking, the proposed 3 bedroom houses would each require a maximum of 3 off-street car parking spaces with 2 per dwelling provided. However, since the site is in a sustainable location close to a number of local facilities and public transport links, the 2 spaces per dwelling provided is considered acceptable.

Furthermore, 4 secure cycle stands have been proposed to mitigate the impact of the development, for the purposes of promoting sustainable modes of travel, with less reliance placed on the private motor vehicle, which accords with the aims of the Welsh Government.

The applicant has set the rear site boundary back to accommodate the off-street car parking and therefore details of the proposed tie-in with the adopted lane and surface water drainage details have been conditioned.

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. Therefore no CIL would be payable.

Conclusion

It is considered the proposal would not have a significant impact on the character and appearance of the locality or upon the residential amenity of the surrounding neighbouring properties. Furthermore, the development would benefit from acceptable highway and parking access. The application is therefore considered to comply with Policies AW1, AW2, AW5, AW6, AW10 and NSA12 of the Local Development Plan.

RECOMMENDATION: GRANT SUBJECT TO THE CONDITIONS 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 completed in accordance with the approved drawing numbers:
 - 2018.PL01 (dated 09/10/20)
 - 2018.PL02 (dated 09/10/20)
 - 2018.PL03 (dated 09/10/20)
 - 2018.PL04 (dated 09/10/20)

and details and documents received on 22nd and 27th October 2020.

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

3. No works shall commence on site until design and detail of the parking area and its tie in with the adopted lane 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 prior to beneficial occupation of the first unit.

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.

4. Before the first unit is brought into beneficial occupation the means of access, together with the parking facilities, shall be laid out in accordance with the submitted plan 2018.PL01 and approved by the Local Planning Authority. The car parking spaces shall remain thereafter for the parking of vehicles in association with the proposed development.

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. HGVs used as part of the development shall be restricted to 09:00am to 16:30pm weekdays, 09:30am to 13:00pm Saturdays with no deliveries on Sundays and Bank Holidays unless otherwise agreed in writing with the Local Planning Authority.

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

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PLANNING & DEVELOPMENT COMMITTEE

20 MAY 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 19/04/2021 – 07/05/2021

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

20 MAY 2021

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

REPORT

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

OFFICER TO CONTACT

**Mr. J. Bailey
(Tel: 01443 281132)**

See Relevant Application File

APPEALS RECEIVED

APPLICATION NO: 21/0163
APPEAL REF: D/21/3273607
APPLICANT: Mr I Hopkins
DEVELOPMENT: Remove duo pitched roof to rear and create a flat roof dormer extension.
LOCATION: MURRAYS TAXIS, 57 NORTH ROAD, PORTH, CF39 9SG
APPEAL RECEIVED: 22/04/2021
APPEAL START DATE: 26/04/2021

APPLICATION NO: 20/0066
APPEAL REF: A/21/3272817
APPLICANT: Mr A Noor
DEVELOPMENT: Reduce level of car park and build extension to restaurant at first floor level with parking below and provide access stairs and lift.
LOCATION: BOMBAY BLUE, CARDIFF ROAD, TAFFS WELL, CARDIFF, CF15 7SS
APPEAL RECEIVED: 09/04/2021
APPEAL START DATE: 21/04/2021

APPEAL DECISIONS RECEIVED

APPLICATION NO: 18/0880
APPEAL REF: E/21/3266378
APPLICANT: Mr R Higgitt
DEVELOPMENT: Change of use of first and second floors of property from former snooker hall (Class D2) to 22 no. self-contained residential student flats (Sui Generis) and associated works (Amended description received 03/10/2016) (Listed Building Consent). (Amended Heritage Impact Assessment Received 12/07/2019)
LOCATION: 1 FOTHERGILL STREET, TREFOREST, PONTYPRIDD, CF37 1SG
DECIDED: 25/09/2020
DECISION: Refused
APPEAL RECEIVED: 20/01/2021
APPEAL DECIDED: 26/04/2021
APPEAL DECISION: Dismissed

APPLICATION NO: 18/0886
APPEAL REF: A/21/3266376
APPLICANT: Mr R Higgitt
DEVELOPMENT: Change of use of first and second floors of property from former snooker hall (Class D2) to 22 no. self-contained residential student flats (Sui Generis) and associated works.
LOCATION: 1 FOTHERGILL STREET, TREFOREST, PONTYPRIDD, CF37 1SG
DECIDED: 25/09/2020
DECISION: Refused
APPEAL RECEIVED: 20/01/2021
APPEAL DECIDED: 26/04/2021
APPEAL DECISION: Dismissed

APPLICATION NO: 20/0647
APPEAL REF: A/20/3265324
APPLICANT: Mr K Penrose
DEVELOPMENT: Proposed two storey, two bed detached dwelling.
LOCATION: LAND ADJ. 8 OFFICE ROW, PENRHIW-FER, TONYPANDY, CF40 1SQ
DECIDED: 03/09/2020
DECISION: Refused
APPEAL RECEIVED: 29/01/2021
APPEAL DECIDED: 07/05/2021
APPEAL DECISION: Dismissed

APPLICATION NO: 20/1029
APPEAL REF: A/21/3267314
APPLICANT: Mr J Cowell
DEVELOPMENT: Change of use of out-house to a dog-grooming facility (Re-submission of 20/0588/10).
LOCATION: 3 DUFFRYN TERRACE, TONYREFAIL, PORTH, CF39 8HB
DECIDED: 20/11/2020
DECISION: Refused
APPEAL RECEIVED: 22/01/2021
APPEAL DECIDED: 30/04/2021
APPEAL DECISION: Allowed with Conditions

APPLICATION NO: 20/1065
APPEAL REF: X/20/3264522
APPLICANT: Mrs C Evans
DEVELOPMENT: Mobile lodge
LOCATION: LAND ADJACENT, TALYFAN ROAD, LLANHARAN,
PONTYCLUN
DECIDED: 10/12/2020
DECISION: Refused
APPEAL RECEIVED: 09/02/2021
APPEAL DECIDED: 06/05/2021
APPEAL DECISION: Dismissed

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Report for Development Control Planning Committee

Rhigos

21/0104/10 Decision Date: 29/04/2021
Proposal: Replace 52 diesel generators with new low carbon battery technology within existing compound.
Location: HIRWAUN STOR GENERATION, MAIN AVENUE, HIRWAUN

21/0240/15 Decision Date: 19/04/2021
Proposal: Removal of conditions 4, 5 & 6 (contamination) of previously approved planning application 20/0778/10.
Location: 11 HALT ROAD, RHIGOS, ABERDARE, CF44 9UN

21/0272/10 Decision Date: 28/04/2021
Proposal: Single storey rear extension for a granny annexe
Location: 1 POLICE HOUSES, HEOL-Y-GRAIG, RHIGOS, ABERDARE, CF44 9YY

21/0279/10 Decision Date: 20/04/2021
Proposal: Change of use to include refurbishment and extension of two steel-framed buildings
Location: TOWER NO 4 COLLIERY, RHIGOS MOUNTAIN ROAD, RHIGOS, ABERDARE, CF44 9UF

21/0376/10 Decision Date: 05/05/2021
Proposal: Change of use of land for erection of a structure for use by coaster karts, alterations to existing lamp room, above ground land reprofiling, creation of vehicular access and closure of existing vehicular access.
Location: LAND AT RHIGOS MOUNTAIN AND FORMER TOWER COLLIERY SITE, RHIGOS ROAD, HIRWAUN, ABERDARE

Penywaun

21/0326/10 Decision Date: 04/05/2021
Proposal: Two storey extension.
Location: 41 LAWRENCE AVENUE, PEN-Y-WAUN, ABERDARE, CF44 9EW

Aberdare West/Llwydcoed

21/0270/09 Decision Date: 30/04/2021
Proposal: Single storey rear extension.
Location: HIGHCROFT, 8 GLASFRYN, CWMDARE, ABERDARE, CF44 8SB

21/0290/10 Decision Date: 06/05/2021
Proposal: Double storey extension.
Location: 36 TRE-IFOR, LLWYDCOED, ABERDARE, CF44 0YH

21/0356/09 Decision Date: 06/05/2021
Proposal: Certificate of lawful development for a proposed single storey rear extension.
Location: 44 THE RIDINGS, CWMDARE, ABERDARE, CF44 8AQ

Report for Development Control Planning Committee

Aberdare East

21/0074/13 Decision Date: 22/04/2021
Proposal: Proposed two storey detached dwelling with off road parking and garage (Outline application).
Location: LAND ADJACENT TO THE BIRCHES, ABERNANT ROAD, ABER-NANT, ABERDARE, CF44 0YS

21/0321/10 Decision Date: 28/04/2021
Proposal: Two storey and single storey rear extensions.
Location: 35 GOSPEL HALL TERRACE, GADLYS, ABERDARE, CF44 8DW

Cwmbach

20/0188/10 Decision Date: 26/04/2021
Proposal: Change of use from B8 (storage unit) to D2 (gymnastics facility).
Location: 6 CANAL ROAD, CWMBACH, ABERDARE, CF44 0AG

21/0275/10 Decision Date: 28/04/2021
Proposal: Removal of existing grocery collections canopy, construction of new home shopping pod for ambient and chilled orders. Construction of home shopping van loading canopy and grocery collections canopy.
Location: ASDA STORES LTD, FFORDD TIRWAUN, CWM-BACH, ABERDARE, CF44 0AH

21/0318/23 Decision Date: 26/04/2021
Proposal: Prior approval for alteration of Cwmbach Road Bridge.
Location: CWMBACH ROAD BRIDGE , ABERAMAN, ABERDARE

21/0329/01 Decision Date: 28/04/2021
Proposal: Advertisement consent - fascia signage for grocery collection pod.
Location: ASDA STORES LTD, FFORDD TIRWAUN, CWM-BACH, ABERDARE, CF44 0AH

21/0362/10 Decision Date: 06/05/2021
Proposal: Proposed off road car parking area.
Location: 53 BRO DEG, CWM-BACH, ABERDARE, CF44 0HB

Mountain Ash East

21/0333/10 Decision Date: 29/04/2021
Proposal: Proposed vehicular crossover to facilitate off-street car parking.
Location: 16 THE AVENUE, CEFNPENNAR, MOUNTAIN ASH, CF45 4DT

21/0352/23 Decision Date: 30/04/2021
Proposal: Prior approval for alterations to bridge parapets.
Location: MOUNTAIN ASH ROAD BRIDGE

Report for Development Control Planning Committee

Mountain Ash West

21/0334/10 Decision Date: 04/05/2021
Proposal: Two storey extension and single storey extension.
Location: SWN YR AWEL, 3 GLENBROOK, MOUNTAIN ASH, CF45 3DH

Penrhiwceiber

21/0350/10 Decision Date: 30/04/2021
Proposal: Single storey extension.
Location: 19 YORK STREET, MOUNTAIN ASH, CF45 3BG

Abercynon

21/0303/10 Decision Date: 07/05/2021
Proposal: Proposed first floor rear extension.
Location: 23 MARTINS TERRACE, ABERCYNON, MOUNTAIN ASH, CF45 4SB

21/0317/23 Decision Date: 26/04/2021
Proposal: Prior approval for alteration of Park Road access footbridge.
Location: PARK ROAD ACCESS FOOTBRIDGE , PARK ROAD, ABERCYNON

Ynysybwll

21/0351/19 Decision Date: 06/05/2021
Proposal: Reduction works to Oak Tree.
Location: 17 HEOL PEN-Y-FOEL, YNYS-Y-BWL, PONTYPRIDD, CF37 3DJ

21/0370/10 Decision Date: 26/04/2021
Proposal: Rear dormer extension.
Location: 4 NANT-Y-MYNYDD, YNYS-Y-BWL, PONTYPRIDD, CF37 3JH

Aberaman North

21/0429/10 Decision Date: 06/05/2021
Proposal: Roller shutter door at rear of garden/lane (retrospective).
Location: 16 GLADSTONE STREET, ABERAMAN, ABERDAR, CF44 6SB

Report for Development Control Planning Committee

Aberaman South

21/0316/23 Decision Date: 26/04/2021
Proposal: Prior approval for alterations to Old Colliery Overbridge.
Location: OLD COLLIERY OVERBRIDGE, ABERAMAN PARK INDUSTRIAL ESTATE, ABERAMAN, ABERDAR

Treorchy

21/0230/10 Decision Date: 27/04/2021
Proposal: Construction of detached garage and shed.
Location: 2 TYLACOCK PLACE, TREORCHY, CF42 6DH

21/0313/10 Decision Date: 28/04/2021
Proposal: Hard-standing to front.
Location: 32 YNYSWEN ROAD, YNYSWEN, TREHERBERT, TREORCHY, CF42 6EE

21/0328/10 Decision Date: 23/04/2021
Proposal: Conversion of shop to flat
Location: GLYNS NEWSAGENT, 211 PARK ROAD, CWM-PARC, TREORCHY, CF42 6LD

Pentre

21/0210/10 Decision Date: 22/04/2021
Proposal: Proposed construction of 2 bedroomed house.
Location: ZION BAPTIST CHAPEL, PLEASANT VIEW, PENTRE

Ystrad

21/0216/10 Decision Date: 20/04/2021
Proposal: Two storey rear extension.
Location: 10 TAFF STREET, GELLI, PENTRE, CF41 7TZ

Llwynypia

21/0201/10 Decision Date: 21/04/2021
Proposal: Retrospective garden shed and decking.
Location: 4 CAMBRIAN TERRACE, LLWYNYPIA, TONYPANDY, CF40 2HN

Report for Development Control Planning Committee

Tonypandy

21/0357/10 Decision Date: 04/05/2021
Proposal: Single storey rear extension.
Location: 141 PRIMROSE STREET, TONYPANDY, CF40 1BN

21/0446/10 Decision Date: 07/05/2021
Proposal: Demolition of existing garage and construction of new single garage.
Location: 93 CHARLES STREET, TONYPANDY, CF40 2AP

21/5044/41 Decision Date: 04/05/2021
Proposal: PRE APP ADVICE
Location: LLWYNPIA ROAD, TONYPANDY

Penygraig

21/0211/10 Decision Date: 30/04/2021
Proposal: Rear balcony to first floor.
Location: 9 SIMON TERRACE, WILLIAMSTOWN, TONYPANDY, CF40 1NJ

21/0338/10 Decision Date: 30/04/2021
Proposal: Three storey rear extension
Location: 61 MIKADO STREET, PENYGRAIG, TONYPANDY, CF40 1EH

Porth

21/0056/10 Decision Date: 19/04/2021
Proposal: Two-storey side extension.
Location: 17 CAEMAWR GARDENS, PORTH, CF39 9DB

Cymmer

21/0344/10 Decision Date: 27/04/2021
Proposal: Two storey side extension.
Location: 1 TREM-Y-GLYN, TREBANOG, PORTH, CF39 9AJ

Ynysir

21/0325/10 Decision Date: 06/05/2021
Proposal: Terrace for access to rear garden (amendments received 05/05/2021)
Location: 40 HEATH TERRACE, YNYS-HIR, PORTH, CF39 0HS

Report for Development Control Planning Committee

Tylorstown

20/1376/10 Decision Date: 22/04/2021
Proposal: First floor rear extension (as amended 21/04)
Location: 70 MADELINE STREET, PONTYGWAITH, FERNDALE, CF43 3LT

21/0250/10 Decision Date: 28/04/2021
Proposal: Construction of 2no. two storey three bedroom semi-detached dwellings.
Location: LAND ADJACENT TO 49 GWERNLLWYN TERRACE, TYLORSTOWN, FERNDALE, CF43 3DP

21/0282/10 Decision Date: 23/04/2021
Proposal: Two storey extension.
Location: 38 MARGARET STREET, PONT-Y-GWAITH, FERNDALE, CF43 3EH

Glyncoch

21/0197/10 Decision Date: 21/04/2021
Proposal: Single storey extension.
Location: 158 GARTH AVENUE, GLYN-COCH, PONTYPRIDD, CF37 3AD

21/0319/23 Decision Date: 26/04/2021
Proposal: Prior approval for alteration of Berwedd-Dy Overbridge.
Location: BERWEDD-DY OVERBRIDGE, PONTYPRIDD

Rhondda

21/0265/10 Decision Date: 22/04/2021
Proposal: Single storey rear extension.
Location: 2 BETHEL STREET, MAES-Y-COED, PONTYPRIDD, CF37 1ED

Treforest

21/0288/23 Decision Date: 21/04/2021
Proposal: Prior approval for the construction of a new footbridge and ancillary works.
Location: LAND AT TREFOREST RAILWAY STATION, PARK STREET, TREFOREST, PONTYPRIDD, CF37 1SL

Report for Development Control Planning Committee

Rhydyfelin Central

20/1139/10 Decision Date: 27/04/2021
Proposal: Change of Use of Hall and Garage to a Café, Dog Day Care and Compacting and Refactoring Gin Distillery
Location: THE COACH WORKS CENTRE UNIT 1, DYNEA ROAD, RHYDYFELIN, PONTYPRIDD, CF37 5DN

21/0255/10 Decision Date: 28/04/2021
Proposal: Front porch.
Location: SGUBOR GARREG FARM, BRYNTAIL ROAD, GLYN-TAFF, PONTYPRIDD, CF37 5LJ

21/0320/10 Decision Date: 05/05/2021
Proposal: Single storey extension.
Location: 5 GWAUN ROAD, RHYDYFELIN, PONTYPRIDD, CF37 5PU

Hawthorn

21/0310/10 Decision Date: 27/04/2021
Proposal: Demolish existing single storey annexe to rear and construct two storey duo-pitch extension with adjoining single storey flat roof extension.
Location: 14 GLYN-DWR AVENUE, RHYDYFELIN, PONTYPRIDD, CF37 5PD

Ffynon Taf

20/1428/10 Decision Date: 19/04/2021
Proposal: Two storey side extension (Amended plans received 16/03/2021).
Location: 145 RHIW'R DDAR, TAFFS WELL, CARDIFF, CF15 7PD

21/0343/23 Decision Date: 04/05/2021
Proposal: Prior approval for platform extension.
Location: TAFFS WELL RAILWAY STATION, CARDIFF ROAD, TAFF'S WELL, CARDIFF, CF15 7PE

Llantwit Fardre

21/0260/10 Decision Date: 22/04/2021
Proposal: Demolition of existing extension and construction of new two storey extension.
Location: CWM COTTAGE, HEOL FFRWD PHILIP, EFAIL ISAF, CF38 1AT

Church Village

21/0404/10 Decision Date: 22/04/2021
Proposal: Side extension/ garage conversion.
Location: 21 LON Y CADNO, CHURCH VILLAGE, PONTYPRIDD, CF38 2BQ

Report for Development Control Planning Committee

Tonteg

20/0454/10 Decision Date: 22/04/2021
Proposal: Convert stable to a 2 bedroom dwelling.
Location: CAE'R ODYN FILWR, TONTEG ROAD, TONTEG, CF38 1SS

21/0341/10 Decision Date: 30/04/2021
Proposal: Single storey extension and creation of additional off-street parking.
Location: 18 RUTHIN WAY, TONTEG, PONTYPRIDD, CF38 1TF

Tonyrefail West

21/0113/09 Decision Date: 19/04/2021
Proposal: Lawful Development Certificate for existing use of land for parking of vehicles.
Location: FORMER SITE OF 72- 83 EDMONDSTOWN ROAD, TREBANOG, PORTH, CF40 1NW

21/0161/09 Decision Date: 30/04/2021
Proposal: Extend conservatory with a small extension, alter the conservatory by building up the walls and replacing the roof construction.
Location: 60 MOUNTAIN VIEW, TONYREFAIL, PORTH, CF39 8JH

Beddau

21/0149/10 Decision Date: 26/04/2021
Proposal: Extraction flue.
Location: TOASTY CAFE, 2 THE SQUARE, BEDDAU, PONTYPRIDD, CF38 2AD

Town (Llantrisant)

21/0226/10 Decision Date: 19/04/2021
Proposal: Single storey rear extension.
Location: 33 CARDIFF ROAD, LLANTRISANT, PONTYCLUN, CF72 8DG

Llanharry

21/0360/10 Decision Date: 05/05/2021
Proposal: First floor side extension & single storey rear extension.
Location: 10 STRYD SILURIAN, LLANHARRY, PONTYCLUN, CF72 9GB

21/0422/10 Decision Date: 30/04/2021
Proposal: Formation of a 50m x 30m outdoor horse riding arena for private use.
Location: TRECASTELL FARM, ROAD TO TRECASTELL FARM, LLANHARRY, PONTYCLUN, CF72 9LY

Report for Development Control Planning Committee

Llanharan

21/0227/10 Decision Date: 21/04/2021

Proposal: First floor rear extension.

Location: 20 ARGOED AVENUE, LLANHARAN, PONTYCLUN, CF72 9PJ

Brynna

21/0277/10 Decision Date: 29/04/2021

Proposal: Single storey rear extension.

Location: 16 RED ROOFS CLOSE, PENCOED, BRIDGEND, CF35 6PL

21/0348/09 Decision Date: 29/04/2021

Proposal: Temporary warehouse shelter.

Location: ORTHO CLINICAL DIAGNOSTICS, FELINDRE MEADOWS, LLANHARAN, PENCOED, BRIDGEND, CF35 5PZ

Total Number of Delegated decisions is 66

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Aberdare East

21/0135/13

Decision Date: 30/04/2021

Proposal: Proposed detached dormer bungalow (Outline planning permission).

Location: LAND ADJACENT WERFA LODGE, WERFA LANE, ABERNANT, CF44 0YS

Reason: 1 The proposed development is considered to be contrary to policy AW5 of the Rhondda Cynon Taf Local Development Plan as it would result in an adverse impact upon highway safety in the vicinity of the application site for the following reasons:

Werfa Lane leading to the proposed is sub-standard in terms of width for safe two-way vehicular movement, visibility with the junction of Abernant Road / Werfa Lane, sub-standard forward vision, lack of segregated footway facilities, sub-standard surface water drainage, street lighting, no formal turning area, surfacing and structural integrity to serve the increase in vehicular and pedestrian traffic generated by the proposed development.

The applicant has no control over the existing sub-standard access leading to the proposed development site and therefore the existing access lane cannot be improved to provide a safe and satisfactory access.

In the absence of adequate pedestrian connectivity that relates to adjacent residential development, the proposed development would be contrary to national advice and policy on transport in terms of sustainable development and reliance on private cars as primary modes of transport.

Reason: 2 Insufficient information has been provided to enable an accurate assessment of the impacts of the proposed development historic coal mining assets. As such, the scheme is contrary to the requirements of policy AW8 the Rhondda Cynon Taf Local Development Plan.

Reason: 3 Insufficient information has been provided to enable an accurate assessment of the impacts of the proposed development upon ecology at the site. As such, the scheme is contrary to the requirements of policy AW8 the Rhondda Cynon Taf Local Development Plan.

Mountain Ash East

21/0184/10

Decision Date: 29/04/2021

Proposal: Two 4-bed detached dwellings.

Location: LAND REAR OF TON-COCH TERRACE, CEFNPENNAR, MOUNTAIN ASH

Reason: 1 As a result of the position of the site, it is considered that the proposed development would appear out of keeping with both the character and pattern of existing development in the vicinity of the site. As such the proposal is considered to be contrary to policy NSA12, AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan and Planning Policy Wales.

Reason: 2 The proposed development is considered to be contrary to policy AW5 of the Rhondda Cynon Taf Local Development Plan as it would result in an adverse impact upon highway safety in the vicinity of the application site for the following reasons:

The proposed access lane is sub-standard in terms of width for safe two-way vehicular movement, visibility with the junction of Ton Coch Terrace, sub-standard forward vision, lack of segregated footway facilities, sub-standard surface water drainage, no street lighting, no turning area and structural integrity to serve the increase in vehicular and pedestrian traffic generated by the proposed development.

The applicant has no control over the existing sub-standard access leading to the proposed development site and therefore the existing access lane cannot be improved to provide a safe and satisfactory access.

The proposal access lacks an adequate turning area to cater for vehicular turning movements to and from the site and would therefore create increased reversing movements along a narrow sub-standard lane increasing hazards to the detriment of highway and pedestrian safety.

Reason: 3 Insufficient information has been provided to enable an accurate assessment of the impacts of the proposed development upon ecology at the site. As such, the scheme is contrary to the requirements of policy AW8 the Rhondda Cynon Taf Local Development Plan.

Reason: 4 Insufficient information has been provided to demonstrate how matters relating to the retention and protection of the public right of way, which follows part of the route of the access to the application site, would be accommodated within the proposals. As such, the scheme is contrary to the requirements of policy AW7 the Rhondda Cynon Taf Local Development Plan.

Report for Development Control Planning Committee

Tonypandy

21/0346/10 Decision Date: 30/04/2021

Proposal: Decking to rear (retrospective).

Location: 89 KENRY STREET, TONYPANDY, CF40 1DG

Reason: 1 The retention of the proposed decking, by virtue of its scale, design and elevated height, is considered to have a detrimental impact upon the character and appearance of the rear of the host dwelling and wider area. It also results in a significant detrimental impact upon the residential amenity of neighbouring occupiers, having caused a material loss of privacy, an increase in overlooking and an unacceptable overbearing impact. The proposal is considered both unneighbourly and excessive and therefore contrary to the relevant policies of the Local Development Plan (AW5 and AW6) and Supplementary Planning Guidance A Design Guide for Householder Development.

Porth

21/0163/10 Decision Date: 20/04/2021

Proposal: Remove duo pitched roof to rear and create a flat roof dormer extension.

Location: MURRAYS TAXIS, 57 NORTH ROAD, PORTH, CF39 9SG

Reason: 1 The proposal by virtue of its size, scale and design would have a detrimental visual impact on the character of the dwelling and the area as a whole. As such the proposal would be contrary to Policies AW 5 and AW 6 of the Rhondda Cynon Taf Local Development Plan and Supplementary Planning Guidance - A Design Guide for Householder Development.

Cymmer

21/0208/10 Decision Date: 06/05/2021

Proposal: Installation of a portable cabin for use as a hairdressing/beauty salon within the car park.

Location: FARMERS ARMS PUBLIC HOUSE, 244 TREBANOG ROAD, TREBANOG, PORTH, CF39 9DY

Reason: 1 The proposed siting of a raised steel shipping container at the site, of industrial and utilitarian appearance, would be out of keeping with the traditional character and appearance of the existing public house building and the surrounding locality. Further, located at the front of the site, directly adjacent to the main highway through the village, it would form a highly prominent and alien feature that would dominate views from the highway and surrounding properties, contrary to Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

Report for Development Control Planning Committee

Rhondda

20/1262/10

Decision Date: 06/05/2021

Proposal: Retrospective erection of a fence, creation of an access, creation of an area of astro-turf, the siting of a static caravan for welfare facilities and the siting of a timber portacabin to be used in connection with the dog breeding enterprise.

Location: GLEN VIEW, MOUNT PLEASANT, TREHAFOD, PONTYPRIDD, CF37 2NU

Reason: 1 The proposed additional buildings are considered to result in visual clutter, to the detriment of the character and appearance of the rural location and harmful to the Mynydd y Glyn and Nant Muchudd Basin Special Landscape Area.

The proposal is therefore contrary to Policies AW 5, AW 6 and SSA 23 of the Rhondda Cynon Taf Local Development Plan.

Reason: 2 The proposed access track is sub-standard in nature as a primary means of access for the intended business use. The track is lacking in permanent surfacing material, street lighting, surface water drainage and width.

The proposal would therefore have an adverse impact upon highway and pedestrian safety, contrary to Policy AW 5 of the Rhondda Cynon Taf Local Development Plan.

Llanharan

21/0243/10

Decision Date: 21/04/2021

Proposal: Provide additional bedrooms and a bathroom in loft by raising height of the roof.

Location: 8 BLUEBELL DRIVE, LLANHARAN, PONTYCLUN, CF72 9UN

Reason: 1 The proposal by virtue of its size, scale and design would result in a detrimental impact to the amenity of surrounding residents by overbearing, overshadowing and loss of privacy. As such the proposal would be contrary to Policy AW 5 of the Rhondda Cynon Taf Local Development Plan

Reason: 2 The proposal by virtue of its size, scale and design would have a detrimental visual impact on the character of the dwelling and the area as a whole. As such the proposal would be contrary to Policies AW 5 and AW 6 of the Rhondda Cynon Taf Local Development Plan and Supplementary Planning Guidance - A Design Guide for Householder Development.

Total Number of Delegated decisions is 7