



**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 - Democratic Services (07385401877)

A virtual meeting of the **PLANNING AND DEVELOPMENT COMMITTEE** will be held on **THURSDAY, 12TH AUGUST, 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, 10 AUGUST 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 20<sup>th</sup> May 2021.

5 - 10

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

### **5. APPLICATION NO: 20/0882**

Outline application for 3 residential dwellings and access road (all matters reserved (Additional Plans rec. 16/11/2020 & 17/12/2020) (Ecology Survey rec. 18/06/21)

**Sunnyside, Hirwaun Road, Penywaun, Aberdare, CF44 9LL**

11 - 24

### **6. APPLICATION NO: 21/0023/10**

Raised decking in rear garden (Amended Site Location and Block Plan received 30/06/21)

**6 Red Rose Hill, Pentre, CF41 7PU**

25 - 30

### **7. APPLICATION NO: 21/0613**

Change of use from army surplus shop (A1) to craft ale and cocktail bar (A3) with roller shutter to front door.

**12 Market Street, Pontypridd, CF37 2ST**

31 - 40

### **8. APPLICATION NO: 21/0665/10**

Two residential care units each containing four self-contained two bedroom flats. Separate building for use as an office and laundry.

**Land adjacent to 74 Corbett Street, Treherbert, Treorchy, CF42 5ET**

41 - 54

9. **APPLICATION NO: 21/0760/15**  
Variation of condition 1 time limit (16/0391/13)  
**Land south of 186 East Road, Tylorstown, Ferndale, CF43 3BY** **55 - 64**
10. **APPLICATION NO: 21/0974/10**  
Two storey rear extension.  
**236 Brithweunydd Road, Trealaw, Tonypandy, CF40 2PB.** **65 - 70**

### **SITE INSPECTION**

11. **APPLICATION NO: 20 1182**  
Development of five detached dwellings (Approval of reserved matter details pursuant to grant of outline permission 14/1308/13, as extended by 19/0334/15) (Amended Plans received 23/03/2021).  
**FORMER CWMBACH LIBRARY SITE, MORGAN ROW, CWMBACH, ABERDARE** **71 - 88**

### **DEFERRED APPLICATIONS**

12. **APPLICATION NO: 20/0843/10**  
Proposed dwelling.  
**Land between Wattstown Rugby Club and 25 Danygraig Terrace, Ynyshir** **89 - 108**

### **INFORMATION REPORT**

13. **INFORMATION FOR MEMBERS, PERTAINING TO ACTION TAKEN UNDER DELEGATED POWERS**  
To inform Members of the following, for the period 12/07/2021 – 30/07/2021.  
  
Planning and Enforcement Appeals Decisions Received  
Delegated Decisions Approvals and Refusals with reasons. **109 - 130**
14. **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 W Lewis, 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, 20 May 2021 at 3.00 pm

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

Councillor S Rees (Chair)

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

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

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

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

Councillor R Bevan, Councillor K Morgan and Councillor G Stacey

## **172 DECLARATION OF INTEREST**

In accordance with the Code of Conduct, County Borough Councillor S Rees declared a personal and prejudicial interest in respect of 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.

"I am a Governor at the school and Community Link Governor therefore I have discussed the application with those directly affected".

## **173 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.

**174 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.

**175 MINUTES**

It was **RESOLVED** to approve as an accurate record, the minutes of the meeting of the Planning and Development Committee held on the 25<sup>th</sup> March 2021.

**176 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.

**177 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**

**Note:** Having earlier declared a personal interest which was also a prejudicial interest in the above-mentioned application County Borough Councillor S Rees vacated the Chair and County Borough Councillor G Caple took over the Chair of the meeting for this item of the agenda).

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

- Mr Phil Baxter (Agent)
- Mr Peter Cobley (Objector)
- Ms Lorna Cobley (Objector)
- Mr Terry Davies (Objector)

The Agent Mr Phil Baxter exercised the right to respond to the comments made by the objectors.

Having earlier declared an interest in the application (Minute No. 172), Committee/ Local Member, County Borough Councillor S. Rees exercised her right to address the Committee under 14(2) of the Code of Conduct on the application and put forward her concerns in respect of the proposed development and left the meeting for its deliberation.

The Head of Major Development and Investment read out the contents of a written submission from Mr & Mrs Davies outlining their objections to the proposed development.

He also outlined the contents of 2 'late' letters received from Natural Resources Wales and Glamorgan Gwent Archaeological Trust.

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.

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

**(Note:** A motion was seconded to hold a site visit to consider pollution, layout and drainage but fell)

## 178 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**

**(Note:** County Borough Councillor S Rees returned to the meeting and resumed her position as Chair of the meeting).

**(Note:** County Borough Councillor D Grehan left the meeting at this point and did not return.)

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

- Mr Chris Davies (Applicant)
- Mr David Rees (Objector)
- Ms Tracey Rees (Objector)

The Applicant Mr Chris Davies exercised the right to respond to the comments made by the objectors.

The Head of Major Development and Investment read out the contents of a written submission from Mr Rees Williams outlining his concerns.

**(Note:** At this point in proceedings County Borough Councillor S Powderhill declared a personal and prejudicial interest in this application.

“One of the speakers is known to myself and as a member of the Licensing Committee where licensing has been referenced as a measure of possible enforcement in this application I will withdraw from the application and take no further part”

County Borough Councillor D Williams also declared a personal and prejudicial interest in this application:

"I am Vice Chair of the Licensing Committee where licensing has been referenced as a measure of possible enforcement in this application I will withdraw from the application and take no further part."

County Borough Councillors S Powderhill and D Williams left the meeting at this point.)

The Head of Major Development and Investment presented the application to Committee and following consideration it was **RESOLVED** to approve the application in accordance with the recommendation of the Director, Prosperity and Development subject to the conditions outlined within the report and to the following additional condition to ensure the balcony is for residential purposes only.

(**Note:** County Borough Councillor W Owen abstained from the vote)

**179 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**

(**Note:** Having previously left the meeting, County Borough Councillors S Powderhill and D Williams returned to the meeting.)

In accordance with adopted procedures, the Committee received Mr Graham Jenkins (Objector) was afforded five minutes to address Members on the above-mentioned proposal.

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

The Head of Major Development and Investment read out the contents of written submissions from the following:

- Mr J Pain (Applicant)
- Ms Gronow (Objector)
- Mr Roche (Objector)
- Mr Evans (Objector)
- Mr & Mrs Swaysland (Objectors)
- Mr & Mrs Jones (Objectors)

The Head of Major Development presented the application to Committee and following consideration it was **RESOLVED** to issue a Lawful Development (Proposed Use) Certificate.

**180 APPLICATION NO: 21/0075/10**

**Garage and hardstand to rear of property.**

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

The Head of Major Development 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.

**181 APPLICATION NO: 21/0207/10**

**New fifteen space car park, including one disabled bay and drop off area. Long Meadow Close, Hirwaun**

The Head of Major Development read out the contents of a written submission from Ms R Powell and Hirwaun and Penderyn Community Councillor R Jones.

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

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 conditions outlined within the report and to an additional condition requiring additional accessible parking spaces to be provided within the car park.

**182 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**

The Head of Major Development and Investment outlined the contents of a 'late' letter received from Natural Resources Wales.

He continued to present 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 an additional condition listing the approved plans and documents.

**183 COUNCIL PROCEDURE RULE 8**

It was **RESOLVED** to continue the meeting in accordance with Council Procedure Rule 8, to allow consideration of the remaining agenda items.

**184 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)**

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

The Head of Major Development and Investment read out the contents of a

written submission from County Borough Councillor M Adams outlining his concerns in respect of the application.

He also read a written submission on behalf of Mr S Waldren (Agent).

In accordance with Minute No:110 of the Planning and Development Committee held on the 25<sup>th</sup> February 2021, the Committee considered the report of the Director, Legal & Democratic Services outlining the outcome of the site visit inspection which was held on the 5<sup>th</sup> May 2021 in respect of the application which was recommended for approval by the Service Director Planning.

Following consideration Members were minded to refuse the application contrary to the recommendation of the Director, Prosperity & Development as Members were of the view that there was the potential for increased parking on East Street and a lack of safety for vehicles parking at the rear of the proposed site, concern of overdevelopment of the site resulting in too many vehicles potentially utilising the confirmed rear parking, the suitability of the unadopted lane being used and the limited vehicle movement currently in the lane Therefore, the matter would be deferred to the next appropriate meeting of the Planning & Development Committee for a report of the Director, Prosperity & Development, if necessary in consultation with the Director, Legal Services, highlighting the potential strengths and weaknesses of making a decision contrary to the recommendation of an officer or any proposed or possible planning reason for such a decision prior to determining a matter.

**185 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 19/04/2021 – 07/05/2021.

**This meeting closed at 6.15 pm**

**CLLR S REES  
CHAIR.**



## PLANNING & DEVELOPMENT COMMITTEE

12 AUGUST 2021

### REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

#### PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 20/0882/13 (KL)  
**APPLICANT:** Mr Davies  
**DEVELOPMENT:** Outline application for 3 residential dwellings and access road (all matters reserved (Additional Plans rec. 16/11/2020 & 17/12/2020) (Ecology Survey rec. 18/06/21)  
**LOCATION:** SUNNYSIDE, HIRWAUN ROAD, PENYWAUN, ABERDARE, CF44 9LL  
**DATE REGISTERED:** 09/09/2020  
**ELECTORAL DIVISION:** Penywaun

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**RECOMMENDATION:** Approve subject to conditions

**REASONS:** The proposal to construct three new dwellings on a site that is located within the defined settlement boundary and within a sustainable location, as defined by Policies AW1, AW2 and NSA12, is considered to be acceptable in principle. Furthermore, the application site is located within a predominantly residential area and the proposal would therefore be in keeping with surrounding land uses.

Whilst the application is made in outline with all matters reserved for future consideration, it is considered that the proposed dwellings could be sited appropriately within the site so as to have a limited impact upon the character and appearance of the surrounding area and upon the amenity and privacy of surrounding residential properties. It is also considered that the site could be acceptable in respect of its impact upon highway safety in the vicinity of the site.

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#### REASON APPLICATION REPORTED TO COMMITTEE

- Three or more letters of objection have been received.

## **APPLICATION DETAILS**

Outline planning permission is sought for the construction of 3 detached residential dwellings on a parcel of land that currently forms part of the garden curtilage of an existing residential dwelling known as Sunnyside, which is situated on Hirwaun Road, Penywaun. All matters are reserved for future consideration however, an indicative site layout plan has been submitted which indicates how the site may be developed.

The plan indicates that the dwellings would be situated to the rear of the existing dwelling with access being served via a new private access driveway which would run along the eastern boundary of the site. Each dwelling would be provided with 2 off-street car parking spaces and amenity space to their front and rear elevations.

Details submitted with the application indicate that the proposed dwellings would be constructed within the following parameters:

- Width: Min. 7.5m; Max. 8m;
- Depth: Min. 9.5m; Max. 10m;
- Height: Min. 8.3m; 8.5m.

In addition to the standard application forms and documents required in the submission of an outline application, the application is accompanied by the following:

- Coal Mining Risk Assessment
- Cross-section Plans
- Preliminary Ecological Appraisal
- Technical Note: Additional Roost Assessment Visit
- Topographical Survey

## **SITE APPRAISAL**

The application site relates to an irregular shaped parcel of land that currently forms part of an existing residential dwelling known as Sunnyside which is located on the northern side of Hirwaun Road in Penywaun, Aberdare. Measuring approximately 3135m<sup>2</sup> (0.314 Hectares) in area, the site falls away from the rear of the existing dwelling towards the northern boundary of the site. The site is currently vastly overgrown and it was noted during the officers site visit that works are being undertaken to renovate the existing dwelling (works approved under a separate application).

The surrounding area is predominantly residential in character with properties in the immediate vicinity of the site varying in scale, design and appearance. The nearest neighbouring properties are considered to be 'Springfield Bungalow', 'Bryn Nant' and 'Abbotsley' which are located to the south-western boundary of the site, 'Beechwood' which is located to the west, no's.17 & 18 Perthlywd to the east, no's. 20, 20a & 20b Derlwyn to the north-east and no. 7 Mangoed to the north.

## **PLANNING HISTORY**

The following applications are considered to be associated with the application site:

17/0965	Sunnyside, Hirwaun Road, Penywaun, Aberdare	Single storey rear extension	Granted 12/10/17
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## **PUBLICITY**

The application has been advertised by means of direct neighbour notification letters to properties immediately adjacent to the site as well as through the erection of a number of site notices in the vicinity. A total of 3 letters of objection have been received which are summarised as follows:

- The proposal would result in three houses being erected at a much higher level than Beechwood Bungalow which will adversely affect and be to the detriment of the occupier's enjoyment of the property.
- The development will be out of accord with the existing pattern of development in the area.
- The development will increase the volume of traffic off the A4059 which is a busy main road- a road which has seen a number of serious accidents, including fatalities.
- The land to the north of the application site is not within the applicant's ownership and is the subject of a restrictive covenant which prevents the erection of any building or structure on that land. There is concern that the development could result in the erection of structural embankment on part of this land to provide support for the development.
- The banking would not be strong enough to take buildings and retaining walls will be required.
- The houses will be so high on top of the banking which will overshadow all the existing houses around.
- There will be a loss of privacy.
- Concern is raised in relation to the access road to the proposed dwellings which appears to run close to the back of existing properties.
- A query is raised in relation to the hedges and whether fencing is proposed to be erected.
- A query is raised over who would be responsible for the other side of the edge.

## **CONSULTATION**

**Coal Authority:** No objection

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

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

**Natural Resources Wales:** Concerns raised in respect of lack of Foul drainage arrangements.

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

## **POLICY CONTEXT**

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

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

**Policy CS1 - Development in the North:** Places emphasis on building strong, sustainable communities which will be achieved by providing high quality, affordable accommodation that promotes diversity in the residential market.

**Policy AW1 – Supply of New Housing:** Outlines how the housing land requirement will be met which includes development of unallocated land within the defined settlement boundaries.

**Policy AW2 – Sustainable Location:** Advises that development proposals on non-allocated sites will only be supported in sustainable locations.

**Policy AW4 – Community Infrastructure and Planning Obligations:** Provides support to planning obligations and contributions.

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

**Policy AW6 – Design and Placemaking:** Requires development to involve a high quality design and to make a positive contribution to place making, including landscaping.

**Policy AW8 - :** ensures that developments have no unacceptable impact upon features of importance to landscape or nature conservation, including ecological networks

**Policy AW10 – Environmental Protection and Public Health:** - Development proposals must overcome any harm to public health, the environment or local amenity as a result of flooding.

**Policy NSA10 – Housing Density:** Requires housing developments in the Northern Strategy Area to have a net residential density of at least 30 no. dwellings per hectare, subject to certain exceptions.

**Policy NSA12 – Housing Development within and Adjacent to Settlement Boundaries:** Identifies the criteria for assessment of development proposals within and adjacent to settlement boundaries in the Northern Strategy Area.

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

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

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

- Policy 1 – Where Wales will grow – Employment/Housing/Infrastructure
- Policy 2 – Shaping Urban Growth – Sustainability/Placemaking
- Policy 9 – Resilient Ecology Networks

Other relevant national policy guidance consulted:

PPW Technical Advice Note 5: Nature Conservation and Planning;  
PPW Technical Advice Note 12: Design;  
PPW Technical Advice Note 18: Transport;  
Manual for Streets

Other relevant national policy guidance consulted:

## **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:**

It is considered that the key considerations in the determination of this planning application will be whether the principle of residential development at the application site is acceptable in the first instance, and if so, whether the site is capable of accommodating the proposed dwellings, associated means of access/parking/turning facilities and sufficient amenity space without resulting in a detrimental impact upon

the amenity and privacy of neighbouring properties; the character and appearance of the surrounding area; and highway safety in the vicinity of the site.

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

The application site is located within the defined settlement boundary and within an area that is predominantly characterised by residential properties. It has good access to key local services and amenities, such as shops and schools, and is accessible by a range of sustainable modes of transport, with local bus services to Aberdare, Merthyr Tydfil and Glynneath, within reasonable walking distance. The surrounding area is also conducive to 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 Development Plan. The proposed residential use of the site is also considered to be compatible with surrounding land uses and the proposal would therefore comply with this policy.

The proposal is also considered to comply with Policies AW1 and NSA12 which both seek to direct residential development to areas and sites that are located within the defined settlement boundaries. Policy NSA12 further stipulates that developments must not adversely affect the highway network or parking provision in the area and that they must be accessible to local services by a range of modes of transport, on foot or by cycle. As discussed above, the site is served by local bus services and is conducive to travel on foot and bicycle. Furthermore, the Council's Highways and Transportation section have not raised any objection to the proposal in terms of access or parking (discussed more fully in *Access and Highway Safety* section below).

Policy NSA10 seeks to ensure that proposed residential developments have a net residential density level of at least 30 dwellings per hectare. Based on 3 dwellings on a site measuring 0.314 hectares, the resulting residential density of the proposal is approximately 22 dwellings per hectare which is below the requirement. However, the policy also recognises that it is not always possible to achieve such densities and that a lower density may be acceptable where it would be necessary to protect the character of the site or the surrounding area or where it is necessary to protect the amenity of existing or future residents. In this case, the site is relatively constrained in terms of its shape and topography and so it may not be possible to increase the density without having a detrimental impact upon existing residents.

In light of the above, the principle of the proposal to construct 3 residential dwellings at the site is 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**

The application is made in outline with all matters reserved for future consideration. As such, without specific design details and the supporting information that would usually accompany a full or reserved matters application, it is not possible to fully assess the development in terms of its visual impact.

Notwithstanding this, the application is accompanied by an indicative site layout plan and indicative site levels which illustrates how the site may be developed. The plans



indicate that the dwellings would be sited to the rear of the existing dwelling, forming a linear line of dwellings that would broadly follow the line of the south-western boundary of the site. Access would be provided off Hirwaun Road with a new private driveway (including a passing bay and turning head) being formed to the eastern side of the existing dwelling and then along the northern boundary.

The plans demonstrate that it would be physically possible to accommodate three new dwellings of the size proposed on the site whilst also ensuring that they each benefit from an acceptable access to the public highway as well as from off-street car parking and outdoor amenity space. Furthermore, the plans indicate that the plot could acceptably be subdivided without compromising the outdoor amenity space, off-street parking and access of the existing dwelling.

Whilst there is some concern that the dwellings would be sited to the rear of the existing dwelling and would therefore not have a positive relationship with the existing street scene at Hirwaun Road, there are other properties in the immediate vicinity which appear to be set behind the main pattern of development on the street.

Furthermore, existing dwellings in the area vary greatly in terms of their scale, design and overall visual appearance so whilst the scale of the proposed dwellings would appear to be larger than the original dwelling, which is single storey, they would not appear to be out of context with the wider surrounding area.

As such, it is not considered that the development would have such a significant impact upon the character and appearance of the area that it would warrant the refusal of the application and no objections are therefore raised at this stage.

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

As indicated above, the application is made in outline with all matters reserved for future consideration. Whilst concerns have been raised by local residents in relation to the impact of the proposal on existing properties (i.e. overlooking, overbearing and overshadowing), it is not possible to qualitatively assess any impact on other occupiers without the submission of full details that would be submitted with either a full of a reserved matters application.

Notwithstanding this, an indicative site layout plan has been submitted with the application which indicates that there is adequate space within the site to ensure that the proposed dwellings would not have an adverse impact upon existing residential properties surrounding the site. A separation distance of between 24 and 38 metres could be maintained between existing and proposed dwellings which would be sufficient to ensure that no adverse levels of overlooking or overshadowing would occur.

Whilst some concern was initially raised with regards to the differences in ground level between the site and existing properties to the rear, the applicant submitted an additional plan to demonstrate the differences in levels and the potential relationship between existing and proposed dwellings. Together, the indicative site layout plan and site levels plan suggest that whilst there will inevitably be some impact upon existing

properties, this would not be significant enough to warrant the refusal of the application. Indeed, the relationship between the existing and proposed dwellings would not be too dissimilar to the relationships between existing properties in the area.

Whilst the concerns raised by residents are noted, the final siting and scale of the proposed dwellings and therefore their impact upon existing residential dwellings would be subject to more detailed consideration in any future full or reserved matters application. Nonetheless, it appears possible that the site could be developed in such a way that the dwellings would neither cause significant detriment to the outlook or privacy of other residents, nor be likely to cause significant overshadowing. Therefore, no objections are raised in relation to the potential impact on existing residents at this stage.

### **Access and highway safety**

The application has been assessed by the Council's Highways and Transportation section and no objection has been raised in terms of the impact of the proposal on highway safety in the vicinity of the site.

The response received indicates that the application site is located off the A4059 which is a principle route carrying a substantial amount of vehicular and pedestrian traffic. Whilst concern is raised that the indicative site layout plan submitted with the application does not accord with the Council's Design Guide for Residential Estate Roads, the highways officer considers that this can be address through the imposition of a condition requiring full engineering design and details of the private shared access.

In conclusion, it is considered that the proposed access, circulation and parking provision is acceptable for safe vehicular and pedestrian movement. However, taking into account that all matters are reserved for future consideration and that the plan submitted is indicative only, a number of highway related conditions have been recommended.

### **Other Issues:**

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

### **Ecology**

The proposal would result in the existing garage at the site being demolished in order to provide adequate access from the A4059. The application is accompanied by a Preliminary Ecology Appraisal & Preliminary Roost Assessment which confirms that bat droppings were found within the building however these appeared to be very old. A further visit was undertaken which concluded that a bat roost was not present and that the bat roost potential is negligible. It is suggested that if bats were previously using the building, they no longer are because of its deteriorating state. Whilst no Bat Licence would be required in this instance, the report recommends some precautionary measures for bats.

The Preliminary Ecology Appraisal also identifies other species issues and includes precautionary ecologist supervised measures for reptiles, hedgehogs, badgers and nesting bird provisions, sensitive lighting for bats, protection of an oak tree and sensitive landscape with tree planting, plus ecological enhancement measures. As such, a condition is recommended to ensure the submission of the details of all measures identified in Section 6 of the Preliminary Ecology Appraisal and the bat recommendations of the accompanying Technical Note.

## **Drainage**

### *Surface water drainage*

The construction works would be greater than 100m<sup>2</sup> and a separate application for sustainable drainage approval (SuDs) will be required prior to works commencing on site. The development will also be required to comply with Part H of the building regulations which sets out the design requirements associated with the use of infiltration drainage. It is therefore considered that surface water drainage can be adequately dealt with outside of the planning process.

### *Foul drainage*

The application has been assessed by Natural Resources Wales who have raised concern that the application does not provide any details in terms of the disposal of foul waters from the proposed development. It is recommended that the first assumption must be to provide a system of foul drainage discharging into a public sewer and that this option must be thoroughly investigated before considering any other non-mains foul sewage solutions. NRW note that the area is a publicly sewered area whilst Welsh Water have also indicated that there is capacity available at the receiving Cynon Waste Water Treatment Works.

Given that the site is within a publicly sewered area, it is considered that a suitably worded planning condition could be imposed to ensure that adequate foul and surface water drainage is provided.

## **Coal Mining Legacy/Land Stability**

The application site falls within the defined Development High Risk Area and the Coal Authority records indicate that there are coal mining features and hazards within the site and the surrounding area which need to be considered in relation to the determination of this planning application.

The application is accompanied by a Desktop and Mining Risk Assessment Report which has been assessed by the Coal Authority. The report identifies that the application site may have been subject to past coal mining activity and the Coal Authority records indicate that the site is likely to have been subject to historic unrecorded underground coal mining at shallow depth associated with a thick coal seam outcrop. The report identifies the conjectured position of the nearby thick coal seam outcrop but concludes that shallow mining poses zero risk to the proposed development, specifically as it is to the south of the proposed development area and

dips to the south. As such, the Coal Authority is satisfied that the development will be safe and stable and no objection is therefore raised in this regard.

Whilst one letter of objection raised concern over the stability of the site, no evidence has been provided to the contrary of the submitted Desktop and Mining Risk Assessment and the proposal is therefore considered to be acceptable in this regard.

### **Impact on trees**

The Preliminary Ecological Appraisal indicates that the development would result in the loss of a small number of trees. The identified trees are not subject to a Tree Preservation Order and it is noted that the report recommends that replacement trees be planted on site to compensate for the loss. Whilst no details have been submitted in this regard, a suitably worded planning condition can be imposed to ensure that the scheme is suitable.

### **Other issues raised by objectors**

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

One letter of objection raises concern that the development would encroach onto a parcel of land that is outside but adjacent to the site and which is the subject of a restrictive covenant. No details have been submitted with the application to suggest that any development would be carried out outside of the site boundary and, in any case, the developer would need to serve notice on the landowner prior to carrying out any works on land that is not within their control. Furthermore, the covenant is a legal issue and not a planning matter and it cannot therefore be used as a reason to refuse planning permission.

A further letter of objection raises a query in relation to the hedges at the boundary of the site and whether fencing is proposed to be erected and who would be responsible for it. Firstly, the application is made in outline with all matters reserved for future consideration. The issue of boundary treatments would therefore be considered at full or reserved matters stage and may be subject to standard conditions pertaining to issues of protecting the amenity and privacy of surrounding residents. In terms of responsibility, this is not a material planning consideration and such issues must be adequately dealt with by the developer

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

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

As planning permission first permits developments on the day of the final approval of the last of the reserved matters, CIL is not payable at outline stage but would be calculated for any reserved matters or full applications. However, the application site lies within Zone 1 of the Rhondda Cynon Taf's Residential Charging Zones, where a nil charge is applicable.

## Conclusion

The application site is located inside the defined settlement boundary and within a predominantly residential area where the principle of constructing additional residential dwellings is considered to be acceptable. Whilst the indicative site layout plan and site section plans indicate that the site could be sympathetically developed for three dwellings, the details are for illustrative purposes only and the detailed design of the dwellings, including site sections, is reserved for future consideration. The full impact of any future development on the character and appearance of the site and surrounding area, the amenity and privacy of surrounding residential properties and highway safety will therefore be fully considered at full or reserved matters stage when the layout and design of the site is more definitive.

## RECOMMENDATION: Grant

1. (a) Details of the appearance and landscaping, (hereinafter called “the reserved matters”) shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

(b) Any applications for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.

(c) The development shall begin either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To comply with Sections 92 and 93 of the Town and Country Planning Act 1990.

2. Prior to the construction of the dwellings hereby approved details of the materials to be used in the construction of the external surfaces of the dwellings shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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

3. Plans and particulars of the existing and proposed levels (including relevant sections) shall be submitted to and approved in writing by the Local Planning Authority as part of any future reserved matters application. The development shall be carried out in accordance with the approved details.

Reason: To protect residential and visual amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

4. Notwithstanding the submitted plans, development shall not begin until design and details of the private shared access including full-size turning area for service and delivery vehicles, minimum carriageway width of 4.5m, passing bay, tie in detail with the A4059, vehicular crossover and surface water drainage details have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented to the satisfaction of the Local Planning Authority prior to beneficial occupation of the dwellings.

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

5. Off-street parking shall be in compliance with RCT's Supplementary Planning Guidance on Delivering Design and Placemaking: Access, Circulation & Parking Requirements (March 2011) for the existing dwelling Sunnyside and the proposed dwellings.

Reason: To ensure that adequate parking facilities are provided within the curtilage of the site, in the interests of highway safety and in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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

The approved Construction Method Statement shall be adhered to throughout the development process unless otherwise agreed 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. No HGV deliveries during construction shall take place between 07:30 – 09:00am and 16:30-18:00pm during weekdays.

Reason: In the interests of the safety and free flow of traffic along the A4059, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

8. Surface water run-off from the proposed development shall not discharge onto the public highway or be 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.

9. The details of landscaping required to be submitted to and approved by the Local Planning Authority in accordance with Condition 1 above shall include indications of all existing trees and hedgerows on the land and details of any to be retained together with measures for their protection during the course of development.

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

10. All planting, seeding or turfing comprised in the approved details of landscaping 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.

11. No development shall commence until details of a scheme for the disposal of foul and surface water has been submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details prior to the residential use of the development and retained in perpetuity.

Reason: To ensure adequate disposal of foul and surface water drainage in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

12. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the buildings are occupied. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the new development will in keeping with the surrounding area and to protect residential amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

13. Notwithstanding the submitted details, prior to above ground works, a scheme for ecological mitigation and enhancement, as outlined in Section 6 (Recommendations) of the Preliminary Ecological Appraisal and the bat recommendations contained within Technical Note 117 shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- a) Provisions for on-site bat sensitive lighting,
- b) A sensitive landscaping and tree planting plan,
- c) Precautionary ecologist supervised measures for reptiles, hedgehogs and badgers,
- d) Provisions for nesting birds
- e) Details for the protection of an oak tree.
- f) Details of built-in bat and bird boxes.

The works shall be implemented in accordance with the approved details.

Reason: To provide biodiversity enhancement, in accordance with Chapter 6 of PPW.





## PLANNING & DEVELOPMENT COMMITTEE

12 AUGUST 2021

### REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

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

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 21/0023/10 (JE)  
**APPLICANT:** Mr S Wall  
**DEVELOPMENT:** Raised decking in rear garden. (Amended Site Location and Block Plan received 30/06/21)  
**LOCATION:** 6 RED ROSE HILL, PENTRE, CF41 7PU  
**DATE REGISTERED:** 12/04/2021  
**ELECTORAL DIVISION:** Ystrad

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#### **RECOMMENDATION: GRANT, 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 impact it has upon the amenity and privacy of the neighbouring residential properties.

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

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

#### **APPLICATION DETAILS**

Full planning permission is sought for the retention of an area of raised decking at 6 Red Rose Hill, Pentre. The area of decking is located to the rear of the property towards its north western boundary.

The area of decking measures a maximum width of 4.8 metres by a maximum depth of 5.3 metres. The decking is elevated on wooden posts and measures a maximum height of 1.7 metres above ground level to the front. The proposed decking is enclosed by a 2.2 metre timber screen on its western and northern elevations. On its southern and eastern elevations, the decking is enclosed by a 1.2 metre timber balustrade. Access to the decking is gained from the rear amenity space via an attached staircase on the front elevation.

## **SITE APPRAISAL**

The application property is a traditional end of terrace property situated on a cul-de-sac which forms part of a residential area of Gelli, Pentre. The property is attached on its south western side elevation and benefits from a large wrap around amenity space on its side and rear elevations. The amenity space is bounded by no. 5 Red Rose Hill to the south west, Briarfield to the west, Four Seasons to the north and the highway at Red Rose Hill to the east. The property occupies a valley side location with the nature of the area sloping from north to south with the level of the amenity space increasing to the rear of the property. As such, there are existing terraced areas and levels within the amenity space which are raised above the ground floor level of the dwelling. Within the amenity space of the property is an existing detached wooden playhouse currently used as chicken coup accessed from Red Rose Hill.

Neighbouring properties are a mix of traditional terrace dwellings and larger more recently constructed detached dwellings to the north and west.

## **PLANNING HISTORY**

There are no recent planning applications on record associated with this site.

## **PUBLICITY**

The application has been advertised by direct notification to 6 neighbouring properties. 3 letters of objection have been received. The points raised have been summarised below:

- Decking blocks access through lane at the rear of property which is a public right of way for local residents
- Creates precedent for other properties to build similar developments
- Development has created the impression that the area isn't a right of way and fly tipping has occurred since the decking has been in place.

## **CONSULTATION**

No consultation has been undertaken.

## **POLICY CONTEXT**

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

The application site lies within the settlement boundary for Pentre and isn't allocated for a 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 place making, including landscaping.

Supplementary Planning Guidance

- A design guide for householder development

### **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 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

### **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 retention of an area of raised decking within the curtilage of an existing residential dwelling. The principle of development is therefore acceptable subject to the criteria set out below.

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

Given its location to the rear of the property which is largely screened from view by the existing pattern of development in the vicinity, the area of decking does not form a prominent or incongruous addition that adversely impacts upon the character and appearance of the area.

Additionally, the decking is of an acceptable scale and design which is consistent with its domestic setting. Furthermore, when considering the extent of the amenity space which is significantly larger than average, the area of decking is considered to form a sympathetic addition to the application property.

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

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

When considering the relationship with the neighbouring property Four Seasons to the north, as this property is located higher in level, the outlook from this property would largely be across the top of the structure. As such, it is not considered the structure results in any adverse impact upon amenity on this property.

With regard to the impact upon the attached property 5 Red Rose Hill, which stands to the south. As the curtilage level of the application property is higher it is considered that a level of overbearing impact already occurs between the two properties. In addition, as the decking is set back from the boundary with 5 Red Rose Hill by 9 metres, the proposal is not considered to result in any greater overbearing impact on this elevation. Furthermore, due to the relationship with this property views from the raised decking on this elevation are largely screened by existing vegetation and ground levels. As such, the decking is not considered to result in any new opportunities for overlooking.

It is also noted that the objections received did not raised concerns in this regard. As such, taking the above into account, the proposal is not considered to adversely impact upon residential amenity and is considered acceptable in this regard.

### **Concerns raised by the objectors**

Members are advised that whilst the objectors claim that the decking has obstructed a Public Right of Way (PRoW), following a review of the Council's records, the area along the rear of the property is not a formal PRoW and does not benefit from a highway designation. Additionally, the applicant has confirmed that the boundaries of the property extend the full extent of the land to the rear of the decking and the other areas of amenity space set out.

Objectors have also raised concerns that approval of this application would set the precedent for future similar development. However, any future similar developments at neighbouring properties would require planning permission and would be considered on their own individual merits.

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

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

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

### **Conclusion**

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

### **RECOMMENDATION: Grant**

1. The development hereby approved shall be carried out in accordance with the approved plan(s):
  - Proposed Raised Decking Area
  - Decking 6 Redrose Hill block plan – Location Plan
  - Decking 6 Redrose Hill block plan

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.

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## PLANNING & DEVELOPMENT COMMITTEE

12 AUGUST 2021

### REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

#### PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 21/0613/10 (KL)  
**APPLICANT:** No. 12 Drinks Emporium  
**DEVELOPMENT:** Change of use from army surplus shop (A1) to craft ale and cocktail bar (A3) with roller shutter to front door.  
**LOCATION:** 12 MARKET STREET, PONTYPRIDD, CF37 2ST  
**DATE REGISTERED:** 24/05/2021  
**ELECTORAL DIVISION:** Town (Pontypridd)

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**RECOMMENDATION:** Approve, subject to conditions

**REASONS:** The application site is located within the Principal Town of Pontypridd where the principle of an A3 use is considered to be acceptable. The proposed use of the unit as a craft ale and cocktail bar would add to the vitality and viability of the town by attracting footfall to this area of the town during the day and the night, thereby contributing to the daytime and evening economy of the town.

The proposal would not result in any significant alterations to the external fabric of the existing building and it is not considered that it would have an adverse impact upon the character and appearance of the site or the surrounding conservation area.

Furthermore, the proposed hours of opening are considered to be reasonable and it is not considered that the proposal would have any additional impact upon the amenity of surrounding commercial and residential occupiers than that already experienced as a result of its town centre location and the location of similar establishments in the vicinity.

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#### REASON APPLICATION REPORTED TO COMMITTEE

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

#### APPLICATION DETAILS

Full planning permission is sought for the change of use of the ground floor of no. 12 Market Street, Pontypridd from an army surplus shop (Use Class A1) to a craft ale and cocktail bar (Use Class A3). The first and second floors would remain as offices and a flat.

The proposal would result in only minor alterations to the existing building with a bar and a WC being provided internally. The existing shop front would be retained however it is noted that a roller shutter door has recently been installed in front of the door. It was also noted that other internal works had been undertaken at the officer's site visit.

Details submitted with the application indicate that the proposed bar would be open between the hours of:

Monday – Friday:	11:00 – 23:00
Saturday:	11:00 – 23:00
Sundays and Bank Holidays:	11:00-23:00

The bar would employ 2 full-time members of staff.

### **SITE APPRAISAL**

The application site relates to a three-storey, mid-terrace property which is located within Pontypridd town centre and within Pontypridd Town Conservation Area. The property is currently in commercial use (A1- retail) and benefits from an existing shop front onto Market Street. A separate access is provided to the offices and flat on the upper floors.

Given its town centre location, the surrounding area is predominantly characterised by commercial properties.

### **PLANNING HISTORY**

06/0473	11-12 Market Street, Pontypridd	Conversion of existing flat and office into self- contained flats including new external staircase	Granted 21/06/06
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### **PUBLICITY**

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

- The proposal would have an adverse impact upon the existing legal practice above.
- The playing of music, audible outside drinking and general noise is not conducive to the operation of the legal practice.
- The use will be occupied with a number of patrons which will cause an increase in foot traffic, noise and obstruction to access.
- The siting and moving of tables and chairs have already obstructed the entrance to the legal practice.



- The proprietors have caused disturbance with 'live' guitar music and singing often without consideration of neighbouring businesses.
- Patrons smoke beside the doorway to the legal practice which is unpleasant and unsettling.
- Seated diners, drinkers and their animals and guitar playing acts as a deterrence to those wishing to discreetly attend the legal practice.
- The current music and seating are not 'in-keeping' with the retail and takeaway area. The bars and hotels are situated in the broader and more open areas of Market Street.
- The anticipated delivery of food, beers and ales are also likely to cause additional noise nuisance and obstruction to the legal practice.
- The seating area and busy access will cause a bottleneck in the road and further highway dangers where traffic will be unable to pass.
- It is not clear whether the premises have the ability to safely store materials such as bottled nitrogen and carbon dioxide which is normally required in the provision of wet sales. This is an additional risk to the legal practice.
- It is unclear what toilet provisions are available and there is concern that patrons will wish to avail themselves in alleyways, streets and doorways during the evening or night.
- Concern is raised with regards to the visual impact of a legal practice being sited next to an ale bar in this particular retail area. The visual impression and the reputation of the practice is likely to be diminished by the appearance of the ale bar.

## **CONSULTATION**

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

**Highways and Transportation:** No objection or condition suggested

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

**Welsh Water:** No objection subject to condition relating to surface water drainage.

## **POLICY CONTEXT**

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

The application site is located in the Southern Strategy Area and within the defined settlement boundary. It is located within the Principal Town of Pontypridd and within the Pontypridd Town Conservation Area. The following policies are considered to be relevant to this application:

#### *Core Policies*

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

#### *Area Wide Policies*

**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 AW7** - states that development proposals which impact upon sites of architectural and/or historical merit will only be permitted where it can be demonstrated that the proposal would preserve or enhance the character and appearance of the site.

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

### *Southern Strategy Area Policies*

**Policy SSA1** - sets out criteria from development proposals in the Principal Town of Pontypridd.

**Policy SSA16** - sets out the retail hierarchy in the Southern Strategy Area and identifies Pontypridd as a Principal Town Centre. It also supports proposals for retail development inside the defined settlement boundary which would maintain or enhance the centre's position in the retail hierarchy.

**Policy SSA17** - supports new and improved retail (Class A) facilities within town centres and within the retail centre Pontypridd.

### **Supplementary Planning Guidance**

Design and Placemaking

The Historic Built Environment

Design in Town Centres

Access Circulation and Parking

Shopfront Design

### **National Guidance**

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

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

It is considered that the proposed development is consistent with the key principles and requirements for placemaking set out in PPW; and is also consistent with the Well-being of Future Generations (Wales) Act's sustainable development principles through

its contribution towards the Welsh Ministers' well-being objectives of driving sustainable development and building healthier communities and better environments.

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 relevant policy guidance consulted:

PPW Technical Advice Note 4: Retailing and Town Centres;  
PPW Technical Advice Note 11: Noise;  
PPW Technical Advice Note 12: Design;

## **REASONS FOR REACHING THE RECOMMENDATION**

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

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

### **Main Issues:**

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

The application site is located inside the defined settlement boundary and within the defined retail centre of Pontypridd town centre. It is therefore considered to be situated within a highly sustainable location and the proposal would comply with the key sustainability objectives of Policy AW2.

Policy SSA16 sets out the retail hierarchy of retail centres in the Southern Strategy Area of Rhondda Cynon Taf and it identifies the town of Pontypridd as a Principal Town which is expected to perform as a sub-regional role. The policy encourages retail uses (Class A) within town centres that would maintain or enhance a centre's position in the retail hierarchy. The proposed craft ale and cocktail bar would fall within the A3 Use Class and would therefore generally be supported by Policy SSA16.

Policy SSA1 supports commercial development within the defined town centre of Pontypridd, providing that the development would reinforce the role of Pontypridd as a Principal Town. It states that proposals that would result in the loss of retail and commercial units will not be supported. The proposal would not result in the loss of a retail unit but would ensure its re-use for commercial purposes, thereby reinforcing the role of the town.

Policy SSA17 seeks to ensure that the proportion of Class A2 and A3 units does not rise above 25% of the frontage length of the defined primary shopping area. However, this particular site is located off the main shopping street and does not form part of the defined primary shopping area. The 25% restriction therefore does not apply in this instance. However, in saying this, it is noted that the majority of units within the town are within Use Class A1 (48.3%) with A2 and A3 uses accounting for 11.8% and 15.8% of units respectively. It is therefore not considered that the provision of an additional A3 unit would detract from the established retail character of the town.

Policy SSA17 also seeks to ensure that the proposed use would provide a direct service to visiting members of the general public and generate sufficient day time and evening pedestrian activity to avoid creating an area of relative inactivity in the shopping area. Details submitted with the application indicate that the use would be open from 11am until 11pm which would provide an active frontage during the day and the evening and which would inevitably add to the vitality of the centre by attracting customers and increasing footfall to this part of the town. The previous use of the unit was an army surplus shop (Use Class A1) which is likely to have had opening hours limited to daytime hours only. The proposal would therefore increase the potential footfall in this part of the town and would subsequently benefit other nearby convenience (food) uses during the evening. It is therefore considered that the proposed use would add to the vitality and viability of the town.

The proposal would also comply with other aspects of Policy SSA17 in that the existing shop front with its display function and entrance onto Market Street would be retained. This also does not prejudice the effective use of the upper floors with the separate access door also being retained.

Policy CS2 seeks to promote sustainable growth within the Southern Strategy Area by focusing development with defined settlement boundaries and by promoting the reuse of under used and previously development land and buildings. It is noted that the previous army surplus closed down and it is therefore considered that the proposed change of use would therefore make a valuable contribution to the local area by reusing a vacant and underused building. It is noted that the most recent retail survey undertaken by the Council (January 2020) reveals that the town of Pontypridd has a vacancy rate of 13.3%. The proposed change of use would therefore ensure that this figure would not be increased.

In light of the above, it is considered that the proposed change of use would be compliant with the relevant policies set out in both the Rhondda Cynon Taf Local Development Plan and Planning Policy Wales and the development is therefore considered acceptable in principle, subject to an assessment of the criteria set out below.

### **Impact on the character and appearance of Pontypridd Town Conservation Area and surrounding area**

The proposal would not result in any significant alterations to the external fabric of the building and the existing shop front is proposed to be retained. It is noted a new roller shutter door has been installed in front of the main entrance door and there is significant concern with regards to the impact that this has on the character and

appearance of the surrounding conservation area. Whilst it is noted that there are other roller shutter doors visible throughout the wider conservation area, these are typically more appropriately designed (i.e. internally fitted). It is recommended that a condition is imposed, should Members resolve to approve the application, to ensure that the roller shutter door is removed and for details of a more appropriately designed structure to be submitted for approval.

Notwithstanding the roller shutter door, the overall visual appearance of the building would remain the same and it is therefore considered that the proposal would preserve the character and appearance of the site and the surrounding conservation.

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

The application site is located within Pontypridd town centre which is predominantly characterised by commercial properties and it is considered that A3 uses such as the craft ale and cocktail bar proposed are better suited to such locations. However, it is noted that there are a number of residential flats above shops in the town and it is therefore important to consider the potential impact of the proposal upon the amenity of nearby occupiers.

Firstly, the proposal would not result in any significant changes to the external appearance of the building and no building works would be required to extend the footprint or height of the application property. It would therefore not result in any additional overbearing, overshadowing or overlooking impact than the current situation.

It is noted that the proposed A3 use would, due to its nature and later opening hours, result in a greater degree of noise and disturbance than the previous retail shop. However, the application property is located within a retail centre in which there is a variety of commercial properties, including other A3 establishments with similar hours of opening to those proposed, and a greater degree of activity is therefore to be expected throughout the day and night. Indeed, it is considered that existing residents and neighbouring occupiers would already be accustomed to the activity associated with this town centre location. Furthermore, there are other A3 establishments along Market Street with similar characteristics to the bar proposed (Alfreds Bar and Grill and Blueberries) and it is not considered that a further A3 use in this part of the town will significantly alter the current level of noise and disturbance with customer comings and goings being similar to other establishments along Market Street.

One letter of objection has been received from a nearby business which raises concern with regards to the suitability of a craft ale and cocktail bar in this particular location, given that there are professional services located in the immediate vicinity. Whilst the concerns raised by the objector are noted in this respect, town centres are typically characterised by a mix of uses with shops, professional services and food and drink establishments being located in close proximity of each other. It is also noted that a number of temporary chairs and tables are put outside for patrons of the bar to use which inevitably has some impact on other commercial units as well as the public highway. It should be noted that in response to the Covid 19 pandemic, the Welsh Government temporarily relaxed planning controls through the Town and Country Planning (General Permitted Development) Order 1995 and the Town and Country

Planning (General Permitted Development) (Amendment)(No. 2) (Wales) Order 2021 (“the Amendment Order”) came into force on 30 April 2020. Class F, Part 4a of the Amendment Order relates to hospitality uses and outdoor servery provision and permits the use of the highway adjacent to premises falling within Class A3 (food and drink) for the purposes of selling or serving food or drink supplied from those premises, or consuming food or drink supplied from those premises. The Order also permits the placement of removeable furniture to facilitate the use. The applicant would need to obtain separate permission from the highway authority and comply with any conditions in order for the use to be considered permitted development. Any issues with obstructions to other premises would therefore be a private matter.

Whilst the concerns raised by the objector are acknowledged, the site is situated within a town centre location where such A3 establishments are commonly found alongside other commercial uses and the proposal is considered to be acceptable in this regard.

### **Access and highway safety**

The proposal has been assessed by the Council’s Highways and Transportation section in order to determine its potential impact upon highway safety in the vicinity of the site. The response received indicates that there is no objection to the proposal and no conditions have been recommended. The comments received are summarised as follows:

The primary means of access to the proposed bar would be served off Market Street, which is a pedestrian zone and restricted one way street within the town centre of Pontypridd. Whilst there is some concern that there is limited on-street parking in the area, the proposed change of use decreases the parking requirement of the property and there is space within Market Street for servicing to take place, as per the adjacent shops/retail premises. Furthermore, there is a public car park within walking distance of the site and the surrounding area is a highly sustainable location with a range of sustainable transport options in the vicinity.

Taking the comments received from the highways officer into account, the proposal is considered to be acceptable in this regard.

### **Other Issues:**

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

### **Public Health**

It is noted the Public Health and Protection division have not raised any objection to the proposal however, a number of conditions have been recommended in relation to hours of operation, noise, dust and waste during the construction process. It is considered that these issues are more appropriately dealt with by separate environmental health legislation and it is therefore not considered necessary to duplicate the issues by imposing planning conditions in this respect.

## **Other issues raised by objector**

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

The objector suggests that the toilet provisions for the premises are unclear and concern is raised that patron will wish to avail themselves in alleyways, streets and doorways. The plans indicate that a washroom/WC would be provided inside the establishment and the statement made by the objector is therefore speculation rather than fact. This is therefore not a material planning consideration and cannot be used to refuse the planning application.

The objector also indicates that the premises will have to be able to safely store materials such as bottled nitrogen and carbon dioxide which they claim is a risk to surrounding businesses. This would not fall within the remit of planning and the applicant would need to ensure that all health and safety guidelines are followed, and any necessary licenses applied for. In any case, the application property is considered to be small-scale and is therefore unlikely to result in any greater risk to surrounding businesses than any other A3 establishment in the area. Public Health have not raised any objections or concerns in relation to either of these issues.

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

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

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

## **Conclusion**

The application site is located within the Principal Town of Pontypridd where the principle of an A3 use is considered to be acceptable. The proposed use of the unit as a craft ale and cocktail bar would add to the vitality and viability of the town by attracting footfall to this area of the town during the day and the night, thereby contributing to the daytime and evening economy of the town.

The proposal would not result in any significant alterations to the external fabric of the existing building and it is not considered that it would have an adverse impact upon the character and appearance of the site or the surrounding conservation area.

Furthermore, the proposed hours of opening are considered to be reasonable and it is not considered that the proposal would have any additional impact upon the amenity of surrounding commercial and residential occupiers than that already experienced as a result of its town centre location and the location of similar establishments in the vicinity.

## **RECOMMENDATION: Grant**

1. The use hereby permitted shall not be operated from the premises except between the hours of:

- Monday to Sunday (including Bank Holidays): 11:00-23:00

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

2. Within 1 month of the date of this permission, the roller shutter door that has been installed to the front of the property shall be removed and details of an alternative structure shall be submitted to and approved in writing by the Local Planning Authority. The alternative structure shall be installed and maintained in accordance with the approved details.

Reason: To ensure that the development does not harm the character and appearance of the site or surrounding conservation area, in accordance with Policy AW7 Rhondda Cynon Taf Local Development Plan.





## PLANNING & DEVELOPMENT COMMITTEE

12 AUGUST 2021

### REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

#### PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 21/0665/10 (GH)  
**APPLICANT:** Ocean Community Services Ltd  
**DEVELOPMENT:** Two residential care units each containing four self contained two bedroom flats. Separate building for use as an office and laundry. (CMRA received 8th June 2021)  
**LOCATION:** LAND ADJACENT TO 74 CORBETT STREET, TREHERBERT, TREORCHY, CF42 5ET  
**DATE REGISTERED:** 08/06/2021  
**ELECTORAL DIVISION:** Treherbert

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

#### REASONS:

The application site is located within a residential area and in a sustainable location within the settlement boundary. It is considered that a residential use of the site, for the purposes indicated, would be compatible with the surrounding dwellings and not detrimental to the amenity of existing neighbouring residents.

In addition, the design, scale, and layout of the new properties would have an acceptable impact on the street scene and would result in an improvement to the appearance of the site, without detriment to highway safety.

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#### REASON APPLICATION REPORTED TO COMMITTEE

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

#### APPLICATION DETAILS

Full planning consent is sought for the construction of two detached care units on land adjacent to 74 Corbett Street, Treherbert.

It is proposed that the detached structures would be of an identical two storey design, each containing four two bedroom flats. The flats would be self-contained and have their own kitchen/diners and living rooms.

Externally, the site would be hard landscaped to manage the significant south-westerly fall in level and the various retaining walls would enable some off-street parking from Twyn Yr Eos, together with several garden and planted bed areas. It is also proposed to construct a small office/laundry building below the terrace of the higher property.

By way of context, the Design and Access Statement explains that the Applicant is a well-established provider of specialist residential accommodation for people who have mental health needs, autistic spectrum conditions and/or learning disabilities with a mental health diagnosis.

The proposed accommodation would allow residents to live together as family units while receiving appropriate residential care to enable them to live as independently as possible depending on their particular needs. The application form notes that the development would create 8 full-time equivalent jobs.

In addition to the plans and elevation drawings accompanying the application, the following supporting documents have been submitted:

- Enviro All-In-One Report
- Japanese Knotweed Report
- Design and Access Statement
- Coal Mining Risk Assessment

As a result of representations received during the consultation process, the Applicant has provided further detail of the development via a statement:

The Applicant is an independent health care company which works with local health boards and social services to support local people who need support to live in the community with staffing on call 24 hours a day. Care units can accommodate mixed or single gender, depending on the needs of individuals.

The company currently operates a mental health unit in Pontypridd, which supports patients who require care and treatment to help them move back into the community. Most patients are from Wales and the Welsh Government is seeking to bring back those who have previously been sent to England for treatment, so that they can be closer to their families.

Within South Wales the company operates 14 units and a further 2 in Bristol, one of which is a 5-bed female service next to the application site, together with a male service in Porth.

## **SITE APPRAISAL**

The application site comprises a vacant, unallocated parcel of land located within the Pen-yr-Englyn area to the south-east of Treherbert

The rectangular shaped corner plot has a surface area of approximately 0.14 hectares and is bounded by the highway on three sides, and by existing dwellings on the other. There is a pronounced fall in height of around 8m as the land slopes down from Corbett Street to Brynheulog.

To the west is the side road Twyn-Yr-Eos, where there is a block of six garages located on the opposite side of the highway. However, the surrounding area is predominantly residential in character and includes no. 74 Corbett Street and no. 21 Brynheulog which are adjacent to the eastern site boundary.

## **PLANNING HISTORY**

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

**13/0417/13:** Residential development (Outline) (Revised indicative layout plan received 26th July 2013). Decision: 16/07/2015, Withdrawn - Finally Disposed Of.

## **PUBLICITY**

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

Five letters of objection were received raising concerns in respect of the following:

### Community Safety/Wellbeing

- This is not the right location for the development, it would be unsafe for children and vulnerable adults. Lots of children live in the street and there is a youth centre nearby.
- Such individuals should be housed further from children and vulnerable young adults.
- A development like this would destabilise the area by adding additional housing stock and people.
- This development would be in the centre of the estate and there is a possibility that this may create a magnet for gatherings (dependent on clientele) of various people, which would increase the fear of crime on the estate.
- To ask local residents to embrace 8 more flats (which may be an extension of the house), with occupants unknown, may be a step too far for acceptance and sustainability.
- Many residents would not feel safe having a rehabilitation care units there.

### Design/Appearance/Access

- New buildings would not fit into the streetscape.
- Do all flats have disabled access?

### Principle of development

- Is there evidence that this type of accommodation is required?

- What is the purpose of the office and laundry?

#### Procedure

- Has there been consultation with Rhondda Housing Association or Trivallis?
- How can objections be raised when we don't know what we are objecting to?

#### Other non-planning matters

- The foundations from previous structures are still in situ.
- The builders are from outside RCT and have no prior moral or physical investment in the area.
- Prior to demolition and housing stock transfer it was agreed that no future developments would happen on the estate.
- The proposal would devalue our properties.

### **CONSULTATION**

#### Highways and Transportation

No objections, subject to conditions and informative notes, as detailed further below.

#### Flood Risk Management

Given that the construction area is greater than 100m<sup>2</sup>, the applicant will be required to submit an application to the SuDS Approval Body (SAB). under Schedule 3 of the Flood and Water Management Act 2010. The applicant is also required to comply with Part H of the building regulations.

Additionally, the applicant will need to provide the LLFA with further information regarding how the site's surface water will be effectively managed, which can be achieved via the use of a condition.

#### Public Health and Protection

Conditions are recommended in respect of demolition, hours of operation, noise dust and waste. However, since these matters may be addressed by existing public health legislation, it is considered that an informative note would be more appropriate.

#### Natural Resources Wales

No objection or comment.

#### Dwr Cymru Welsh Water

No objection.

#### Western Power Distribution

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

### South Wales Fire and Rescue Service

No objection. The Service has advised that consideration should be given to adequate water supplies on the site for firefighting purpose and access for emergency firefighting appliances, together with standard design advisory notes.

### Countryside – Ecologist

There is a minimal ecology concern for this site although biodiversity enhancement will be required by a condition for bat/bird bricks/boxes.

### The Coal Authority

No objections subject to conditions requiring a scheme of intrusive site investigations and a signed declaration, from a suitably competent person, that the site has been made safe and stable for the development.

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 Treorchy.

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

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

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

**Policy AW6** - The policy supports development proposals that are of a high standard of design that reinforce attractive qualities and local distinctiveness. Proposals must also be designed to protect and enhance landscape and biodiversity

**Policy AW8** - Seeks to protect and enhance the natural environment from inappropriate development.

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

**Policy NSA10** - The policy stipulates that residential development will only be permitted where the net residential density a minimum of 30 dwellings per hectare.

**Policy SSA13** - stipulates that development will be permitted inside and adjoining the defined settlement boundary, subject to a range of criteria, including that the development would not affect the provision of open space, adversely affect the highway network, or adversely affect the provision of car parking in the surrounding area.

### **Supplementary Planning Guidance**

- Design and Place-making
- Access, Circulation and Parking Requirements
- Planning Obligations
- Nature Conservation
- Development of Flats

### **National Guidance**

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

Planning Policy Wales Edition 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), WG's current position on planning policy at regional and national level.

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

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

- Policy 1 – Where Wales will grow – Employment / Housing / Infrastructure
- Policy 2 – Shaping Urban Growth – Sustainability / Placemaking

### SE Wales Policies

- Policy 33 – National Growth Areas Cardiff Newport & the Valleys – SDP/LDP/large schemes.

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:**

#### **National Sustainable Placemaking Outcomes**

Chapter 2 of PPW11 emphasises that development proposals should demonstrate sustainable placemaking, to ensure that the right development is achieved in the right place, and states that development proposals should be assessed against the national sustainable placemaking outcomes.

PPW acknowledges that not every development proposal will be able to demonstrate that they can meet all of the outcomes, or that it can be proved that an attribute of a proposal will necessarily result in a particular outcome.

It is also recognised that the interpretation of the relevant criteria will depend upon the detail and context of the proposal and the application site, and in the planning balance, that greater material weight may be given to some attributes rather than others.

Therefore, in addition to consideration of the placemaking merits of the scheme within the sections of the report further below, the proposed development is considered to align particularly well with the following national sustainable placemaking outcomes:

- **Creating and Sustaining Communities:** The development density is appropriate for the location and would contribute to the provision of community-based local care within the Northern Strategy Area.
- **Facilitating Accessible and Healthy Environments:** The application site is within walking distance of the main bus route and shops and services located at Bute Street, and being within the settlement boundary is considered to be a sustainable location. There is public open space within a short distance of the site and the development would provide safe accommodation and, as a care facility, would promote mental well-being.
- **Making Best Use of Resources:** the development would result in the use of previously developed land and would have regenerative benefits due to its

support of construction jobs and the permanent care positions associated with the proposal.

- Growing Our Economy in a Sustainable Manner: The development would have a small but positive effect in terms of construction jobs, and would foster economic activity.

In respect of the other national outcomes listed the development would be considered to have a neutral impact.

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

The application relates to the construction of two residential care units to provide eight self-contained flats at an unallocated site within the settlement boundary and within a residential area close to other dwellings.

In this case, notwithstanding the element of care and a permanent duty staff presence, it is considered that the development would mostly exhibit the same residential characteristics as the surrounding dwellings, including the flats at no's 18-21 Corbett Street.

It is noted that with the exception of the small laundry and office room, there would be no reliance on shared facilities, and the external amenity space, as is often the case for flats, would be provided on a communal basis.

The development would therefore be considered to be a residential institution and fall within the scope of Use Class C2, although as is often the case where the degree of care may vary or be limited, it may be difficult to distinguish such properties from Class C3 uses, where care may also be provided for residents.

In any event, subject to the material planning matters discussed below, the proposed units would be compatible with the existing residential properties in the vicinity and the application is considered to be acceptable in principle.

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

The arrangement of the two care units would be comparable to the existing street scene, where dwellings form a linear pattern and are set back from, and parallel with the adopted highway.

The development would undoubtedly be of a different appearance to those existing properties, although the submitted plans indicate that similar external finishes would be used.

However, although the units would be larger and slightly taller than the pairs of semi-detached houses that constitute the majority of the surrounding development, they would still be two storey. Taking account of the size of the site and the footprint of the units and laundry/office, compared with that of the site, the mass and density of the proposal is not excessive.



Lastly, although the site boundaries have been left open, the land is privately owned, and its development would not be considered to be detrimental to public open space. The site is close to the settlement boundary and there is already a lot of open space within a short distance to the north, together with a play area next to no. 65 Corbett Street.

The proposed development is considered to be acceptable in terms of the design, siting, massing, scale, materials and overall visual appearance. It is therefore considered that the proposals will not detract from the character or appearance of the area.

### **Impact on neighbouring occupiers**

In this regard, the main issue is whether the development would be likely to be harmful to neighbour amenity caused by overlooking or the physical relationship between the new buildings and the existing.

The two units would be arranged in line with the existing properties at Corbett Street and Brynheulog, in the case of the former, which would be adjacent to no. 74 Corbett Street, there would be a gap of over 8m between opposing side elevations – partly due to the presence of a mains sewer which crosses the site.

This gap, the relative position between the two properties and the orientation of the site, means that the development would not appear overbearing or cause overshadowing. Furthermore, the windows in the side elevations of both care units are proposed to be fitted with obscure glazing at first floor level, for which a condition is recommended.

In addition, the submitted plans, both pre- and post-development, have included datum levels of the site and that of the properties on the adjacent land. This has helped to address any concern that the landscaping works and external amenity space would, for example, enable intrusive views. It is clear from the finished levels that this would be very unlikely.

The relationship between the unit facing Brynheulog and no. 21 (Ty Mynydd) to the south-east is a similar one to that described above, where there would be a large gap between opposing side elevations. However, this property is already owned and operated by the Applicant, which means there are fewer concerns regarding amenity impact.

In terms of the other neighbouring properties in Corbett Street, those to the north and west are either at a sufficient distance for there not to be a harmful impact, or occupy a higher site, and there are no other properties immediately to the south of Brynheulog.

Therefore, it is considered that the proposed works would not have a significant overshadowing or overbearing impact upon the surrounding neighbouring properties, and in terms of the amenity and privacy of other occupiers, the application is considered to be acceptable.

### **Highways and accessibility**

The application property is located on a parcel of land between the adopted highways at Corbett Street, Twyn Yr Eos, and Brynheulog, all of which have no parking restrictions. In addition, there are continuous pedestrian footways linking to the site which are satisfactory for safe pedestrian access.

The Primary access to the new properties would be from Brynheulog and Corbett Street with three vehicular access points of which one would be from Corbett Street and two from Twyn Yr Eos. A condition is recommended in respect of the technical detail for the crossovers.

There is substantial on-street car parking demand within the vicinity of the site due to the nature of existing dwellings and lack of off-street car parking facilities.

The Council's SPG for Access, Circulation & Parking states that for residential children's homes, homes for elderly persons or nursing homes, there would be an off-street parking requirement of 1 space per resident staff, 1 space per 3 non-resident staff and 1 space per 4 beds.

There are 8 staff proposed and 8 residential units requiring a total of 5 spaces, and since 5 would be provided the SPG parking requirement would be met. Furthermore, it is anticipated that the staff will be working on a shift pattern further reducing the potential for overspill on-street car parking.

In light of the above, the development would be acceptable due to the reduced car parking requirement associated with a C2 residential use.

### **Other issues**

Representations received during the public consultation resulted in concerns expressed about community safety, in respect of the background of any individuals living at the site.

As noted further above, consideration of this application is on the basis that it would be for a C2 use and not the separate use class C2a. It is the latter which relates to secure residential institutions and would enable the use of premises for housing young offenders, a detention centre, or other such secure accommodation etc, which is not what is proposed for this site.

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

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

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

### **Conclusion**

The application property is within the settlement boundary and therefore the principle of residential development would be supported by LDP Policies CS1 and AW2.

In respect of other material matters, it is considered that the development would not be detrimental to the character of the area or be harmful to the amenity of neighbours.

In addition, the Council's Highways and Transportation Section has advised that any highway issues can be satisfactorily addressed by the use of planning conditions, whilst biodiversity mitigation and enhancement can be provided to satisfy the Council's Ecologist.

On this basis the recommendation to Members is that the development would be acceptable, and that planning permission be granted.

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

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 drawing numbers:
  - P102
  - P103

and details and documents received on 5<sup>th</sup> May 2021, and 8<sup>th</sup> June 2021.

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

3. No development shall commence until full drainage details have been submitted to and approved in writing by the Local Planning Authority. These details shall indicate how the development is to comply with the requirements of Section 8.3 of Technical Advice Note 15. The scheme shall be implemented in accordance with the approved details prior to the beneficial use of the development and retained in perpetuity.

Reason: To ensure that drainage from the proposed development does not cause or exacerbate any adverse condition on the development site, adjoining properties, environment, and existing infrastructure arising from inadequate drainage, in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

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

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

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

5. No development shall commence until details of the 3 no. vehicular footway crossings have been submitted to and approved in writing by the Local Planning Authority and implemented on site. The crossings shall be installed before the development is brought into use.

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

6. No development shall commence until details of a scheme for the provision of species mitigation and enhancement measures, to include integral bird nesting and bat roosting bricks within the new buildings, have been submitted to and approved in writing by the Local Planning Authority. These measures shall be provided on site prior to the beneficial occupation of the new dwellings and maintained in perpetuity

Reason: In the interests of nature and landscape conservation in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

7. No development shall commence until:
- a) as scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and:
  - b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed. This should include the submission of the approved layout plan which illustrates the delineation of the adit roadway if found present.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Reason: In the interests of public safety in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

8. Before the development is brought into use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason: In the interests of public safety in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

9. Before the development is brought into use the means of access, together with the parking and turning facilities, shall be laid out in accordance with the submitted plan P102 and approved by the Local Planning Authority. The car parking spaces shall be retained for the parking of vehicles in association with the proposed 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.

10. The use of HGV's for deliveries during construction shall be restricted to 09:00am to 16:30pm 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.

11. No surface water run-off from the proposed development shall discharge onto the public highway or be connected to any highway drainage system.

Reason: In the interests of highway safety and to prevent overcapacity of the existing highway drainage system and potential flooding in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

12. Prior to occupation of the development, all first floor windows within the south-east facing side elevations of both residential buildings shall be fitted with obscure glazing to a minimum of industry standard level 3 obscurity and maintained as such thereafter.

Reason: In the interests of the privacy and amenity of neighbouring occupiers in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.





## **PLANNING & DEVELOPMENT COMMITTEE**

**12 AUGUST 2021**

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

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

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 21/0760/15 (GH)  
**APPLICANT:** Allyjaun  
**DEVELOPMENT:** Variation of condition 1 time limit (16/0391/13).  
**LOCATION:** LAND SOUTH OF 186 EAST ROAD, TYLORSTOWN,  
FERNDALE, CF43 3BY  
**DATE REGISTERED:** 24/05/2021  
**ELECTORAL DIVISION:** Tylorstown

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

#### **REASONS:**

The application site comprises previously developed land within settlement limits which has already benefitted from outline planning consent for residential development, granted in 2016. No new planning issues have arisen since that date and there are no material changes in respect of planning policy or the context of the site.

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

A request has been received from Local Member, Councillor R. Bevan for the matter to come before Committee in order that Members can consider concerns about the potential impact of the development upon highway safety.

#### **APPLICATION DETAILS**

This application is made under Section 73 of the 1990 Planning Act and seeks variation of condition 1 of outline planning permission (reference 16/0391/13) granted on 7th June 2016, for residential development of land to the south of 186 East Road, Tylorstown.

The current application seeks the variation of this condition to allow for a further period of three years for the submission of reserved matters pursuant to the planning permission.

Consequently, the application represents a renewal of the outline planning permission, which included approval of site access and layout, but with all detail relating to scale, appearance, and landscaping to be considered at reserved matters stage.

The proposed development is the same as previously approved. The layout plan demonstrates that four 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. A rear parking area, comprising two spaces per dwelling, would be accessed from the existing adopted back lane.

The submitted details also included plans, elevations and site sections for the dwellings, showing that they would have a two-storey principal elevation facing East Road, but a three-storey rear elevation due to the site topography. The accommodation would include three bedrooms and external amenity space, although it is appreciated that these additional plans are solely indicative of how the reserved matters of scale, appearance, and landscaping could be addressed, and are not a material consideration.

## **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:

**20/1171/10:** Construction of 4no. terraced houses with associated curtilage car parking off rear access. Decision: 24/6/21. Refuse.

**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.



No representations or letters of objection have been received.

## **CONSULTATION**

### Highways and Transportation Section

There have been no material changes to the site and there is no objection subject to conditions in respect of access, parking and timing of HGV deliveries.

### Dwr Cymru Welsh Water

DCWW has no objection to the Variation of Condition and asks that any drainage Conditions on the original consent are brought forward.

### Public Health

Conditions are recommended in respect of demolition, hours of operation, noise dust and waste. However, since these matters may be addressed by existing public health legislation, it is considered that an informative note would be more appropriate.

### Flood Risk Management

From a flood risk perspective there is no objection.

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 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), WG's current position on planning policy at regional and national level.

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

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

- Policy 1 – Where Wales will grow – Employment / Housing / Infrastructure
- Policy 2 – Shaping Urban Growth – Sustainability / Placemaking

#### SE Wales Policies

- Policy 33 – National Growth Areas Cardiff Newport & the Valleys – SDP/LDP/large schemes.

Other relevant national policy guidance consulted:

PPW Technical Advice Note 2: Planning and Affordable Housing;  
PPW Technical Advice Note 11: Noise;  
PPW Technical Advice Note 12: Design;  
PPW Technical Advice Note 18: Transport;

Manual for Streets

### **REASONS FOR REACHING THE RECOMMENDATION**

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

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

## **Main Issues:**

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

The previous planning application for the site, for which the time extension is now sought, was determined and approved under delegated powers.

The application site is within the defined settlement boundary and meets the criteria of LDP Policy NSA12 and relevant requirements of Policy AW2; and in planning terms can be considered to be in a sustainable location.

Therefore, in general terms and subject to other material considerations, the LDP establishes that there would be a presumption in favour of the principle of residential development and the LDP policies against which the original application was tested remain extant.

In the intervening period since application 16/0391/13 was determined national planning policy has been updated with the introduction of FW2040 and PPW Edition 11.

A section further above notes that the current application is considered to be compliant with FW2040 since the site is within a regional growth area and the defined settlement boundary.

However, PPW11 stipulates that the National Sustainable Placemaking Outcomes should be used to assess development proposals, and since they were first introduced as part of PPW10, the original application was not determined in that context.

With regard to those placemaking outcomes the proposed development is considered to relate particularly well with the following:

- **Creating and Sustaining Communities:** The development density is appropriate for the location and would contribute to the provision of additional housing, in an area where investment from larger of volume housebuilders has been absent.
- **Facilitating Accessible and Healthy Environments:** The application site is within walking distance of the main bus route, is close to recreation and leisure sites and a school, and is near to retail businesses, including a Lidl supermarket.
- **Making Best Use of Resources:** the development would result in the use of previously developed land and would have regenerative benefits due to its support of construction jobs.
- **Growing Our Economy in a Sustainable Manner:** The development would have a small but positive effect in terms of construction jobs.

In respect of the other national outcomes listed the development, at outline stage, would be considered to have a neutral impact.

Lastly, Members will recall their recent consideration of a full planning application for the construction of four dwellings at this site (20/1170/10). Determination of this application was initially deferred for a site visit and, at the subsequent Committee

meeting held on 24<sup>th</sup> June 2021, was refused on the grounds of highway safety concerns and overdevelopment.

Nonetheless, it is considered that there have not been any specific local or national policy revisions that would merit a different recommendation to that of the original decision to grant outline consent. Therefore, this variation of condition application is considered to be acceptable, subject to the relevant conditions being carried forward from the existing outline consent.

### **Character and appearance of the area**

As an outline proposal the submitted plan demonstrates how the plot would be laid out to accommodate four dwellings, with the provision of sufficient amenity space to the rear and off street parking gained from the adopted back lane.

Both the layout and the access arrangements were set and approved as part of the previous outline consent and would remain as such should consent for this application be granted.

However, as noted above, scale, appearance, and landscaping would be retained as reserved matters, and no material weight can be attributed to them without the specific design details and supporting information that would usually accompany a full or later reserved matters application.

Nevertheless, whilst it is not possible to assess the development in terms of its visual impact, given the context of the street scene and the pattern of development of the neighbouring dwellings, it is apparent that four dwellings of the footprint proposed could be designed to integrate and replicate the surrounding built form. Therefore, no objections are raised at this stage.

### **Impact on neighbouring occupiers**

If constructed in accordance with the layout plan provided, the new dwellings would be set in line with and adjacent to the neighbouring properties to either side, and directly opposite those on the other side of East Road. Other properties are located at Edmondes Street, which occupy lower ground at least 25m to the east.

Currently, those four or five properties on the western side of East Road benefit from views though the gap towards the opposing side of the valley, which was created when the Chapel was demolished. It is likely that any development of the site would alter the outlook for those residents, albeit that loss of a view is not a planning consideration.

However, at this stage and as an outline application it is not possible to qualitatively determine the nature of the impact on neighbouring occupiers without the submission of full details, and any future consent would likely be subject to a range of standard conditions which might deal with matters relating to privacy, outlook, and amenity.

### **Highway safety and access**

Access

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

To the rear there is an adopted lane which varies in width between 3.6m and 4m and is proposed to be used for the access to the rear off-street car parking. There is some concern that the visibility at each end of the lane is sub-standard - 2.6m x 6m to the north and 2.4m x 3m (right) and 2.4m x 5m (left) to the south. However, taking into account the lane is to be used for secondary access only and for off-street car parking which generates limited vehicular movement, the proposal is, on balance, considered acceptable in this respect.

### Parking

The proposed 3 bedroom houses require a maximum of 3 off-street car parking spaces per dwelling to be in accordance with the SPG for Access, Circulation & Parking, with 2 per dwelling provided. Taking into account that the site is in a sustainable location, close to a number of local facilities and public transport, the 2 spaces per dwelling would be acceptable.

The Applicant has proposed to lay out the site to provide a 6m wide reversing aisle width for accessing the off-street car parking and therefore details of the proposed tie in with the adopted lane and surface water drainage are recommended to be conditioned.

### Summary

The Council's Highways and Transportation Section has stated that there has been no material change to the proposed application site and surroundings since the initial application was approved, with no reported accidents or significant increase in vehicular movements in that time. Therefore, on this basis, no highway objection is raised to the extension of time subject to a number of highway related conditions.

### Other matters

The decision notice for the 2016 planning permission contains four conditions which have not been included below, relating to drainage, samples of external materials, landscaping, and ground conditions.

Since 2019 surface water drainage for the majority of developments, including this one, is now covered by the requirement for Sustainable Drainage Approval. In addition, matters relating to ground stability and construction fall within the remit of Building Regulations.

Lastly, since landscaping and appearance are reserved matters, conditions relating to either would be unnecessary, and would not comply with Welsh Government guidance relating to the use of conditions.

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

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

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

However, the application site lies within Zone 1 of Rhondda Cynon Taf's residential charging zones, where a nil charge is applicable and therefore no CIL would be payable.

## **Conclusion**

Since outline planning consent was granted in 2016, there have been no material changes in circumstances of significance to warrant a refusal of consent, and no new issues relating to the site have arisen.

Therefore, having taken account of all of the issues referred to above and in light of the planning history of the site, the application for outline consent is considered acceptable and the proposal is recommended for approval, subject to the conditions specified below.

## **RECOMMENDATION: Grant**

1. Details of the appearance, landscaping and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

2. Any application for approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

3. The development shall begin either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

4. The development shall be carried out in accordance with the following approved drawings and documents:
- Site location plan, drawing number 2018.SLP
  - Site development proposals, drawing number 1529.PL01 (only in respect of layout and access)

and details and documents received on 24<sup>th</sup> May 2021.

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

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

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

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

6. No dwelling shall be occupied until design and detail of the parking area surfaced in permanent material and tie in with the rear lane have been submitted to, approved and implemented to the satisfaction of the Local Planning Authority. The parking area shall not thereafter be used for any purpose other than the parking of vehicles.

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.

7. 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.

8. Surface water run-off from the proposed development shall not discharge onto the public highway or connect 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.





## PLANNING & DEVELOPMENT COMMITTEE

12 AUGUST 2021

### REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

#### PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 21/0974/10  
(LJH)  
**APPLICANT:** Mr J Hughes  
**DEVELOPMENT:** Two storey rear extension.  
**LOCATION:** 236 BRITHWEUNYDD ROAD, TREALAW,  
TONYPANDY, CF40 2PB  
**DATE REGISTERED:** 07/07/2021  
**ELECTORAL DIVISION:** Trealaw

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#### RECOMMENDATION: GRANT SUBJECT TO CONDITIONS

**REASONS:** The development is considered to be acceptable in respect of its visual impact and the impact it has upon the amenity and privacy of the neighbouring residential properties.

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#### REASON APPLICATION REPORTED TO COMMITTEE

- The applicant is a relation of a serving Local Member.

#### APPLICATION DETAILS

Full planning permission is sought to construct a two storey extension to the south-west facing rear elevation of no. 236 Brithweunydd Road, Trealaw. The proposed extension would be sited in place of an existing single storey projection which had been removed by the time of the officers site visit. The extension would measure 4.6 metres in width by 7.9 metres in depth at ground floor level, and 4.6 metres in depth at first floor level. It would have a pitched roof design measuring a maximum of 6.7 metres in height from ground level with the eaves being reduced to 5.3 metres. The ground and first floors would be joined by a lean-to roof featuring 3 no. Velux style windows which would measure a maximum of 3.6 metres in height sloping to 2.6 metres at the eaves. The extension would accommodate an open plan kitchen/dining area, utility room, and W.C. at ground floor level, and a bedroom and part of an enlarged family bathroom at first floor level. All external materials proposed would match that of the main property.

## **SITE APPRAISAL**

The application property is a mid-terraced, two-storey dwelling located within a residential area of Trealaw. The dwelling is set within a rectangular shaped plot and is set back from the highway by a small enclosed front garden. A further enclosed garden is located to the rear of the property to a depth of approximately 18 metres.

The property adjoins no. 235 Brithweunydd Road to the south-east and no. 237 to the north-west. An adopted rear lane adjoins the rear boundary to the south-west. The lane serves nos. 230-276 Brithweunydd Road and the rear gardens of properties along New Century Street lie beyond.

There are numerous examples of two-storey extensions of various design and scale to the rear of properties along Brithweunydd Road.

## **PLANNING HISTORY**

No relevant planning history at the site.

## **PUBLICITY**

The application has been advertised by means of direct neighbour notification. No letters of objection or representation have been received at the time of writing this report.

## **CONSULTATION**

None undertaken.

## **POLICY CONTEXT**

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

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

**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.

### **Supplementary Planning Guidance:**

Design and Placemaking  
A Design Guide for Householder Development

### **Planning Policy Wales**

In the determination of planning applications regard should also be given to the requirements of national planning policy which are not duplicated in the Local

Development Plan, particularly where national planning policy provides a more up to date and comprehensive policy on certain topics.

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

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

- Policy 2 – Shaping Urban Growth – Sustainability/Placemaking
- Policy 3 – Supporting Urban Growth – Council and /Placemaking/developers/regeneration/sustainable communities'/exemplar developments.

Other relevant policy guidance consulted:

PPW Technical Advice Note 12: Design

## **REASONS FOR REACHING THE RECOMMENDATION**

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

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

### **Main Issues:**

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

The application relates to the extension of an existing residential dwelling in order to improve current living standards. The principle of development is therefore considered acceptable subject to the criteria set out below.

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

The proposed extension is considered to be acceptable in terms of its scale, design and overall visual appearance. The extension would be sited on the rear elevation of

the property with the roof being set 0.7 metres below the height of the original roof. As such, the proposal is considered to be a sympathetic and subservient addition to the property. Furthermore, all external materials proposed would match that of the existing property and there are a number of similar extensions visible within the vicinity including at the adjoining property (no. 237).

The proposed works are subsequently considered to be acceptable in terms of the impact they would have on the character and appearance of the main property and the wider area, complying with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

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

It is not considered the proposed development would have a significant impact upon the amenity and privacy standards currently enjoyed by the occupiers of the neighbouring properties.

The extension would be sited to the south-western facing rear elevation of the host property, directly adjacent to a similar two-storey extension at no. 237. As such it is not considered the addition would result in any overshadowing of or overbearing impact to no. 237.

Furthermore, sited to the north-west of no. 235, the proposed extension would not result in any undue overshadowing of this property; and whilst it is accepted a degree of overbearing impact would occur, at only 4.6 metres in depth at first floor level and with many similar two-storey extensions in the locality, it is considered this type of relationship is typical of the area and that any potential impact would not be significant enough to warrant refusal of the application.

With respect to privacy, there are no windows proposed within either side elevation and the window proposed on the rear south-west facing elevation would not result in any further overlooking of the adjoining properties in comparison to that which already occurs from existing first floor windows.

It is also noted that no letters of objection have been received from occupiers of surrounding properties at the time of writing this report.

The application is therefore considered acceptable in this regard.

### **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 or upon the residential amenity of the surrounding

neighbouring properties. As such, the application is considered to comply with the relevant policies of the Local Development Plan (Policies 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 no. jh/01, and documents received by the Local Planning Authority on 07/07/2021, 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.

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## RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

### PLANNING & DEVELOPMENT COMMITTEE

3<sup>rd</sup> August 2021

#### SITE MEETING

Application No: 20/1182 - Development of five detached dwellings (Approval of reserved matter details pursuant to grant of outline permission 14/1308/13, as extended by 19/0334/15) (Amended Plans received 23/03/2021). FORMER CWMBACH LIBRARY SITE, MORGAN ROW, CWMBACH, ABERDARE, CF44 0DU

#### 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 22 (Planning and Development Committee – 22<sup>nd</sup> July 2021) a site inspection was undertaken on Tuesday 3<sup>rd</sup> August 2021 to consider the highways access and rights of way issues.
- 3.2 The meeting was attended by the Planning and Development Committee Members County Borough Councillors S. Rees, G. Caple, P. Jarman, W. Lewis, D. Williams and J. Williams.

- 3.3 Members met at one of the proposed entries to the site on Morgan Row and walked around to view the second proposed access on Pond Place. The Planning Officer in attendance informed members that the application seeks reserved matters consent (access, appearance, landscaping, layout and scale) for the development of 5 no. detached dwellings at the former Cwmbach Library Site, Morgan Row, Cwmbach. Members were reminded of the history of the site with the Planning Officer advising that outline planning permission was originally granted on 22/04/2015 (Application Ref: 14/1308/13), with the permission extended on 21/05/2019 (Application Ref: 19/0334/15).
- 3.4 The Planning Officer provided a visual copy of the Site Layout Plan indicating that dwellings contained within Plots 1 – 4 would be positioned towards the eastern side of the application site, with Plot 1 accessed from the south via Morgan Row and Plots 2 – 4 accessed via Pond Place. Plot 5 would be located within the north western corner of the application site, with access gained from Cwmbach Road to the west. Members were advised that each dwelling would benefit from private amenity space and Plots 2 – 5 would contain ancillary garages.
- 3.5 The Highways Officer in attendance discussed the concern regarding the proposed access off Pond Place due to the high on street car parking demand, which narrows the available road width, and sub-standard turning area, which results in reversing movements along Pond Place. Members were advised that to mitigate concerns the developer has proposed to increase the length of the turning head to a minimum of 16.5 metres as well as provide a 1.8 metre wide footway on the development side. This would allow for safe turning movements of larger vehicles and segregated footway facilities would improve pedestrian safety.
- 3.6 Members discussed the highways safety on Pond Place and queried the use of double yellow lines on Pond Place currently. The Highways Officer informed Members these were to protect the turning and prevent parking in this area. Members also discussed the concerns raised regarding the public right of way access. The Planning Office advised that there had currently been no decision received regarding this issue. They continued by showing Members visual plans outlining the route in question and it's relation to the proposed plans. Members were advised that the grant of a planning permission does not authorise the obstruction of a right of way and the developer would therefore need to make an application to divert the right of way if necessary.
- 3.7 Members also discussed alternative access routes to the site and were advised by the Highways Officer that there had been no alternative plans submitted by the applicant. Members also discussed the impact on current residents in Pond Place and provision of parking. The Highways Officer



advised Members that in accordance with the SPG Access, Circulation & Parking 2011, each dwelling proposed has a maximum off street car parking requirement of three spaces, with each plot accommodating in excess of this requirement therefore it is believed there will be no impact to parking on Pond Place.

- 3.8 Local Member, County Borough Councillor J. Elliott and County Borough Councillor T. Williams spoke on the application. One Member outlined their concerns regarding the presence and management of Japanese Knotweed at the site. Reference was also made to the Right of Way issue and one Member commented on the concerns of local residents regarding this. There were also concerns raised by one Member regarding the highways issues discussed by Members during the meeting with reference made to the frequency of deliveries and visitors to the access on Pond Place having a detrimental impact on residents.
- 3.9 The Chair thanked the officers for the report and closed the meeting.

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## **PLANNING & DEVELOPMENT COMMITTEE**

**22 JULY 2021**

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

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

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 20/1182/16 (CA)  
**APPLICANT:** Mr C Wills  
**DEVELOPMENT:** Development of five detached dwellings (Approval of reserved matter details pursuant to grant of outline permission 14/1308/13, as extended by 19/0334/15) (Amended Plans received 23/03/2021).  
**LOCATION:** FORMER CWMBACH LIBRARY SITE, MORGAN ROW, CWMBACH, ABERDARE  
**DATE REGISTERED:** 23/03/2021  
**ELECTORAL DIVISION:** Cwmbach

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#### **RECOMMENDATION: APPROVE, SUBJECT TO CONDITIONS:**

**REASONS:** The application is considered to comply with the relevant policies of the Local Development Plan. The principle of the development has been previously established via the outline planning permission related to the site and the proposal is deemed to have an acceptable impact upon the character and appearance of the area as well as upon the residential amenities of neighbouring properties and highway safety.

The proposal would enable the development of a disused parcel of land with five family homes. It is considered that the proposal would enhance the street scene, provide additional housing in an established residential location and provide a degree of economic benefit to the local area.

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

The application is reported to the Planning and Development Committee for final determination as three or more objections have been received and the application is recommended for approval.

#### **APPLICATION DETAILS**

The application seeks reserved matters consent (access, appearance, landscaping, layout and scale) for the development of 5 no. detached dwellings at the former Cwmbach Library Site, Morgan Row, Cwmbach. Outline planning permission was originally granted on 22/04/2015 (Application Ref: 14/1308/13), with the permission extended on 21/05/2019 (Application Ref: 19/0334/15).

The submitted Site Layout Plan indicates that dwellings contained within Plots 1 – 4 would be positioned towards the eastern side of the application site, with Plot 1 accessed from the south via Morgan Row and Plots 2 – 4 accessed via Pond Place. Plot 5 would be located within the north western corner of the application site, with access gained from Cwmbach Road to the west. Each dwelling would benefit from private amenity space and Plots 2 – 5 would contain ancillary garages.

In terms of the visual appearance of the development, each dwelling would differ in design but follow a similar modern style. Plot 1 would contain a split level three bedroom dwelling with accommodation spread over three floors. A double garage would be located within the basement and the dwelling would measure a maximum height of approximately 9.8 metres on its western elevation. Plot 2 would contain a substantial three bedroom dwelling featuring a terrace at first floor level on its western elevation. This dwelling would measure approximately 10.8 metres high on its western elevation, however due to the sloping nature of the land it would reach approximately 6.7 metres on its eastern elevation. A triple garage would be positioned to the east of the property, adjacent to Pond Place. The dwelling located within Plot 3 would contain up to five bedrooms and be of substantial scale with accommodation spread over four floors including within a sunken basement. This dwelling would measure a maximum height of approximately 10.4 metres. Accommodation within Plot 4 would be spread over three floors with the property containing two bedrooms at first floor level. Finally, Plot 5 would contain a more modestly sized dwelling with accommodation spread over two floors including three bedrooms. Plots 3 – 5 would contain matching double garages.

External materials proposed include natural slate roofs with clay ridge tiles, render elevations, facing brickwork and natural stone detailing.

Since its original submission, the application has been amended in order to provide highway improvements following an objection from the Council's Transportation Section.

## **SITE APPRAISAL**

The application site comprises a roughly rectangular shaped plot of land with an area of approximately 0.35 hectares, located within the defined settlement boundary of Cwmbach.

The site is located on a gradient that falls steeply from east to west and is bound on three sides by vehicular highways; Cwmbach Road to the west, Morgan Row and an

un-named road leading to Abernant-y-Groes-Uchaf Farm to the south and Pond Place to the east. Cwmbach Road and the highway to the south benefit from pavements on both sides of the carriageway, whilst Pond Place only has a pavement on the eastern side of the carriageway, adjoining and adjacent to the existing dwellings. Prior to its demolition, the former library building and associated car-parking area were located in the southern part of the site, adjacent to Morgan Row.

A trodden path, that provides pedestrian access from Blaennantygroes Road to the north, to the un-named road in the south, passes through the site. Whilst the path is well established it is not a definitive Right of Way.

The surrounding area is predominantly residential, with a mix of traditional terrace properties, detached and semi detached dwellings as well as blocks of flats evident in the immediate area.

## **PLANNING HISTORY**

19/0334/15	Vary Condition 1 of Planning Permission Ref. 14/1308/13 to extend planning permission for a further 5 years.	Granted 21/05/2019
14/1308/13	Demolition of existing redundant library building and outline consent for residential development of the site (all matters reserved).	Granted 22/04/2015

## **PUBLICITY**

The application has been advertised by direct notification letter to neighbouring properties and a site notice was displayed. Three letters of objection were received, however it is noted that within one of the submissions, the letter was re-produced and individually signed by twenty local residents, all of whom reside at either Pond Place, Phillip Row or Morgan Row. As such, there are twenty-three local residents who object to this proposal.

The points raised within the objections will be addressed in the main body of the report below and are summarised as follows:

- Access to the site must be via Morgan Row only and not via Pond Place.
- The amendment to the plans which increases the length of the turning head and provides footways along Pond Place would have no benefit to the residents of Pond Place.
- The development would reduce on street car parking provision along Pond Place.

- The development does not include car parking provision for the new resident's children or visiting extended family members.
- The development should be for five smaller dwellings (preferably bungalows).
- The proposed dwellings would impact upon the privacy of nearby dwellings.
- The proposed dwellings would result in a loss of light to properties along Pond Place.
- The proposal does not factor in the eradication of Japanese Knotweed.
- A claimed right of way crosses the application site and the recording of the right of way is being considered by the Planning Inspectorate. This process needs to be completed prior to the determination of the application.

## **CONSULTATION**

Transportation Section – No objections, subject to conditions.

Flood Risk Management – No objections or conditions recommended.

Public Health and Protection – No objections.

Countryside, Landscape and Ecology – No objections.

Rights of Way Officer – The claimed right of way should be detailed in the planning application, conditions recommended.

Natural Resources Wales – No objections or conditions recommended.

## **POLICY CONTEXT**

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

The application site lies within the defined limits of development but is not allocated for any specific purpose.

**Policy CS1 – Development in the North:** Places an emphasis on building strong, sustainable communities.

**Policy AW1 – Supply of New Housing:** Provides criteria against which applications for new housing will be considered.

**Policy AW2 – Sustainable Locations:** Provides criteria to determine whether a site is located in a sustainable location.

**Policy AW4 – Community Infrastructure and Planning Obligations:** This policy provides support to secure planning obligations and contributions.

**Policy AW5 – New Development:** This policy sets out criteria for new development in relation to amenity and accessibility.

**Policy AW6 – Design and Placemaking:** This policy requires development to involve a high quality design and to make a positive contribution to place making.

**Policy AW10 – Environmental Protection and Public Health:** Prohibits development proposals that would cause or result in a risk of unacceptable harm to health and/or local amenity.

**Policy NSA12 – Housing Development Within and Adjacent to Settlement Boundaries:** Development within the Northern Strategy Area will be permitted within the defined settlement boundaries subject to a number of criteria.

Supplementary Planning Guidance:

Design and Placemaking

A Design Guide for Householder Development

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

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

It is also considered the proposed development is compliant with the NDF.

Other relevant national policy guidance considered:

PPW Technical Advice Note 5: Nature Conservation and Planning

PPW Technical Advice Note 11: Noise

PPW Technical Advice Note 12: Design

PPW Technical Advice Note 18: Transport

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 seeks reserved matters consent. As such this application seeks an assessment of the access, appearance, landscaping, layout and scale of the development proposed following the grant of outline planning permission. It is therefore considered that the principle of the development of the site has been previously established and the proposal is acceptable subject to an assessment of the criteria set out below.

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

In terms of physical area, the site extends to approximately 0.35 hectares, an area which is large enough to accommodate the proposed number of dwellings and associated access and off road car parking provision.

The development of 5 no. dwellings on the 0.35 hectare site would result in a density of approximately 14 no. dwellings per hectare (dph), which is considerably below the required density of 30 no. dph as set out in Policy NSA10. However, it has previously been accepted when granting the outline permission that due to the topography of the site, which falls steeply from east to west, it is more difficult to develop the site to an acceptable standard at a higher density. As such it is accepted that the density of the development proposed would result in the proposal making efficient use of the land.

The local area is residential in nature and characterised by a mixture of detached, semi-detached and terraced dwellings, as well as blocks of flats. Housing stock within the locality is of varied age and design, with traditional terrace dwellings located on Pond Place and larger, more modern detached dwellings positioned to the north of the site on Blaennantgroes Road. The dwellings proposed are of good quality, modern design and are considered to fit in with the character and appearance of the surrounding area.

The application site is currently disused and in need of attention with a visual appearance that is not considered to have positive impacts upon the character and appearance of the locality. It is considered that the development of the site would allow for its ongoing maintenance and overall enhancement to the local area.



As such, overall, it is considered possible to accommodate the proposed dwellings on the site, without adversely affecting the existing varied character of the area.

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

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

As set out above, the site is large enough to accommodate the dwellings, associated parking and amenity areas. It is considered that the dwellings are positioned an adequate distance away from nearby properties to avoid significant overbearing impacts or overlooking, which would not be beyond established levels.

Given the topography of the site which slopes from east to west, the dwellings would be built into the slope. As such, whilst it is noted that the objectors would prefer to see bungalows constructed on the application site, the dwellings would appear lower in height when viewed from Pond Place and are not considered to result in significant loss of light to the terrace row.

In conclusion, it is considered that acceptable standards of amenity could be provided for both existing nearby neighbours and future occupiers of the development.

### **Impact on highway safety:**

To aid in the assessment of highway safety impacts, consultation has been undertaken with the Council's Transportation Section.

The application site is flanked by three adopted highways; Cwmbach Road to the west, Morgan Row extending to an unnamed road to the south and Pond Place to the north. Cwmbach Road has a carriageway width of 7.3 metres with 1.8 metre wide footways and double yellow lines on the opposite carriageway lane. The unnamed road, which leads to Abernant-y-Groes-Uchaf Farm, has a carriageway width of 5.9 metres with footways varying in width between 1.6 metres and 1.8 metres. Pond Place has a carriageway width of 5.4 metres with a 1.8 metre wide footway on the opposite side to the proposed development, as well as a sub-standard turning area which has double yellow lines.

There is concern regarding the proposed access off Pond Place due to the high on-street car parking demand, which narrows the available road width, and sub-standard turning area, which results in reversing movements along Pond Place. The concerns regarding access off Pond Place are reiterated by the objectors. It is also noted that at the time of the consideration of the 2014 outline application, the Planning and Development Committee requested that an Informative be placed on the planning permission advising that the most appropriate access to the site would be from Morgan

Row and not Pond Place. Notwithstanding this, the imposition of the Informative does not prevent the developer from seeking consent for an access from Pond Place as part of the development.

It is considered the proposed development would increase service and delivery vehicles using Pond Place and the sub-standard turning area, which would have a detrimental impact upon the safety of all highway users and the free flow of traffic. In addition, the proposal would result in increased reversing movements along Pond Place to the detriment of safety of all highway users and the free flow of traffic.

In order to mitigate the above concerns however, the developer has proposed to increase the length of the turning head to a minimum of 16.5 metres as well as provide a 1.8 metre wide footway on the development side. This would allow for safe turning movements of larger vehicles and segregated footway facilities would improve pedestrian safety. The proposal will require full engineering design and detail to include construction details, levels, longitudinal / cross section, surface water drainage and details of any retaining wall to be offered for adoption. This can be secured by way of condition.

**Car Parking:** In accordance with the SPG Access, Circulation & Parking 2011, each dwelling proposed has a maximum off street car parking requirement of three spaces, with each plot accommodating in excess of this requirement. It is however noted that the garage contained within Plot 5 would encroach onto the adjacent public footway. As such, it is recommended that a condition be implemented requiring this garage to be positioned a minimum of 0.5 metres from the rear of the public footway.

To conclude, the amended plans submitted overcome initial concerns raised by the Council's Transportation Section by providing a full size turning facility for use of all on Pond Place as well as a 1.8 metre wide footway on Pond Place. As such, it is considered that access, circulation and parking provision is acceptable and therefore no highway objection is raised, subject to conditions.

#### **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:** This issue would be covered by the required, separate SuDs approval prior to any development taking place.

**Ecology:** Having reviewed the application, the Council's Ecologist has raised no objections to the proposal. It is noted that Condition 2 of the outline permission required the submission of details of all existing trees and hedgerows on the land as well as details of any to be retained together with measures for their protection during the course of the development as part of the reserved matters application. These

details have been submitted and relevant related conditions will be applied accordingly.

In addition, it is known that Japanese Knotweed grows on the site and the objectors' concerns regarding this issue are acknowledged. The planning history indicates that during the summer months of 2014 ground clearance works were undertaken which resulted in the weed spreading across the site. A condition was placed on the outline planning permission requiring full details of a scheme for the eradication and/or control of Japanese Knotweed to be submitted to and approved by the Local Planning Authority prior to the commencement of any work on site. This condition still applies and requires discharging prior to the commencement of the development.

Furthermore, it is considered appropriate to seek biodiversity enhancement at the site through the use of a suitably worded planning condition.

**Public Right of Way:** It is acknowledged that a claimed right of way crosses the application site and reference to this has been made in the objections. It is noted that the Council previously determined in favour of an application to record the path on the Definitive Map and Statement as Footpath 28 Cwmbach. The Council's Public Rights of Way Officer has advised that the Order was objected to and as a consequence is currently in the process of being referred to the Planning Inspectorate. The objectors argue that until this process is complete, the current planning application should not be determined. In addition, the Council's Rights of Way Officer has requested that the line of the path should be referenced on the proposed plans.

Advice from the Council's Legal Department indicates that the Council cannot insist that the Applicant marks the claimed right of way on the plans. It is however acknowledged that the Council has made an Order to include the right of way on the Definitive Map and whilst the Order has yet to be confirmed by the Planning Inspectorate, it is a material consideration in the determination of the planning application. The grant of a planning permission does not authorise the obstruction of a right of way and the developer would therefore need to make an application to divert the right of way if necessary.

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

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

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

## CONCLUSION

Taking the above considerations into account it is concluded that the principle of residential development of the site has been positively established by the granting out the outline application. It is considered that the reserved matters are acceptable and would not have a detrimental impact upon the character and appearance of the area, the residential amenity of those living closest to the site or the highway safety of the area. As such, it is considered that the application is compliant with the relevant policies of the Rhondda Cynon Taf Local Development Plan.

## RECOMMENDATION: Grant

1. The development hereby approved shall be carried out in accordance with the following approved plans:
  - Location Plan, dated 23/10/2020
  - Proposed Site Layout Plan (Drawing No: 1351/PLN/001 Rev A), dated 26/03/2021;
  - Proposed Landscaping Layout (Drawing No: 1351/PLN/002 Rev A), dated 23/03/2021;
  - Proposed Site Elevations (Drawing No: 1351/PLN/003 Rev A), dated 23/03/2021;
  - Proposed Site Sections (Drawing No: 1351/PLN/004 Rev A), dated 23/03/2021;
  - Proposed Highway Improvements (Drawing No: 1351/PLN Rev A), dated 23/03/2021;
  - Proposed House Type Plot 1 – Floor Plans (Drawing No: 1351/PLOT 1/PLN/01), dated 23/10/2020)
  - Proposed House Type Plot 1 – Elevations (Drawing No: 1351/PLOT 1/PLN/02), dated 23/10/2020)
  - Proposed House Type Plot 2 – Floor Plans (Drawing No: 1351/PLOT 2/PLN/01), dated 23/10/2020)
  - Proposed House Type Plot 2 – Elevations (Drawing No: 1351/PLOT 2/PLN/02), dated 23/10/2020)
  - Proposed House Type Plot 3 – Floor Plans (Drawing No: 1351/PLOT 3/PLN/01 Rev A), dated 10/03/2021)

- Proposed House Type Plot 3 – Elevations (Drawing No: 1351/PLOT 3/PLN/02 Rev A), dated 10/03/2021)
- Proposed House Type Plot 4 – Floor Plans (Drawing No: 1351/PLOT 4/PLN/01 Rev A), dated 10/03/2021)
- Proposed House Type Plot 4 – Elevations (Drawing No: 1351/PLOT 4/PLN/02 Rev A), dated 10/03/2021)
- Proposed House Type Plot 5 – Floor Plans (Drawing No: 1351/PLOT 5/PLN/01), dated 23/10/2020)
- Proposed House Type Plot 5 – Elevations (Drawing No: 1351/PLOT 5/PLN/02), dated 23/10/2020)
- Proposed Detached Garage – Plot 2 (Drawing No: 1351/GARAGE/PLN/01), dated 23/10/2020)
- Proposed Detached Garage – Plots 3-5 (Drawing No: 1351/GARAGE/PLN/02), dated 23/10/2020)

and documents received by the Local Planning Authority on 23/10/2020 unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

2. Notwithstanding the details shown on the submitted plans, development shall not commence until full engineering design and details of the turning head to be lengthened and 1.8 metre footway provision on Pond Place have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented to the satisfaction of the Local Planning Authority prior to beneficial occupation of the first dwelling served off Pond Place.

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

3. Prior to the development being brought into use, 2 no. vehicular footway crossings shall be provided (one on Cwmbach Road and one on the unnamed road) in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to any development on site commencing.

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

4. Notwithstanding the submitted plans, prior to the commencement of development, details of the garage for Plot 5 set back a minimum of 500mm off the public highway shall be submitted to and approved in writing by the Local Planning Authority. The development should be carried out in accordance with the approved plans and retained thereafter.

Reason: To ensure that no part of the development encroaches onto the public highway (including footings and rain water goods), in the interests of highway and pedestrian safety, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

5. The street lamp column/WPD pole affected by the proposed development shall be relocated to a position to be agreed in writing by the Local Planning Authority prior to any works commencing on site.

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

6. Prior to the commencement of development hereby approved the developer shall submit to the Local Planning 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 walls additional certification from an independent suitably accredited consulting 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.

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

- f) Wheel cleansing facilities.
- g) The sheeting of lorries leaving the site.

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

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

- 8. 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 policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

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

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

Reason: To provide biodiversity enhancement, in accordance with Chapter 6 of Planning Policy Wales.

- 10. During construction works any trees to be retained shall be protected in accordance with the details in the submitted Tree Survey and Arboricultural Impact Assessment, dated March 2021. The protection measures shall be retained and maintained throughout all construction works.

Reason: To protect retained trees on the site during the course of building work in the interests of amenity in accordance with policies AW5, AW6 and AW8 of the Rhondda Cynon Taf Local Development Plan.





## **PLANNING & DEVELOPMENT COMMITTEE**

**12 AUGUST 2021**

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

**Application No:** 20/0843 – Proposed dwelling, Land between Wattstown Rugby Club and 25 Danygraig Terrace, Ynysir

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

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

#### 2. **RECOMMENDATION**

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

#### 3. **BACKGROUND**

This application was originally reported to the Planning and Development Committee meeting of 15 October 2020 with an officer recommendation that planning permission be refused. A copy of that report is attached at **Appendix A**.

At that meeting Members resolved to approve the application contrary to the recommendation of the Service Director Prosperity and Development. As a consequence it was resolved to defer determination of the application for a further report to highlight the potential strengths and weaknesses of taking a decision contrary to officer recommendation. The application was therefore reported back to the Planning and Development Committee meeting of 5 November 2020. A copy of that report is attached at **Appendix B**.

At that meeting (minute 29 refers) Members resolved to defer the application for a further report to advise on the stability of the site and the tip to the rear, and the implications of the adjacent watercourse shown on site photographs presented to Members at the Committee meeting.

The Council's Flood, Water and Tip Risk Manager has clarified that following Members request a tip inspection was carried out by a private consultant (Redstart) on behalf of the Council. The inspection was not a detailed geotechnical investigation, but a visual inspection by a suitably qualified geotechnical engineer, and the subsequent report confirmed the following:

*'The 'works' currently being undertaken are slightly down slope of the tip complex and do not immediately influence the tip.*

*However, immediately above the recent excavation works (just outside the upper boundary fence), a natural spring is evident that discharges a significant amount of water into the recently excavated area (upper south-east corner). The recent works have recognised this water issue and have channelled the water across the back of the slope within their boundary in a deep open earthworks channel, which extends from the upper south-east to the upper north-west side and then drops down along the north-west boundary to road level.*

*Water is critical to local and overall slope stability and ensuring that this discharge does not become blocked and/or re-diverted elsewhere is essential. Additionally, water should be prevented from soaking or holding at the top of the slope.'*

Whilst the inspection did note that the land directly above the development site showed areas of rock outcrop, which provides some stability to the slope in this area, a detailed inspection was not undertaken due to access restrictions. As such, the engineer has concluded the following:

*'The current excavation works have been cut relatively steeply in benches. We assume that these slope angles are temporary as these slope angles will not be stable in the 'long term' (potential for local slips within the benches or a deeper overall slip as the steep slope regresses with loss of cohesion) unless supported. For example, nearby slopes have been soil nailed at similar angles.'*

The Council's Flood, Water and Tip Risk Manager states, the conclusion of the investigation is that the works have no immediate influence on the tip itself. However, the localised land forming 'steeply cut embankments' are not stable for the long term and have the potential for localised slips within the newly cut benches or indeed a deeper overall slip as the steep slope rebalances.

Based on the above, the Flood, Water and Tip Risk Manager further suggested that the applicant be required to provide a stability strategy for the land forms created, to ensure they do not inadvertently cause a localised slip that may affect their property, adjacent neighbours or indeed the highway. Members are advised that the applicant was informed of this requirement and the Council requested that this should be submitted by 9 June 2021. No stability strategy has been submitted by the applicant however he has provided a statement for the benefit of the Planning and Development Committee, which is summarised below:

The applicant advises that:

- *despite approaching a number of companies for a stability strategy none of them have been willing to undertake the works;*
- *the land and stream in question are outside the application site area and are in third party ownership;*
- *it would be the landowner's responsibility for maintenance and stability;*
- *the stabilising mesh he put on that land (in agreement with the landowner) is now taking form with grass and plants;*
- *the third party landowner will not allow any further investigative work on his land;*
- *he maintains a watching brief on the site and has maintained the watercourse and culvert in good order;*
- *if the application is refused both he and his wife will be made homeless; and,*
- *he is of Irish Traveller extraction and though he lived in a conventional house for a number of years that a mobile home better suits his own cultural tradition and provides a sense of fulfilment and peace that he could never experience living in a conventional dwelling.*

In response to the above issues, firstly, the Local Planning Authority is aware the applicant has commenced excavation works on the site and has placed a mobile home at the site in which it is understood he is living.

The applicant has been advised that he should not undertake any further works and that any works that have been undertaken have been done so entirely at his own risk, in the full knowledge, that there is currently no planning permission.

With regard to the mobile home, the Committee is advised that the application is not for the retention of a mobile home, but for a brick built dwelling structure full details of which are set out in Appendix A. If the applicant wants to retain the mobile home on site, a new or amended planning application would need to be submitted.

As detailed in the above summary, the applicant states he is from Irish Traveller extraction. Members are advised that this was not identified in the submitted planning application. The Council's Housing Strategy Section have clarified that if an application for a mobile home was submitted and refused and the applicant "claims he couldn't/wouldn't live in 'Bricks and Mortar' due to his ethnicity ..... then he'd likely be captured in our next Gypsy Traveller Accommodation Assessment (GTAA) which is due February 2022. If he was captured in the GTAA as an identified need then the Council would need to start making provisions to meet the need in the form of identifying suitable land or extending our current caravan site. The applicant could also make an application to our waiting list for Beddau Caravan Park".

Notwithstanding the above, Members are advised the planning application submitted (20/0843/10) and to be determined by Committee proposes a dwelling that would have brick elevations and a tile roof and is not the mobile home placed on the site, albeit the proposed dwelling would be of similar design and scale to that of the existing mobile home; and this proposal must still be determined as currently submitted. The relevant issues still outstanding are discussed below:

Members are advised that as detailed in the response from the Flood, Water and Tip Risk Manager, without a suitable stability strategy there could be a risk of localised slipping that could impact on public safety. Therefore, without the strategy to ensure the stability of the slope, approving the development would leave the site as a health and safety risk. In these circumstances, it is recommended that the proposal would not be considered acceptable. As such, if Members are minded to refuse the application, the following refusal reason would be recommended:

**1** It has not been demonstrated that the slope behind the site would be acceptable in terms of its stability. As such the development would be a risk to public safety and contrary to Policy AW 10 of the Rhondda Cynon Taf Local Development Plan.

Notwithstanding this, whilst the stability strategy is not currently available, it is considered details of an acceptable stability strategy and the provision of any mitigation works needed could be required by suitably worded conditions, if permission were to be granted.

It is noted that the stability strategy would be on land that is partly outside the applicant's ownership (i.e. the slope behind the site). The applicant details he is the owner of the land in the red line area shown on the submitted site location plan only (see presentation for the location plan) and that he does not own any of the hillside area behind the site. This is therefore most likely under separate ownership as stated by the applicant. Members are advised that whilst the applicant does not own the land behind the site, a condition can still be required that relates to the land outside the site and the applicant's ownership. This would be a 'Grampian' style condition and would prevent occupation of the dwelling until the strategy is submitted and approved and the works are carried out.

*Members are also advised that since the previous Committee meeting Welsh Government (WG) has updated their national policy documents. WG's current position on planning policy is now set out in Future Wales: The National Plan 2040 (FW2040) and Planning Policy Wales Edition 11 (PPW). The aims and general context of the revised PPW document (Edition 11) have remained unaltered since the previous version, with the emphasis being on placemaking and sustainable development. FW2040 sets out the National Development Framework for Wales (NDF), Welsh Government's current position on planning policy at regional and national level. It is considered that the proposed*

*development, subject to an acceptable site stability report, would be consistent with the key principles and requirements for placemaking and sustainable development set out in these documents.*

Therefore should Members be minded to grant planning permission for the development proposed, as set out in original report (Appendix A – application 20/0843/10), the following amended conditions are suggested:

## **CONDITIONS**

1. The development hereby approved shall be carried out in accordance with the approved plan no's
  - Site Location Plan (Received 13th August 2020)
  - Proposed Block Plan (Received 17th August 2020)
  - Proposed Site Plan and Front Elevation (Received 13th August 2020)
  - Proposed Floor Plan (Received 13th August 2020)
  - Proposed Rear and Side Elevations (Received 13th August 2020)
  - Proposed Front Elevation (Received 13th August 2020)

and documents received by the Local Planning Authority on 13th August and 17th August unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

2. Within 56 days of the date of this permission, a ground stability strategy detailing the ground stability works required to ensure the safety and stability of the site and hillside behind the site shall be submitted to the Local Planning Authority for approval.

Reason: The site and hillside to the rear of the site may be unstable and as such a stability report is required in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

3. The dwelling shall not be occupied until the ground stability works have been constructed in accordance with a ground stability strategy approved by the Local Planning Authority in accordance with condition 2.

Reason: The site and hillside to the rear of the site may be unstable in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

4. Within 56 days of the date of this permission a plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to the Local Planning Department for approval. The boundary treatment approved shall be completed before the dwelling hereby approved is occupied. Development shall be carried out in accordance with the approved details.

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

5. Within 56 days of the date of this permission drainage arrangements shall be submitted to the Local Planning Authority for approval.

Reason: To ensure adequate disposal of foul and surface water drainage in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

6. The dwelling shall not be occupied until the drainage works have been constructed in accordance with the drainage arrangements approved by the Local Planning Authority in accordance with condition 5.

Reason: To ensure adequate disposal of foul and surface water drainage in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

7. Notwithstanding the submitted plans, within 56 days of the date of this permission details of the vehicular crossover shall be submitted to the Local Planning Authority for approval. The works shall be carried out in accordance with the approved details prior to occupation of the dwelling hereby approved.

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

8. The dwelling shall not be occupied until space has been laid out within the site for 2 vehicles to be parked in accordance with details to be first submitted to and approved in writing by the Local Planning Authority prior to development commencing. The spaces shall be retained for the parking of vehicles thereafter.

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

**PLANNING & DEVELOPMENT COMMITTEE****15 OCTOBER 2020****REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT****PURPOSE OF THE REPORT**

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 20/0843/10 (GW)  
**APPLICANT:** Mr M Harkin  
**DEVELOPMENT:** Proposed dwelling.  
**LOCATION:** LAND BETWEEN WATTSTOWN RUGBY CLUB AND  
 25 DANYGRAIG TERRACE, YNYSHIR, PORTH  
**DATE REGISTERED:** 24/08/2020  
**ELECTORAL DIVISION:** Ynyshir

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**RECOMMENDATION: REFUSE DUE TO THE FOLLOWING:**

**REASONS:** The development would not provide the required density of housing development and would not contribute efficiently and effectively to meeting the housing land requirement for the provision of new dwellings in the Borough. As such the proposal is contrary to Policies NSA10 and AW1. The proposed dwelling would be a poor design and would form an incongruous addition in the street scene when viewed in context with the traditional character and density of existing residential properties in Danygraig Terrace to the north-west and the historic built character of the area. Therefore, the proposal would have a detrimental impact on the character and appearance of the surrounding area and as such would not comply with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

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**REASON APPLICATION REPORTED TO COMMITTEE**

A request has been received from Councillor Edwards for the matter to come to Committee in order for the need for affordable housing in the area and the impact of the development upon the character and appearance of the area to be considered.

**APPLICATION DETAILS**

Full planning permission is sought for the erection of a dwelling. The dwelling would be located centrally on the plot and would be placed on a raised area accessed via a ramp to the front of the site. It would be a single storey dwelling finished in brick and the roof would be covered in concrete tiles. Parking is detailed on a drive to the side of the dwelling adjacent to 25 Danygraig Terrace. It is stated no retaining structures are required to the hillside at the rear of the site, which is under different ownership, as works have already been carried out to stabilise the hillside.

The application is supported by the following:

- Supporting Statement

**SITE APPRAISAL**

The application site relates to a vacant plot of land which is situated between no. 25 Danygraig Terrace and Wattstown Rugby Football Club. The site has a rectangular

shape and follows a relatively level gradient that matches the adopted highway fronting the site, albeit material has been imported (or moved from the rear of the site) to create a low, raised area that is shown in the proposed plans as being the area the dwelling would be located.

The land begins to rise steeply toward the open mountainside that abuts the rear of the site.

A brick-built clubhouse, associated with Wattstown RFC, is located immediately to the south-east of the site while a small row of traditional two-storey terraced properties are located immediately to the north-west. Beyond the pedestrian and vehicular highway to the front of the site (known as Ynyshir Road) is the Porth Relief Road which is largely screened from the development site by a high timber fence. It is noted that there is a water course/culvert to the rear of the site.

### PLANNING HISTORY

18/0583/15	Land adjacent to 25 Ynyshir Road, Wattstown	Variation of condition 1 of planning permission 13/0478/13 to extend the expiration date for 5 years including 3 years for reserved matters.	Granted 21/08/2018
16/5053/41	“ “	Siting of mobile home including access, parking and garden area (Pre-application advice)	Objection raised 25/03/2016
13/0478/13	“ “	Construction of 3 no. 2 bed terraced dwellings with associated parking (outline)	Granted 20/08/2013

### PUBLICITY

The application has been advertised by means of direct neighbour notification and site notice. One letter of objection has been received and the comments are summarised below:

- If a boundary wall is built it will block my window. That would obstruct a significant amount of natural light to my property. I have been the landowner of the adjacent property for over 30 years and any wall built would have a detrimental effect to my right of light and enjoyment of the property.

Following receipt of the above, the objector submitted further correspondence which highlighted they had contacted the landowner and they requested no boundary treatment next to the windows. It is stated they were assured (by the landowner) that would be the case.

### CONSULTATION

**Dwr Cymru/Welsh Water** – No objection subject to a condition that no surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network. It is detailed a public sewer crosses the site. Advisory notes with regard sustainable drainage and water supply are provided.

**RCT Countryside Landscape, Ecology** – If the application boundary marginally bites into the edge of the adjacent Site of Importance for Nature Conservation (SINC) there is no objection in this instance as the SINC forms the whole hillside above the



road and trying to demarcate the exact boundary on the lower urban edge is always difficult. If planning permission is granted, protective 'Heras type' fencing would be required during construction, along the upper development edge to demarcate the development area from what will be the newly defined SINC boundary. This will also ensure nothing will encroach up the hillside during construction.

If the willow/bramble within the red line area has been cleared, then there is no nesting bird issue. However if Japanese Knotweed has not been treated on site, control measures should be implemented.

**RCT Flood Risk Management** – Based on a review of the surface water flood risk associated to this location it is evident that the site is currently shown to be free from the high, medium or low surface water flood risk zones, however the applicant should be made aware that the Danygraig Terrace area is subject to a low surface water accumulation zone and as such the applicant should ensure that the topographical level of the property's floor level takes into account the low surface water flood risk area within the highway.

No surface water drainage arrangements have been provided. The applicant should be reminded that they are required to comply with Schedule 3 of the Flood and Water Management Act 2010. This will need to be demonstrated through the application of Sustainable Drainage Approval to the Sustainable Drainage Approval Body (SAB) prior to the commencement of works.

It is recommended that evidences of how the development is to comply with the requirements of Section 8.3 of Technical Advice Note 15 is conditioned to ensure drainage is acceptable.

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

**RCT Transportation Section** – No objection subject to the provision of space for 2no. cars to be parked off-street, provision of a vehicular crossover, surface water not to drain to the public highway and details of traffic management and wheel washing.

## **POLICY CONTEXT**

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

The site is mainly within settlement boundaries as defined by the Rhondda Cynon Taf Local Development Plan and is unallocated. However part of the rear of the site is outside but adjoins the settlement boundary. The area to the rear of the site and outside the settlement boundary is also identified as a Site of Importance for Nature Conservation (SINC) as referred to in Policy AW 8.43 (Mynydd Troed-y-Rhiw Slopes). The hillside behind the site is identified as a Special Landscape Area (Mynydd Troed y Rhiw Slopes). The site is also within the designated Rhondda Historic Landscape by Cadw.

**Policy CS1**- sets out criteria for achieving strong sustainable communities including: promoting residential development in locations which support the role of principal towns and settlements and provide high quality, affordable accommodation that promotes diversity in the residential market.

**Policy AW1** - residential development proposals will be expected to contribute to meeting local housing needs.

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

**Policy AW5** - sets out criteria for new development and requires the scale, form and design of new development to have an acceptable effect on the character and appearance of the site and surrounding area and existing features of the built environment to be retained. Development must have no significant impact on the amenities of neighbouring properties, be compatible with other uses in the locality and to design out the opportunity for crime and anti social behaviour. Development must be sustainable, have safe access and provide car parking in accordance with the Council's Supplementary Planning Guidance (SPG).

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

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

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

**Policy NSA10** – residential development should be a minimum of 30 dwellings per hectare unless it can be demonstrated otherwise.

**Policy NSA12** – details criteria for housing development within and adjacent to settlement boundaries.

Supplementary Planning Guidance:

Access, Circulation and Parking

Design and Placemaking

Nature Conservation

**National Guidance**

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

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

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

Other relevant policy guidance consulted:

PPW Technical Advice Note 5: Nature Conservation and Planning

PPW Technical Advice Note 12: Design;

PPW Technical Advice Note 18: Transport; and

PPW Technical Advice Note 23: Economic Development.

**REASONS FOR REACHING THE RECOMMENDATION**

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

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

### **Main Issues:**

#### **Principle of development**

The application site is unallocated and situated mainly within the defined settlement boundary as identified in the Rhondda Cynon Taf Local Development Plan (LDP). Any encroachment outside of the settlement boundary would not be beyond the rear boundary of the existing development either side and therefore would not warrant a refusal reason. It is noted that there is an existing row of terraced properties situated immediately to the north-west of the site and that the site has previously benefited from outline planning permission for the residential development of 3 no. dwellings (ref: 13/0478/13). Members are advised this was renewed in 2018 (ref: 18/0583/15) and could still be developed. As such, the development would accord with many of the criterion set out in Policies AW1, AW2 and NSA12.

However, this proposal is for a density of development that is significantly below that required by Policy NSA10 and Policy AW1 of the LDP. This is to ensure an efficient use of land within the settlement boundary to meet the housing land requirement for new dwellings. Furthermore, and on a wider scale, failure to provide the required level of housing within the settlement boundary could lead to increased future pressure for housing on 'Greenfield' land.

Policy NSA10 requires 30 dwellings are developed per hectare. However, the proposal would provide the equivalent of under 17 dwellings per hectare. Members are advised that previously outline planning permission (13/0478/13 and 18/0583/15) was granted for 3 dwellings on the site which exceeds the 30 dwellings per hectare policy requirement (approximately providing the equivalent of 51 dwellings per hectare). It is considered there is still potential to provide 3 dwellings on the site; or to provide 2 dwellings, which would also comply with the policy.

The applicant details the site cannot support 3 dwellings as the previous owner was unable to do this. In addition, it is stated that 3 dwellings would provide less than ideal living conditions and that there would be insufficient amenity space for 3 no. dwellings. Whilst these opinions are noted, no clear evidence has been supplied that shows this is the case and that 3 or 2 dwellings cannot be provided. To the contrary, the site plan for planning permission reference 18/0583/15 shows 3 dwellings could be developed with adequate amenity space and parking.

If permission was granted for a single dwelling and whilst the loss of 1 or 2 additional dwellings that could have been provided is low; it should be recognised that the accumulation of similar shortfalls in density throughout the County Borough would have a significant impact on housing land supply. Therefore, the density of the proposal is considered unacceptable and is contrary to Policies NSA10 and AW1.

#### **Impact on the Character of the Area**

The Rhondda Cynon Taf Local Development Plan supports proposals where the scale, form and design of the development would have no unacceptable effect on the character and appearance of the site and the surrounding area (AW5); where they are of a high standard of design which reinforces attractive qualities and local distinctiveness (AW6); where they are appropriate to the local context in terms of siting, scale, appearance, height, massing, elevational treatment, materials and detailing (AW6); and where they include the efficient use of land (AW6).

The site is located within an area which is predominantly characterised by high density, traditional terraced properties that front directly onto the adopted highway at Ynyshir Road. A pre-application enquiry submitted by the applicant for a mobile home on the site (16/5053/41) received the following comments, "*there is significant concern that the proposal to locate a mobile home at the site would have a detrimental impact on the visual amenity of the surrounding area. The proposed mobile home, by virtue of its structure and overall visual appearance, would effectively form a temporary addition which would fall below the standard that would usually be considered acceptable for a permanent residential unit in the area*".

The proposed dwelling looks similar to a 'mobile dwelling', however it is noted the application details the elevations would be finished in brick and the roof covered in tiles. On its own, this is considered would result in a more permanent visual impact than considered above.

The applicant has detailed in their 'Supporting Statement' that the proposal would tidy up a piece of land that has been a nuisance to locals, would be a slight departure from the existing scale and design of the area, that there is a multiplicity of designs in the area similar to the scale and design of the adjacent building to the south-east (Wattstown RFC), and points to Park View on the opposite side of the bypass with its sharp contrast of staggered building lines and occasional mono-pitched roofs.

Differences in design, size and scale are appreciated and welcomed to the area. However the surrounding traditional character of housing is mainly 'fine-grained' with development at a high density, that was of a quality design and that utilised high quality materials. A similar level of design quality is sought by the LDP policies as highlighted above. Whilst the design of the proposal could be improved by having a larger pitch of the roof, having an improved window and door layout that reflects more traditional dwellings and having some landscaping to screen the proposal; it would still have an unacceptable impact on the street scene and the character of the area. The proposal would result in a single dwelling, of a poor design, that does not relate to the high density and local built character. It would be located centrally between the two adjacent development sites with no 'visual tie' in to the existing residential development and character of the area. In contrast, the approved development on the site (18/0583/15) or a similar proposal with multiple dwellings could result in an acceptable development in these terms. It is therefore considered the proposed dwelling would form an incongruous addition in the street scene when viewed in context with the traditional character and density of existing residential properties in Danygraig Terrace to the north-west and the historic character of the wider area.

As such, it is considered that the current proposal would have a detrimental impact on the character and appearance of the surrounding area and would therefore not comply with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan in this respect.

#### **Impact on residential amenity**

It is noted that the site is flanked by residential properties to the north-west and the clubhouse at Wattstown RFC to the south-east. The siting of the proposed dwelling would not result in a significant detriment to the residential amenity and privacy of the nearest residential properties. An objection has been received from a nearby dwelling detailing that if a boundary wall was built it would block out there light. It is noted there is a window on the side elevation of the nearest dwelling to the site. Boundary treatments would normally be permitted development, for a wall or a fence up to 2m in height, and this could be erected along the applicant's boundary without

any permissions. Notwithstanding this, if permission is granted, details of boundary treatment can be obtained by a suitably worded condition.

### **Access and parking**

The plans show a drive for parking that would lead directly to Ynyshir Road. No objection has been raised by the Transportation Section. Their suggested condition, requiring traffic management and wheel washing during construction, is not considered necessary as the development is small in scale and these issues can be covered by other legislation. The condition requiring surface water not to discharge on to the public highway can also be covered under other legislation. Notwithstanding this, details could be obtained under a general drainage condition if permission is granted.

### **Ecology**

Council records detail the rear of the site includes part of a Site of Importance for Nature Conservation (SINC). The Council's Ecologist however details the line shown on the Council records, in reality, should be the steep bank behind the site. The site itself, in its present condition, contains little in the way of biodiversity and the proposal would not result in a detriment to biodiversity in the area as whole. However as section 6 of Planning Policy Wales requires development must provide a net benefit to biodiversity, a condition requiring measures to meet this is suggested if permission were to be granted.

### **Other Issues:**

#### **Public Health**

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

#### **Drainage**

Dŵr Cymru/Welsh Water detail a public sewer crosses the site and that no development should be within 3m. The proposed dwelling would be within 3m of the pipe shown on the submitted plan. They however do not object and it is envisaged the pipe could be moved to accommodate development on the site. A suitably worded informative note should be attached if permission were to be granted.

#### **Community Infrastructure Levy Liability**

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

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

#### **Conclusion**

The application is considered not to comply with the relevant policies of the Local Development Plan as a sufficient number of dwellings would not be provided on the site and it would result in a detrimental visual impact on character of the area (Policies AW1, AW5, AW6 and NSA10).

**RECOMMENDATION: Refuse**

1. The development would not provide the required density of housing development and would not contribute efficiently and effectively to meeting the housing land requirement for the provision of new dwellings in the Borough. As such the proposal is contrary to Policies NSA10 and AW1 of the Rhondda Cynon Taf Local Development Plan.
2. The proposed dwelling is of a poor design and would form an incongruous addition in the street scene when viewed in context with the traditional character of existing residential properties in Danygraig Terrace to the north-west and the wider area. As such the proposal would have a detrimental impact on the character and appearance of the surrounding area and would be contrary to Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.



**PLANNING & DEVELOPMENT COMMITTEE**

**5 NOVEMBER 2020**

**REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT**

**PURPOSE OF THE REPORT**

Members are asked to determine the planning application outlined below:

<b>APPLICATION NO.</b>	<b>20/0843/10 – PROPOSED DWELLING, LAND BETWEEN WATTSTOWN RUGBY CLUB AND 25 DANYGRAIG TERRACE, YNYSHIR, PORTH</b>
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**1. Purpose of Report**

Members are asked to determine the above application.

**2. Recommendation**

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

**3. Background**

This application was originally reported to the Development Control Committee on 15<sup>th</sup> October 2020 with a recommendation of refusal. A copy of that report is attached at **Appendix A**. At that meeting, Members resolved to approve the application against the recommendation of the Head of Planning.

Members are advised that allowing the proposal would beneficially result in a dwelling on a piece of land that has been vacant for some time. However, the development would not provide the density of housing development required by LDP policy and would not contribute efficiently and effectively to meeting the housing land requirement for the provision of new dwellings in the Borough. In addition, it is considered the proposed dwelling would be of a poor design and would form an incongruous addition in the street scene when viewed in context with the traditional character and density of existing residential properties in Danygraig Terrace. As such, it is considered the proposal would have a detrimental impact on the character and appearance of the surrounding area.

Clarification was requested by Members as to whether the slope behind the site formed part of the former Wattstown Colliery. This was queried with the



Council's Tip Risk Manager and the following response has now been received:

*"I can confirm the Land to the rear of the development site is a disused tip Classified under the Mines and Quarries Tips Act which is categorised as Grade C by RCT prioritisation system, which means the tip is currently inspected on a 6 monthly basis.*

*The most recent inspection was undertaken on the 26/08/20 and the previous inspection on the 27/02/20. During both inspections the Tip structure was considered low risk with minor balding of the surface in some areas due to some vegetation loss but on both occasions no evidence of structural movement within the Tip complex were found.*

*Notably the inspections are continuing at the original frequency and no significant issues were identified during the two programmed inspections undertaken this year.*

*Unfortunately my colloquialism of the local names of the tips is limited to just the tip references however, the tip complex to the rear of this development site is not associated to the tip with the visible scar evident next to the tip which I believe is referred to as the 'former Wattstown Colliery'.*

*In terms of the ordinary watercourse we have not inspected this channel as there have been no reports of flooding associated to the network and it is not situated within the boundary of the Tip complex situated above these properties. If there is a concern or knowledge of history from the Committee we would ask for any such information to be passed on for our review."*

Whilst the application is recommended for refusal, as detailed in the original report, if, having considered the above advice, Members remain of a mind to grant planning permission, it is suggested that the following conditions and informative notes, including a condition with regard the stability of the slope to the rear of the site, should be attached to any consent:

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

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

2. The development hereby approved shall be carried out in accordance with the approved plan no's
  - Site Location Plan (Received 13th August 2020)
  - Proposed Block Plan (Received 17th August 2020)
  - Proposed Site Plan and Front Elevation (Received 13th August 2020)
  - Proposed Floor Plan (Received 13th August 2020)
  - Proposed Rear and Side Elevations (Received 13th August 2020)

- Proposed Front Elevation (Received 13th August 2020)

and documents received by the Local Planning Authority on 13<sup>th</sup> August and 17<sup>th</sup> August 2020 unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

3. Prior to the commencement of development, a detailed site investigations report shall be submitted to and approved in writing by the Local Planning Authority. The report should be sufficiently detailed to establish if any ground precautions are necessary in relation to the proposed development (and the slope to the rear of the site) and the precautions that should be adopted in the design and construction of the proposed development in order to minimise any damage which might arise as a result of ground condition. The development, hereby permitted, shall be carried out in accordance with the approved site investigations report thereafter.

Reason: The site and hillside to the rear of the site may be unstable and as such a stability report is required in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

4. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the dwelling is occupied. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the new development will be visually attractive in the interests of amenity in accordance with Policies AW 5 and AW 6 of the Rhondda Cynon Taf Local Development Plan.

5. No development shall take place until drainage arrangements have been submitted to and approved in writing by the Local Planning Authority. The dwelling hereby approved shall not be occupied until the drainage works have been completed in accordance with the approved plans.

Reason: To ensure adequate disposal of foul and surface water drainage in accordance with Policy AW 10 of the Rhondda Cynon Taf Local Development Plan.

6. The development shall not be brought into use until space has been laid out within the site for 2 vehicles to be parked in accordance with details to be first submitted to and approved in writing by the Local Planning Authority prior to development commencing. The spaces shall be retained for the parking of vehicles thereafter.

Reason: To ensure that vehicles are parked off the highway, in the interests of road safety in accordance with Policy AW 5 of the Rhondda Cynon Taf Local Development Plan.

7. Notwithstanding the submitted plans development shall not commence until details of the vehicular crossover have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details prior to beneficial occupation of the dwelling hereby approved.

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

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## **PLANNING & DEVELOPMENT COMMITTEE**

**12 AUGUST 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 12/07/2021 – 30/07/2021

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**

**12 AUGUST 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:** 19/0421  
**APPEAL REF:** A/21/3277352  
**APPLICANT:** Mr J Evans  
**DEVELOPMENT:** Erection of 6 no. detached dwellings (amended plans received 22/07/19).  
**LOCATION:** LAND TO THE REAR OF TREFELIN, TRECYNON, ABERDARE.  
**APPEAL RECEIVED:** 18/06/2021  
**APPEAL START DATE:** 15/07/2021

**APPLICATION NO:** 20/1315  
**APPEAL REF:** A/21/3278355  
**APPLICANT:** J.R Board Ltd.  
**DEVELOPMENT:** Change of use from dwelling house to 7 bedroom house of multiple occupation.  
**LOCATION:** 67 MONK STREET, ABERDARE, CF44 7PA  
**APPEAL RECEIVED:** 05/07/2021  
**APPEAL START DATE:** 13/07/2021

### APPEAL DECISIONS RECEIVED

**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  
**DECIDED:** 04/03/2021  
**DECISION:** Refused  
**APPEAL RECEIVED:** 21/04/2021  
**APPEAL DECIDED:** 22/07/2021  
**APPEAL DECISION:** Dismissed

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**Report for Development Control Planning Committee**

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**Rhigos**

**21/0862/10** Decision Date: 12/07/2021  
**Proposal:** Rear ground floor extension.  
**Location:** 5 CWRT TWYN-RHYD, RHIGOS, ABERDARE, CF44 9LX

---

**Aberdare West/Llwydcoed**

**21/0739/10** Decision Date: 12/07/2021  
**Proposal:** First floor side extension.  
**Location:** 15 BLAEN WERN, CWMDARE, ABERDARE, CF44 8SD

---

**Aberdare East**

**21/0410/15** Decision Date: 22/07/2021  
**Proposal:** Variation of condition 1 of planning permission 16/0711/13 - extension of time.  
**Location:** LAND TO THE REAR OF OAKLANDS BUNGALOW, ABERNANT, CF44 0YS

---

**21/0715/10** Decision Date: 12/07/2021  
**Proposal:** First floor rear extension.  
**Location:** 6 WEATHERAL STREET, ABERDARE, CF44 7BB

---

**Cwmbach**

**21/0807/10** Decision Date: 28/07/2021  
**Proposal:** Proposed raising of ridge level and dormer extension.  
**Location:** 16 FAIRFIELD CLOSE, CWMBACH, ABERDARE, CF44 0PF

---

**Mountain Ash East**

**21/0663/10** Decision Date: 19/07/2021  
**Proposal:** Change of use from office space (B1) to Wellbeing Centre (D2).  
**Location:** OFFICE 5, BUSINESS CENTRE, CWM CYNON BUSINESS PARK, PENRHIWCEIBER, MOUNTAIN ASH, CF45 4ER

---

**21/0728/10** Decision Date: 12/07/2021  
**Proposal:** Erection of a pre-fabricated former temporary office unit to form a permanent hospitality suite with decking & viewing area.  
**Location:** DYFFRYN PENNAR, DYFFRYN ROAD, MOUNTAIN ASH, CF45 4DA

---

**Report for Development Control Planning Committee**

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**Penrhiwceiber**

**21/0841/09** Decision Date: 12/07/2021  
**Proposal:** Certificate of lawful development for a proposed single storey rear extension.  
**Location:** 7 OAKLAND STREET, MOUNTAIN ASH, CF45 3AL

---

**Abercynon**

**21/0816/23** Decision Date: 30/07/2021  
**Proposal:** Alterations to bridge parapet  
**Location:** PONTCYNON OVERBRIDGE ABERCYNON

---

**Ynysybwl**

**21/0550/10** Decision Date: 28/07/2021  
**Proposal:** Single storey rear extension, roof conversion including hip to gable roof enlargement and flat roofed dormer to rear.  
**Location:** 16 HEOL PEN-Y-PARC, YNYS-Y-BWL, PONTYPRIDD, CF37 3JL

---

**Aberaman North**

**21/0021/10** Decision Date: 22/07/2021  
**Proposal:** Change of use of part of lower ground floor from restaurant (A3) to residential (C3) and subdivision of no.134 back to no.134 & no.135.  
**Location:** SUMBUL TURKISH RESTAURANT, 134 CARDIFF ROAD, ABERAMAN, ABERDARE, CF44 6UY

---

**21/0168/10** Decision Date: 21/07/2021  
**Proposal:** Pair of semi detached dwellings.  
**Location:** CHRISTADELPHIAN HALL, GWAWR STREET, ABERAMAN, ABERDARE, CF44 6YP

---

**Aberaman South**

**21/0729/09** Decision Date: 21/07/2021  
**Proposal:** Certificate of lawful development for a proposed hip to gable roof enlargement and rear dormer.  
**Location:** 23 HEOL TY ABERAMAN, ABERAMAN, ABERDARE, CF44 6LP

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**Report for Development Control Planning Committee**

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**Treherbert**

**21/0611/10**

Decision Date: 20/07/2021

**Proposal:** Two storey extension to rear, porch and dormer windows to front of property.

**Location:** THE BUNGALOW, CLYNGWYN TERRACE, BLAENRHONDDA ROAD, BLAENRHONDDA, TREORCHY, CF42 5SH

---

**21/0938/10**

Decision Date: 30/07/2021

**Proposal:** Proposed single storey extension to rear basement.

**Location:** 194 DUMFRIES STREET, TREHERBERT, TREORCHY, CF42 5PN

---

**Treorchy**

**21/0701/09**

Decision Date: 13/07/2021

**Proposal:** Ground floor extension.

**Location:** 15 PENCAI TERRACE, TREORCHY, CF42 6HL

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**21/0869/10**

Decision Date: 19/07/2021

**Proposal:** Construction of a garden utility room & music room.

**Location:** 23 HERBERT STREET, TREORCHY, CF42 6AW

---

**Pentre**

**21/0631/10**

Decision Date: 30/07/2021

**Proposal:** First floor rear extension.

**Location:** 4 ALBERT STREET, PENTRE, CF41 7JX

---

**Ystrad**

**21/0789/10**

Decision Date: 21/07/2021

**Proposal:** Change of use from industrial unit (B class) to a personal training unit (D2 fitness use).

**Location:** UNIT 42, GELLI INDUSTRIAL ESTATE, GELLI, PENTRE, CF41 7UW

---

**Llwynypia**

**21/0882/10**

Decision Date: 23/07/2021

**Proposal:** Rear two storey extension.

**Location:** 14 SHERWOOD STREET, LLWYNYPIA, TONYPANDY, CF40 2TB

---

Report for Development Control Planning Committee

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**Cwm Clydach**

- 21/0336/15** Decision Date: 14/07/2021  
**Proposal:** Removal of conditions 2 doors/windows & 6 boundary treatment (pre app 16/0895/10)(amended plans received 11/05/2021)  
**Location:** LAND TO THE SOUTH EAST OF BRYNHYFRYDD STREET TONYPANDY CF40 2DY
- 

**Tonypandy**

- 21/0813/10** Decision Date: 22/07/2021  
**Proposal:** First floor extension.  
**Location:** 177 COURT STREET, TONYPANDY, CF40 2RH
- 
- 21/0833/10** Decision Date: 23/07/2021  
**Proposal:** Single storey rear extension.  
**Location:** PRIMROSE VILLA, 17 GILFACH ROAD, TONYPANDY, CF40 1BP
- 
- 21/0888/10** Decision Date: 23/07/2021  
**Proposal:** Renewal of existing rear patio area and garden steps.  
**Location:** 58 PRIMROSE STREET, TONYPANDY, CF40 1BQ
- 

**Trealaw**

- 21/0575/10** Decision Date: 13/07/2021  
**Proposal:** Erection of garage.  
**Location:** 24 CHARLES STREET, TREALAW, TONYPANDY, CF40 2UN
- 
- 21/0810/10** Decision Date: 12/07/2021  
**Proposal:** Proposed 2 storey rear extension.  
**Location:** 40 RHYS STREET, TREALAW, TONYPANDY, CF40 2QE
- 
- 21/0934/10** Decision Date: 27/07/2021  
**Proposal:** Erect a wrought iron fence and gate to front of property. Add stone archway and wrought iron gate to side wall at rear of property.  
**Location:** AR-Y-BRYN, 102 BRITHWEUNYDD ROAD, TREALAW, TONYPANDY, CF40 2UF
-

**Report for Development Control Planning Committee**

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**Penygraig**

**21/0511/10** Decision Date: 27/07/2021  
**Proposal:** Change of use of lower ground floor from office/storage to kitchen/storage to be used in conjunction with cafe at ground floor, replacement of extraction equipment, and installation of additional flue between lower ground  
**Location:** COFFEE AT CAFE, CORNWALL ROAD, WILLIAMSTOWN, TONYPANDY, CF40 1PT

---

**21/0735/10** Decision Date: 22/07/2021  
**Proposal:** Two storey rear extension.  
**Location:** 85 AMOS HILL, PEN-Y-GRAIG, TONYPANDY, CF40 1PP

---

**Porth**

**21/0726/10** Decision Date: 13/07/2021  
**Proposal:** Adaption of proposed garage (20/1310/10) to include ancillary office accommodation at first floor. (amended 02/06/2021)  
**Location:** PEN RHIW GWYNT FARM, PENRHIWGWYNT ROAD, PORTH, CF39 9UE

---

**21/0858/10** Decision Date: 23/07/2021  
**Proposal:** Refurbishment of existing building both internal and external.  
**Location:** 38 HANNAH STREET, PORTH, CF39 9RB

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**Cymmer**

**21/0750/10** Decision Date: 20/07/2021  
**Proposal:** First floor extension.  
**Location:** 16 BELMONT TERRACE, GLYNFACH, PORTH, CF39 9LB

---

**Ynyshir**

**21/0597/10** Decision Date: 20/07/2021  
**Proposal:** Two storey rear extension.  
**Location:** 10 WILLIAM STREET, YNYS-HIR, PORTH, CF39 0EU

---

**Tylorstown**

**21/0761/10** Decision Date: 23/07/2021  
**Proposal:** Proposed first floor extension.  
**Location:** 27 MIDDLE TERRACE, STANLEYTOWN, FERNDAL, CF43 3ET

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**Report for Development Control Planning Committee**

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**Cilfynydd**

**21/0644/10** Decision Date: 19/07/2021  
**Proposal:** Loft conversion, dormers to front and rear, side and rear extension, bay window to front.  
**Location:** 18 SILVERHILL CLOSE, CILFYNYDD, PONTYPRIDD, CF37 4HU

---

**Glyncoch**

**21/0452/15** Decision Date: 20/07/2021  
**Proposal:** Variation of condition 1 of planning application 16/0361/10 (to extend time period by 5 years).  
**Location:** PLAS Y CEFFYL FARM, CEFN LANE, GLYN-COCH, PONTYPRIDD, CF37 3AL

---

**Town (Pontypridd)**

**21/0744/10** Decision Date: 21/07/2021  
**Proposal:** Proposed boundary treatment and terracing of garden to rear of dwelling adjacent to Graigwen Road.  
**Location:** BLOSSOM HILL, 52 HILLSIDE VIEW, PONTYPRIDD, CF37 2LG

---

**21/0820/10** Decision Date: 15/07/2021  
**Proposal:** Proposed vehicular crossover to facilitate off-street car parking.  
**Location:** 58 BERW ROAD, PONTYPRIDD, CF37 2AA

---

**Trallwn**

**21/0763/10** Decision Date: 28/07/2021  
**Proposal:** Single storey side extension.  
**Location:** 45 LLANOVER ROAD, PONTYPRIDD, CF37 4DY

---

**Rhondda**

**21/0743/10** Decision Date: 21/07/2021  
**Proposal:** Proposed raised deck with patio doors to the rear.  
**Location:** 28 HURFORD STREET, MAESYCOED, PONTYPRIDD, CF37 1EW

---

**21/0808/10** Decision Date: 28/07/2021  
**Proposal:** Proposed detached dwelling (retrospective).  
**Location:** LAND ABOVE THE VICARAGE, TROEDRHIW TRWYN, PANT-Y-GRAIG-WEN, PONTYPRIDD, CF37 2SE

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**Report for Development Control Planning Committee**

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**Treforest**

- 21/0768/10** Decision Date: 12/07/2021  
**Proposal:** To construct a basement garage beneath existing dwelling.  
**Location:** THE BAILEYS, GLYNTAFF ROAD, GLYN-TAF, PONTYPRIDD, CF37 4AT
- 

**Hawthorn**

- 21/0757/10** Decision Date: 29/07/2021  
**Proposal:** Conversion of bedsit accommodation (2 no. self contained units) into a one bed dwelling.  
**Location:** 29A & 29B YNYS TERRACE, RHYDYFELIN, PONTYPRIDD, CF37 5NY
- 
- 21/0821/01** Decision Date: 28/07/2021  
**Proposal:** New fascia signage to building (Peugeot logo and letters) and freestanding totem signage.  
**Location:** GRIFFIN MILL BASECAMP GARAGES, HEOL-Y-BWNSY, UPPER BOAT, PONTYPRIDD, CF37 5YE
- 

**Ffynon Taf**

- 21/0645/10** Decision Date: 13/07/2021  
**Proposal:** Equine Veterinary Building.  
**Location:** LIVERY STABLES AND MANEGE, CRAIG YR ALLT FARM, UPLANDS, NANTGARW, TAFF'S WELL, CAERPHILLY, CF15 7TP
- 
- 21/0712/10** Decision Date: 16/07/2021  
**Proposal:** Proposed single storey side and rear extension.  
**Location:** 71 RHIW'R DDAR, TAFF'S WELL, CARDIFF, CF15 7PB
- 

**Llantwit Fardre**

- 21/0355/19** Decision Date: 19/07/2021  
**Proposal:** Application for tree works to TPO no. 25 - T2 Ash - 30% crown thin/ reduction and removal of dead branches.  
**Location:** 25 BEECHWOOD DRIVE, LLANTWIT FARDRE, PONTYPRIDD, CF38 2PJ
- 
- 21/0787/10** Decision Date: 19/07/2021  
**Proposal:** First floor and single storey rear extension and porch (amended plans received 22/06/2021).  
**Location:** 113 QUEEN'S DRIVE, LLANTWIT FARDRE, PONTYPRIDD, CF38 2NY
- 
- 21/0811/10** Decision Date: 28/07/2021  
**Proposal:** Proposed single storey extension to rear.  
**Location:** 20 NANT-Y-FELIN, EFAIL ISAF, PONTYPRIDD, CF38 1YY
-

**Report for Development Control Planning Committee**

---

**Church Village**

**21/0770/10** Decision Date: 19/07/2021

**Proposal:** Second storey side extension.

**Location:** 3 LIMETREE CLOSE, CHURCH VILLAGE, PONTYPRIDD, CF38 2GE

---

**Tonteg**

**21/0800/09** Decision Date: 28/07/2021

**Proposal:** Ground floor extension.

**Location:** 18 FFORDD GERDINAN, TON-TEG, PONTYPRIDD, CF38 1ER

---

**Tonyrefail West**

**21/0737/10** Decision Date: 16/07/2021

**Proposal:** Single storey extension.

**Location:** 107 MEYLER STREET, THOMASTOWN, TONYREFAIL, PORTH, CF39 8DY

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**Tonyrefail East**

**21/0649/10** Decision Date: 13/07/2021

**Proposal:** Extension of lower ground floor granny flat.

**Location:** GLYNDALE, PANTYBRAD, TONYREFAIL, PORTH, CF39 8HX

---

**21/0867/10** Decision Date: 29/07/2021

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

**Location:** 33 TYLCHA FACH TERRACE, TONYREFAIL, PORTH, CF39 8BB

---

**Beddau**

**21/0751/10** Decision Date: 16/07/2021

**Proposal:** Rear single storey extension.

**Location:** 30 HEOL DDEUSANT, BEDDAU, PONTYPRIDD, CF38 2LA

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**21/0790/10** Decision Date: 15/07/2021

**Proposal:** Single storey rear extension

**Location:** 93 CLOS MYDDLIN, BEDDAU, PONTYPRIDD, CF38 2JT

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Report for Development Control Planning Committee

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**Town (Llantrisant)**

**21/0050/24** Decision Date: 29/07/2021  
**Proposal:** Modification of Hazardous Substances Consent to reflect current/proposed site changes (previous applications 03/2065/24 and 10/0279/24).  
**Location:** ROYAL MINT, LLANTRISANT BUSINESS PARK, LLANTRISANT, PONT-Y-CLUN, PONTYCLUN, CF72 8YT

---

**21/0724/10** Decision Date: 15/07/2021  
**Proposal:** Removal of existing conservatory and concrete raised terrace, garage and terrace replacement and raised timber terrace and stairs.  
**Location:** 44 DESPENSER AVENUE, LLANTRISANT, PONTYCLUN, CF72 8QA

---

**21/0775/09** Decision Date: 15/07/2021  
**Proposal:** Single storey side/rear extension.  
**Location:** 43 SWAN STREET, LLANTRISANT, PONTYCLUN, CF72 8ED

---

**Talbot Green**

**21/0723/10** Decision Date: 12/07/2021  
**Proposal:** First floor extension and alterations.  
**Location:** WINSHAM HOUSE, 5 ELY VALLEY ROAD, LLANTRISANT, PONTYCLUN, CF72 8AP

---

**21/0776/10** Decision Date: 15/07/2021  
**Proposal:** Change of use to permit both Class B1 (offices) and D1 (medical consultation facility).  
**Location:** UNITS 3 & 4 GWAUN ELAI PAVILIONS, RHODFA MARICS, LLANTRISANT, CF72 8UX

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**Report for Development Control Planning Committee**

**Pontyclun**

- 
- 21/0574/10**                      Decision Date: 16/07/2021  
**Proposal:** Conversion of existing commercial building to 2 bedroom holiday let. (Bat Survey Report received 25/06/21)  
**Location:** 1 & 2 FOREST VIEW, ROAD TO FOREST VIEW, YNYSMAERDY, LLANTRISANT, PONTYCLUN, CF72 9JZ
- 
- 21/0622/09**                      Decision Date: 29/07/2021  
**Proposal:** Remodelling / extension of existing conservatory to create garden room and convert garage into office space / gym.  
**Location:** 59 DOL Y LLAN, MISKIN, PONT-Y-CLUN, PONTYCLUN, CF72 8RY
- 
- 21/0625/10**                      Decision Date: 16/07/2021  
**Proposal:** Loft conversion with rear dormer (retrospective) (Amended Plan Received 06/07/2021)  
**Location:** 23 CERDIN AVENUE, PONTYCLUN, CF72 9ER
- 
- 21/0647/10**                      Decision Date: 15/07/2021  
**Proposal:** First floor side extension.  
**Location:** 174 YNYSDDU, PONT-Y-CLUN, PONTYCLUN, CF72 9UD
- 
- 21/0742/09**                      Decision Date: 15/07/2021  
**Proposal:** Flat roof extension.  
**Location:** 2 MAESYFELIN CRESCENT, COWBRIDGE ROAD, PONTYCLUN, CF72 9BQ
- 
- 21/0754/10**                      Decision Date: 15/07/2021  
**Proposal:** Loft conversion with Velux window to front and rear roof.  
**Location:** 12 TALYGARN COURT, TALYGARN, PONT-Y-CLUN, PONTYCLUN, CF72 9UH
- 
- 21/0774/10**                      Decision Date: 29/07/2021  
**Proposal:** Raised decking to garden & garage conversion.  
**Location:** 6 TIR AFON COURT, PONTYCLUN, CF72 9HF
- 
- 21/0786/10**                      Decision Date: 15/07/2021  
**Proposal:** First floor side extension over existing garage with single storey rear extension.  
**Location:** MORLEIGH HOUSE, 17 NEWMILL GARDENS, MISKIN, PONT-Y-CLUN, PONTYCLUN, CF72 8RX
- 
- 21/0836/10**                      Decision Date: 19/07/2021  
**Proposal:** Demolition and rebuilding of garage.  
**Location:** THE BEECHES, ST DAVIDS ROAD, MISKIN, PONT-Y-CLUN, PONTYCLUN, CF72 8PW
-

**Report for Development Control Planning Committee**

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**Llanharry**

**21/0267/10** Decision Date: 15/07/2021  
**Proposal:** Single storey side extension.  
**Location:** 22 TYLACOCH, LLANHARRY, PONTYCLUN, CF72 9LR

---

**21/0662/10** Decision Date: 23/07/2021  
**Proposal:** Two storey extension.  
**Location:** 4 GELLI ROAD, LLANHARRY, PONTYCLUN, CF72 9JA

---

**21/0716/10** Decision Date: 16/07/2021  
**Proposal:** Double storey rear extension  
**Location:** 27 TYLACOCH, LLANHARRY, PONTYCLUN, CF72 9LR

---

**Llanharan**

**21/0766/10** Decision Date: 27/07/2021  
**Proposal:** Replacement of dwelling known as Ty Maelwg due to structural issues found whilst undertaking works in association with previous planning permission to extend original dwelling (19/0575/10).  
**Location:** TY MAELWG, ROAD TO FOREST VIEW, YNYSMAERDY, LLANTRISANT, PONTYCLUN, CF72 9JS

---

**Brynna**

**19/1082/16** Decision Date: 28/07/2021  
**Proposal:** Reserved Matters application for erection of 510 residential units and associated infrastructure (Phase 3 and 4)  
**Location:** LAND AT FORMER OPEN CAST COAL SITE AND LAND TO THE NORTH OF THE A473, LLANILID

---

**21/0677/10** Decision Date: 12/07/2021  
**Proposal:** Extension above garage. Renewal of expired application number 06/0762/10  
**Location:** 254 MEADOW RISE, BRYNNA, PONTYCLUN, CF72 9TQ

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Total Number of Delegated decisions is 76

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Report for Development Control Planning Committee

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**Rhigos**

21/0676/10 Decision Date: 12/07/2021

**Proposal:** Construction of three storey 4 bed house.

**Location:** TROED Y BRYN BUNGALOW, HEOL PENDARREN, RHIGOS, ABERDARE, CF44 9HJ

**Reason: 1** As a result of the proposed site layout, position and scale of the dwelling, it is considered that the resulting development would appear 'cramped' and would be 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 policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan and Planning Policy Wales.

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**Mountain Ash West**

21/0796/15 Decision Date: 15/07/2021

**Proposal:** Removal of condition 4 (parking provision) of previously approved planning application 05/1907/10 for the conversion of the former Glancynon Home Furnishers outlet to 8 No. flats with parking for 10 No. vehicles.

**Location:** SITE OF FORMER CALVINISTIC METHODIST CHURCH, DUFFRYN STREET, MOUNTAIN ASH, CF45 3NL

**Reason: 1** The removal of condition 4 (parking provision) would increase on-street parking pressures in an area where there is already considerable demand, creating hazards to the detriment of highway safety and the free and safe flow of traffic. The application therefore conflicts with Policies AW5 and NSA 12 of the Rhondda Cynon Taf Local Development Plan.

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**Abercynon**

21/0532/10 Decision Date: 20/07/2021

**Proposal:** Proposed conversion of former post office into a hot food take away, new shop front and installation of extraction flue.

**Location:** 4 ELIZABETH STREET, ABERCYNON, MOUNTAIN ASH, CF45 4NS

**Reason: 1** The proposed take away use would be detrimental to the amenities of nearby residential properties by reasons of increase noise and disturbance and the introduction of nuisance odours/waste.

In the absence of a noise report, insufficient information has been submitted to demonstrate that the impact associated with the proposed use can be adequately managed.

As such, the application is contrary to Polices AW2, AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

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Report for Development Control Planning Committee

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Ynysyawl

21/0652/10 Decision Date: 14/07/2021

**Proposal:** Proposed two storey rear extension including demolition of existing single storey rear extension.

**Location:** 6 ROCK TERRACE, YNYS-Y-BWL, PONTYPRIDD, CF37 3NU

**Reason: 2** The proposed extension, in terms of its siting and scale would result in an unacceptable loss of light to adjoining properties in the terrace, in addition to an overbearing impact upon both adjoining dwellings. As such, the proposal would result in a detrimental impact upon the levels of residential amenity currently enjoyed by those occupiers. Accordingly, the proposal is contrary to Policies AW 5 and AW 6 of the Rhondda Cynon Taf Local Development Plan and Planning Policy Wales

**Reason: 1** The proposed development, in terms of its size and resulting scale, would constitute an unsympathetic development, which would be poorly related to the character and proportions of the original building and rear street scene. As such the proposal conflicts with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan and Planning Policy Wales.

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Ynyshir

21/0675/10 Decision Date: 14/07/2021

**Proposal:** Construction of 4 bed detached dwelling.

**Location:** SITE TO THE SIDE OF NO. 6 ABERLLECHAU ROAD, WATTSTOWN, PORTH, CF39 0PB

**Reason: 1** Insufficient information has been submitted with regard the proposed retaining walls and land required to construct them, to enable a full assessment of the proposed development. As such the development is contrary to Policies AW 5, AW 6 and AW 10 of the Rhondda Cynon Taf Local Development Plan

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Report for Development Control Planning Committee

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Cilfynydd

21/0797/10 Decision Date: 27/07/2021

**Proposal:** Completion of replacement domestic garage and retention of gabion basket walls

**Location:** LAND WEST OF 2 SILVERHILL CLOSE, CILFYNYDD, PONTYPRIDD, CF37 4HU

**Reason: 2** The application has not demonstrated that the proposed development, as a result of its position in relation to a culverted watercourse, would not result in a form of development that would unacceptably increase flood risk. As such, the development is contrary to Policy AW10 of the Rhondda Cynon Taf Local Development Plan and Planning Policy Wales Technical Advice Note 15 (Development and Flood Risk 2004).

**Reason: 1** The application has not demonstrated that the gabion retaining walls have been acceptably constructed and may pose a risk to public safety because of land instability. As such the development would not accord with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

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Tonyrefail East

21/0327/10 Decision Date: 19/07/2021

**Proposal:** Demolition of existing sheds and erection of a detached house with double garage.

**Location:** LAND AT TYLCHA FACH TERRACE, TONYREFAIL

**Reason: 2** Insufficient information has been submitted to enable a full assessment of the impact of the proposal on ecology and protected species. As such the development would be contrary to Policies AW 5 and AW 8 of the Rhondda Cynon Taf Local Development Plan.

**Reason: 1** The proposed means of access via Tylcha Fach Terrace is sub-standard and further intensification of its use would be to the further detriment of highway safety and the free flow of traffic. As such the proposal is contrary to Policy AW 5 of the Rhondda Cynon Taf Local Development Plan.

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Report for Development Control Planning Committee

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**Beddau**

21/0259/10 Decision Date: 21/07/2021

**Proposal:** Redevelopment of garage and storage area to form duplex two bedroom apartment and garages (Amended plans received 7th June 2021).

**Location:** 1 CASTELLAU ROAD, BEDDAU, PONTYPRIDD, CF38 1AA

**Reason: 4** The proposed development will result in indiscriminate on-street car parking in close proximity to the roundabout to the detriment of safety of all highway users and free flow of traffic. As such, the proposal is contrary to Policy AW 5 of the Rhondda Cynon Taf Local Development Plan

**Reason: 3** The proposed development removes the car parking currently available on site for number 1 Castellau Road leading to an increase in on-street car parking in an area where there is already considerable demand to the detriment of safety of all highway users. As such, the proposal is contrary to Policy AW 5 of the Rhondda Cynon Taf Local Development Plan.

**Reason: 2** The off-street car parking proposed in the undercroft garages is sub-standard leading to potential on-street car parking to the detriment of safety of all highway users and free flow of traffic. As such, the proposal is contrary to Policy AW 5 of the Rhondda Cynon Taf Local Development Plan.

**Reason: 1** The building, by reason of its height, size and siting, would be detrimental to the amenities of the occupiers of adjoining residential properties, particularly by reason of an overbearing impact. As such, the proposal is contrary to Policy AW 5 of the Rhondda Cynon Taf Local Development Plan.

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**Llanharan**

21/0730/10 Decision Date: 13/07/2021

**Proposal:** Rear balcony to first floor.

**Location:** 34 NANT Y DWRGI, LLANHARAN, PONTYCLUN, CF72 9GR

**Reason: 2** The proposed balcony, by virtue of its elevated height, prominent location and relationship with adjacent properties, would result in an overbearing impact to and direct overlooking of the neighbouring properties, adversely affecting the privacy and amenity standards currently enjoyed by occupiers. The proposal is therefore unneighbourly and excessive and contrary to Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan and the relevant guidance set out in SPG 'A Design Guide for Householder Development (2011)' in this respect.

**Reason: 1** By virtue of its scale, design and elevated height, the proposed balcony would have a detrimental impact upon the character and appearance of the rear of the host dwelling and wider area, resulting in an obtrusive and overbearing addition which would appear incongruous within its setting. The proposal is therefore contrary to Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan and the relevant guidance set out in SPG 'A Design Guide for Householder Development (2011)' in this respect.

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Report for Development Control Planning Committee

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Brynna

20/1421/10

Decision Date: 15/07/2021

**Proposal:** Proposed 5 bed house (Affects a Public Right of Way PSM/32/2) (Amended Plans and Supporting Information received 20th May 2021).

**Location:** LAND AT GELLI FEDI FARM, MYNYDD COEDBYCHAN ROAD, BRYNNA, PONTYCLUN, CF72 9QT

**Reason: 2** Insufficient information has been submitted to enable a full assessment of the impact of the proposal on ecology and protected species. As such the development would be contrary to Policies AW 5 and AW 8 of the Rhondda Cynon Taf Local Development Plan

**Reason: 1** The means of access to the proposed development is sub-standard in terms of horizontal geometry, carriageway width, junction radii, vision splays, forward visibility, segregated footways, street lighting, drainage and structural integrity and its use would result in traffic hazards to the detriment of highway and pedestrian safety and free flow of traffic. As such the proposal is contrary to Policy AW 5 of the Rhondda Cynon Taf Local Development Plan.

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Total Number of Delegated decisions is 10

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