



**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, 2ND SEPTEMBER, 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, 31 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 22nd July 2021.

5 - 8

APPLICATIONS RECOMMENDED FOR APPROVAL BY THE DIRECTOR OF PROSPERITY & DEVELOPMENT

5. APPLICATION NO: 21/0001

Variation of condition 1(c) & 1(d) of planning permission 09/0386/13 to allow for an extension to the permitted time frames for the application of reserved matters by a further 10 years and the extension of the permitted timeframe for the commencement of development by a further 12 years or by 2 years from the date of the last reserved matters to be approved whichever is the later.

Land at the former Coedely Colliery off the A4119, Coedely.

9 - 32

6. APPLICATION NO: 21/0335/10

Change of use of vacant shop to self-contained flat, enlargement of rear dormer window and associated works.

90 Queen Street, Treforest, Pontypridd, CF37 1RN

33 - 40

7. APPLICATION NO: 21/0431/15

Variation of condition 2 (approved plans) to seek permission for amended building location, building height, forecourt and external cladding. (Original application 19/0791/10) (Amended plans received 02/08/21).

Storage Unit off Heol Y Beddau, Pontypridd, CF38 2AG

41 - 50

8. APPLICATION NO: 21/0635/10

Detached 3 bed bungalow with parking for 3 cars (Affecting Public Right of Way PON/4/1).

Bodwenarth Farm, Albion Court, Cilfynydd

51 - 62

9. APPLICATION NO: 21/0809/10

Proposed rear dormer loft conversion, front porch & kitchen extension.

38 Clos Myddlyn, Beddau, Pontypridd, CF38 2JS

63 - 68

APPLICATIONS RECOMMENDED FOR REFUSAL BY THE DIRECTOR OF PROSPERITY & DEVELOPMENT

10. APPLICATION NO: 21/0058/10

Detached house with integral double garage.

Former Glen Transport Site, Penycoedcae Road, Penycoedcae, Pontypridd

69 - 76

SITE INSPECTION

11. 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

77 - 88

INFORMATION REPORT

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

To inform Members of the following, for the period 02/08/2021 – 20/08/2021.

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

89 - 108

13. URGENT BUSINESS

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

Service Director of Democratic Services & Communication

Circulation:-

Members of the Planning & Development Committee

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

County Borough Councillors: Councillor J Bonetto, Councillor P Jarman,
Councillor D Grehan, Councillor G Hughes, Councillor J Williams, Councillor W Owen,
Councillor 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, 22 July 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 W Lewis
Councillor J Williams	Councillor D Williams
Councillor S Powderhill	

Officers in attendance:-

Mr J Bailey, Head of Planning
Ms L Coughlan, Solicitor
Mr A Rees, Senior Engineer

County Borough Councillors in attendance:-

Councillor J Elliott

17 APOLOGIES FOR ABSENCE

An apology for absence was received from County Borough Councillor W Owen.

18 DECLARATION OF INTEREST

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

- County Borough Councillor W Lewis declared a personal interest in respect of Item 8 – Report for Information.
“My employer is mentioned as part of the report.”
- County Borough Councillor P Jarman declared a personal interest in respect of Application No. 20/1182/16 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.
“One of the public speakers is known to me as a local resident.”

19 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.

20 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.

21 MINUTES

It was **RESOLVED** to approve as an accurate record, the minutes of the meeting of the Planning and Development Committee held on the 29th April 2021.

22 APPLICATION NO: 20/1182/16

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 9

The Committee **RESOLVED** to defer the above-mentioned application for a site inspection to be undertaken by the Planning and Development Committee to consider the highways access and rights of way issues.

In view of the above decision, the Chair informed the persons present to address the Committee on the application that if they wished to speak when the matter was next reported to Committee, they would have to submit requests to do so.

23 APPLICATION NO: 21/0717/10

Proposed part demolition of existing extension and construction of ground floor rear extension to shop and full width first floor extension to flat. 194 High Street, Treorchy

In accordance with adopted procedures, the Committee received Ms Ellen Lockley (Objector) who was afforded five minutes to address Members on the above-mentioned proposal.

The Head of Planning outlined the contents of two 'late' letters received from neighbours in objection of the application.

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

24 APPLICATION NO: 20/1337/10

Erection of 3 detached dwellings. Retention of existing dwelling and associated works (Amended Plans rec. 15/02/2021). BIRCHWOOD, LLWYDCOED ROAD, LLWYDCOED, ABERDARE, CF44 0UL

In accordance with Minute No:7 of the Planning and Development Committee held on the 24th June 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 7th July 2021 in respect of the application which was recommended for approval/refusal by the Service Director Planning.

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 the following additional condition, as requested by the Flood Risk Management Department as follows:

- Condition: No development shall commence until all relevant matters outlined on the attached Planning Requirements Relating to Drainage including full drainage details have been approved in writing by the Planning Authority.

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.

25 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 14/06/2021 – 09/07/2021.

This meeting closed at 3.35 pm

**CLLR S REES
CHAIR.**

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PLANNING & DEVELOPMENT COMMITTEE

2 SEPTEMBER 2021

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 21/0001/15 (GD)
APPLICANT: Welsh Government on behalf of the Welsh Ministers
DEVELOPMENT: Variation of condition 1(c) and 1(d) of planning permission 09/0386/13 to allow an extension to the permitted time frames for the application of reserved matters by a further 10 years and the extension of the permitted time frames for the commencement of development by a further 12 years, or by 2 years from the date of the last reserved matters to be approved whichever is the later. Additional environmental information, planning policy update and site masterplan received 9th July 2021.

LOCATION: LAND AT FORMER COED ELY COLLIERY, OFF THE A4119, COED ELY.
DATE REGISTERED: 04/01/2021
ELECTORAL DIVISION: Llanharan

RECOMMENDATION: Approve, subject to conditions and a Section 106 Deed of Variation.

REASONS: The principle of the proposed development is well established in the initial grant of outline planning permission and the subsequent planning applications and approval of reserved matters in relation to the development of this site.

REASON APPLICATION REPORTED TO COMMITTEE

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

APPLICATION DETAILS

This application seeks to vary some of the terms of condition 1 applied to planning permission 09/0386 relating to the timeframes allowed for the submission of reserved matters relating to the development of the site. Condition 1 in its totality currently states the following –

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

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

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

(d) The development hereby permitted shall be begun before whichever is the latter of either (i) the expiration of 12 years from the date of this permission or (ii) the expiration of 2 years of the final approval of the reserved matters or in the case of approval on different dates the final approval of the last such matter to be approved.

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

The original planning application granted outline planning permission for employment development of up to 30,937 square metres gross floor area: non-residential institutions (use class D1, up to 3716 square metres); outdoor recreation up to 0.71 hectares with ancillary changing room facilities and an energy centre.

The current application aims to extend the lifespan of the planning permission in the terms described above, i.e. allowing a further 10 years for the submission of reserved matters and up to 12 years for the commencement of development.

The application is accompanied by the following:

- Planning Statement;
- Ecology, Landscape & Habitat Management Explanatory Note (December 2020).
- Environmental Statement Addendum – Volume 1 (December 2020).
- Environmental Statement Addendum Appendices & Figures – Volume 2 (December 2020).
- Environmental Statement Addendum Non-Technical Summary – Volume 3 (December 2020).
- Phase 1 Ecology Report (December 2020)
- Bat Survey Report (December 2020), and,
- Drainage Strategy (December 2020)

- Supplementary Fungi Report to Environmental Statement Volume 1 (December 2020) Ecology Chapter 10 – February 2021
- Site wide Landscape and Habitat Management Plan (July 2021)
- Updated Illustrative masterplan A039057drgUD_PA04 Rev H
- Environmental Statement Addendum Update – Cumulative Impact Assessment (July 2021)
- Environmental Statement Addendum update – Ecology Chapter (July 2021)
- Future Wales: The National Plan and PPW11 Update Note (April 2021)
- Water Resources Detailed Quantitative Risk Assessment (June 2021)

SITE APPRAISAL

The site measures approximately 31 hectares in size and runs along the west side of the A4119, parallel with the village of Coedely. It is a former colliery and coke works site that though still substantially vacant has experienced some development in recent years with the construction of a factory unit on unit C3 and the completion of road improvements and a waste water pumping station. The wider site is already split into development plateaux as a result of extensive reclamation works that took place before the first application was submitted. As part of these works, a previously built access road has already been improved from the roundabout junction on the A4119 at the southern end of the site, along the eastern side of the site terminating at the turning facility close to the northern boundary of the site just to the south of the access track that leads to Graig Fatha Farm Three access points are already provided from this road into the central and southern plateaux. The existing cycleway runs alongside the access road, and continues to the north of the access road, past the northern plateau.

The plateaux themselves are largely clear of vegetation, but landscaping exists at their edges, including the provision of stone walling at the existing access points into the plateaux. The site is also used at present for informal recreational purposes such as dog walking and cycling.

PLANNING HISTORY

20/0246	4no. landscape bunds	Approved 09/04/2020
19/0901	Sewage pumping station, odour control unit and motor control centre kiosk	Approved 02/10/2019
19/0688	NMA alterations to highway detail approved under 18/0737	Approved 12/07/2019
18/1074	Reserved matters for plot access, appearance landscaping layout and scale relating to plot C3 for the construction of a B1/B2/B8 employment unit with ancillary offices	Approved 14/11/2018

18/0737	Reserved matters layout of highway works	Approved 10/08/2018
09/0386	Employment development of up to 30,937 square metres gross floor area, non-residential institutions (use class D) up to 3,716 square metres, outdoor recreation up to 0.71 hectare with ancillary changing rooms and energy centre (outline application)	Approved 27/01/2011
06/2159	Construction of permanent bund of excavated material with a topsoil covering	Approved 14/05/2007
06/1148	Construction of underground foul pumping station and storage tank with above ground control kiosks	Approved 20/08/2006
04/1285	Construction of new factory and warehouse offices, access road parking, landscaping and other site works	Withdrawn 30/09/2005
94/0912	750,000 square foot of B1, B2 and B8 and 15,000 square foot of A1, A2 and A3 service retail	Approved 08/01/1999
94/0911	750,000 square foot of B1 or B2 , associated uses and new access road to the A4119	Approved 08/01/1999
94/0798	Coedely (top tip) reclamation scheme and coedely colliery and coke works scheme (observations requested by MGCC)	Raise no objection 23/01/1995
93/0433	Land reclamation works including extension of existing access to form service road and roundabout with comprehensive landscaping	Raise no objection 02/08/1993
91/0364	Land reclamation work including new access extension of existing access and landscaping	Raise no objection 05/08/1991

PUBLICITY

The application has been advertised by means of press notice, site notices and neighbour notification letters. Subsequent to the submission of additional detail relating to

- Planning policy update (PPW11 & FW2040) April 2021
- Water resource detailed quantitative risk assessment June 2021
- Updated illustrative masterplan July 2021
- Landscape & Habitat management Plan July 2021
- Environmental Statement updated chapter 10 ecology July 2021
- Environmental Statement update cumulative impact assessment July 2021

The proposals were given further publicity by means of press notice and site notices this has resulted in the submission of 34 letters raising the following concerns in respect of the current proposals.

- The approach adopted to updating the Environmental Impact Assessment through an addendum is considered inadequate and/or inappropriate.
- The conclusions drawn from the original environmental impact assessment can no longer be relied upon and the ecological information presented in the environmental statement addendum is inadequate to enable an informed assessment of the impacts of the development on ecology and biodiversity.
- Up to date, detailed and reliable ecological information should be used to inform development proposals at Coedely Colliery and Coke works and not a desk study
- Since the publication of the original environmental statement the site has been subject to natural regeneration including stands of Devil's bit scabious which is the larval food plant of the Marsh Fritillary Butterfly and the development of the site should not benefit from a further consent until further work to fully characterise the impact of the development on this and other Lepidoptera has been undertaken.
- We are losing wildlife nationally at a great rate and it is vital that we protect the valuable areas for wildlife that we still have.
- The application site is an area of outstanding natural beauty which is testament to the capacity of nature to heal and recover from the blight of industrialisation.
- Unless we reverse the trend of habitat loss and wildlife extinction we could be facing a 5th mass extinction.
- The Council has a duty of care to protect the environment that give us life, and invest in our environment particularly old spoil heaps and to provide a green environment that will draw people back to the area to live.
- The green space that the site currently represents is beneficial to people's physical and mental health.
- Amphibian and reptile mitigation plans are inadequate and no invertebrate surveys have been undertaken. This compromises the validity of the impact assessment and makes it impossible for the planning authority to make an informed decision on the impacts of the proposals.
- Any new road drainage should not include gully pots which are a death trap for reptiles and amphibians – enkamat retro fitting as a ladder escape should only be used as a last resort. SUDS options should be utilised where possible to avoid the need for gully pots.

- Reptile habitat is to be lost to development according to the documentation submitted with the application, and the only mitigation is the retention of some existing habitat and some hibernacula log pile creation. This is not maintaining and enhancing biodiversity there must be no net loss of reptile habitat.
- Natural regeneration of this site means it now has high ecological value supporting grass snake (*Natrix natrix*), common lizard (*Zootoca vivipara*), Slow worm (*Anguis fragilis*), Common Frog (*Rana temporaria*), Common toad (*Bufo bufo*), Palmate newt (*Lissotriton helveticus*), Grey wagtail (*Motacilla cinerea*), Hedgehog (*Erinaceus europaeus*), Dingy skipper butterfly (*Erynnis tages*), Greyling butterfly (*Hipparchia semele*), Brown-banded carder bee (*Bombus humilis*) and over 720 species of fungi including Holly parachute (*Marasmius hudsonii*) and red spored dapperling (*Melanophyllum haematospermum*).
- The survey work undertaken in respect of bats is inadequate as it failed to provide spring and summer surveys.
- The environmental statement addendum has also failed to address the construction and operational phase effects of the proposals on fungi.
- The environmental statement addendum has failed to fully consider the environmental effects of the proposed development on ecology and biodiversity and as such has failed to demonstrate that the residual environmental effects would be successfully minimised.

CONSULTATION

Members should note that following the submission of additional detail between April and July a further round of consultation was undertaken with all consultees listed below.

Transportation Section – no objections subject to conditions and the continuation/updating of the S106 agreement

Flood Risk Management – No objection

Public Health & Protection – No objections

Countryside- No objections subject to conditions and the maintenance of the habitat management plan for a 25-year period through the S106 agreement

Natural Resources Wales – Raise no objection and offer comments in respect of flood risk, protected species and ground conditions, recommending that original conditions be carried forward into any new permission where appropriate.

Dwr Cymru Welsh Water – No objection subject to conditions

Western Power Distribution – No observations received

South Wales Fire & Rescue Service – No observations received

Cadw – No objections

The Coal Authority –Raise no objections to the variation of conditions in light of the information reviewed and the professional opinions of the report authors set out therein.

South Wales Police – raise no objection to the proposals and advise on security details that might be appropriate at the detailed design stage.

Glamorgan Gwent Archaeological Trust – there is unlikely to be a historic environment constraint and the archaeological resource will not be impacted upon by the current application. Therefore, as archaeological advisors to your Members we have no objections to the positive determination of the planning application.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

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

Policy CS6 – sets out employment requirements for the Local Development Plan and though primarily concerned with strategic sites it also states that land for the provision of 47 hectares of new B1, B2 and B8 local employment development is allocated in accordance with ...policies SSA7 and SSA14.

Policy CS10 – seeks to protect resources and contribute to the local, regional and national demand for a continuous supply of minerals, without compromising environmental and social issues.

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

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

Policy AW8 – aims to preserve and enhance the distinctive natural heritage of the County Borough

Policy AW10 – mitigates against development that cause harm to public health, and/or local amenity as a result of air pollution, noise pollution, light pollution, contamination, landfill gas, land instability, water pollution or flooding.

Policy AW14(2) - requires that mineral resources should be safeguarded from any development which would unnecessarily sterilise or hinder their extraction.

Policy SSA4 - supports commercial development in the key settlement of Tonyrefail which is of a high standard of design and integrates positively with existing development, supports the provision of local services and promotes accessibility to local services by a range of sustainable modes of transport.

Policy SSA14(1) – in accordance with policy CS6 allocates 14.32 hectares at Coed Ely for B1/B2 development.

Policy SSA21(6) promotes the extension and enhancement of cycle paths and community routes, including the Pontypridd to Tonyrefail via Llantrisant cycle route.

Supplementary Planning Guidance

Design and Placemaking
Nature Conservation
Planning Obligations

Access Circulation and Parking
Employment Skills

National Guidance

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

Planning Policy Wales Edition 11 (PPW) was issued on 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), Welsh Government'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
- Policy 3 – Supporting Urban Growth – Council land/Placemaking/developers/regeneration/sustainable communities'/exemplar developments.
- Policy 9 – Resilient Ecological Networks – green infrastructure/ecology
SE Wales Policies

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

PPW Technical Advice Note 5: Nature Conservation and Planning;
PPW Technical Advice Note 12: Design;
PPW Technical Advice Note 16: Sport Recreation and Open Space;
PPW Technical Advice Note 18: Transport;
PPW Technical Advice Note 19: Telecommunications;
PPW Technical Advice Note 23: Economic Development.

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.

In this instance the applicants are submitting an application under Section 73 of the Town & Country Planning Act 1990 to vary the time limiting conditions imposed under conditions 1(c) and (d) of planning permission 09/0386/13 to allow for further time for the submission of reserved matters in the development of the site. In such circumstances the Local Planning Authority are required to consider only the conditions subject to which the planning permission should be granted and in doing so the Local Planning Authority must consider whether there has been any change in policy or any other material circumstance that might affect the proposal. If the application is successful, this results in the grant of a new permission.

The Local Planning Authority may grant the permission subject to conditions differing from those to which the previous permission was granted or refuse the application. The Local Planning Authority however do not have the power to impose conditions which could not have been imposed on the original permission nor impose conditions that would result in a fundamental alteration to the development approved by the original application. Whether the application is granted or refused the original grant of planning permission would remain.

The key determinants in this case will be the change in planning policy that has occurred at the local and national level since planning permission was first granted for the development of the site in 2011 along with any other change in material circumstances that might have arisen in the intervening period that affects the consideration of these proposals.

Applications made under Section 73 of the Town & Country Planning Act 1990 allow the Local Planning Authority to do one of two things when an applicant seeks to vary the condition, it can: -

- (a) Grant consent either with or without conditions; or,
- (b) Refuse.

In that the Council can approve with or without conditions, it is also appropriate to consider the extent and nature of all the previous conditions attached and if the application is to be granted amend them to reflect current circumstances and requirements

Members will note that the objections raised in respect of the current application cover a limited number of topic areas though clearly there is a concentrated focus on the impact of the development on local ecology. Keeping in mind the nature of the current application and the process that has to be followed in its determination as described above, the following comments are offered.

Main Issues:

Procedural matters

The 2009 outline planning permission (09/0386/13) has been implemented inasmuch as development has occurred at the site with the new access road, factory unit on plot C3 and the provision of the foul pumping station, and the site is an active development site.

Principle of the proposed development

The application site lies within the Southern Strategy Area in Tonyrefail as defined in the Local Development Plan. The site is allocated for employment development in its totality under LDP policy SSA14.1 for use class B1 and B2 (light and general industrial) uses. The purpose of the policy designation is the support of the key settlement of Tonyrefail by promoting growth in the local economy. The proposal is only partially compliant with the LDP allocation and policies CS6 and SSA14.1 as when outline planning was first granted, before the formal adoption of the LDP other uses were included as part of the development. As such the D1 use classes previously approved are now, strictly speaking contrary to the LDP allocation though they might also be considered compatible or even complimentary if for example they included something in the nature of a training facility.

Issues relating to LDP policies AW5, AW6, AW8 and AW10 are addressed under individual subject headings below. Policies CS10 and AW14.2 relate to the protection of the sandstone mineral resource, and given that the site has been reclaimed and in parts redeveloped it is not considered they are relevant in the consideration of the current planning applications as access to them in the immediate vicinity of the site would be compromised by existing development. The cycle path requirement subject of LDP policy SSA21.6 has already been met in the improvements to the site access that were completed in 2020.

National policy encourages local planning authorities to support development that generates economic prosperity and regeneration but also requires that consideration be given to maintaining and enhancing biodiversity. Given that the site is intended to deliver a substantial amount of employment related development over a 30-year period it will undoubtedly contribute to the regeneration and economic prosperity of the County Borough as well as LDP policies CS2, CS6 and SSA4. Additionally, and notwithstanding the concerns expressed by local residents and those from further afield, the site remains capable of national sustainable place making outcomes and its obligations under the Wellbeing of Future Generations Act providing that it is developed in a sensitive manner developing ecological resilience and how the recreational element of the approval is put to use.

Ecology and environment

In dealing with this application to renew planning permission for the redevelopment of this brownfield site the changes to ecology and environmental requirements have been the most marked in terms of how the site has to be managed moving forward

and it is the subject that has also generated the greatest concern from interested groups and the public in consultation.

Objectors have called for up to date detailed and ecological information and not a desk study. The Addendum to the environmental statement has been prepared using a combination of desk study and field survey information collected during 2020 along with historical data on ecological receptors derived from data accumulated between 2008 and 2020. Ecological value at the site increased between 2009 and 2015 and decreased between 2016 and 2020 due to clearance works in 2016 followed by enabling works in 2018. The applicants have adopted a precautionary approach where a higher value based on historic information is assigned to ecological receptors providing robust results even where data is more than 2 years old the applicants consider the impacts to have been correctly identified and appropriate mitigation proposed.

The site is acknowledged as a brownfield site and a legacy of the coal mining industry. Brownfield habitat will be lost as a result of the employment development notwithstanding the provision of pockets of retained and enhanced brownfield habitat on each plot and within the northern area of public open space. This though is balanced against significant retention and beneficial ecological management of a significant expanse of woodland and hedgerow, additional landscape planting and the provision of public open space /designated retained habitat proposed, which is specifically designed to build ecological resilience in the long term and to provide enhanced biodiversity connectivity.

Further survey work has taken place through 2021 to supplement the findings of the Environmental Statement. This will inform the design approach to be adopted on a plot by plot basis as prescribed by the Landscape and Habitat Management Plan (LHMP) submitted in July 2021. The LHMP will provide a basis for ensuring the continuous assessment and management of site biodiversity. The mechanism for delivering this will be a suite of one, five and ten yearly surveys undertaken in consultation with the County Ecologist to establish accurate data for monitoring purposes and to inform management decisions. Extended ecological surveys will be undertaken where necessary. The LHMP will be subject to annual review by a management liaison group.

The environmental statement in its ecology section identifies that there would as a result of the proposals potentially be an adverse effect on marshy grassland and invertebrates that equate to significant effects at the local level and are considered minor adverse effects in EIA regulations terminology. However, it also identifies some significant beneficial effects at the local level for amphibians, bats, dormice and reptiles which equates to minor beneficial effects in EIA regulations terminology. Neither impact is considered significant. If Marsh Fritillary colonise the site as a result of habitat management and the encouragement of Devil's Bit Scabious on the site this would be considered a significant effect at County level and a significant moderate beneficial effect of the scheme.

One of the criticisms of the current proposal is the lack of a spring or mid-summer survey for bats. The applicants point out that the autumn 2020 survey did not reveal any significant difference in the use of the site by bats when compared with the 2008

surveys. They also note that NRW have not raised this as an issue. Bat boxes have been installed in the southern and western mitigation areas of the site as a result of recent on site works and that this along with additional planting provided as a requirement of the LHMP means that active management of the woodland areas will provide significant benefits to bat species. The plot by plot lighting approach as a requirement of planning conditions will limit the negative impacts of any light spillage.

Whilst the criticism that the proposals failed to evaluate the impacts of development on fungi were at the time legitimate, the applicants have subsequently provided a supplementary fungi report to the ES addendum report. The report evaluates the fungi presence across the site and outlines the implications for development of the site generally and in respect of specific plots and sets out a series of mitigation measures for fungi as follows

- Retention and protection of key areas.
- Update the existing LHMP to include specific prescriptions relating to fungi including retention of deadwood, prohibition of fungicides and stem injection of Japanese Knotweed. (this has been addressed within the LHMP submitted in July)
- Public open space habitat on the upper plateau to be managed for fungi (e.g. Waxcaps).
- On-going spring and summer surveys to be carried out in 2021; and
- Resultant monitoring programme to be agreed with the County Ecologist in the updated site wide LHMP. (this has been addressed within the LHMP submitted in July)

Based on the survey findings and mitigation measures proposed it is concluded that the rarer fungi can be maintained and that with ongoing management through the LHMP there are no residual impacts for fungi. Members should note that the fungi value of the site is highly significant and the LHMP must be required to incorporate specific long term management and monitoring objectives in order to maintain current interest and encourage further enhancement. (this has been addressed within the LHMP submitted in July)

The original 2009 environmental statement did not include an assessment of invertebrates and the 2020 assessment provides a list of invertebrate species recorded at the site based on a SEWBREC review. The 2020 environmental statement concludes that during the construction phase and as a result of the precautionary approach adopted as a result of the lack of data there is considered to be a risk of significant adverse effects at a County level. Consequently, the environmental statement takes a precautionary approach with regard to this issue. The environmental statement recognises a significant residual adverse effect on invertebrates as a result of the loss of colliery spoil habitat and promotes mitigation and management to address the issue through habitat creation and management changes to be implemented through the LHMP. The Butterfly Conservation Trust have expressed specific concerns relating to the Marsh Fritillary Butterfly and its habitat suggesting that the proposals should be supported with up to date data. The applicants point out that Devils Bit Scabious has been incorporated into the infrastructure landscape works which along with improved management of grassland habitats will also ensure suitable habitat for adults is also present. Data relating to the Marsh Fritillary butterfly will be

collected as part of the 2021 invertebrate surveys and will be used to inform site specific Wildlife Protection Plans and development briefs. To maintain invertebrate interest in the site the LHMP will have to ensure the protection, restoration and management of a network of the brownfield/ colliery spoil habitat.

Concerns have also been expressed by objectors in terms of the general botanical interest across the site, particularly with regard to coal spoil flora. The applicants point out that the plots at the northern end of the site will largely be retained for ecological mitigation in one form or another. As a result, the 2020 environmental statement concludes that the loss of marshy grassland on the upper plateau which is the area of greatest interest is not significant. Similarly, the margins of the plateaux areas will be retained for the coal spoil related flora through the LHMP and appropriate development briefs for individual sites. The Council's ecologist is also concerned that in addition to what the applicants will be promoting for the botany of the area that the LHMP also needs to include and address the lower plant and lichen surveys/assessments. (this has been addressed within the LHMP submitted in July)

If the site is to continue in development it is clear that ecological and environmental considerations need to be given greater attention. The applicants aim to achieve this through the strict implementation of a site wide LHMP (submitted July 2021) and through specific development briefs for each plot as it comes forward for development, alongside a regime of surveying on an annual or five yearly basis as per the requirements of the LHMP (submitted July 2021) with a capacity for immediate action as and when specific needs are identified. Given the circumstances this would seem a reasonable approach that could meet the needs of all concerned whilst delivering biodiversity maintenance and enhancement alongside the sustainable development of this site, and as such the proposals are considered compliant with Local Development Plan Policies AW6(14) and AW8.

Socio-economic considerations

When originally considered for redevelopment between 2009 and 2011 it was considered that the redevelopment of the site would take place over a period of time spanning approximately 30 years. Current estimations are that the site could be built out within the next 10 – 15 years and the agent also advises that Welsh Government have a number of investors ready to bring detailed proposals for the site forward should this application prove successful. As well as the jobs created through the construction phase at the site when fully complete it is envisaged that the site could provide up to 1100 full time jobs, helping to address deprivation and social inequality in the heart of the valleys. As such the current proposals are well aligned with the objective of Local Development Plan Policies CS2 and SSA4 which aim to promote large scale regeneration schemes in the key settlement of Tonyrefail in a manner that supports and reinforces that role

Transportation

The agent takes the view that there has been no change in circumstances since the original Transport Assessment and Environmental Statement that could lead the Local Planning Authority to conclude that the transportation impacts of the proposed development are anything other than acceptable. The Councils, Transportation

Section acknowledges the improvements that have been made to the site access road and sustainable transport provisions in particular in recent years and subject to appropriate conditions and Section 106 provisions have no objections to the proposed development. The proposals are therefore considered compliant with Local Development Plan Policy AW5(2). Members should also note that the highway improvements implemented at the site in recent years have addressed some of the original planning conditions which will no longer need to be applied.

Cultural Heritage and Archaeology

The cultural heritage and archaeological value of the site has not altered since the original grant of planning permission. It still presents no barrier to the comprehensive redevelopment of the site, as such the proposals are compliant with national policy and Policy CS2(7) of the Rhondda Cynon Taf Local Development Plan

Air Quality

The original environmental statement identified a medium risk from dust during the construction phase of the site this though it was concluded could be adequately controlled through a construction environmental management plan and that remains the case now. The other potential source of pollution identified were the biomass boilers proposed at the time, the impacts of which were also deemed to be acceptable. Members should note that the provision of biomass facilities at the site are dependent upon there being sufficient demand within the site for such facilities. It is not considered therefore that there would be any case to resist the current proposals and as such they are compliant with the requirements of Local Development Plan policy AW10(1).

Landscape and Visual Impact

The redevelopment of the site with buildings at an industrial scale will inevitably result in impact on the landscape generally and the visual amenity of the locality in particular. However, this is a matter that can be addressed through quality design at the detailed proposals stage. Furthermore, the western boundary of the site retains much of its woodland and elements of screening between the site and the residential areas of Coedely are retained. In this respect there has been little or no change since the 2011 permission where the consequences of the redevelopment of the site in landscape and visual terms were deemed acceptable, and they remain so. As such it is considered the current proposals remain compliant with the visual amenity requirements set down in Local Development Plan Policies AW5 & AW6 insofar as its requirements relate to the landscape and visual impact requirements are concerned.

Noise

The 2009 environmental statement evaluated noise from construction and from vehicular traffic and in the worst case scenario, noise levels from the development would be below the noise levels already experienced by the nearest residential properties from existing activity and the bypass road in particular. Though the study also acknowledged that there was also potential for a slight adverse effect at the site entrance. The applicants take the view that this remains the case and that there is no need for an update with regard to this issue. Members should note that Public Health

and Protection have not objected to the proposals and have not flagged up noise as a potential issue in the redevelopment of the site. As such the proposals are considered compliant with the requirements of Local Development Plan Policy AW10(2).

Flood Risk

The addendum to the environmental statement submitted as part of the current application has been updated to reflect the changes made to Natural Resources Wales' Development Advice Maps (DAMs) and to take account of the requirement for SUDs when considering the drainage of the proposed development. Members should note that even though small parts of the site lie within flood zones B and C the less vulnerable nature of the development serves to make it acceptable, particularly as it relates only to peripheral undevelopable areas of the site for the most part. Furthermore, Members should note that neither Natural Resources Wales nor the Council's own Flood Risk Management section have raised objection to the development on this or any other basis relating to flooding. As such the proposals are considered compliant with the requirements of Local Development Plan Policy AW10(8).

Ground Conditions

The environmental statement addendum submitted in support of this application presents an update on the 2009 document recording changes that have resulted from further remediation and updated surveys. In respect of the redevelopment of the site appropriate mitigation at the construction and operational phase of development remains the appropriate approach and that will result in no significant adverse impacts arising. Consequently, the proposals are considered acceptable in principle in terms of the requirements of Local Development Plan policy AW10(4) & (6).

Impact on the character and appearance of the area

The site is west of the A4119 on the site of the former colliery and coke works at Coedely. The site has been reclaimed in a series of plateaux areas which is a natural consequence of its elongated nature. The site also possesses planted areas between plateaux and at its boundaries. The site was reclaimed for the specific purpose of redevelopment so within the site, particularly as it has been partially redeveloped, it is fully expected that the character and appearance of the area will alter as it is redeveloped. This is an outline application so matters of detail will be left to the approval of reserved matters and as long as the standards set in the initial development of plots at the site are met or bettered when the balance of the site comes forward the impacts of development on the character of the site itself will be acceptable.

The site is distinct from the residential areas of Coedely as was the colliery and coke works before it and its development would be discreet and set within its own boundaries and clearly distinguishable and separated from the residential areas by the A4119 and river Ely. It currently presents the appearance of a site that has been prepared and is ready for redevelopment. The layout which is already to a large extent established presents a linear and legible site that offers the potential for a mixture of commercial developments of varying size and type. As such and in principle the

proposals satisfy the requirements of Local Development Plan Policies AW5 and AW6 insofar as they relate to the character and appearance of the area.

Impact on residential amenity and privacy

As mentioned above the application site lies to the west of the village of Coedely with a flat wooded area, the river Ely and the A4119 lying between the two. As such it is considered that there is sufficient separation between the application site and the main residential area to ensure that there are no impacts on the residential amenity and privacy of existing residents of Coedely that would result from the development proposed, particularly when the above findings relating to such matters as noise and air quality are also taken into account. To the west or south west of the site there are a few isolated residential properties ranging in distance from 118m to 360m from the site boundary, this taken together with the fact that these properties are well elevated above the site means that they are sufficiently distant that the redevelopment of the site would have acceptable impacts in terms of their privacy and amenity. As such the application is considered acceptable in terms of Local Development Plan policies AW5 and AW6 insofar as they relate to this issue.

Community Infrastructure Levy (CIL) Liability

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

As this is a section 73 application which solely relates to the extension of time limits for the submission of reserved matters and the commencement of development, no CIL is payable.

Section 106 Contributions / Planning Obligations

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

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

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

The Welsh Government Development Management Manual and Welsh Office Circular 13/97 Planning Obligations provides procedural guidance on the role of planning obligations in mitigating the site-specific impacts of unacceptable development to make it acceptable in planning terms. The Welsh Government Development Management Manual also advises planning obligations should only be used where it is not possible to address unacceptable impacts through a planning

condition and when it meets the three tests above. Further guidance regarding what types of obligations developers may be expected to contribute towards is also contained within Policy AW4 of the Local Development Plan and the Council's SPG on Planning Obligations, however it is made clear that this is intended to form the basis of negotiations between all parties.

The Section 106 requirements in this case

In this instance, the original planning application was subject to a section 106 agreement and this will need to be updated/varied in relation to the current application specifically the requirements for the Section 106 agreement are –

Highway contributions payed on a phased basis as follows –

- interest at 4% above the base lending rate of Barclays Bank plc from time to time
- £197,000 payable prior to the beneficial occupation of 12,150 square metres of floorspace;
- £184,000 payable prior to the beneficial occupation of 24,000 square metres of floorspace;
- £42,250 payable prior to the beneficial occupation of 26,500 square metres of floorspace;
- £42,250 payable prior to the beneficial occupation of 29,000 square metres of floorspace;
- £42,250 payable prior to the beneficial occupation of 31,500 square metres of floorspace;
- £42,250 payable prior to the beneficial occupation of 34,000 square metres of floorspace.

Public Transport & infrastructure contributions payed on a phased basis as follows –

- £9,000 payable prior to the beneficial occupation of 12,150 square metres of floorspace;
- £8,000 payable prior to the beneficial occupation of 24,000 square metres of floorspace;

- £2,000 payable prior to the beneficial occupation of 26,500 square metres of floorspace;
- £2,000 payable prior to the beneficial occupation of 29,000 square metres of floorspace;
- £2,000 payable prior to the beneficial occupation of 31,500 square metres of floorspace;
- £2,000 payable prior to the beneficial occupation of 34,000 square metres of floorspace.

The designation of Plot N2 for outdoor recreational space

The payment of a public right of way contribution of £16,000

The agreement and implementation of a landscape and habitat management plan for period of 25 years from the date of the planning permission.

Conclusion

The application is considered to comply with the relevant policies of the Local Development Plan and national planning policy as described in PPW11 and Future Wales 2040. Though not allocated as a strategic site in the current Local Development Plan the site given its overall size shares similar characteristics. Spatially and strategically the site is appropriately located to fulfil its intended function of encouraging inward investment, jobs and addressing the socio economic inequality that has been characteristic of the locality for too long. In the years since the original grant of planning permission the capacity for movement within as well as to and from the site has been improved including the capacity to reach the site via sustainable transport modes. The planning application seeks to promote the site as a whole as a place for industry to develop and thrive whilst at the same time better respond to the growing ecological importance of the site through the development of the landscape and habitat management plan building greater ecological resilience beyond what has already been re-established at the site.

- Sustainable places which are attractive, sociable, accessible active, secure welcoming, healthy and friendly
- Socioeconomic duty
- Achieving wellbeing through placemaking.
- Strategic and spatial choices
- Active and social places
- Productive and enterprising places
- Distinctive and natural places

RECOMMENDATION: Grant

1.
 - a) Approval of the details of layout, scale and appearance of the building(s), and the landscaping of the site (hereinafter referred to as “the reserved matters”) shall be obtained from the Local Planning Authority in writing before any development is commenced.
 - (b) Plans and particulars of the reserved matters referred to in (a) above relating to the layout, scale and appearance of any building to be erected, and the landscaping of the site shall be submitted in writing to the Local Planning Authority and shall be carried out as approved
 - (c) Applications for the approval of reserved matters shall be made before the expiration of ten years from the date of this permission.
 - (d) The development hereby permitted shall be begun before whichever is the latter of either (i) the expiration of 12 years from the date of this permission or (ii) the expiration of 2 years of the final approval of the reserved matters or in the case of approval on different dates the final approval of the last such matter to be approved.

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

2. The development hereby approved shall be undertaken in accordance with the approved Site-Wide Landscape & Habitat Management Plan (Arcadis, 300-RP-C0002 July 2021). Prior to the occupation of each development plot, a plot specific landscape management plan and habitat management plan shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved, unless otherwise agreed in writing by the Local Planning Authority”.

Reason: In the interests of maintaining and enhancing biodiversity in accordance with policies AW5 and AW8 of the Rhondda Cynon Taf Local Development Plan

3. No development on any plot, as shown on drawing PA04 rev. H, shall take place until a scheme for foul drainage arrangements for that plot have been submitted to and approved in writing by the Local Planning Authority”.

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

4. No plot as shown on drawing PA04 rev H shall be occupied until the approved foul 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 AW10 of the Rhondda Cynon Taf Local Development Plan.

5. No infiltration of surface water drainage into the ground is permitted other than with express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.

Reason: There is an increased potential for pollution of controlled waters from inappropriately located infiltration systems such as soakaways, unsealed porous pavements systems such as soakaways, unsealed porous pavement systems or infiltration basins, and to ensure compliance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

6. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: There is an increased potential for pollution of controlled waters from inappropriate methods of piling, and to ensure compliance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

7. The development of each plot, as shown as shown on drawing PA04 rev. H shall not begin until a scheme to deal with contamination of that plot has been submitted and approved by the Local Planning Authority. The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement specifically and in writing.

1. A desktop study carried out by a competent person to identify and evaluate all potential sources and impacts of contamination relevant to the site. The desktop study should contain a Conceptual site model. A copy of the desktop study shall be submitted to the Local Planning Authority without delay upon completion.
2. A site investigation shall be carried out by a competent person to fully and effectively characterise the nature and extent of any contamination and its implications. The site investigation shall not be commenced until a desktop study has been completed satisfying the requirements of paragraph (1) above
3. A written method statement for the remediation of contamination affecting the site shall be agreed in writing with the Local Planning Authority prior to commencement and all requirements shall be implemented and completed to the satisfaction of the Local Planning Authority by a competent person. No deviation shall be made from this scheme without the express written agreement of the Local Planning Authority.

Reason: In the interest of health and safety and environmental amenity and so as to accord with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

8. Each plot, as shown as shown on drawing PA04 rev. H, shall not be occupied and/or operated until the measures approved in the scheme (referred to in Condition 7) have been implemented. A suitable validation report of the proposed scheme is to be submitted and approved by the Local Planning Authority.

Reason: In the interest of health and safety and environmental amenity and so as to accord with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

9. If, during development, contamination not previously identified is found to be present on any plot, as shown on drawing PA04 rev. H, then no further development of that plot (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: Given the previously identified potential remaining uncertainties at the site after the remediation, it is considered possible that there may be unidentified areas of contamination at the site that could pose a risk to controlled waters if they are not remediated, and to ensure compliance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

10. No building shall be brought into use until a report has been submitted advising whether acoustic insulation measures are required for that building, along with measures to provide such insulation where necessary has been submitted to and approved in writing by the Local Planning Authority and the building has been acoustically insulated as appropriate.

Reason: To ensure that noise emitted from this 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.

11. Notwithstanding the submitted layout plans, the approved roundabout junction improvements on the A4119 (COD-ARC-XX-000-SK-C-0001 P01) serving the proposed development site shall be completed prior to the completion of 12,150 square metres of floorspace within the site, in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

Reason: to ensure the adequacy of the proposed development in the interest of the safety of all highway users in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan

12. Notwithstanding the submitted layout plans, full engineering design and details of the access to each plot as shown on drawing PA04 rev. H shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on the plot to which they relate. The approved details shall be implemented prior to beneficial occupation of the plot to which they relate.

Reason: To ensure the adequacy of the proposed development, in the interests of highway safety, in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan

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

Reason: To ensure that adequate visibility is maintained, in the interests of highways safety, in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan

14. Prior to the beneficial occupation of each plot as shown on drawing PA04 rev. H space shall be laid out within that plot for vehicles to be parked in accordance with details to be first submitted to and approved in writing by the Local Planning Authority prior to the commencement of development of that plot. The parking areas shall not thereafter be used for any purpose other than the parking of vehicles.

Reason: To ensure that adequate facilities are provided within the curtilage of the site and retained thereafter, in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

15. Prior to the commencement of development of each plot as shown on drawing PA04 rev. H, including any works of site clearance, a construction method statement relating to that plot of the development shall be 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 washing facilities,
- g) the sheeting of lorries leaving the site.

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

Reason: In the interests of highway safety, in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

16. Prior to the beneficial occupation of each plot as shown on drawing PA04 rev. H a Travel Plan relating to that plot shall be submitted to and approved in writing by the Local Planning Authority. The travel plan shall include proposals for physical works including details of footpaths, footways, cycle ways, cycle parking, bus lay-bys shelters and signage, and monitoring compliance with the proposed targets set out in the travel plan. The details as approved shall be implemented in accordance with a timescale to be agreed with the Local Planning Authority.

Reason: To ensure a satisfactory provision of alternative travel modes in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

17. No development of any plot, as shown on drawing PA04 rev. H, shall take place until a Wildlife Protection Plan for Construction for that plot has been submitted to and approved in writing by the Local Planning Authority. The plan shall include:

- a) an appropriate scale plan showing 'Wildlife Protection Zones' where construction activities are restricted and where protective measures will be installed or implemented;
- b) Details of protective measures (both physical measures and sensitive working practices) to avoid impacts during construction;
- c) A timetable to show phasing of construction activities to avoid periods of the year when sensitive wildlife could be harmed (such as nesting bird season, hibernating and breeding amphibians and reptiles, etc.);
- d) Persons responsible for:

- i) Compliance with legal consents relating to nature conservation;
- ii) Compliance with planning conditions relating to nature conservation;
- iii) Installation of physical protection measures during construction;
- iv) Implementation of sensitive working practices during construction;
- v) Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction;
- vi) Provision of training and information about the importance of the 'Wildlife Protection Zones' to all construction personnel on site.

All Construction activities shall be implemented with the approved details and timing of the plan unless otherwise approved in writing by the Local Planning Authority.

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

18. Prior to the beneficial occupation of each plot, as shown on drawing PA04 rev. H, a lighting scheme shall be implemented for that plot in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

Reason: To avoid any impacts on bats, in accordance with policy AW8 of the Rhondda Cynon Taf Local Development Plan.

19. Foul flows from the proposed development shall connect to the 600mm public combined sewer at a maximum discharge rate of 13.5 litres/second in to manhole ref: ST02851401 on the statutory sewer plan

Reason: In the interests of amenity and to prevent pollution in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

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

1. Drawing No. PA 04 Rev H
 - Site Location plan
 - Ecology, Landscape & Habitat Management Explanatory Note (December 2020).
 - Environmental Statement Addendum – Volume 1 (December 2020).
 - Environmental Statement Addendum Appendices & Figures – Volume 2 (December 2020).
 - Environmental Statement Addendum Non-Technical Summary – Volume 3 (December 2020).
 - Phase 1 Ecology Report (December 2020)
 - Bat Survey Report (December 2020), and,
 - Drainage Strategy (December 2020)
 - Supplementary Fungi Report to Environmental Statement Volume 1 (December 2020) Ecology Chapter 10 – February 2021
 - Site wide Landscape and Habitat Management Plan (July 2021)
 - Environmental Statement Addendum Update – Cumulative Impact Assessment (July 2021)
 - Environmental Statement Addendum update – Ecology Chapter (July 2021)
 - Future Wales: The National Plan and PPW11 Update Note (April 2021)
 - Water Resources Detailed Quantitative Risk Assessment (June 2021)

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



PLANNING & DEVELOPMENT COMMITTEE

2 SEPTEMBER 2021

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO:	21/0335/10	(CA)
APPLICANT:	Mr D Budo	
DEVELOPMENT:	Change of use of vacant shop to self-contained flat, enlargement of rear dormer window and associated works (amended plans received 11/05/2021)	
LOCATION:	90 QUEEN STREET, TREFOREST, PONTYPRIDD, CF37 1RN	
DATE REGISTERED:	05/03/2021	
ELECTORAL DIVISION:	Treforest	

RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS

REASON: The application is considered to comply with the relevant policies of the Local Development Plan in respect of the principle of development, its visual impact, the impact it has upon the amenity and privacy of the neighbouring residential properties, and its impact upon highway safety.

REASON APPLICATION REPORTED TO COMMITTEE

A request has been received from Councillor Powderhill that the matter come to Committee to enable Members to consider the impact of the proposal on the character and appearance of the area and the impact of the proposal on the amenities of neighbouring residents, with particular concerns relating to the proposed dormer window.

APPLICATION DETAILS

This application seeks full planning permission for the change the use of a vacant shop to a ground floor flat at 90 Queen Street, Treforest.

The proposed flat would contain an open plan kitchen/living room and a shower room. The existing first floor flat would be refurbished and internal rooms rearranged, however it would remain as a two bedroom flat.

In addition to the change of use, an existing dormer window on the rear elevation of the property is to be enlarged and the following works associated with the application are also proposed:

- Infilling of shopfront and addition of one window and one door on the front elevation of the property to provide access into the proposed ground floor flat.
- Rearrangement of internal rooms.
- Insert ground floor window on the building's northern elevation to serve a kitchen/living room.
- Insert first floor window on the southern elevation of the existing flat roof two storey extension to serve a shower room.

It is noted that some of the works have already been carried out and therefore the application is part retrospective.

SITE APPRAISAL

The application site consists of a mid-terraced property which directly fronts Queen Street, Treforest. The application property benefits from a small rear garden area as well as a detached garage, which is accessed via Duke Street.

The property is situated in a primarily residential area of Treforest, and a significant number of residential dwellings are in use as Houses in Multiple Occupation (HMO), predominantly occupied by students of the University of South Wales, Treforest campus.

PLANNING HISTORY

06/1259/10	To turn shop back to residential accommodation.	Granted 30/10/2006
98/2695/10	Proposed change of use to a snack bar.	Granted 27/11/1998

PUBLICITY

The application has been advertised by direct notification letter to neighbouring properties and a site notice was displayed.

One letter of objection was received which makes the following points:

1. The enlarged dormer window looks directly into the properties to the west which it faces.
2. A whole new floor to the property has been created.
3. The Applicant is evading the need for a HMO Licence by splitting the property into two.
4. The proposal would put additional pressure on off street car parking in a location which already cannot cope with the number of cars.

CONSULTATION

Highways - No objections and no conditions recommended.

Drainage - No objections and no conditions recommended.

Public Health and Protection - No objections, conditions recommended.

Pontypridd Town Council - No response received.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan:

The application site lies within the Southern Strategy Area and is defined limits of development.

Policy CS 2 – Development in the South: Places an emphasis on sustainable growth that benefits Rhondda Cynon Taf as a whole.

Policy AW 1 – Supply of New Housing: Provides criteria against which applications for new housing will be considered.

Policy AW 2 – Sustainable Locations: Provides criteria to determine whether a site is located in a sustainable location.

Policy AW 5 – New Development: This policy sets out criteria for new development in relation to amenity and accessibility.

Policy AW 6 – Design and Placemaking: This policy requires development to involve a high quality design and to make a positive contribution to place making.

Policy AW 10 – 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 SSA 13 – Housing Development Within Settlement Boundaries: Provides support for proposals within the defined settlement boundaries subject to a number of criteria.

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.

Other policy guidance considered:

PPW Technical Advice Note (TAN) 12 – Design
PPW TAN 18 – Transport

Supplementary Planning Guidance:

Design and Placemaking
Access, Circulation and Parking
Development of Flats – Conversion and New Build

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 proposed development seeks permission to change the use of the ground floor of the building from a vacant shop to a two bedroom flat. An existing two bedroom flat located in the upper floors of the property would remain. In addition, an existing dormer window would be enlarged and various associated works as described above would be undertaken.

The application site is located within the defined limits of development within a residential location whereby the principle of the proposal is regarded as acceptable, subject to the criteria below.

Impact on the character and appearance of the area:

The character of the area is residential and predominantly made up of accommodation within Use Classes C3 (single dwellings/flats) and C4 (HMO's). The proposed use of the property would therefore reflect the prevailing land use of the area.

The existing shop is currently vacant with the shopfront being in a poor state of repair. The majority of the works proposed would be to the inside of the building and those to the exterior are generally minor in nature.

The proposed dormer window would be located on the rear (western) roof plane and would measure approximately 4.15 metres in width, 1.8 metres in height and a maximum of 2.5 metres in depth. It would be set down from the main ridgeline by approximately 400mm and set away from the eaves by approximately 700mm. Whilst it would be a visible addition, it would be subservient to the host property and not an uncommon addition in a residential location.

Consequently, it is not considered that the proposed change of use and associated works would result in any undue impact upon the character and appearance of the property or the surrounding area. On the contrary, it is considered that the removal of the shopfront and general refurbishment of the property would enhance the physical appearance of the site, to the overall benefit of the street scene.

Impact on Amenity:

The SPG relating to the development of flats provides support for proposals that do not result in the creation of undue nuisance arising from the intensity of the residential use that flats can create. It is not considered that the creation of an additional flat within the property would result in the over intensification of the residential use of the property.

The proposal does not involve any physical alterations to the footprint of the building, as such it is not considered that the change of use would result in any additional overshadowing or be physically overbearing. Furthermore, the proposed works to facilitate the development are of a minor nature. It is however recommended that the additional first floor window on the southern elevation of the existing flat roof two storey extension be obscurely glazed to protect the privacy of the adjoining property.

The objections regarding the dormer window are noted, however it is not considered that this addition would significantly alter current levels of privacy enjoyed by surrounding neighbours, particularly in an area where high levels of mutual overlooking are well established due to the close proximity at which properties are positioned from each other. It is noted that the previous dormer window served a shower room, however a separation distance well in excess of 24 metres would be present between the dormer window and the property directly to the rear on King Street.

The SPG relating to the development of flats provides support where a high quality of accommodation and amenity can be provided for residents. It is considered that the property is of a sufficient scale to provide its occupiers with an acceptable standard of accommodation whereby there would be adequate natural light serving habitable rooms as well as sufficient ventilation and a reasonable outlook.

Overall, in terms of the impact on the amenity and privacy of neighbouring residents, as well as the suitability of the proposed flat for its occupiers, the application is considered to be acceptable as it would not result in an undue loss of light or privacy or have any overbearing impacts.

Impact on Highway Safety:

The Council's Highways Department have been consulted on the proposal noting that the vacant shop was accessed off Queen Street, which is a one-way street. Fronting the property and along the side are double yellow lines. Queen Street also has a waiting limit, limited to 2 hours and a return is prohibited within 4 hours unless in possession of a Resident's Parking Permit.

The existing first floor flat access is served off Duke Street which also has double yellow lines.

In terms of car parking, the concerns raised in the objection are noted. The parking requirement for the existing ground floor shop is one commercial vehicle parking space and one off-street car parking space in accordance with this Council's SPG: Access, Circulation & Parking Requirements 2011. The existing first floor flat has a parking requirement of two off-street car parking spaces in accordance with the previously mentioned SPG.

The property provides two off-street car parking spaces within the garages to the rear of the property which results in a shortfall of one off-street car parking space.

The proposal for a two bedroom flat on the ground floor of the property has a parking requirement of two off-street car parking spaces in accordance with the previously mentioned SPG with none proposed. This would result in a shortfall of two off-street car parking spaces, increasing the on street parking demand in an area with high on-street parking demand to the detriment of highway and pedestrian safety.

However, taking into consideration that there is no means to provide further off-street car parking spaces, the sustainable location of Treforest, nearby public transport and the removal of one commercial vehicle space, the proposal is considered acceptable. In order to retain the car parking spaces within the existing garage, it is suggested that a condition be imposed which would ensure the garages are used for purposes ancillary and incidental to the use of the flats and that they are not converted to a room or living accommodation.

Based on the above and in the absence of any objections from the Council's Highways Department, the proposal is considered to have an acceptable impact upon highway safety.

Community Infrastructure Levy (CIL) Liability

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

The application is for development of a kind that is liable for a charge under the CIL Regulations 2010 as amended. The application lies within Zone 2 of Rhondda Cynon Taf's Residential Charging Zones, where there is a liability of £40 / sqm for residential development, however as the proposed development involves the change of use of the existing building the amount due in this case is £0.

Conclusion:

The application proposal is considered acceptable in terms of its impact upon the character and appearance of the area, compatibility with existing uses and its potential impact upon highway safety. Accordingly, the proposal is considered to be in compliance with Local Development Plan Policy.

RECOMMENDATION: Grant

1. The development hereby approved shall be carried out in accordance with the following approved plans:
 - Location Plan, dated 04/03/2021;
 - Proposed Elevations, dated 11/05/2021;
 - Proposed Floor Plans and Elevations, dated 25/05/2021

and documents received by the Local Planning Authority on 04/03/2021 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.

2. Prior to the flat, hereby permitted, being brought into occupation, the first floor shower room window in the southern side elevation shall be fitted with obscure glazing to an industry standard of privacy level three or above, and maintained in perpetuity as such.

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

3. The existing garage shall be used as a garage for purposes ancillary and incidental to the use of the flats known as 90 Queen Street, Treforest, Pontypridd and at no time shall it be converted to a room or living accommodation to be enjoyed as part of, or independent to, the use of the flats.

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



PLANNING & DEVELOPMENT COMMITTEE

2 SEPTEMBER 2021

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 21/0431/15 (JE)
APPLICANT: Mr J G Pritchard
DEVELOPMENT: Variation of condition 2 (approved plans) to seek permission for amended building location, building height, forecourt and external cladding. (Original application 19/0791/10). (Amended Plans Received 02/08/21)
LOCATION: STORAGE UNIT OFF HEOL Y BEDDAU, PONTYPRIDD, CF38 2AG
DATE REGISTERED: 31/03/2021
ELECTORAL DIVISION: Ty'n y Nant

RECOMMENDATION: APPROVE

REASONS: There is no significant difference between the previously approved scheme and the proposed amendments. As such, it is not considered the proposed amendments would have any further impact upon the character and appearance of the surrounding area, the amenities and privacy of surrounding neighbours, or highway safety than that which would occur if the scheme were to be developed in accordance with previously approved plans.

REASON APPLICATION REPORTED TO COMMITTEE

Three or more letters of objection have been received.

APPLICATION DETAILS

This application seeks to vary the plans previously approved within planning permission ref. 19/0791/10. The previous application gained consent for the construction of a single storey storage unit at the site for the personal storage of the applicant's classic car collection. The previous application was granted on 23rd October 2019, subject to a number of relevant conditions. Condition 2 states:

“The development hereby approved shall be carried out in accordance with the approved plans:

- Drawing No. 001*
- Drawing No. 002*

and documents received by the Local Planning Authority on 18/07/19, 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.”

Development works have started on site and it is apparent that they are not progressing in accordance with the approved plans. The unit has not been located in the position previously set out and its height has increased. This application therefore seeks consent to retain the structure as built / being built by amending the wording of Condition 2 in line with the updated proposed plans/design. The proposed amendments consist of the following:

- Resiting of the unit 4.5 metres to the south of its original position, towards the centre of the plot. It has been indicated that this was required due to the location of a sewer line towards the northern boundary of the site that would have needed to be moved or built over.
- The ridgeline of the building has increased from 6.5 metres to 7.4 metres in height, with the eaves height increasing by 1 metre, from 5 metres to 6 metres.
- The forecourt depth to the east of the building has been reduced by 0.5 metres, from 10 metres to 9.5 metres.
- The applicant has also indicated that he wishes to amend the approved cladding colour from Goosewing Grey to Merlin Grey.

The amendments have not seen any changes to the footprint of the structure which are 24 metres in width by 12 metres in depth.

Members are advised that amended plans were received on 02nd August 2021 as several discrepancies were found between the original set of plans.

SITE APPRAISAL

The application site forms an irregular parcel of land located within an established residential area of Ty Nant, Beddau. The site extends to approximately 0.12ha and is bound on all sides by residential streets with Heol Y Beddau to the south and west, Wellfield / Wellfield Mews to the north and Mildred Street to the east. The site was previously overgrown and of an unkempt appearance with several existing storage containers and structures located towards the centre. Access to the site is gained via an existing unadopted service lane which adjoins Heol Y Beddau to the south of the site. The access lane also serves the rear of neighbouring properties along Mildred Street.

During the Officer site visit it was clear that works on site had commenced with the steel framework of the unit and boundary fence in place.

PLANNING HISTORY

The most recent planning applications on record associated for this site are:

19/0791/10: LAND TO THE REAR OF 23 - 43 HEOL-Y-BEDDAU, BEDDAU, PONTYPRIDD, CF38 2AG

Single storey storage unit. (Coal Mining Risk Assessment Received 26/09/19)

Decision: 23/10/2019, Grant

20/0278/38: LAND OFF HEOL Y BEDDAU, TYNANT, BEDDAU, PONTYPRIDD.

Discharge of Condition 6 (Site Investigation Report)

Decision: 18/09/2020, Grant

PUBLICITY

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

3 Letters of objection and 2 petitions of 60 separate signatures were received from occupiers of neighbouring properties. The points raised have been summarised below:

- Lack of awareness of the previous application and approval
- Size and appearance of the development
- Accessibility and highway safety concerns using the rear lane
- Highway safety concerns associated with the junction onto Heol Y Beddau
- Effect on property values
- Deviations to the original plans
- Overshadow properties at Mildred Street
- The use of the development
- Loss of light
- Misleading information presented in the original planning application
- Boundary fence restricts residents use of the land for turning
- Decimation of hedges and trees that used to be on the land
- Sewer crossing the site could be impacted by the proposed development
- Failure to protect residents' interests during the original application
- Application site does not benefit from SuDS approval
- Surface water from site enters local drainage network
- Application is in breach of covenant set out in original sale from the Council as land has not been revalued and payment to the Council has not taken place; and an area of land has not been retained for use by residents
- Incorrect dimensions shown on plans

Following the submission of amended plans the consultation process was undertaken for a second time. Members are advised that the second consultation period has not expired at the time of writing this report but will do prior to the Committee meeting (31st

August 2021). Any responses that are received between the time of writing and the Committee meeting will be reported to Members as late letters.

CONSULTATION

Transportation Section: No objection subject to conditions.

Public Health and Protection: No objection.

Dwr Cymru Welsh Water: No objection following a sewer trace being undertaken.

Corporate Estates: No objection raised following a review of the deed of sale.

Flood Risk Management (Drainage): No objection raised.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

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

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

Policy AW2 – supports development in sustainable locations.

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

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

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

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) 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.

Members are advised that the original application was determined prior to the current edition of PPW (Edition 11) and the introduction of FW2040. The aims and general context of the revised PPW document have remained unaltered since previous versions, with the emphasis being on sustainable development; and the general thrust and context of FW2040 are also that of sustainable development. As such, it is not considered there have been any specific national policy revisions relevant to this scheme between the original decision and this application.

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.

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 scheme relates to the construction of a single storey storage unit at the application site. The original consent, 19/0791/10, was granted in October 2019, subject to a number of relevant conditions. This application seeks to vary the plans previously approved in order to allow for the resiting of the unit, an increase in height, a reduction in forecourt depth, and an alteration to the colour of the external cladding.

It is therefore considered the principle of development at the site has already been established and that the key considerations in the determination of this application are

whether the amendments to the scheme would have any further impact than the structure original approved, an assessment of which is set out below.

Impact on the character and appearance of the area

Objections received raised concerns that the structure is out of character with the surrounding area, however, the overall appearance of the development does not vary significantly from the originally approved scheme. Whilst the alteration in siting has obviously changed the appearance of the site from that originally approved, it is not considered the new location of the structure results in a significant difference in layout/appearance from that originally approved. Additionally, whilst the amendment has seen the height increased by 1 metre, the structure would still remain largely screened from view outside of the immediate vicinity of the site and would therefore not be any more prominent than that previously approved.

With regard to the amended cladding colour, it is not considered that this alteration would result in any noticeable difference in the overall appearance of the development. The darker tone of grey may actually result in the unit being less prominent when viewed from neighbouring properties.

It is also noted that the wider alterations being undertaken throughout the rest of the site as part of the broader redevelopment works would ensure any potential visual impact from the amendments would be minimised and go almost unnoticed in the wider context of the overall scheme.

It is therefore considered the proposed amendments are relatively minor in nature and would not have any further visual impact in comparison to the scheme previously approved.

Impact on residential amenity and privacy

Whilst the new siting of unit increases the distance between it and properties at Wellfield Mews and Wellfield to the north, the separation distance between it and the neighbouring properties at Heol Y Beddau to the south has reduced. However, when considering that the unit would still be separated from the rear of these properties by at least approximately 25 metres, it is not considered to result in such an impact that would warrant a refusal of the application.

Whilst the alteration has seen the height of the structure increase by 1 metre which will inevitably result in additional mass, when considering the separation distances highlighted above, it is not considered that this amendment will result in any further impact than that which would have occurred if the structure was built in accordance with the originally approved plans.

It is noted that the objectors have raised concerns in respect of the proposed use of the unit. Whilst these comments are noted, the application does not propose any change to the use previously approved, just the physical changes to the building set out above. As such the unit would only be used for the personal storage of the applicant's classic car collection, a condition to which is attached to the original consent and is also set out below.

Therefore, whilst the comments raised by the objectors are noted, it is not considered that the proposed amendments result in a significantly different impact upon the amenities of the neighbouring properties in comparison to that which would occur if the building were to be constructed on site as originally approved.

Impact on highway safety

Highway safety concerns were raised by the objectors regarding the use of the access lane and junction with Heol Y Beddau. The Council's Transportation Section were also notified during the consultation period in order to provide comments on the suitability of the application in respect of highway safety impacts.

In their assessment of the scheme the Transportation Section commented that the site benefits from a previous planning permission for a similar development to that proposed and they do not consider the amendments would have any detrimental impact in terms of highway safety. Therefore, no objection is raised. They noted that the site is large enough to meet its SPG access, turning and parking requirements and the amended site layout is acceptable.

It is noted that the objectors have commented that the enclosing of the land has prevented residents using it for turning. Whilst this is regrettable, the land is under the ownership of the applicant and surrounding residents have no right of access.

Taking the above into account, whilst the objectors concerns are acknowledged, the application is considered acceptable in this regard.

Drainage

The objectors raised concerns that the development has commenced and does not benefit from SuDS approval. This point has been confirmed by the Council's Flood Risk Management team (FRM). FRM noted that SuDS consent has not been granted at the site but that there is sufficient scope within the site to implement an appropriate scheme and that a retrospective application was possible, which should overcome any concerns.

To ensure that this matter is resolved, should Members be minded to approve the application, a condition has been recommended below requiring full site drainage arrangements be submitted to the Council for approval within 56 days of consent, and the unit shall not be brought into beneficial use until the approved drainage arrangements have been implemented on site.

It is also noted that concern was initially raised by Dwr Cymru Welsh Water (DCWW) with regard a sewer crossing the site that was not previously on their records and was only brought to their attention during this planning application. As such, the applicant was required to undertake a sewer trace to discover the location, ownership and size of the sewer. The applicant has undertaken these works and submitted the results to DCWW for approval. Following assessment of the results DCWW have no objection to the scheme subject to the developer entering into a legal agreement with them.

Land Ownership

The objections received raised concerns that the development is not compliant with the terms of sale from the Council, specifically that the site does not include any retained land for use by the local community. However, following consultation with the Council's Corporate Estates Department it was confirmed that the land in question does not include any retained land and the applicant is within his rights to enclose and use the land as he wishes, subject to any relevant and necessary planning approvals.

Additionally, the objectors raised the issue of the land uplift payment set out within the deed of sale. Corporate Estates confirmed that they have not yet reclaimed this payment, but there is no time limit to this process and it will be completed in due course.

Whilst the above concerns are noted, Members are advised that any issues with respect to covenants on site would form a civil matter between the relevant parties and are not material to the determination of this planning application.

Other issues raised by the objectors

The objections received raise concern that the building being constructed does not match the submitted plans. Members are advised that an Officer has visited the site to investigate this claim. During the visit it was made clear that the current ground levels have been reduced to allow for the creation of the foundations and concrete floor/subbase. As such, once the levels have been reinstated, the development will comply with the proposed plans.

The objectors have indicated that no notification or consultation had taken place during the original planning application and therefore the existing consent is not lawful. However, Members are advised that all of the correct procedures and consultation processes were followed during the processing of the original planning application; and the relevant pre-commencement conditions were discharged prior to any works starting on site.

The right to light and impact upon property values were also raised within the objector's comments. Whilst these points are noted, they do not form material planning considerations and cannot be taken into account during the consideration of this application.

Community Infrastructure Levy (CIL) Liability

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

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

Conclusion

Overall, it is not considered that there is a significant difference between the previously approved scheme and these proposed amendments. As such, it is not considered the amendments would have any further impact upon the character and appearance of the surrounding area, the amenities and privacy of surrounding neighbours, or highway safety in comparison to that which would occur if the scheme were to be developed in accordance with the previously approved plans.

The application is therefore considered to comply with the relevant policies of the Local Development Plan and is recommended for approval, subject to the conditions detailed below.

RECOMMENDATION: Grant

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

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

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

- Drawing No. 001 RevA
- Drawing No. 002 RevB

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

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

3. The use of the storage unit and yard hereby approved shall at all times be restricted to private storage use and no trade or business shall be carried out therein.

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

4. 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: To prevent overloading the existing highway drainage system and potential flooding and in the interests of highway safety, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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

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

6. No further development shall commence on site until full site drainage arrangements have been submitted to and approved in writing by the Local Planning Authority. The full site drainage arrangements shall be submitted to the Local Planning Authority no later than 56 days from the date of this consent. The drainage arrangements shall be carried out in accordance with the approved details prior to beneficial use of the storage unit hereby approved.

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

7. Details of the finished level of the site in relation to the existing ground level shall be submitted to and approved in writing by the Local Planning Authority prior to any further development works be undertaken on site. The development shall be implemented in accordance with the approved details thereafter.

Reason: To define the scope and extent of this consent and to ensure that the approved scheme will be visually attractive in the interests of amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.



PLANNING & DEVELOPMENT COMMITTEE

2 SEPTEMBER 2021

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 21/0635/10 (GW)
APPLICANT: Mrs M Ashford
DEVELOPMENT: Detached 3 bed bungalow with parking for 3 cars
(Affecting Public Right of Way PON/4/1).
LOCATION: BODWENARTH FARM, ALBION COURT, CILFYNYDD,
PONTYPRIDD, CF37 4JA
DATE REGISTERED: 16/06/2021
ELECTORAL DIVISION: Cilfynydd

RECOMMENDATION: GRANT

REASONS: The site is in a sustainable location as it is within the settlement boundary identified in the Local Development Plan. Planning permission was granted for a similar dwelling (15/0426/10) and the main change is the increase in slab level by 1m in height and some minor elevational changes.

The changes to the approved dwelling would have an acceptable impact on the character of the area and there would not be a significant impact on the amenity of surrounding residents.

The proposal would not result in a significant increase in traffic. The Council's Transportation Section do not object to the level of parking and access.

In all other material planning considerations, including the impact of flooding and drainage the application is considered would be acceptable.

REASON APPLICATION REPORTED TO COMMITTEE

A request has been received from Councillor Belzak for the matter to come to Committee for the reason that there are concerns with regard to:

- Visibility/intrusiveness on the privacy of nearby dwellings, especially relevant given the higher elevation of the current structure as compared to previous applications;

- Highway issues/congestion in the roads leading to the site; and
- Drainage issues relating to the land, issues which became evident during the flooding of February 2020.

APPLICATION DETAILS

Full planning permission is sought for the erection of a detached dwelling at Bodwenarth Farm in Cilfynydd. Planning permission was previously granted for a dwelling (15/0426/10) and the conditions discharged (20/0482/28). Changes were made as part of Non Material Amendment (16/0048/39) that included the reduction of the number of roof lights on the rear elevation, the provision of windows instead of 'French Doors' on the rear and alterations to the internal arrangement.

Construction of the dwelling has commenced, however it is being constructed 1m above the approved slab level and this application has been submitted to attempt to authorise those works.

The property would be a bungalow with living accommodation in the roof space and would measure 12m in width, 8m in depth and with a maximum height of 6.4m. These are the same dimensions as previously approved.

Its front elevation would be finished with a smooth render and the roof would be covered with a natural slate. The previous approval was for the front elevation to be natural stone (with all other elevations smooth render). The porch on the front elevation has also been removed.

Access to the proposed property is to be obtained from Albion Court and that would be shared with the former farm house and related former agricultural buildings on the site. The entrance point would be amended and the drive would be widened to a width of 4.5m and a turning head provided within the site as previously approved.

The plans detail a 900mm high stone wall would be provided to mark the front boundary. A 1.8m high close boarded fence would be provided along the remaining boundaries. To the rear, between the site and rear gardens of dwellings on Hilltop Avenue, it is detailed there would be a buffer zone of soft landscaping. These details are the same as approved in the original application. Gabion baskets approximately 1m in height have been used along the side boundary to define the level change between the site and 7 Albion Court. A 1.6m high fence is proposed along this boundary.

SITE APPRAISAL

The site is located on the edge of the built up area of Cilfynydd and accessed from Albion Court. This is the uppermost street of a relatively modern housing estate on the valley side. The semi-detached houses along on Albion Court are arranged on one side of the road and are staggered in height; rising in ridge height along the length of the street. Further houses on Hilltop Avenue are located to the north (and at a lower level).

The site itself is within an area that contains a complex of former farm buildings. These include two vacant barns adjacent to a two-storey farmhouse, which is also vacant and in is in poor state of repair. The dwelling would be located on an area that is open to a larger paddock area (next to the former barns) and which includes a pond.

Fields are located on the hillside to the south and east (rising up behind the site). There are some agricultural buildings within the fields bordering the site.

Vehicular access to the site is available from Albion Court and a Public Right of Way (PROW) No. 4 Pontypridd, runs through the site. Along the road frontage with Albion Court is a natural stone wall approximately 1.4m high.

PLANNING HISTORY

20/0482/38	Bodwenarth Farm, Albion Court, Cilfynydd, Pontypridd	Discharge of Conditions	Granted 21/07/2020
20/0155/38	Bodwenarth Farm, Albion Court, Cilfynydd, Pontypridd	Discharge of Conditions	Refused 20/04/2020
16/0048/39	Bodwenarth Farm, Albion Court, Cilfynydd, Pontypridd	Change to window type and additional window, as amendment to permission 15/0426.	Granted 01/03/2016
15/0426/10	Bodwenarth Farm, Albion Court, Cilfynydd, Pontypridd	Detached 3 bedroom bungalow with parking for three cars.	Granted 13/07/2015

PUBLICITY

The application has been advertised by means of direct neighbour notification, and site notice. Two letters of objection have been received at the time of writing this report. Their comments are summarised below:

- Fires have been lit by the developers, which can be described as dangerous.
- How will the fencing and landscaping on the bank being proposed be maintained.
- Rubbish has been disposed of down the bank
- It is noted it affects a Public Right of Way, but no alternative route is given

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. Advisory notes with regard sewers is provided.

RCT Countryside Section – No ecology requirements as site cleared and construction started.

RCT Flood Risk Management – No objection. The site is not within an area of surface water flood risk. Under Schedule 3 of the Flood and Water Management Act 2010, the applicant will be required to submit an application to the Sustainable Drainage System (SuDS) Approval Body (SAB). The applicant is also required to comply with Part H of the building regulations. A planning condition has also been suggested alongside the above requirements.

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

RCT Public Rights of Way Officer - No objection and comments for the previous application are re-iterated. Part of the public right of way (PROW) would be incorporated within the private drive. No pavements or other measures should be provided, which restricts the legal width. It may be necessary for the applicant to apply for a temporary closure during construction and permission would be required for any change in surface material.

RCT Structural Engineer – No objection as there is no change to the current levels and the gabion baskets have been in some time. The rear slope looks steep and the load from the raft foundation being outside the influence line on the embankment. If there is any proposed hardstanding around the area of the dwelling ensure that all water runoff is diverted away from the embankment to ensure the long term integrity of the slope and protect the owners below the slope. The permeable paving previously approved, around the dwelling, would be acceptable.

RCT Transportation Section – No objection subject to conditions requiring the provision of the access and turning as detailed on plan MA03 Rev A, surface water not to run on to the public highway, the provision of wheel washing facilities and a limit on HGV deliveries during construction.

Taff Ely Ramblers – The dwelling would be close to the footpath, however a wall would be put in place between the two. There will not be much of a visual impact.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The site is within settlement boundaries as defined by the Rhondda Cynon Taf Local Development Plan and is unallocated. The site is within the designated Rhondda Historic Landscape by Cadw and low risk area for former coal mining works.

Policy CS2 - sets out criteria for achieving sustainable growth including, promoting and enhancing transport infrastructure services promoting residential development with a sense of place and focussing development within defined settlement boundaries.

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 SSA11 – seeks a minimum housing density of 35 dwellings per hectare unless it can be demonstrated a lower density would be acceptable.

Policy SSA13 – details criteria for development within and adjacent to settlement boundaries.

Policy SSA23.10 - identifies that the application site lies immediately adjacent to though not within the Taff Vale Eastern Slopes Special Landscape Area.

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.

Future Wales: The National Plan 2040 (FW2040) and Planning Policy Wales Edition 11 (PPW) sets out the Welsh Government's (WG) current position on planning policy. PPW incorporates the objectives of the Well-being of Future Generations (Wales) Act into town and country planning and sets out the WG's policy on planning issues relevant to the determination of planning applications.

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

It is also considered the proposed development is compliant with FW2040, with the following policies being relevant to the development proposed:

- Policy 2 – Shaping Urban Growth – Sustainability/Placemaking

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 Rhondda Cynon Taf Local Development Plan (LDP) details the site is within the settlement boundary. Policies in the LDP (AW1 and AW2) support residential development inside the settlement boundaries.

Planning permission (Reference 15/0426/10) has previously been granted for a similar dwelling at the site. The dwelling being constructed and the subject of this application is of the same siting, appearance and size of that previously approved, however it is being constructed on a slab level that is 1m higher than approved.

Therefore, taking into account the above, the principle of residential development would be acceptable subject to an assessment of the changes on other material planning considerations, which are discussed below.

Impact on residential amenity and privacy

The dwelling would be in the same location as previously approved and of the same dimensions. However, the dwelling being constructed, would have a slab level 1m

higher than previously approved. Therefore the eaves and ridge level are also 1m higher.

The main impact of this would be on the rear of dwellings on Hilltop Avenue. Whilst the dwelling would be higher than approved, the ridge of the dwelling would be a similar height to the existing dwellings alongside on Albion Court. The distance to the rear of dwellings on Hilltop Avenue is also similar at approximately 21m.

In terms of the impact from overshadowing/overbearing, the affected dwellings on Hilltop Avenue are to the north of the proposed dwelling. It is considered there is sufficient distance, despite the level difference, so that the impact would not have a significant overshadowing and overbearing impact on the existing dwellings.

In terms of the potential loss of privacy, the rear of the proposed dwelling would still be 21metres from those dwellings on Hilltop Avenue, which is normally considered an acceptable distance. However, the changes result in the proposed dwelling being at a higher level than approved and this could result in some increased overlooking down into the affected properties. It is noted the dwellings on Albion Court are also in a similar position and unlike the proposed have higher first floor windows which already result in some overlooking of the affected properties.

The proposal includes a fence along the rear boundary, which due to the elevated position and closeness of the gardens is considered necessary to protect the amenity of the existing occupiers. It is proposed the height would be 1.8m as approved in the original scheme. In addition there is a buffer zone indicated between the two boundaries, which is detailed as being under the control of the applicant and which previously contained some vegetation (now cleared), which would have helped protect privacy. As the dwelling has gone higher it is considered the fence should also be higher and the 1.8m height taken from the floor level of the dwelling. If this is put in place the area of soft landscaping is not essential to protect amenity and a condition would not be required for additional planting. In time however, the vegetation will regrow and will further aid in screening the development. It is therefore considered a fence would be sufficient to protect the privacy of the occupiers of the affected properties and specific details of this can be obtained by a suitably worded condition.

The roof lights proposed at the rear are detailed as being high level and would only serve en-suite bathrooms. It is considered these would not result in any significant overlooking issues and a condition restricting further windows would be necessary if permission were to be granted.

One further issue, as a result of the changes, is with regard the proposed parking area and rear garden relationship to the side boundary of the dwelling at 7 Albion Close. Due to the increase in height of the slab level from the approved scheme, the parking area and rear garden would be approximately 1m above the ground level of 7 Albion Court. This may impact on the amenity of the occupiers of that dwelling from car movements and overlooking. And the existing fence would not totally protect the amenity of the occupiers. The plans show a 1.6m high fence would be provided along the boundary taken from the ground level of the proposed dwelling. Whilst this would reduce the impact, it is considered the fence should be stepped inside the site and away from the boundary. This would reduce any overbearing impact from the

combined height of the fences on the boundary. In addition the fence should be higher adjacent the rear garden area to protect any loss of privacy to this amenity space. Details of this can be obtained by suitably worded condition.

Therefore, taking the above into account, it is considered the development would not have a significant detrimental impact on the amenity of occupiers of surrounding dwellings.

Impact on the character and appearance of the area

The changes from the approved scheme result in the dwelling being at the level of the site access. The submitted sections show the increase in height would however not result in the dwelling being visually out of context with the surroundings.

The other changes include the loss of the stone front elevation for a smooth render finish. Whilst the previously approved front elevation would better complement the materials of the stone barns it would face, the change would not be unacceptable in visual terms. It is considered samples of the proposed materials are not necessary as the information provided on the plans and in the application is acceptable. The proposed condition, requiring that the development is carried out in accordance with the submitted details is considered sufficient.

As such, it is considered the proposal would not have a significant detrimental impact on the character of the surrounding area.

Access and highway safety

Access to the site would be via an existing gated access from the end of Albion Court. This was the same as approved in the previous application (Reference 15/0426/10) and the change in slab level proposed does not alter that access.

Concerns have been raised with regard to an increase in congestion. It is however considered the addition of a single dwelling being served by surrounding roads would not significantly exacerbate any existing issues.

No objection has been raised by the Transportation Section subject to conditions stated above. The condition with regard to surface water and wheel washing are not considered necessary as they can be controlled by other legislation.

Taking into account the above assessment it is considered the application would be acceptable in these terms.

Public Rights of Way (PROW)

PROW (No. 4 Pontypridd) runs through the access to the site. There are no changes being proposed to the access from that already approved in the previous permission (15/0426).

Part of the PROW would be incorporated into the proposed private drive. It is considered this would not result in a conflict in pedestrian and vehicular movement to

the significant detriment of the safety of persons using the PROW and would be acceptable in these terms.

No objection has been raised by the Council's Public Right of Way Officer. An informative note is suggested, similar to that on the previous permission, highlighting their further advice.

Drainage and flooding

No objection has been raised by Dŵr Cymru/Welsh Water subject to a condition that no surface water should go to the public sewer. Whilst this is noted foul drainage has already been approved in application 20/0382/38 with a connection to the public sewer and the current application indicates the same. Furthermore as this issue can be controlled by other legislation no further information is required and an informative note can be added if permission is granted.

Concerns with regard flood risk and surface water drainage have been raised. The Council's Flood Risk Management however highlight in their comments, that the site is not within an area of flood risk. In addition, it is noted, surface water drainage details for the previously approved scheme have been discharged by conditions application (reference 20/0482/38). Whilst this is the case, the Council's Flood Risk Management Section have recommended a condition for this application taking into account that it is partly retrospective and this is therefore considered would be necessary. Details of this can be obtained by a suitably worded condition.

The Council's Flood Risk Management Section also state that the applicant under Schedule 3 of the Flood and Water Management Act 2010 would be required to submit an application to the Sustainable Drainage System (SuDS) Approval Body (SAB). And in addition the applicant is also required to comply with Part H of the building regulations.

Therefore, taking into account the above, it is considered the impact from flooding and the sites drainage would be acceptable.

Site Stability

The original application detailed the site is on land that is made up land that has been deposited over a long time. The changes in slab level from the approved application to this application has not required any significant alterations to site levels as the slab would be on the existing levels of the site. The Council's Structural Engineer has not objected to the application subject to all water run-off being diverted away from the embankment to ensure the long term integrity of the slope and protect the owners below the slope.

Details of this can be obtained by a suitably worded condition.

Ecology

The Council's Ecologist has not objected as the site has been cleared and development commenced. Members are however advised a condition on the original permission required a Wildlife Protection Plan for construction works. It is noted this

was submitted for application 20/0482/38 and was acceptable. Therefore a condition would be necessary to ensure further construction works are carried out in accordance with that approved plan.

Other Issues

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

Public Health Comments

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 hours of construction work, waste, burning materials on site and dust 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 liable for a charge under the CIL Regulations 2010 as amended. The application lies within Zone 2 of Rhondda Cynon Taf's Residential Charging Zones, where there is a liability of £40 / sqm for residential development.

The CIL charge (including indexation) for this development is expected to be £7,990.29.

Conclusion

The application is considered to comply with the relevant policies of the Local Development Plan in respect of the principle of development, access and parking, the impact on the character of the area, the impact on residential amenity, the impact on drainage and flooding, the impact on site stability and the impact on ecology (Policies AW1, AW2, AW5, AW8, AW10 and NSA12).

RECOMMENDATION: GRANT SUBJECT TO THE FOLLOWING

1. The development hereby approved shall be carried out in accordance with the approved plans no's.
 - MA01 Rev D Proposed Floor Plans (Received 28th April 2021)
 - MA02 Rev D Proposed Elevations and Section (Received 28th April 2021)

- MA03 Rev D Site Location Plan, Proposed Block Plan, Boundary Wall Details and Proposed Sections (Received 12th August 2021)

and documents received by the Local Planning Authority on 28th April and 21st June 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.

2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) no dormer windows, windows or roof lights (other than any hereby permitted) shall be installed or constructed above ground floor ceiling height without the prior express permission of the Local Planning Authority.

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

3. Notwithstanding the submitted plans and within 56 days of the permission hereby granted a plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to Local Planning Authority for approval. The boundary treatment shall be completed before the dwelling is occupied and shall be maintained as such in perpetuity.

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.

4. Notwithstanding the submitted plans and within 56 days of the permission evidence as to how the development is to comply with the requirements of Section 8.3 of Technical Advice Note 15 shall be submitted to Local Planning Authority for approval. The approved details shall be provided prior to the occupation of the dwelling hereby permitted.

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.

5. All construction activities shall be implemented in accordance with the approved details and timing of the Wildlife Protection Plan approved in application reference 20/0482/38.

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

6. Before the development is brought into beneficial occupation the means of access, together with the parking and turning facilities for calling service and delivery vehicles, shall be laid out in accordance with the submitted site layout plan MA03 Rev D.

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

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

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



PLANNING & DEVELOPMENT COMMITTEE

2 SEPTEMBER 2021

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 21/0809/10 (JE)
APPLICANT: Mr K Dudzik
DEVELOPMENT: Proposed rear dormer loft conversion, front porch & kitchen extension.
LOCATION: 38 CLOS MYDDLYN, BEDDAU, PONTYPRIDD, CF38 2JS
DATE REGISTERED: 10/06/2021
ELECTORAL DIVISION: Beddau

RECOMMENDATION: APPROVE

REASONS:

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

REASON APPLICATION REPORTED TO COMMITTEE

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

APPLICATION DETAILS

Full planning permission is sought for the construction of a dormer extension and single storey extension at 38 Clos Myddlyn, Beddau.

The proposed dormer would be located to the rear of the property and would facilitate a loft conversion. It would measure a width of 4.9 metres and would protrude outwards to a maximum depth of 3.5 metres. The proposed dormer would have a flat roof design measuring a maximum height of 2.2 metres and would match the ridge level of the dwelling, being set back from the eaves by 0.18 metres. The proposed dormer would have a Juliet balcony and bathroom window on its rear elevation.

The proposed single storey extension would be located to the front of the property at an area currently forming amenity space. It would measure a width of 4.4 metres and

would protrude outwards to a depth of 1.6 metres. The addition would have a mono pitched roof design measuring a maximum height of 3.1 metres sloping to 2.6 metres at the eaves.

Both additions would be constructed of materials to match that of the host property.

SITE APPRAISAL

The application property is a two storey mid terrace dwelling located towards the rear of a cul-de-sac forming part of a larger housing development within Beddau. The property is set back from a turning head and area of off-street parking by an area of lawn with an access path to the property. To the rear of the dwelling is an enclosed amenity space bounded on all sides by neighbouring properties at Clos Myddlyn. It is noted that the properties to the rear, nos.60 & 61 Clos Myddlyn, are located at lower level.

Neighbouring properties consist of various property types that all share a similar overall design theme. There are a number of existing extensions located to the front and rear of properties within the area.

PLANNING HISTORY

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

PUBLICITY

The application has been advertised by direct notification to 8 neighbouring properties.

3 letters of objection have been received following consultation with neighbouring occupiers. The points raised have been summarised below:

- Loss of privacy from rear dormer extension
- Loss of light
- Light pollution
- Impact upon property value

CONSULTATION

No consultation has been undertaken.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

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

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

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

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 construction of a dormer extension and front extension at an established residential dwelling to improve current living standards. The principle of development is therefore acceptable subject to an assessment of the criteria set out below.

Impact on the character and appearance of the area

Whilst the proposed front extension would see alterations to the principal elevation of the property that would be visible from the highway at Clos Myddlyn, when considering the minor scale and appropriate design of the proposal it is considered the extension would form a sympathetic and subservient addition to the property. In addition, a number of neighbouring properties within the vicinity benefit from existing front porch and canopy extensions of a similar design and scale. As such, it is not considered the front extension would result in any adverse impact upon the character and appearance of the area.

With regard to the proposed rear dormer, although this would be the first of its kind within the vicinity, the dormer is of a scale that is not significantly larger than that which could be constructed at the property under its permitted development rights. In addition, the dormer would not extend above the ridge level of the dwelling and its location to the rear of the property means that it will be screened from most vantage points outside of the immediate area. Therefore, it is not considered the addition would result in a significant visual impact.

In addition to the above, the proposed extensions would be finished in materials to match the existing property which will further ensure they are not overly prominent within their surroundings.

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

Impact on residential amenity and privacy

The objectors concern with regards to loss of privacy and light pollution created by the proposed dormer are acknowledged. However, when considering the permitted development fallback position of a slightly smaller dormer of a similar design with fenestration along its rear elevation, as highlighted above, it is not considered that the any impact would be great enough to warrant a refusal of the application on this basis. Additionally, given the location of the dormer within the plane of the roof, it is not considered it would result in any detrimental overbearing or overshadowing impact upon neighbouring properties.

With respect to the proposed front extension, given its minor scale and siting, it is not considered it would result in any adverse impact upon the amenity and privacy of neighbouring occupiers.

Taking the above into consideration, the application is considered acceptable in terms of the potential impact upon the amenity and privacy of neighbouring residents.

Other issues raised by the objectors

The impact upon property value was also raised as a concern within the letters of objection received. However, this is not a material planning consideration and cannot be taken into consideration during the determination of this application.

Community Infrastructure Levy (CIL) Liability

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

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

Conclusion

It is not considered the proposals would have a significant impact upon the character and appearance of the locality or upon the residential amenity and privacy standards currently enjoyed by the surrounding 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 permitted shall be begun before the expiration of five years from the date of this permission.

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

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

- Drawing No. 002

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

2 SEPTEMBER 2021

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 21/0058/10 (EL)
APPLICANT: Mr G Israel
DEVELOPMENT: Detached house with integral double garage.
LOCATION: FORMER GLEN TRANSPORT SITE, PENYCOEDCAE ROAD, PENYCOEDCAE, PONTYPRIDD
DATE REGISTERED: 04/02/2021
ELECTORAL DIVISION: Graig

RECOMMENDATION: Refuse

REASONS: The principle of the proposed development is unacceptable as the proposal represents unjustified residential development outside of settlement limits in an unsustainable location. Therefore, the proposal is considered to be contrary to both local and national planning policy.

Reason Application Reported To Committee

A request has been received from Councillor Brencher for the application to come to Committee for the reason that Members may consider the impacts of the development upon highway safety (use of the site for residential rather than commercial purposes would result in fewer vehicular movements) and the visual amenity of the area (resulting from the removal of the existing blockwork commercial building).

Application Details

Full planning permission is sought for the construction of a detached dwelling on a parcel of land to the west of Penycoedcae Road, Penycoedcae, Pontypridd.

The parcel of land upon which the proposed dwelling would be situated is broadly rectangular in shape, measures approximately 2100m² and is located to the south of Menger Bungalow, Penycoedcae Road. The site is known as the 'former Glen Transport Yard', with access from Penycoedcae Road to the west.

The plans which accompany the application indicate that the proposed dwelling would be located toward the east (rear) of the site, with a large driveway and area of off-street parking positioned to the front of the property, connecting with Penycoedcae

Road. Garden areas would then be formed to the south (side) of the proposed dwelling.

The property would have an irregular footprint, when viewed in plan, extending to a maximum of 17 metres in depth (including a projection which would accommodate an integral garage) and maximum of 14 metres in width. Living accommodation would be arranged over the ground floor, with 4 bedrooms at first floor level. The design would incorporate a number of projecting gables and dormer additions, with a proportion of the first floor space being accommodated within the roof space of the property. It is proposed that elevations being finished in a combination of render with cedarwood/ cedar cladding, with grey cement roof tiles and zinc sheets to the dormers.

Site Appraisal

The application site consists of a parcel of land that is broadly rectangular in shape and extends to approximately 2100 sqm. The plot, which is known as the 'former Glen transport site', is positioned to the east of Penycoedcae Road and benefits from an access from this highway. To the north the site is bounded by Menger Bunglaow, with residential properties also being located to the west, on the opposite side of Penycoedcae Road. To the east and south the site is bounded by open countryside. The site itself is mainly level and laid as hard-surface, with a detached garage building being positioned broadly within the centre of the site. The garage is a single storey blockwork construction with a flat roof, and access via a roller shutter door to the front elevation.

Planning History

10187 & 10748	Filling station and repair garage.	Granted 10/08/71
79/1746	Use of land for parking of articulated vehicles	Refused 23/01/80
84/1206	House or bungalow. Outline permission	Refused 26/1/1984
06/1985/10	Dwelling house, 2 storey 4 bedroom detached	Refused 14/05/07
07/1869/10	Dwelling house (Re-submission)(amended location plan received 21/01/08).	Refused 01/07/08
08/0624/10	Re-grading of site and erection of gabion baskets to sloping boundary to South and East (part only).	Granted 14/01/09

Publicity

The application was advertised by direct neighbour notification and site notices. No representations have been received.

Consultation

Planning Policy – objections raised. The proposal for a new dwelling outside the settlement boundary in the southern strategy area is contrary to policies CS 2, AW 1, AW 2, SSA 13 and national policy. Therefore, there are a number of policy objections to the principle of residential development at the site.

Transportation Section – no objections subject to conditions.

Natural Resources Wales – no objections raised, informative notes recommended.

Public Health & Protection – no objections raised, subject to conditions.

The Coal Authority – no objections raised, sufficient information has been provided to demonstrate that the site is safe, stable and suitable for the development proposed.
Countryside, Landscape & Ecology – Given the characteristics of the building, bat roost potential is negligible, and as such no survey work is required, however informative notes are recommended.

Dwr Cymru – no objections raised.

Land Drainage – no objections raised, informative notes suggested.

Policy Context

Rhondda Cynon Taf Local Development Plan

Indicates that the site is outside defined settlement limits, within a sandstone minerals resource area.

CS 2 places the policy emphasis is on sustainable growth in the southern strategy area, to be achieved by focusing development within settlement boundaries and promoting residential development which respects the character and context of the surrounding area.

CS 10 addresses mineral planning and safeguards areas of mineral resources from unnecessary development.

AW 1 this policy outlines the strategies used to meet the housing land requirement, and does not include the development of unallocated land outside the defined settlement boundary.

AW2 promotes development in sustainable locations and ensures that development proposals are only supported when located in sustainable locations. Such locations:

1) are within a defined settlement boundary; 2) would not unacceptably conflict with surrounding uses; 3) have good accessibility by a range of sustainable transport options; and 4) have good access to key services and facilities.

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

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

AW 8 sets out the criteria for Protection and Enhancement of the Natural Environment.

AW 14 refers to the safeguarding of Minerals

SSA 11 requires residential development in the south to meet a minimum residential density of 35 dwellings per hectare.

SSA 13 explicitly states that only housing development within the defined settlement boundaries will be supported.

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 not considered that the proposed development is consistent with the key principles and requirements for placemaking set out in PPW; nor is it 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 not 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

Reasons for Reaching the Recommendation

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

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

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

Main Issues

The application proposes the construction of one residential dwelling, associated vehicular access and parking areas, on a parcel of land that is located outside of the defined settlement limits. As such, the key consideration in the determination of the application is whether the principle of residential development is acceptable upon the site. In addition, it will also be necessary to consider whether the site is capable of accommodating the dwelling, associated means of access and parking facilities, without resulting in a detrimental impact upon both the amenity and privacy of neighbouring dwellings and the character and appearance of the area. The implications of the development upon highway safety in the vicinity of the site are a further consideration.

Principle of Development

In the assessment of any application for residential development, the first consideration must be the location of the site in planning policy terms. In this case the plot is clearly located outside of the defined settlement limits. As identified within the policy context detailed above, planning policy aims primarily to restrict development in countryside locations. Whilst planning policy does make provision for certain exceptions, it is not considered that the current proposal represents such an exception. As such, following consultation with the Council's Spatial Plans Team, a policy objection to the proposed development of the site for residential purposes has been raised.

In their observations, the Council's Planning Policy Team comment that although being located at the periphery of the village of Penyrcoedcae, the site is outside and separate from the settlement boundary. Whilst the site is served by public transport, this is a very low frequency bus route, generally passing the site once every two hours. It is also noted that the site has very poor access to key services and facilities within the local vicinity. The site, therefore, cannot be considered a sustainable location for development as it does not accord with policy AW 2 or indeed national policy.

Several policies in the Local Development Plan deter against development outside the settlement boundary, including CS 2, AW 1, AW 2 and SSA 13. Policy SSA 13 explicitly states *"in order to protect the identity of these settlements, ensure the efficient use of land and protect the countryside from urbanisation and incremental loss, development will not be permitted outside the defined settlement boundaries"*. It is for this reason, that the development proposal would be contrary to policies CS 2.2, AW 1.3, AW 2.1 and SSA 13.

In support of their submission, the applicant raises the case of a new dwelling, recently permitted at the former Beechtree club house site, opposite the application site (app ref. no. 16/0889/10). The application in question was allowed at appeal, with the

Inspector concluding that the proposal accorded with paragraph 3.56 of PPW, regarding infilling in existing settlements in the open countryside, as the proposed dwelling was located within a small group of existing properties. It is important to note however, that in their assessment of the appeal, the Inspector also had regard to an earlier appeal decision at the former Glen Transport site (the current application). The appeal in question related to the refusal of an application in 2010 for residential development at the site (app. ref. no.10/1048). In their consideration of the two cases, the Inspector concluded that the circumstances of each appeal were fundamentally different, with the 2016 (16/0889) proposal being considered an acceptable infill while the 2010 (10/1048) case was considered an unacceptable extension of development further into the open countryside. Since there has been no notable change in circumstance since the consideration of the 2016 appeal, the policy objections regarding the former Glen Transport site therefore remain.

A further point raised by the applicant in support of their application relates to the fact that there is currently a (former) commercial garage on the site and as such, the replacement of this with a dwelling would represent a visual improvement. Having considered this point the Planning Policy Team agree that there is no disputing the fact that the site is brownfield land. However, they also clarify that Planning Policy Wales is clear that not all brownfield land is suitable for development, with one such exception being brownfield sites in unsustainable locations:

Paragraph 3.55 - Previously developed (also referred to as brownfield) land should, wherever possible, be used in preference to greenfield sites where it is suitable for development. In settlements, such land should generally be considered suitable for appropriate development where its re-use will promote sustainability principles and any constraints can be overcome. It is recognised, however, that not all previously developed land is suitable for development. This may be, for example, because of its unsustainable location, the presence of protected species or valuable habitats or industrial heritage, or because it is highly contaminated.

Therefore, although the site is brownfield, it is not considered that this carries sufficient weight over the issue that the site is contrary to local and national policy objectives.

Character and Appearance

In terms of physical area, the site measures approximately 2100 sqm, representing a development plot which is physically large enough to accommodate a dwelling with associated parking and amenity space.

The plans which accompany the application indicate that the proposed dwelling would be located toward the east (rear) of the site, with a large driveway and area of off-street parking positioned to the front of the property, connecting with Penycoedcae Road. Garden areas would then be formed to the south (side) of the proposed dwelling. The dwelling would be orientated in order that its primary elevation addressing the road which fronts the site.

The design would incorporate a number of projecting gables and dormer additions, with a proportion of the first floor space being accommodated within the roof space of the property. This approach would ensure that the visual mass and bulk of the dwelling

is limited and the varying roof line adds interest to each of the elevations. It is proposed that elevations being finished in a combination of render with cedarwood/cedral cladding, with grey cement roof tiles and zinc sheets to the dormers.

Overall, it is considered that scale, proportions and design of the dwelling are appropriate and would not appear out of keeping with the appearance of the area, which is characterised by dwellings of varying scale and design. As a consequence, this aspect of the submission accords with policies AW5 and AW6 of the Local Development Plan.

Residential amenity

As set out above, the site is located to the south of an existing residential bungalow, that being Menger Bungalow. However, the proposed dwelling would be set back within the site and located sufficient distance from this dwelling, so as not to result in any overshadowing to the neighbouring property. Furthermore, whilst there are two windows located in the proposed first floor north elevation, these would serve a bathroom and en-suite so would not result in overlooking or a loss of privacy to the occupiers of the neighbouring dwelling.

As such, it is not considered that the proposals would result in any adverse amenity impacts, therefore, this aspect of the submission accords with policy AW5 of the Local Development Plan.

Highway Safety

With regard to the potential impact upon highway safety, following consultation with the Council's Transportation Section, no objections to the proposal have been raised.

Their assessment comments that the proposed dwelling would utilise the existing access that previously served the Glen Transport site. Given that the proposal is for a single residential dwelling, the proposal is not considered to result in an intensification of use. Therefore, on this basis, the access is considered acceptable to serve a single residential dwelling.

In terms of circulation, it is noted that the submitted layout plan indicates that there is sufficient space within the site to enable vehicles to enter and exit in a forward gear. As such, the proposal gives no undue cause for concern on this matter. Similarly, in terms of car parking, in accordance with the Council's adopted Supplementary Planning Guidance, the proposed 4 bedroom dwelling has a maximum off-street parking requirement 3 spaces. The submitted proposed site plan indicates that there is ample off-street parking provision to meet this requirement. As such, the proposal gives no undue cause for concern regarding off-street parking provision.

As such, the proposal is considered acceptable in highway safety terms and therefore accords with the requirements of policy AW5 of the Local Development Plan.

Ecology

As the application involves the demolition of an existing garage on site, it is necessary to consider the potential for bats at the site. However, having assessed the building, its construction and condition, the Council's Ecologist has concluded that any bat potential would be negligible and therefore no bat survey is required. As such, the proposal complies with the requirements of policy AW 8 of the Local Development Plan.

Coal Mining Risk

As the application is located within a high-risk coal mining area, the application is accompanied by a Coal Mining Risk Assessment. Having reviewed the report, the Coal Authority concluded that they consider that the applicant has demonstrated to the Local Planning Authority that the site is safe, stable and suitable for the development proposed (Planning Policy Wales para. 6.9.23 – 28) and therefore they raise no objections to the application in this regard.

Community Infrastructure Levy (CIL) Liability – Outline applications

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

The application is for development of a kind that is liable for a charge under the CIL Regulations 2010 as amended. The application lies within Zone 3 of Rhondda Cynon Taf's Residential Charging Zones, where there is a liability of £85 / sqm for residential development (including extensions to dwellings over 100 sqm).

The CIL (including indexation) for this development is expected to be £32,912.07

Conclusion

Having taken account of all of the issues outlined above, it is acknowledged that the proposal appears to be acceptable in terms of its potential impacts upon, the character and appearance of the area, amenity of neighbouring occupiers and highway safety. However, from a planning policy perspective, the scheme proposes the construction of new residential development on land outside of settlement limits, in an unsustainable location. Therefore, in the absence of an appropriate justification, it is considered that the development is considered to be contrary to the policy framework within the Rhondda Cynon Taf Local Development Plan and Planning Policy Wales. As such, the proposal is recommended for refusal for the reasons set out below.

RECOMMENDATION: Refuse

1. The proposed development would be contrary to Policies, CS 2, AW 1, AW 2 and SSA 13 of the Rhondda Cynon Taf Local Development Plan and Planning Policy Wales, in that it would represent unjustified development in an unsustainable location, outside of the established settlement boundaries.

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

PLANNING & DEVELOPMENT COMMITTEE

24th August 2021

SITE MEETING

Application No: 21/0613/10 - 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

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 35 (Planning and Development Committee – 12th August 2021) a site inspection was undertaken on Tuesday 24th August 2021 to consider the potential impact of music from the premises on the surrounding area.
- 3.2 The meeting was attended by the Planning and Development Committee Members County Borough Councillors S. Rees, G. Caple, D. Grehan, W. Lewis, D. Williams and J. Williams.

- 3.3 Members met at the front of the premises on Market Street in Pontypridd. The Planning Officer advised Members that 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.
- 3.4 The Planning Officer pointed out to Members that work at the premises had largely been completed noting that it has resulted in only minor alterations to the existing building with a bar and a WC being provided internally. The existing shop front has been retained however it is noted that a roller shutter door has recently been installed in front of the door. The Planning Officer advised Members that should permission be granted on the application suggested Condition 2 would require the roller shutter door to 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. This is 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.
- 3.5 Members discussed the impact any outdoor tables would have on the highway and how far out the tables could be placed. The Highways Officer informed Members that the applicant would have to apply for an additional licence to accommodate outdoor tables but pointed out the size of the area at the premises next door and suggested it would be of similar scale.
- 3.6 Members also queried the impact of noise on the occupiers of the above and surrounding buildings. The Environmental Health Officer advised Members that the premises had been operating under a temporary events licence which has since expired. He advised that during this time no complaints relating to the noise had been received. Members were also informed that Environmental Health have suggested an acoustic survey be completed prior to determination, to identify the impact of noise and any areas to mitigate. Members also queried the opening hours of the premises and were advised it would be from 11am-11pm with Members noting the possibility of noise during the day. The Environmental Health Officer informed Members that the acoustic survey would identify any possible negative impacts of this.
- 3.7 The Chair thanked the officers for the report and closed the meeting.



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)

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.

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

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

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

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 server 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

2 SEPTEMBER 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 02/08/2021 – 20/08/2021

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

2 SEPTEMBER 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: 20/1409
APPEAL REF: D/21/3280069
APPLICANT: Mr R Bates
DEVELOPMENT: Single domestic garage (Amended plan received 16/04/21).
LOCATION: LAND OFF 38 DARRAN TERRACE, FERNDALE, CF43 4LG
APPEAL RECEIVED: 02/08/2021
APPEAL START DATE: 16/08/2021

APPLICATION NO: 21/0095
APPEAL REF: A/21/3279935
APPLICANT: Castlepark Developments Ltd
DEVELOPMENT: Change of use of former Dental Laboratory (Use Class B1) to Residential (Use Class C3).
LOCATION: THE OLD HOUSE, REAR OF 55 CARDIFF ROAD, TAFF'S WELL, CARDIFF, CF15 7RD
APPEAL RECEIVED: 29/07/2021
APPEAL START DATE: 16/08/2021

APPLICATION NO: 21/0259
APPEAL REF: A/21/3280755
APPLICANT: Mr Davies - Medway
DEVELOPMENT: 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
APPEAL RECEIVED: 11/08/2021
APPEAL START DATE: 19/08/2021

APPLICATION NO: 21/0435
APPEAL REF: D/21/3279216
APPLICANT: Mr W Morgan
DEVELOPMENT: Two-storey rear extension
LOCATION: 5 VICARAGE ROAD, PEN-Y-GRAIG, TONYPANDY, CF40
1HN
APPEAL RECEIVED: 19/07/2021
APPEAL START 16/08/2021
DATE:

Report for Development Control Planning Committee

Rhigos

21/0881/10 Decision Date: 18/08/2021**Proposal:** Two storey extension.**Location:** CORNER OF HEOL PENDARREN, TY DAFYDD BUNGALOW, HEOL Y BRYN, RHIGOS, ABERDARE, CF44 9HJ

21/0897/01 Decision Date: 20/08/2021**Proposal:** 1.5 metre high aluminium signs fixed to the ground with poles at points adjacent to roundabout exits.**Location:** ROUNDABOUT ALONG RHIGOS ROAD, HIRWAUN INDUSTRIAL ESTATE

Hirwaun

21/0806/10 Decision Date: 17/08/2021**Proposal:** Garage conversion.**Location:** MYNYDD DU, JOHN'S LANE, HIRWAUN, ABERDARE, CF44 9TQ

Penywaun

21/0734/10 Decision Date: 10/08/2021**Proposal:** Vehicular crossover and creation of hardstanding.**Location:** 10 & 11 HEOL CARADOC, PEN-Y-WAUN, ABERDARE, CF44 9AU

Aberdare West/Llwydcoed

21/0780/10 Decision Date: 09/08/2021**Proposal:** Proposed orangery to rear of property.**Location:** THE OLD CLOCKTOWER, HIRWAUN ROAD, TRECYNON, ABERDARE, CF44 8DY

21/0799/10 Decision Date: 10/08/2021**Proposal:** Refurbishment and single storey extension to the existing WC facility.**Location:** THE COLISEUM THEATRE, MOUNT PLEASANT STREET, TRECYNON, ABERDARE, CF44 8NG

21/0904/10 Decision Date: 05/08/2021**Proposal:** Lean-to extension to rear, garage extension to side, improvements and alterations.**Location:** SHANGRILA, MERTHYR ROAD, LLWYDCOED, ABERDARE, CF44 0YF

Report for Development Control Planning Committee

Aberdare East

21/0866/10 Decision Date: 19/08/2021
Proposal: Change of use from public house to a dwelling and associated alterations and extensions.
Location: MACKWORTH ARMS PUBLIC HOUSE, 25 GADLYS ROAD, GADLYS, ABERDARE, CF44 8AE

21/0877/15 Decision Date: 10/08/2021
Proposal: Removal of condition 4 of previously approved planning application 12/0649/10 for the annexe to remain ancillary to 17 Afon Dar Close.
Location: GRANNY ANNEXE ADJACENT TO 17 AFON DAR CLOSE, GADLYS, ABERDARE, CF44 8DF

Cwmbach

21/0824/10 Decision Date: 16/08/2021
Proposal: Proposed single storey rear extension & two storey side extension with front porch.
Location: 87 LLANGORSE ROAD, CWM-BACH, ABERDARE, CF44 0LD

Mountain Ash West

21/0494/10 Decision Date: 09/08/2021
Proposal: Two storey side extension.
Location: 13 PARC GWERNIFOR, MOUNTAIN ASH, CF45 3UQ

Abercynon

21/0850/23 Decision Date: 04/08/2021
Proposal: Prior approval for the construction of a TPS (Traction Power System) facility/ building with perimeter fencing.
Location: LAND TO THE SOUTH OF ABERCYNON RAILWAY STATION

21/0853/10 Decision Date: 20/08/2021
Proposal: Proposed change of use to A3 takeaway - (previously approved 06/0563/10).
Location: 2 MARGARET STREET, ABERCYNON, CF45 4RE

Report for Development Control Planning Committee

Aberaman South

21/0664/10 Decision Date: 09/08/2021

Proposal: Proposed detached dwelling (amended ownership certificate received 13/07/2021).

Location: LAND AJD TO 30 BRYNMAIR ROAD, GODREAMAN, ABERDARE, CF44 6LR

21/0705/10 Decision Date: 13/08/2021

Proposal: Change of use from garage to hair salon.

Location: 29 HEOL TY ABERAMAN, ABERAMAN, ABERDARE, CF44 6LP

21/0765/15 Decision Date: 05/08/2021

Proposal: Variation of condition 2 of planning permission 20/777/10 to re-site approved industrial unit and service road/turning head (amended plan rec. 30/06/21)

Location: LAND OPPOSITE STORAMOVE, ABERAMAN PARK INDUSTRIAL ESTATE, ABERAMAN, ABERDARE

21/0823/10 Decision Date: 02/08/2021

Proposal: Erection of a single story detached garage in the rear garden.

Location: GOLWG Y CWM, BEDWLWYN, CWMAMAN, ABERDARE, CF44 6PT

21/0890/10 Decision Date: 04/08/2021

Proposal: Proposed single storey extension.

Location: 26 PARC ABERAMAN, ABERAMAN, ABERDARE, CF44 6EY

21/0914/10 Decision Date: 05/08/2021

Proposal: Retention of garden tiers and steps.

Location: 11 GRAIG AVENUE, ABERCWMBOI, ABERDARE, CF44 6AF

Treherbert

-
- 21/0473/10** Decision Date: 06/08/2021
Proposal: Redevelopment of part of a brownfield site to provide 2 x 3 bedroom semi detached family homes with off street parking and private gardens (amended plans received 07/07/2021).
Location: FORMER PENYRENGLYN SCHOOL, CHARLES STREET, TREHERBERT, CF42 5HF
-
- 21/0861/10** Decision Date: 02/08/2021
Proposal: Proposed two storey and single storey rear extension.
Location: 27 MISKIN STREET, TYNEWYDD, TREHERBERT, TREORCHY, CF42 5LP
-

Pentre

-
- 21/0379/10** Decision Date: 18/08/2021
Proposal: First floor rear extension.
Location: 14 ALBERT STREET, PENTRE, CF41 7JX
-
- 21/0893/10** Decision Date: 17/08/2021
Proposal: Single storey rear extension.
Location: 11 ALBION STREET, TONPENTRE, PENTRE, CF41 7LX
-

Ystrad

-
- 21/0383/10** Decision Date: 20/08/2021
Proposal: Erection of shed/summerhouse in rear garden (retrospective).
Location: 32 ARTHUR STREET, YSTRAD, PENTRE, CF41 7QB
-
- 21/0859/10** Decision Date: 06/08/2021
Proposal: Proposed extension to first floor (amended plans received 15/06/2021).
Location: 49 ALEXANDRA ROAD, GELLI, PENTRE, CF41 7NL
-
- 21/0916/08** Decision Date: 13/08/2021
Proposal: Installation of a level access demountable double classroom teaching space.
Location: YSGOL HEN FELIN, TYNTYLA ROAD, YSTRAD, PENTRE, CF41 7SZ
-
- 21/0943/10** Decision Date: 19/08/2021
Proposal: Install new roof covering to the warehouse area.
Location: UNIT 39, GELLI INDUSTRIAL ESTATE, GELLI, PENTRE, CF41 7UW
-
- 21/0944/10** Decision Date: 20/08/2021
Proposal: Replace the roof. Demolition of lean-to extension to rear elevation of Unit 45. Demolition of link walkways between Unit 45 and adjacent building.
Location: UNIT 45 BARAKA FOODSTUFFS, GELLI INDUSTRIAL ESTATE, GELLI, PENTRE, CF41 7UW
-

Llwynypia

21/0876/10 Decision Date: 05/08/2021
Proposal: Change of use from (D1) to include: A2 (financial/professional services), B1 (business), B8 (storage/distribution), D1 (non-residential institutions) D2 (assembly/leisure), other minor external alterations
Location: THE COURT HOUSE, LLWYNYPIA ROAD, LLWYNYPIA, TONYPANDY, CF40 2HZ

21/0891/10 Decision Date: 18/08/2021
Proposal: Rear single storey extension and formation of window openings to front of elevation.
Location: 4 GLANDWR TERRACE, LLWYNYPIA, TONYPANDY, CF40 2HU

Cwm Clydach

21/0966/10 Decision Date: 13/08/2021
Proposal: Erection of a steel balcony with infinity glass.
Location: 35-36 MARIAN STREET, CLYDACH, TONYPANDY, CF40 2DN

Tonypandy

21/0522/10 Decision Date: 09/08/2021
Proposal: Convert first and second floors to 2no. studio flats and 2no. one bedroom flats. Demolition of store and other alterations to elevations. Provision of amended access arrangement, level changes, steps and retaining walls
Location: 136A & 136B DUNRAVEN STREET, TONYPANDY, CF40 1QD

Penygraig

21/0426/10 Decision Date: 05/08/2021
Proposal: First floor extension and loft conversion.
Location: 13 NANTGWYN STREET, PEN-Y-GRAIG, TONYPANDY, CF40 1LS

21/0919/10 Decision Date: 20/08/2021
Proposal: Two storey extension at rear.
Location: 10 MIDDLE STREET, PEN-Y-GRAIG, TONYPANDY, CF40 1LQ

Porth

21/0842/10 Decision Date: 05/08/2021
Proposal: Conversion of 1 property back to 2 properties with one new access door and two new roller shutters.
Location: WILLIAM HILL, 33-34 HANNAH STREET, PORTH, CF39 9RB

Report for Development Control Planning Committee

Ferndale

21/0792/10 Decision Date: 05/08/2021
Proposal: 7no garages to provide off street parking. (Revised drawings, setting garage further back, received 21/7/21)
Location: SITE OF FORMER CHAPEL, MAXWELL STREET, FERNDAL, CF43 4RT

21/0822/10 Decision Date: 06/08/2021
Proposal: Internal alteration to level No. 1, 2 and 3 to create 1No. 1 bedroom apartment, and 1No. 2 bedroom apartment.
Location: 67 HIGH STREET, FERNDAL, CF43 4RR

Town (Pontypridd)

21/0616/20 Decision Date: 10/08/2021
Proposal: Demolition of rear garage and levelling out of areas of the back garden down to the level of the house, removal of a blockwork staircase adjacent to the garage (Conservation Area Consent).
Location: 11 TYFICA CRESCENT, PONTYPRIDD, CF37 2BU

21/0915/10 Decision Date: 10/08/2021
Proposal: Demolition of rear garage and levelling out of areas of the back garden down to the level of the house, removal of a blockwork staircase adjacent to the garage.
Location: 11 TYFICA CRESCENT, PONTYPRIDD, CF37 2BU

Trallwn

21/0885/10 Decision Date: 11/08/2021
Proposal: Single storey side extension.
Location: 6 WINGFIELD CLOSE, PONTYPRIDD, CF37 4AB

Rhondda

21/0999/10 Decision Date: 11/08/2021
Proposal: Alterations to roof space to form an additional floor to existing dwelling.
Location: 7 COED ISAF ROAD, MAESYCOED, PONTYPRIDD, CF37 1EL

Report for Development Control Planning Committee

Llantwit Fardre

21/0857/10 Decision Date: 06/08/2021
Proposal: Two storey and single storey side extension. (Amended Plans received 28/07/21)
Location: 1 DEERE ROAD, LLANTWIT FARDRE, PONTYPRIDD, CF38 2NL

21/0901/10 Decision Date: 05/08/2021
Proposal: Two storey side extension.
Location: 21 MALUS AVENUE, LLANTWIT FARDRE, PONTYPRIDD, CF38 2PZ

21/0973/10 Decision Date: 02/08/2021
Proposal: Garage to rear.
Location: 5 ST ANDREWS CLOSE, LLANTWIT FARDRE, PONTYPRIDD, CF38 2NN

Church Village

21/0190/10 Decision Date: 13/08/2021
Proposal: Demolition of existing garage and construction of new MOT garage. (Preliminary Bat and Nesting Bird Assessment received 22/06/21)
Location: DUFFRYN GARAGE, DUFFRYN BACH TERRACE, CHURCH VILLAGE, PONTYPRIDD, CF38 1AL

Tonteg

21/0829/10 Decision Date: 05/08/2021
Proposal: Front and rear dormer extensions to facilitate loft conversion.
Location: 20 UNDERHILL DRIVE, TON-TEG, PONTYPRIDD, CF38 1NW

21/0926/10 Decision Date: 16/08/2021
Proposal: Double garage/workshop to rear, single storey extension to rear, dormer roof extension.
Location: 23 OAKFIELD CRESCENT, TONTEG, PONTYPRIDD, CF38 1NG

Gilfach Goch

21/0812/10 Decision Date: 18/08/2021
Proposal: Change of use from commercial property to 2 no. residential dwellings as was previously.
Location: 14-16 CAMBRIAN AVENUE, HENDREFORGAN, GILFACH-GOCH, PORTH, CF39 8TB

Tonyrefail West

21/0827/10 Decision Date: 05/08/2021
Proposal: Partial conversion of the existing A1 Shop space to a pet grooming saloon (Sui Generis).
Location: FORMER POST OFFICE, 3 ELIZABETH STREET, THOMASTOWN, TONYREFAIL, PORTH, CF39 8DT

21/0911/10 Decision Date: 20/08/2021
Proposal: Two storey side extension and single storey rear extension.
Location: 24 DUFFRYN CLOSE, TONYREFAIL, PORTH, CF39 8HD

21/1022/10 Decision Date: 18/08/2021
Proposal: Construction of new driveway over grass verge and pavement to property
Location: 40 FRANCIS STREET, THOMASTOWN, TONYREFAIL, PORTH, CF39 8DS

Tonyrefail East

21/0884/10 Decision Date: 18/08/2021
Proposal: Loft conversion and rear dormer extension.
Location: 34 THE MEADOWS, COEDEL, TONYREFAIL, PORTH, CF39 8BS

21/0906/10 Decision Date: 18/08/2021
Proposal: Single storey rear extension and outbuilding.
Location: 28 MANLEY CLOSE, TONYREFAIL, PORTH, CF39 8NS

Town (Llantrisant)

21/1038/23 Decision Date: 10/08/2021
Proposal: Demolition of the existing building within Dyffryn Isaf treatment works.
Location: DYFFRYN ISAF SEWAGE TREATMENT WORKS, ELY VALLEY ROAD, YNYSMAERDY, LLANTRISANT

Pontyclun

21/0819/30 Decision Date: 03/08/2021
Proposal: Proposed steel frame building for livestock and feed storage.
Location: LAND AT RHYDHALOG, COWBRIDGE ROAD, TALYGARN, PONTYCLUN, CF72 9JU

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

02/08/2021 and 20/08/2021

Llanharry

21/0756/10 Decision Date: 03/08/2021

Proposal: Two storey side extension.

Location: 21 BIRCH GROVE, LLANHARRY, PONTYCLUN, CF72 9HZ

21/0892/09 Decision Date: 20/08/2021

Proposal: Construction of detached garden room.

Location: 21 HAWTHORN ROAD, LLANHARRY, PONTYCLUN, CF72 9JD

Total Number of Delegated decisions is 57

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Aberdare East

21/0793/13 Decision Date: 16/08/2021

Proposal: Construction of 2no. semi-detached domestic dwelling houses with off-street parking facilities plus the provision of 6no. additional parking spaces for use by local residents (Re-submission of 20/0634/13, outline application - all matters reserved).

Location: PARCEL OF LAND TO THE NORTH OF TESCO LTD AND CONTAINED BETWEEN 29 TUDOR TERRACE, GADLYS AND THE ABERDARE BYPASS

Reason: 6 The proposed development does not respect the established pattern of development of the locality and is therefore considered to be detrimental to the character and appearance of the area and contrary to Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan (2011).

Reason: 5 The proposed development would be located directly adjacent to the busy A4059 as well as directly to the south of an existing footbridge, which provides uninterrupted views down into the site. Given this location, it is considered that future occupiers of the dwellings would experience frequent noise and disturbance from the A4059 as well as overlooking from users of the footbridge, which would adversely impact upon their residential amenities, contrary to Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan (2011).

Reason: 4 Insufficient information has been submitted to enable a full assessment of the impact of the proposal on protected species to be undertaken. The proposal is therefore contrary to Policy AW8 of the Rhondda Cynon Taf Local Development Plan (2011).

Reason: 3 The proposed development would have an adverse impact upon pedestrian safety due to the junction arrangement at Tudor Terrace and lack of footway connectivity to the wider community and Public Right of Way. The proposal is therefore contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan (2011).

Reason: 2 The access lane fronting the site is sub-standard in terms of structural integrity to withstand the type and increase in vehicular traffic generated by the proposed development, contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan (2011).

Reason: 1 The proposed development would result in increased vehicular movements (including reversing movements due to the substandard turning area proposed) along Tudor Terrace, which is already oversubscribed with on-street car parking, narrowing the available width to single file traffic and blocking footways to the detriment of safety of all highway users and free flow of traffic, contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan (2011).

Report for Development Control Planning Committee

Treorchy

21/0872/10 Decision Date: 11/08/2021

Proposal: Garage, hardstanding and raised decking.

Location: 66 TYNBEDW TERRACE, TREORCHY, CF42 6RL

Reason: 1 The proposed decking, by virtue of its siting, scale and height, represents an incongruous, overbearing and un-neighbourly form of development which would have a detrimental impact upon the residential amenity and privacy of surrounding neighbouring properties. The development would therefore be contrary to Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

Penygraig

21/0931/10 Decision Date: 17/08/2021

Proposal: Change of use into two self-contained flats and retail space. Alterations to shop front and rear elevations.

Location: P C JONES, 54 TYLACELYN ROAD, PENYGRAIG, TONYPANDY, CF40 1JU

Reason: 2 The proposed development would generate additional on-street parking demand to the detriment of the safety of all highway users and the free flow of traffic. As such the proposal would be contrary to the Council's Supplementary Planning Guidance – Development of Flats and Policy AW 5 of the Rhondda Cynon Taf Local Development Plan.

Reason: 1 The means of access to the proposed development is considered to be sub-standard in terms of horizontal geometry, carriageway width, junction radii, vision splays, forward visibility, segregated footway, street lighting, drainage and structural integrity. The intensification of its use would create increased traffic hazards to the detriment of highway and pedestrian safety and the free flow of traffic. As such the proposal would be contrary to the Council's Supplementary Planning Guidance – Development of Flats and Policy AW 5 of the Rhondda Cynon Taf Local Development Plan.

Cymmer

21/0839/10

Decision Date: 04/08/2021

Proposal: Construction of 3 bed dwelling (affecting Public Right of Way CYM/20/1 and CYM/20/2).

Location: LAND ADJACENT TO NO. 1 CLIFTON ROW, PORTH, CF39 9ND

- Reason: 8** Insufficient information has been submitted to enable a full assessment of the impact of the proposal on Public Rights of Way. As such the development would be contrary to Policy AW 7 of the Rhondda Cynon Taf Local Development Plan.
- Reason: 7** Insufficient information has been submitted to enable a full assessment of the impact of the proposal on ecology and biodiversity. As such the development would be contrary to Policies AW 5 and AW 8 of the Rhondda Cynon Taf Local Development Plan.
- Reason: 6** The proposal would result in an isolated residential development from the existing built settlement, the loss of the clear definition of the open countryside with the settlement boundary and the loss of some woodland. Therefore, it would result in a detrimental impact on the visual character of the surroundings, which are identified as a Special Landscape Area. As such the development would be contrary to Policies AW 5, AW 6 and SSA 23 of the Rhondda Cynon Taf Local Development Plan
- Reason: 5** The proposed access lacks an adequate turning area to cater for vehicular turning movements and would therefore result in increased reversing movements creating hazards to the detriment of highway and pedestrian safety. As such the development would be contrary to Policy AW 5 of the Rhondda Cynon Taf Local Development Plan.
- Reason: 4** In the absence of continuous pedestrian facilities leading to the site, the proposed development would create hazards to the safety of all highway users. As such the development would be contrary to Policy AW 5 of the Rhondda Cynon Taf Local Development Plan
- Reason: 3** The proposed additional use of the sub-standard highway as a principal means of access to serve the proposed development will create increased traffic hazards to the detriment of highway and pedestrian safety. As such the development would be contrary to Policy AW 5 of the Rhondda Cynon Taf Local Development Plan.
- Reason: 2** The applicant has no control over the existing sub-standard access leading to the proposed development site and therefore the existing access cannot be improved to provide a safe and satisfactory access. As such the development would be contrary to Policy AW 5 of the Rhondda Cynon Taf Local Development Plan.
- Reason: 1** The proposal would not represent sustainable development given its location outside the settlement boundary, the proposed low density, the impact on the character of the area and the loss of an area of local importance for nature conservation. As such the proposal would amount to unjustifiable residential development into the countryside conflicting with Policies AW 1, AW 2, AW 5, NSA 10 and NSA 12 of the Rhondda Cynon Taf Local Development Plan.
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Report for Development Control Planning Committee

Graig

21/0801/13

Decision Date: 18/08/2021

Proposal: To construct a 4 bed detached 2 storey cottage with detached double garage.

Location: PENBWCH ISAF FARM, PENYCOEDCAE ROAD, PENYCOEDCAE, PONTYPRIDD, CF37 1PU

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

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

The access leading to the proposed is sub-standard in terms of width for safe two-way vehicular movement, sub-standard surface water drainage, no formal turning area to serve the increase in vehicular and pedestrian traffic generated by the proposed development.

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

In the absence of turning facilities the proposed will result in increased reversing movements for considerable distance along the sub-standard access by all types of vehicles including service and delivery vehicles creating hazards to the detriment of safety of all highway users and free flow of traffic.

Reason: 1 The proposed development would be contrary to Policies, CS 2, AW 1, AW 2 and SSA 13 of the Rhondda Cynon Taf Local Development Plan and Planning Policy Wales, in that it would represent unjustified development in an unsustainable location, outside of the established settlement boundaries

Treforest

21/0562/10

Decision Date: 02/08/2021

Proposal: Extend existing ground floor annexe and construct new first floor extension over ground floor footprint.

Location: 3 WINDSOR ROAD, TREFOREST, PONTYPRIDD, CF37 1BX

Reason: 2 The proposed extension, in terms of its siting and scale would result in an overbearing impact upon the adjoining properties in the terrace, in addition to this, the proposed first-floor side facing window would result in a potential for overlooking to the dwelling to the south west. 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.

Total Number of Delegated decisions is 6

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