



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

**GWŶS I GYFARFOD PWYLLGOR**

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

Dolen gyswllt: Jess Daniel - Gwasanaethau Democrataidd (07385401877)

Bydd cyfarfod rhithwir o'r **Pwyllgor Cynllunio a Datblygu** yn cael ei gynnal ar **DYDD IAU, 16EG MEDI, 2021** am **3.00 PM**.

MAE MODD I AELODAU NAD YDYN NHW'N AELODAU O'R PWYLLGOR AC AELODAU O'R CYHOEDD OFYN I ANNERCH Y PWYLLGOR YN YSTOD Y CYFARFOD SY'N YMWNEUD Â'R MATER SYDD WEDI'I NODI. RYDYN NI'N GOFYN EICH BOD CHI'N RHOI GWYBOD AM EICH BWRIAD I SIARAD DRWY E-BOSTIO **[GWASANAETHAUCYNLLUNIO@RCTCBC.GOV.UK](mailto:GWASANAETHAUCYNLLUNIO@RCTCBC.GOV.UK)** ERBYN 5PM AR DYDD MAWRTH, 14 MEDI 2021, GAN NODI A FYDDWCH CHI'N SIARAD YN GYMRAEG NEU'N SAESNEG.

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

**AGENDA**

**Tudalennau**

**1. DATGAN BUDDIANT**

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

**Nodwch:**

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

**2. DEDDF HAWLIAU DYNOL 1998 A PHENDERFYNIADAU RHEOLI DATBLYGU**

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

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

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

### **4. COFNODION**

Cadarnhau cofnodion o gyfarfod y Pwyllgor Cynllunio a Datblygu a gynhaliwyd ar 12 Awst 2021.

5 - 10

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

### **5. CAIS RHIF: 21/0256/10**

Newid defnydd eiddo masnachol yn rhannol i eiddo preswyl er mwyn creu dau adeilad masnachol ac wyth fflat, ynghyd â gwaith cysylltiedig (Derbyniwyd Adroddiad Canlyniadau Llifogydd ar 05/07/2021, a derbyniwyd Cynlluniau Diwygiedig ar 07/07/2021).

**22-22A STRYD CAERDYDD, ABERDÂR, CF44 7DP**

11 - 22

### **6. CAIS RHIF: 21/0521/10**

Codi adeilad allanol a gwneud addasiadau i'r deciau presennol yn yr ardd gefn a chodi ffens i gefn ac ochr ddeheuol ffiniau'r ardd gefn (derbyniwyd cynlluniau diwygiedig ar 16/08/21).

**BYNGLO PHILDEN, STRYD RHYS, TREALAW, TONYPANDY, CF40 2QQ**

23 - 32

### **7. CAIS RHIF: 21/0924/10**

Newidiadau allanol a mewnol i ddefnydd presennol A1 (Siopau) a galluogi defnydd ychwanegol - A2 (Ariannol a Phroffesiynol), A3 (Bwyd a Diod) a B1 (Busnes) a gwaith tirlunio caled tu allan i'r llawr gwaelod a'r islawr.

**LLAWR GWAELOD AC ISLAWR 56 - 58 STRYD Y TAF, PONTYPRIDD, CF37 4TD**

**8. CAIS RHIF: 21/0960/10**

Tynnu'r ardal deciau uchel bresennol a gosod deciau uchel newydd y tu ôl i'r eiddo.

**57 TREM OCHR Y BRYN, PONTYPRIDD, CF37 2LG**

**ADRODDIAD ER GWYBODAETH****9. GWYBODAETH I AELODAU SY'N YMWNEUD Â'R CAMAU GWEITHREDU WEDI'U CYMRYD O DAN BWERAU DIRPRWYEDIG**

Rhoi gwybod i'r Aelodau am y canlynol, am y cyfnod 23/08/2021 - 03/09/2021.

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

**10. MATERION BRYN**

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

**Cyfarwyddwr Gwasanaeth y Gwasanaethau Democrataidd a Chyfathrebu****Cylchrediad:-****Aelodau o'r Pwyllgor Cynllunio a Datblygu:**

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

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

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

tudalen wag

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

Cofnodion o gyfarfod rhithwir y Pwyllgor Cynllunio a Datblygu a gynhaliwyd Dydd Iau, 12 Awst  
2021 am 3.00 pm

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

Y Cyngorydd S Rees (Cadeirydd)

Y Cyngorydd G Caple    Y Cyngorydd J Bonetto  
Y Cyngorydd P Jarman    Y Cyngorydd J Williams  
Y Cyngorydd W Lewis    Y Cyngorydd D Williams  
Y Cyngorydd S Powderhill

**Swyddogion oedd yn bresennol**

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

**Y Cyngorwyr Bwrdeistref Sirol eraill oedd yn bresennol**

Y Cyngorydd M Adams

Y Cyngorydd J Elliott

**26 YMDDIHEURIADAU AM ABSENOLDEB**

Daeth ymddiheuriadau am absenoldeb gan Gyngorwyr y Fwrdeistref Sirol G Hughes, D Grehan a W Owen.

**27 DATGAN BUDDIANT**

Yn unol â Chod Ymddygiad y Cyngor, cafodd y datganiadau o fuddiant canlynol eu gwneud:-

- 1) Roedd Cyngorydd y Fwrdeistref Sirol P Jarman wedi datgan buddiant mewn perthynas â chais 20 1182: Datblygu pum annedd ar wahân (Cymeradwyo'r materion wedi'u cadw'n ôl yn unol â rhoi caniatâd amlinellol ar 14/1308/13, fel yr estynnwyd gyda 19/0334/15) (Derbyniwyd Cynlluniau Diwygiedig ar 23/03/2021). HEN SAFLE LLYFRGELL CWM-BACH, RHES MORGAN, CWM-BACH, ABERDÂR  
"Rydw i'n adnabod yr ymgeisydd, ac yntau'n trigolyn lleol, ac mae'r ymgeisydd wedi cysylltu â fi ynghylch dyddiad/amser yr ymweliad â'r safle."
- 2) Dywedodd Cyngorydd y Fwrdeistref Sirol S Rees ei bod hi'n bosibl y bydd angen iddi ddatgan buddiant personol a buddiant sy'n rhagfarnu mewn perthynas â chais 21/0665/10: Dwy uned gofal preswyl gyda phedair fflat dwy ystafell wely hunangynhwysol ymhob uned. Adeilad ar wahân i'w ddefnyddio fel swyddfa a golchdy. Tir ger 74 Stryd Corbett, Treherbert, Treorci, CF42 5ET

Roedd y Cyngorydd yn meddwl ei bod hi'n adnabod y siaradwr cyhoeddus sy'n siarad ar ran yr ymgeisydd o'i swydd flaenorol ond ni fyddai modd iddi gadarnhau nes ei bod hi'n gweld y siaradwr.

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

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

**29 DEDDF LLESIANT CENEDLAETHAU'R DYFODOL (CYMRU) 2015**

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

**30 Cofnodion**

**PENDERFYNWYD** cadarnhau'r cofnodion o gyfarfod y Pwyllgor Cynllunio a Datblygu a gynhaliwyd ar 20 Mai 2021 yn rhai cywir.

**31 NEWID I DREFN YR AGENDA**

Cytunodd y Pwyllgor y byddai'r agenda yn cael ei ystyried mewn trefn wahanol yn unol â'r manylion yn y cofnodion isod.

**32 CAIS RHIF: 21/0023/10**

**Dec uchel yn yr ardd gefn (Derbyniwyd Cynllun Lleoliad y Safle Diwygiedig a Chynllun Bloc 30/06/21) 6 Bryn y Rhosyn Coch, Pentre, CF41 7PU**

Yn unol â'r gweithdrefnau a gafodd eu mabwysiadu, derbyniodd y Pwyllgor y siaradwyr cyhoeddus canlynol a gafodd bum munud yr un i annerch yr Aelodau ynglŷn â'r cynnig uchod:

- Mrs C Wall - Ymgeisydd
- Mr S Wall - Ymgeisydd

Cyflwynodd y Pennaeth Materion Datblygu a Buddsoddi Sylweddol y cais uchod i'r Pwyllgor. Yn dilyn trafodaeth, **PENDERFYNWYD** cymeradwyo'r cais yn unol ag argymhelliad y Cyfarwyddwr - Materion Ffyniant a Datblygu.

(**Nodyn:** Ymatalodd Cyngorydd y Fwrdeistref Sirol S Powderhill o'r bleidlais gan nad oedd e'n bresennol ar gyfer y ddatl gyfan.)

**33 CAIS RHIF: 21/0665/10**

**Dec uchel yn yr ardd gefn (Derbyniwyd Cynllun Lleoliad y Safle Diwygiedig a Chynllun Bloc 30/06/21) 6 Bryn y Rhosyn Coch, Pentre, CF41 7PU**

Yn unol â'r gweithdrefnau a gafodd eu mabwysiadu, derbyniodd y Pwyllgor y siaradwyr cyhoeddus canlynol a gafodd bum munud yr un i annerch yr Aelodau ynglŷn â'r cynnig uchod:

- Mrs C Wall - Ymgeisydd
- Mr S Wall - Ymgeisydd

Cyflwynodd y Pennaeth Materion Datblygu a Buddsoddi Sylweddol y cais uchod i'r Pwyllgor. Yn dilyn trafodaeth, **PENDERFYNWYD** cymeradwyo'r cais yn unol ag argymhelliad y Cyfarwyddwr - Materion Ffyniant a Datblygu.

**(Nodyn:** Ymatalodd Cynghorydd y Fwrdeistref Sirol S Powderhill o'r bleidlais gan nad oedd e'n bresennol ar gyfer y ddatl gyfan.)

**34 CAIS RHIF: 20/0882**

**Cais amlinellol ar gyfer 3 annedd preswyl a ffordd fynediad (pob mater wedi'i gadw (derbyniwyd Cynlluniau Ychwanegol 16/11/2020 a 17/12/2020) (derbyniwyd yr Arolwg Ecolig 18/06/21) Sunnyside, Ffordd Hirwaun, Pen-y-waun, Aberdâr, CF44 9LL**

Cyflwynodd y Pennaeth Datblygu Mawr a Buddsoddi'r cais gan siarad am y newid i'r ffordd y mae Amod 1 wedi'i ysgrifennu:

1. (a) Rhaid i fanylion y cynllun, mynedfa, graddfa, ymddangosiad a thirlunio (a elwir yn "materion wedi'u cadw'n ôl" o hyn ymlaen) gael eu cyflwyno'n ysgrifenedig a'u cymeradwyo gan yr Awdurdod Cynllunio Lleol cyn i unrhyw waith datblygu ddechrau a rhaid i'r datblygiad gael ei gwblhau fel y'i cymeradwywyd.  
  
(b) Rhaid i unrhyw geisiadau am gymeradwyo'r materion wedi'u cadw'n ôl gael eu cyflwyno i'r awdurdod cynllunio lleol heb fod yn hwyrach na 3 blynedd o ddyddiad y caniatâd hwn.  
  
(c) Bydd y datblygiad sy'n cael ei ganiatáu drwy hyn yn dechrau cyn diwedd pum mlynedd o ddyddiad y caniatâd cynllunio yma neu cyn pen dwy flynedd o ddyddiad cymeradwyo'r materion wedi'u cadw'n ôl, p'un bynnag yw'r hwyrach.

Rhesymau:Cydymffurfio ag Adrannau 92 a 93 o Ddeddf Cynllunio Gwlad a Thref 1990.

Yn dilyn trafodaeth, **PENDERFYNNODD** y Pwyllgor gymeradwyo'r cais yn unol ag argymhellion y Cyfarwyddwr Materion Ffyniant a Datblygu, yn amodol ar ychwanegu'r Amodau sydd wedi'u hamlinellu uchod.

**35 CAIS RHIF: 21/0613**

**Newid defnydd o siop nwyddau'r fyddin (A1) i siop gwrw a bar coctel (A3) gyda drws ffrynt â rholer. 12 Stryd y Farchnad, Pontypridd CF37 2ST**

Nododd y Pwyllgor nad oedd Mr C Rees (Ymgeisydd) a oedd wedi gofyn i annerch yr Aelodau ar y cais yn bresennol i wneud hynny.

Cyflwynodd y Pennaeth Materion Datblygu a Buddsoddi Sylweddol y cais i'r Pwyllgor. Ar ôl trafod y cynnig, **PENDERFYNWYD** gohirio'r cais er mwyn i'r Pwyllgor Cynllunio a Datblygu gynnal Archwiliad o'r Safle i ystyried effaith cerddoriaeth o'r safle ar yr ardal gyfagos.

**36 CAIS RHIF: 21/0760/15**

**Amrywio Amod 1 - terfyn amser (16/0391/13) Tir i'r de o 186 Heol y Dwyrain, Tylorstown, Glynrhedynog, CF43 3BY**

Siaradodd yr Aelod Lleol, Cynghorydd y Fwrdeistref Sirol M Adams, nad yw'n Aelod o'r Pwyllgor, am y cais gan fynegi ei bryderon ynghylch orddatblygu ar y safle, nododd ei fod e ddim yn gwrthwynebu'r cais, er gwaetha'i bryderon.

Cyflwynodd y Pennaeth Materion Datblygu a Buddsoddi Sylweddol y cais uchod i'r Pwyllgor. Yn dilyn trafodaeth, **PENDERFYNWYD** cymeradwyo'r cais yn unol ag argymhelliad y Cyfarwyddwr - Materion Ffyniant a Datblygu.

**37 CAIS RHIF: 21/0974/10**

**Estyniad deulawr yn y cefn. 236 Heol Brithweunydd, Trealaw, Tonypandy CF40 2PB.**

Cyflwynodd y Pennaeth Materion Datblygu a Buddsoddi Sylweddol y cais uchod i'r Pwyllgor. Yn dilyn trafodaeth, **PENDERFYNWYD** cymeradwyo'r cais yn unol ag argymhelliad y Cyfarwyddwr - Materion Ffyniant a Datblygu.

**38 CAIS RHIF: 20 1182**

**Datblygu pum annedd ar wahân (Cymeradwyo'r materion wedi'u cadw'n ôl yn unol â rhoi caniatâd amlinellol ar 14/1308/13, fel yr estynnwyd gyda 19/0334/15) (Derbyniwyd Cynlluniau Diwygiedig ar 23/03/2021). HEN SAFLE LLYFRGELL CWM-BACH, RHES MORGAN, CWM-BACH, ABERDÂR**

Yn dilyn trafodaeth, **PENDERFYNODD** y Pwyllgor gohirio'r penderfyniad mewn perthynas â'r cais i gyfarfod o'r Pwyllgor Cynllunio a Datblygu yn y dyfodol, er mwyn sicrhau bod gan yr aelodau o'r cyhoedd gyfle i fynychu'r cyfarfod a rhannu'u barn â'r Pwyllgor.

**39 CAIS RHIF: 20/0843/10**

**Annedd arfaethedig. Tir rhwng Clwb Rygbi Wattstown a 25 Teras Dan-y-graig, Ynys-hir**

Amlinellodd y Pennaeth Materion Datblygu a Buddsoddi Sylweddol gynnwys



Ilythyr hwyr a dderbyniwyd, oedd o blaid y cais.

Cyflwynodd y Pennaeth Materion Datblygu a Buddsoddi Sylweddol y cais, a gafodd ei gyflwyno'n wreiddiol i'r Pwyllgor ar 3 Rhagfyr 2020, ac roedd yr Aelodau o blaid cymeradwyo'r cais yn groes i argymhelliad y Cyfarwyddwr Gwasanaeth - Materion Cynllunio (Cofnod 47).

O ganlyniad i hyn, penderfynwyd gohirio'r penderfyniad ar y cais er mwyn derbyn adroddiad pellach i dynnu sylw at gryfderau a gwendidau posibl gwneud penderfyniad sy'n mynd yn groes i argymhelliad y swyddog. Felly cafodd y cais ei gyflwyno i gyfarfod y Pwyllgor Cynllunio a Datblygu eto ar 5 Tachwedd 2020.

Yn y cyfarfod hwnnw penderfynodd yr Aelodau ohirio'r cais er mwyn derbyn adroddiad pellach a fydd yn rhoi cyngor ar sefydlogrwydd y safle a'r domen yn y cefn, yn ogystal â goblygiadau'r cwrs dŵr cyfagos sydd i'w gweld yn y ffotograffau o'r safle a gyflwynwyd i'r Aelodau yn ystod y cyfarfod Pwyllgor.

Trafododd yr Aelodau yr adroddiad pellach, a oedd yn tynnu sylw at y cryfderau a'r gwendidau posibl o ran cymeradwyo cais yn groes i argymhelliad swyddogion, ac yn dilyn trafodaeth, roedd gan yr Aelodau bryderon ynghylch sefydlogrwydd y tir y tu cefn i'r safle a diogelwch yr ymgeisydd a'r cyhoedd, **PENDERFYNWYD** gwrthod y cais am y rheswm canlynol:

- Nid yw'r cais yn profi y bydd y llethr y tu cefn i'r safle'n dderbyniol o ran sefydlogrwydd. O ganlyniad i hynny, byddai'r datblygiad yma'n peri risg i ddiogelwch y cyhoedd ac yn mynd yn groes i Bolisi AW 10 Cynllun Datblygu Lleol Rhondda Cynon Taf.

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

**PENDERFYNODD** yr Aelodau dderbyn adroddiad y Cyfarwyddwr Gwasanaeth – Materion Cynllunio mewn perthynas â'r Penderfyniadau Apeliadau Cynllunio a Gorfodi a ddaeth i law, Cymeradwyaethau Penderfyniadau a Gwrthodiadau Dirprwyedig gyda rhesymau, Trosolwg o Achosion Gorfodi a Phenderfyniadau Gorfodi Dirprwyedig ar gyfer y cyfnod 12/07/2021 – 30/07/2021.

**Daeth y cyfarfod i ben am 4.35 pm**

**Y Cyngorydd S Rees  
Cadeirydd.**

tudalen wag



## PLANNING & DEVELOPMENT COMMITTEE

16 SEPTEMBER 2021

### REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

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

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 21/0256/10 (CA)  
**APPLICANT:** Mr D Demery  
**DEVELOPMENT:** Partial change of use from commercial to residential to create two commercial premises and eight flats, along with associated works (Flood Consequence Report received 05/07/2021, Amended Plans received 07/07/2021).  
**LOCATION:** 22-22A CARDIFF STREET, ABERDARE, CF44 7DP  
**DATE REGISTERED:** 07/07/2021  
**ELECTORAL DIVISION:** Aberdare East

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#### **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.

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

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

#### **APPLICATION DETAILS**

This application seeks full planning permission for the conversion and partial change of use from a commercial premises to eight residential flats at 22-22a Cardiff Street, Aberdare.

The layout of the building is proposed as follows:

Basement:

- Commercial floor space accessed from Duke Street.
- Storage space accessed from Duke Street.

#### Ground Floor:

- Commercial floor space accessed from Cardiff Street.
- Bike and refuse storage space.
- 2 no. two bedroom flats

#### First Floor:

- 2 no. two bedroom flats.
- 2 no. three bedroom flats.

#### Second Floor:

- 2 no. two bedroom flats.
- Bedroom space associated with two of the first floor flats.

Whilst one of the commercial spaces would be accessed via Duke Street, the residential space would be accessed via Cardiff Street with access to the upper floor flats via an internal stairwell.

To facilitate the proposed change of use, an additional storey would be added to the existing rear flat roof extension. The additional storey would incorporate a pitched roof design. In addition, several new window openings would be created in the north, south and east elevations of the building.

External materials proposed include smooth render finish and concrete roof tiles.

The application is accompanied by a Flood Consequences Assessment (FCA).

### **SITE APPRAISAL**

The application site consists of a mid-terraced property which is positioned directly adjacent to Cardiff Street to the west and Duke Street to the east. The property is split level to accommodate the topography of the land which slopes gently from west to east.

The site is positioned within the defined retail boundary of Aberdare, which is designated as a Principal Town Centre within the retail hierarchy. Surrounding land is most commonly made up of commercial and residential properties.

In addition, the site is partially located within the C2 Flood Zone.

### **PLANNING HISTORY**

20/0823/10	Proposed partial change of use from commercial to create 8 flats and associated works.	Refused 16/10/2020
06/1530/10	New restaurant frontage with roller shutters incorporated behind fascia. (Re-submission). Amended plans received 15/11/06.	Granted 05/12/2006

06/0519/10          New restaurant frontage with roller shutters          Refused  
incorporated behind fascia          14/06/2006

## **PUBLICITY**

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

Although no letters of objection or representation were received directly by Planning Services, the department was made aware, via the Local Member, of the following concern raised by a local resident:

1. There is a lack of car parking within Aberdare to accommodate the proposed flats.

## **CONSULTATION**

### Highways:

No objections, no conditions recommended.

### Drainage:

No response received.

### Public Health and Protection:

No objections, conditions recommended.

### Ecology:

No objections.

### Waste Services:

No objections.

### Dwr Cymru Welsh Water:

No objections, conditions recommended.

### Natural Resources Wales:

No objections.

## **POLICY CONTEXT**

### Rhondda Cynon Taf Local Development Plan:

The application site is situated within the Northern Strategy Area and within the settlement boundary.

In addition, the site is positioned within the defined retail boundary of Aberdare, which is designated as a Principle Town Centre within the retail hierarchy, and is partially located within the C2 Flood Zone.

The following policies are considered to be of particular relevance to this application:

**Policy CS1 – Development in the North:** Advises that in the Northern Strategy Area, emphasis will be given to building strong, sustainable communities and promoting commercial development in locations which support and reinforce the roles of Principal Towns and Key Settlements.

**Policy AW1 – Supply of New Housing:** Sets out how the housing land requirement in Rhondda Cynon Taf will be met.

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

**Policy AW5 – New Development:** Sets out criteria for new development in relation to amenity and accessibility and requires development to have no unacceptable effect on the character and appearance of the site or surrounding area and no significant impact on the amenities of neighbouring occupiers. Proposals are also required to be accessible to the local and wider community by sustainable modes of transport, to have safe access to the highway network, and to not cause traffic congestion or exacerbate existing traffic congestion.

**Policy AW6 – Design and Placemaking:** Requires development to involve a high quality design and reinforce attractive qualities, make a positive contribution to the street scene and have a high level of connectivity and accessibility to existing centres by a wide range of sustainable transport.

**Policy AW10 – Environmental Protection and Public Health:** This policy provides that development proposals will not be permitted where they would cause or result in a risk of unacceptable harm to health and/or local amenity because of issues such as noise, air or light pollution, flooding or any other identified risk to the environment, local amenity and public health and safety.

**Policy AW11 – Existing Employment and Retail Uses:** Development proposals promoting alternative uses for retail units identified within the defined retail centres will be permitted where the site is not identified by the allocating policies and the retention of retail sites for retail purposes has been fully explored without success by way of marketing for appropriate retail purposes, at reasonable market rates for a minimum of 12 months (continuous).

**Policy NSA 1 – Development in the Principal Town of Aberdare:** This policy is concerned with development in the Principal Town of Aberdare and sets criteria for the types of development that will be considered acceptable in the town.

**Policy NSA10 – Housing Density:** This policy states that proposals for residential development in the Northern Strategy Area, should be a minimum of 30 dwellings per hectare.

**Policy NSA12 – Housing Development Within and Adjacent to Settlement Boundaries:** This policy provides for housing development within defined settlement boundaries, where it can be demonstrated that the proposal does not adversely affect

the provision of car parking in the surrounding area, and that the proposal is accessible to local services on foot, cycle or utilising a range of sustainable transport options.

**Policy NSA18 – The Retail Hierarchy:** This policy sets out the retail hierarchy for the Northern Strategy Area and defines Aberdare as a Principal Town. It continues that proposals for Class A development will be permitted where it enhances a centre's role in the retail hierarchy.

**Policy NSA19 – Retail Development in Principle Towns and Key Settlements:** Sets out the criteria for new and improved retail facilities and other uses that are appropriate within the town centre will be permitted within the retail centre of Aberdare.

Supplementary Planning Guidance:

Design and Placemaking

Access, Circulation and Parking

Development of Flats – Conversion and New Build

Design in Town Centres

National Guidance:

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

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

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

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

Other policy guidance considered:

PPW Technical Advice Note (TAN) 4 – Retail and Commercial Development

PPW TAN 12 – Design

PPW TAN 15 – Development and Flood Risk

## **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 site is located within the defined settlement boundary and is therefore generally supported by Policies AW1, AW2 and NSA12.

The site is situated within the Principal Town of Aberdare (as defined by Policy NSA18) and is therefore considered to be a highly sustainable location with good access to a number of key local services and facilities as well as good access to a range of sustainable modes of transport, with both a bus and train station located within easy walking distance. The site is also conducive to travel to and from on foot and bicycle. The proposal would therefore comply with the key sustainability objectives of Policy AW2 of the Rhondda Cynon Taf Local Development Plan.

Further requirements of Policy AW2 seek to ensure that proposed developments would not conflict with existing uses in the area and given the town centre location of the site, the proposed commercial use within the lower floors of the building would be typical of the surrounding area. Furthermore, residential flats on upper floors are generally supported as they provide a sustainable form of living whilst also contributing to the daytime and evening economy of the centre and subsequently adding to the vitality and viability of the town. It is therefore not considered that the part-residential use of the site would unacceptably conflict with the predominantly retail character of the town, particularly given there are already a number of flats above shops in the immediate and wider vicinity.

Policy CS1 (Development in the North) further promotes residential and commercial development in locations which support and reinforce the roles of Principal Towns as well as the removal and remediation of dereliction by promoting the re-use of under used and previously developed land and buildings, such as the existing building, which currently does not add any aesthetic value to the wider area.

Policy NSA12 seeks to ensure that development is carried out within the defined settlement boundary provided that the development does not adversely affect the highway network and is accessible to local services by a range of modes of transport, including on foot or bicycle, and providing that it does not adversely affect the provision of car parking in the surrounding area. As noted above, the site is situated within a highly sustainable location with access to both a bus and train station however, due to its town centre location no provision has been or can be made for off-street car parking. Whilst the Council's Highways and Transportation Section raise some concerns in this regard, no objection has been raised and the proposal is therefore considered to comply with Policy NSA12 (the impact of the proposal on highway safety is discussed in more detail below).



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

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

Several properties within the immediate locality contain commercial units on their ground floors with flats above. As such, the proposed use of the building would not be out of character with the surrounding land use. The plans do not however specify what use class the commercial units would fall within and in order ensure they are appropriate to the location it is considered fitting to condition them as either A1 or A2.

In terms of the front façade of the building, this would remain largely as existing and it is not considered that the overall appearance of Cardiff Street would significantly differ as a result of the change of use and associated works.

The extension to the rear of the property would however be a notable addition to the street scene and would be widely visible from the immediate area due to its prominent location which directly backs onto Duke Street. The rear of the site currently contains a substantial flat roof modern addition which has no architectural or visual merit and is not considered to positively contribute to the character and appearance of the area. It is this aspect of the building that would be extended through the addition of another storey which would incorporate a pitched roof. Although the building would increase in height, it would be set down from the main part of the building which fronts Cardiff Street and would also be lower in height than several other properties within the immediate area. In addition, it is considered that the pitched roof design would represent a visual improvement when compared to the existing flat roof.

It is also noted that the existing building is vacant and in a poor state of repair that is likely to further deteriorate should the building remain unused. The proposal would bring this building back to beneficial use and also enable its long term maintenance.

Based on the above, it is considered that the proposal would not adversely impact upon the character and appearance of the area but would rather have the potential to improve it.

**Impact on Amenity:**

It is acknowledged that this application is a re-submission of a previously refused application (Ref: 20/0823/10) whereby concerns were raised regarding the quality of the accommodation for the occupiers of the flats. The previous concerns included the fact that accommodation was proposed within the building's basement and that many of the new windows faced into the shared access stairwell, thereby providing poor outlook. In addition, concerns were raised regarding the location of the bike and bin storage within the rear of the basement. Based on the current plans, it is considered that the concerns relating to the refused application regarding residential amenity have been overcome as no residential accommodation is proposed within the building's basement and no windows now face the shared access stairwell. In addition, bike and bin storage has been moved to the front of the building.

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. In addition, the SPG indicates that flats should have a main entrance to the front of the building and have access to either private or communal outdoor space. All eight of the flats would be accessed via a shared entrance to the front of the building which would be separate from the main shop front. It is noted that the site is not capable of providing outdoor private or shared amenity space, however given the building is located in close proximity to a number of public amenity spaces, it is not considered that this issue would be significant enough to warrant the refusal of the application.

The SPG 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. Whilst the proposed use would reflect surrounding land uses, it is accepted that a degree of noise/disturbance would inevitably occur from the development. It is however considered that a greater degree of general noise it is to be expected within a town centre location when compared to a purely residential location. As such it is not considered that any adverse impact relating to noise/disturbance would be so severe as to warrant the refusal of the application.

There is some concern that the additional windows positioned on the side elevations of the building would result in some overlooking to adjacent properties. However, buildings within this section of Cardiff Street are located within close proximity to one another and mutual overlooking between buildings currently already occurs. It is not considered that the level of overlooking would be exacerbated to such a degree that it would warrant the refusal of the application. It is however considered appropriate to apply a condition restricting the windows to be inward opening only.

The application incorporates the extension to the existing building through the addition of a further storey. As such, the height of part of the building would increase and some additional overshadowing would therefore occur to adjacent properties. It is not however considered that the additional overshadowing would be severe. In addition, the finished height of the extension would be reflective of existing buildings within the street and is not considered to form an overbearing feature.

It is noted that no letters of objection have been received from the occupiers of surrounding properties following the consultation process.

Overall, in terms of the impact on the amenity and privacy of neighbouring residents, as well as the suitability of the proposed flats for their 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 and raise some concern that long term residential parking would take place in the residential streets which surround the application site, which would be detrimental to the safety of all highway users and the free flow of traffic.

However, taking into account the sustainable location of the application site, which is situated in Zone 1 and is a Principle Town, as well as the existing restrictions which prevent on-street parking and the close proximity of the public car park which can be utilised free of charge from 6pm until 8am, no objections are raised. As such, the impact upon highway safety is not considered to be so severe as to warrant the refusal of the application.

**Flood Risk:**

The application proposes highly vulnerable development within an area that is confirmed to be partially within Zone C2 of the Development Advice Map (DAM) contained in TAN 15: Development and Flood Risk. The policy guidance set out in TAN 15 prohibits highly vulnerable development in Zone C2 and this is echoed in Policy AW2 of the Rhondda Cynon Taf Local Development Plan. However, the highly vulnerable element of the proposal is situated on the upper floors and therefore likely to be above any potential flood depths should a flood event occur at this location. In addition, access to the residential accommodation would be located outside of Zone C2 and therefore should a flood event occur, occupiers of the flats would have a means of escape. It is noted that the basement level of the property and partial ground floor would contain a retail use, which is considered to be less vulnerable development.

Whilst it is acknowledged that the proposal cannot meet the tests set out in paragraph 6.2 of TAN 15, the site is clearly previously developed land within a densely developed area and the proposal would have inevitable regeneration benefits in terms of bringing a vacant site back into use. Furthermore, the application is supported by a Flood Consequences Assessment (FCA) which fully considers the issues of flooding. Based on this and the above, NRW have raised no objections to the proposal.

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

**Conclusion:**

The proposed conversion and extension of the building is considered to be acceptable in principle. The site is situated within a highly sustainable location with good access to a number of key local services and facilities as well as to a range of sustainable transport options. The proposed use of the site would not raise any compatibility issues in the surrounding area.

The proposal would be in-keeping with the general character, scale, design and overall visual appearance of existing properties in the surrounding area and the reuse of the site would inevitably improve the visual appearance of the immediate and wider area.

The building would have a limited impact upon the occupants of surrounding properties whilst potential future occupiers of the flats would benefit from adequate living accommodation.

Whilst the proposal does not provide any off-street car parking provision, the town centre location of the site ensures that public transport, local amenities and public car parks are all within easy walking distance which would result in less reliance on the private motor vehicle for the main mode of transport.

**RECOMMENDATION: APPROVE SUBJECT TO THE FOLLOWING CONDITIONS:**

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

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

2. The development hereby approved shall be carried out in accordance with the following approved plans:

- Location Plan and Proposed Site Plan (shown on Drawing No: 2020-06-03 Rev A), dated 07/07/2021;
- Proposed Elevations, Floor Plans & Sections (Drawing No: 2020-06-02 Rev A), dated 07/07/2021

and documents received by the Local Planning Authority on 22/02/2021 and 05/02/2021, 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.

3. Notwithstanding the approved plans, building operations shall not be commenced until details of the finishing materials proposed to be used have been submitted to and approved in writing by the Local Planning Authority. The proposed development shall be finished and maintained in accordance with the approved details.

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

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting

that Order), the basement and ground floor retail units hereby approved shall be restricted to uses falling within Class A1 or Class A2 only.

Reason: To define and limit the extent of the permission.

5. The public opening hours of the basement and ground floor retail units hereby approved shall be as follows:

Monday to Saturday:	09:00 Hours to 22:00 Hours
Sunday:	10:00 House to 20:00 Hours
Bank Holidays:	Closed

Reason: To define the scope of the permitted use and in the interest of the amenity of neighbouring occupiers in accordance with Policies AW2, AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

6. The windows to be created in the side (south east and north west) elevations shall be inward opening only and permanently retained in that condition thereafter.

Reason: To protect the amenities of nearby occupiers, in accordance with Policy AW 5 of the Rhondda Cynon Taf Local Development Plan.

7. The storage area located within the basement of the development hereby approved shall only be used for purposes incidental to the approved uses within 22-22a Cardiff Street, Aberdare. As such, it shall not form a separate planning unit and no separate trade or business shall be carried out therefrom.

Reason: In the interest of amenity, in accordance with Policy AW 5 of the Rhondda Cynon Taf Local Development Plan.

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## **PLANNING & DEVELOPMENT COMMITTEE**

**16 SEPTEMBER 2021**

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

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

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 21/0521/10 (MF)  
**APPLICANT:** Mrs L Bruford  
**DEVELOPMENT:** Erection of outbuilding and alterations to existing decking in rear garden, and erection of fence to rear and southern side of boundaries of rear garden (amended plans received 16/08/21).  
**LOCATION:** PHILDEN BUNGALOW, RHYS STREET, TREALAW, TONYPANDY, CF40 2QQ  
**DATE REGISTERED:** 16/08/2021  
**ELECTORAL DIVISION:** Trealaw

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**RECOMMENDATION:** Approve

**REASONS:** The proposed development 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.

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

Three or more letters of objection have been received.

#### **APPLICATION DETAILS**

The application seeks consent for the alteration/retention of a section of raised decking to the rear of Philden Bungalow and the construction of a new outbuilding and boundary fence to the rear of the site.

A raised deck has been erected to the rear of the dwelling. It measures 5.5m in depth, 15m in width, and to a maximum of 2.5m in height above the prevailing ground levels. A 1m high glass privacy screen has been erected around the edge of the structure and a set of steps are partially constructed that lead to the south-western side. The applicant has detailed that the decking has been constructed to allow safe access

to/from the house as well as to provide a level amenity area due to the terraced nature of the garden.

The deck has been constructed without the necessary planning permission and was subject of a previous retrospective planning application for its retention, application ref. 20/0654/10. The earlier application was refused as it was considered the raised decking area, by virtue of its excessive scale, design and elevated height has a significant detrimental impact upon the character and appearance of the host dwelling and the surrounding locality; and also a significant detrimental impact upon the residential amenity and privacy standards previously enjoyed by the surrounding neighbours by way of overlooking and overbearing impacts.

In light of the previous refusal the applicant has amended the scheme and submitted this resubmission application in an attempt to overcome the earlier concerns.

It is detailed that the raised deck would be altered from its current design to result in only a 1m deep section abutting the back of the house remaining at the current height, approximately 1m above the original ground level; with the next section transitioning into a set of steps that lead down to a lower raised area set just above the previous patio level, between 50mm and 300mm above the original ground level here. This lower section would however protrude approximately 300mm past the edge of the original patio area and would therefore be 1.1m above ground level at this point due to the terraced nature of the garden. The structure would measure 13m in width including a set of steps down to the garden at the south-western side. It is detailed that balustrades would be positioned around the edge of the proposed decking but no details regarding their height and design have been provided.

The application also proposes a garden outbuilding at the rear of the site, at existing ground levels, measuring 7m in width, 6m in depth and between 2.7m and 2.9m in height. 2 no. windows and 1 no. patio door are proposed within the front elevation, facing south into the wider garden area.

It is also proposed a 1.5m high feather edge timber fence be erected above the existing boundary wall at the southern side of the rear garden, and a 2m high feather edge timber fence by erected along the western (rear) boundary of the garden.

Given the difference in ground levels between the garden and the adjacent street, and from the rear of the dwelling to the back of the garden area, the wall/fence along the southern side boundary would have an overall height of between 2m to 4.1m from street level. The fence along the western rear boundary would be set at ground level and would be 2m above ground for its entire length.

Members are advised that amended plans were received on 16<sup>th</sup> August 2021. The amended plans did not propose any alterations to the scheme as originally submitted. It was noted during the officer site visit that there were several discrepancies between



the plans and that they were not representative of the existing site layout and that proposed. As such the amended plans were simply submitted to overcome the errors.

## **SITE APPRAISAL**

The application property is a detached dwelling located within an established residential area of Trealaw. The property occupies a corner plot and is directly adjacent to the highways at Miskin Road with Rhys Street. Owing to the topography of the immediate area the associated rear garden, as with most rear gardens in the vicinity, is tiered, falling away from the property.

The dwelling has an elevated, level, timber decking extending out from the rear before falling steeply towards a lower garden area. The raised decking has been partially erected but would be altered as set out above should Members be minded to approve the application. Works on the proposed outbuilding and fence had not commenced at the time of the officer site visit.

The surrounding area is predominantly residential in nature comprising linear rows of traditional terraced dwellings. There are no examples of large, raised terrace structures comparable to that currently constructed at the application site within the locality, however, there are examples of smaller, lower structures.

## **PLANNING HISTORY**

Previous planning applications submitted at the site:

20/0654/10: Retention of raised decking area and erection of an outbuilding in rear garden.

Decision: Refused, 28/10/2020

## **PUBLICITY**

The application has been advertised by direct notification to 8 no. neighbouring properties (originally and following the submission of amended plans). Letters of objection have been received from 4 no. surrounding residents and are summarised below:

- Overbearing nature of the decking due to its scale, design and height.
- Loss of privacy due to elevated height of decking.
- Prevailing views of the proposal from a distance.
- Loss of light due to elevated height of decking.
- Unacceptable precedent for future development.
- Poor design / incongruous and dominant addition.
- Concerns with accuracy of the plans submitted.

## CONSULTATION

None undertaken

## POLICY CONTEXT

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

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

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

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

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

Given the 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 national policy guidance consulted:

## **REASONS FOR REACHING THE RECOMMENDATION**

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

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

### **Main Issues:**

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

The application relates to an area of raised decking, an outbuilding and boundary fence within the curtilage of an existing residential dwelling, each proposed to enhance the living conditions for residents at the site. The principle of development is therefore considered acceptable subject to compliance with the relevant material considerations set out below.

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

Policy AW5 stipulates that the scale, form and design of a development should not have a detrimental effect on the site or surrounding area. Similarly, Policy AW6 is supportive of proposals that are of a high standard of design, reinforce attractive qualities, and that are appropriate to the local context. Additionally, in respect of elevated decking, the Council's SPG: A Design Guide for Householder Development states that raised decks will not normally be permitted where they can be seen from a variety of public viewpoints or are detrimental to neighbouring properties. The SPG also suggests that the distance between original ground levels and raised decking surfaces should be minimised.

As set out above, it is considered the decking as currently built results in a significant detrimental impact upon the character and appearance of the host dwelling and surrounding locality. However, the applicant has amended the scheme and proposes radical alterations to its scale, design and height. The alterations would result in the significant majority of the lower deck area being within permitted development limits, i.e. no more than 300mm above existing ground levels, barring the very tail end of the structure at the rear. As such, it is considered the only area of contention would now be the small 1m deep upper section that abuts the dwelling.

Given the terrace nature of the rear garden area some form of raised structure would always be required here to allow safe access to/from the dwelling/garden, as existed previously. Therefore, whilst it is accepted this element of the scheme will still result in a visible feature, at only 1m in depth, it is considered unlikely that this area would be overly prominent from outside of the site. Further, given its minor depth, it could not be used in any fashion other than transitory, allowing movement between the lower decking area and the house.

Subsequently, whilst prevailing views of the proposal would still be available from public vantage points, it is considered the lowering of the height of the majority of the decking and the general reduction in its scale would ensure that it does not appear overly dominant or incongruous in relation to the visual amenity of the existing dwelling or wider area.

It is also noted that the amenity spaces to the rear of all dwellings of this row are sited below the ground level of the dwellings and as a result several gardens feature a gradual stepping of levels to ensure a usable rear amenity area. The new decking would ensure that the prevalent fall in site levels to the rear garden of Philden Bungalow is maintained, with only a small section needing to be raised above the original garden levels to ensure the use of the decking in a safe manner. The examples of garden levelling within close proximity to the application site are of a similar scale to that now proposed and as such, it is considered the amended proposal would be typical of the area and within the limits of acceptability in respect of its potential visual impact.

It is acknowledged the proposed balustrade that would enclose the decking has not been shown in any great detail, but it is considered an acceptable enclosure could be erected that would have no visual impact. Therefore, should Members be minded to approve the application, a condition is recommended below requiring further details of the balustrade be submitted to and approved by the LPA before any further development takes place.

No objections are raised regarding the proposed outbuilding's impact upon the visual amenity of the dwelling or wider area. It is considered to be of a reasonable, residential scale and design that would not appear out of place within the site or any other garden in the surrounding area.

Furthermore, whilst the new boundary fence above the existing wall to the southern side of the garden would inevitably result in a highly visible feature within the street scene, it would be of a comparable design and scale to the existing boundary wall/fence that runs along the same boundary at the adjacent property to the rear of the site. As such it would essentially form a continuation of the neighbouring boundary treatment and would not be out of character in visual terms.

In line with the above, whilst the objector's concerns are acknowledged, the proposed amended raised decking area and proposed outbuilding and fence are considered to

have an acceptable impact upon the character and appearance of the rear amenity area of the host dwelling and the wider area. The proposal is therefore considered to be in accordance with the relevant policies of the Local Development Plan (AW5 and AW6) and Supplementary Planning Guidance in this regard.

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

It is considered the decking as currently built results in a significant detrimental impact upon the amenity and privacy standards previously enjoyed by surrounding residents. However, as set out above, the applicant has amended the scheme and proposes radical alterations to its scale, design and height.

The amended scheme would result in the majority of the lower decking area being within the dwelling's permitted development allowance, with only a very small section to the rear exceeding these limits (approximately 300mm). It is subsequently considered that the proposed lower decking area will offer no greater vantage points or opportunities for overlooking between dwellings than that which would have previously occurred from the original patio area. Moreover, the introduction of privacy screens / balustrade would actually improve the previous situation, increasing the of privacy levels for adjacent properties.

There is however some concern with regard to the elevated height of the upper platform, but as mentioned previously, this aspect of the proposal is required for safe access to/from the property and is considered to be transitory in nature only. Therefore, as the platform is only 1m in depth, it is not considered that it would be in intensive usage. Furthermore, the existing tiered garden at Philden Bungalow has resulted in historic overlooking to the rear amenity areas and fenestrations of adjacent occupiers. Therefore, it is not considered that this small aspect of proposed decking would result in such a material degradation of the amenity of the neighbouring occupiers as to result in the refusal of this application.

Given the minor scale and height of the proposed outbuilding, it is not considered it would result in any undue impact upon the amenities and privacy of any adjacent occupier.

Further, whilst the new boundary fence at the southern side of the garden would be of a considerable height at some sections, it would be stied away from any of the neighbouring properties and would result in no undue impact upon their amenities.

Subsequently, whilst the objector's concerns are acknowledged and it is acceptable that a degree of impact would inevitably occur to the privacy and amenity standards enjoyed by surrounding residents, it is considered that the previous concerns have been overcome and that any potential impact would not be significant enough to warrant refusal of the application.

It is therefore considered the proposal generally complies with the relevant policies of the Local Development Plan (AW5 and AW6) in this regard.

### **Neighbour Consultation Responses**

Where the issues raised by the objectors are not addressed above, the following additional comments are offered:

It is noted that an objector commented that the plans submitted had inaccuracies and were not representative of the existing site and that proposed. Following a visit to site these concerns were confirmed by the officer and as set out above, amended plans received on 16<sup>th</sup> August 2021 overcome this issue. The plans currently before Members for determination are now accurate.

### **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**

Whilst it is accepted a degree of impact would inevitably occur to the residential amenity and privacy levels previously enjoyed by surrounding residents, it is not considered any impact would be significant enough to warrant refusal of the application. Further, it is not considered the amended structure, outbuilding or fence would result in a significant impact to the visual amenity of the site or surrounding locality. The application is therefore considered to generally comply with the relevant policies of the Local Development Plan (AW5 and AW6) and the application recommended for approval.

### **RECOMMENDATION: Grant**

1. Within 56 days of the date of this consent the existing decking structure shall be altered in accordance the plans hereby approved.

Reason: To protect the privacy and amenity of surrounding residents, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

2. The development hereby approved shall be carried out in accordance with the approved plans ref:
  - Bruford curtilage floors plan

- Decking rear elevation
- Decking side elevation
- Fence specification
- Fence A
- Fence B

and documents received by the Local Planning Authority on 08/04/21, 14/04/21 and 08/08/21 unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

3. Notwithstanding the plans hereby approved, the proposed decking area shall not be brought into beneficial use until full details of the design, materials and position of the privacy screen to be erected around the edge of the new deck structure have been submitted to and approved in writing by the Local Planning Authority; and the enclosure has been installed in accordance with those approved details. The privacy screen shall be thereafter be maintained in perpetuity.

Reason: In order to maintain the privacy and amenity of surrounding residents, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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## **PLANNING & DEVELOPMENT COMMITTEE**

**16 SEPTEMBER 2021**

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

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

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 21/0924/10 (GD)  
**APPLICANT:** Edwards Investments  
**DEVELOPMENT:** External and internal alterations to existing use class A1 (Shops) and facilitate additional use classes - A2 (Financial and Professional), A3 (Food and Drink) and B1 (Business) and external hard landscaping to be upgraded on ground floor and basement.  
**LOCATION:** GROUND FLOOR AND BASEMENT AT 56 - 58 TAFF STREET, PONTYPRIDD, CF37 4TD  
**DATE REGISTERED:** 29/06/2021  
**ELECTORAL DIVISION:** Town (Pontypridd)

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**RECOMMENDATION:** Approve

#### **REASONS:**

**The principle of the proposed development is considered acceptable in terms of planning policy and the proposed mix of uses represents an innovative use of the primary frontage that will keep it live**

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

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

#### **APPLICATION DETAILS**

This application seeks planning permission for alterations and changes of use to the ground floor and basements areas of 56-58 Taff Street Pontypridd. The basement is currently unused save for a small area that functions as a bin store for the flats on the first and second floors of the building. The ground floor which fronts Taff Street at street level currently functions as an A1 retail use clothes shop.

The application proposes that the ground floor be put to a number of uses in the front half there would be a small café area (use class A3) and a series of stalls for small start-up entrepreneurs to sell goods. The rear half of the first floor would be given over to flexible office space seven individual work pods and toilet facilities (use class B1). The basement would become an A3 bar with associated facilities including beer store and cellar, kitchen facilities and storage along with customer toilets.

In terms of external alterations existing window openings will be reinstated on the western elevation and the existing air conditioning units will be decommissioned and replaced with flush fitting air extraction units. On the rear elevation one window will be reinstated and act as a serving hatch for the external area which itself will be cleared to create a sitting out area for the bar – this will involve the levelling of the area and the erection of a retaining wall to the car park area. The existing access door will also be replaced.

Alterations to the shop front if required, along with any new advertisements will form the subject of separate applications where and when appropriate.

## **SITE APPRAISAL**

The application property is located towards the northern end of Taff Street on its eastern side. The principal frontage of the property is on to Taff Street while the rear of the building faces the Gas Road car park, River Taff and Ynysangharad Park. The property is a substantial building and presents a dominant appearance on this part of Taff Street, it is three storeys with prominent bay windows on its front elevation and four storeys at its rear. Above ground floor level the building has a centrally located light well which draws natural light down into the centre of the building. The building is built in stone with some brick detailing and has a slate roof. The retail unit at ground floor is occupied by Pepp & Co. at the moment and the upper floors have been converted to flats in the last five years and basement remains unoccupied other than for the use of part of it as a bin store. The building appearance on its principal elevations has been improved considerably by the works involved in creating the flats.

In terms of the wider locality the property is situated within the principal shopping area of the town and it also lies within the town centre Conservation Area and is opposite Ynysangharad park which is on the Cadw/ICOMOS register of historic Parks Gardens and Landscapes in Wales.

## **PLANNING HISTORY**

16/0890	Replacement signage scheme	Approved 03/10/2016
16/0013	Installation of shopfront and associated works (retrospective)	Approved 24/03/2016

15/1613	The creation of 2 new flats (first floor) and minor internal alterations to the previously approved layout (additional information received 19 <sup>th</sup> January 2016)	Approved 10/03/2016
15/0688	Installation of new shop front and retention of single ground floor retail unit and refurbishment of external elevations	Approved 03/07/2015
14/1265	Retention and subdivision of ground floor retail units with new shop fronts and the conversion of the upper two floors into residential accommodation for 11 flats with associated works	Approved 25/02/2015
14/0922	Retention of ground floor retail units and new shop front, and the conversion of the two upper floors of the building to new student accommodation and associated works	Withdrawn 19/09/2014
12/1278	Internal and external alterations to create a single A1 retail unit	Approved 07/02/2013
97/2910	New shop front	Approved 15/12/1997
97/2909	Change of shop front	Withdrawn 10/12/1997
56/79/0596	Fire escape	Approved 05/06/1979

## **PUBLICITY**

The application has been advertised by means of site notice and neighbour notification letters and no observations or objections have been received.

## **CONSULTATION**

Transportation Section – No objections or conditions suggested

Natural Resources Wales – have no objections to the proposed development and advise that the developer be made aware of the flood risk to the proposed development and suggest the incorporation of flood resistance/resilience features into the proposed development.

Flood Risk Management – No objection subject to conditions

Public Health & Protection – No objections subject to conditions relating to hours of operation, noise dust and the disposal of waste.

South Wales Fire & Rescue Service – no observations received

South Wales Police – No observations received

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

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

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

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

**Policy SSA1** – offers support for proposals that reinforce the role of Pontypridd as a principal town.

**Policy SSA16** – places Pontypridd at the top of the retail hierarchy in the Southern Strategy Area

**Policy SSA17** – promotes retail development and improvements within principal towns in the southern strategy area

### **Supplementary Planning Guidance**

Design and Placemaking

The Historic Built Environment

Design in Town Centres

Access Circulation and Parking

### **National Guidance**

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

Planning Policy Wales Edition 11 (PPW) was issued on 24<sup>th</sup> February 2021 in conjunction with Future Wales: The National Plan 2040 (FW2040). PPW incorporates the objectives of the Well-being of Future Generations (Wales) Act into town and country planning and sets out Welsh Government's (WG) policy on planning issues

relevant to the determination of all planning applications. FW2040 sets out the National Development Framework for Wales (NDF), WGs current position on planning policy at regional and national level.

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

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

- Policy 3 – Supporting Urban Growth – Council land/Placemaking/developers/regeneration/sustainable communities'/exemplar developments.
- Policy 6 - Town Centre First – commercial/retail/education/health/public services
- Policy 8 – Flooding – flooding/flood risk management
- Policy 33 – National Growth Areas Cardiff Newport & the Valleys – SDP/LDP/large schemes.

Other relevant policy guidance consulted:

PPW Technical Advice Note 4: Retailing and Town Centres;  
PPW Technical Advice Note 12: Design;  
PPW Technical Advice Note 15: Development and Flood Risk;  
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.

### **Main Issues:**

In this instance the application relates to a property that lies within defined settlement limits and is also located within the retail centre of Pontypridd and the town centre conservation area. As such the key determinants in the case are considered to be the principle of the proposed development, the impact of the proposal on the character and appearance of the area, the impacts on amenity, access and highway safety and flooding. These issues are addressed in turn below.

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

The nature and location of the proposed development means that it is affected by several layers of planning policy that relate to retailing, town centre vitality and conservation. In this instance the proposed arrangement is such that the proposals satisfy the demands of planning policy. An active street front retailing presence is maintained with the Taff Street ground floor unit being repurposed. The building basement will be renovated to a high standard in a manner that is sympathetic to its conservation area status and the introduction of an A3 use will bring some life to the rear elevation facing the carpark, adding to town centre vibrancy and vitality. The net result of the proposed development in planning policy terms is that all key areas are satisfied by the current proposal.

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

The application property is a substantial and visually prominent building located on the eastern side of Taff Street towards its northern end and at the northern end of the conservation area. The building has been improved in recent years through a substantial refurbishment of the ground first and second floor as a retail unit with flats over and this has delivered substantial improvement to character and appearance of the shopping centre and conservation area. The one element remaining that requires further work is the basement of the building at the rear and the land around it and this application offers the possibility of improving the remaining element of the building that requires improvement.

Consequently, the proposed development is considered to make a positive contribution to the character and appearance of the locality and are considered compliant with the requirements of Local Development Plan policies AW5, AW6 and SSA 1 insofar as they relate to this issue.

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

The current proposals represent the continuation of the refurbishment of the building which is located within the shopping centre of Pontypridd. The upper floors are now at least in part occupied as residential units and the A3 use in the basement might have some adverse impact on residents. However, having regard to the fact that the ground floor would sit between the residential and A3 unit and the fact that this is a town centre location where lower level of privacy and residential amenity would be expected the arrangements are considered acceptable. The proposals do not extend the building in

any way and there would be no additional impact in terms of overshadowing or loss of light beyond that which already exists.

Given the above, the proposals are considered satisfactory in the context of their impact on any residential property around the application site and therefore compliant with the requirements of Local Development Plan policies AW5 and AW6 insofar as they relate to this issue.

## **Flooding**

Though Natural Resources Wales have not raised objection to the proposed development, they note the initial lack of a Flood Consequences Assessment and acknowledge that the proposals could be acceptable subject to the developer being made aware of the potential flood risk and advised to install flood proofing/resistance/resilience measures as part of the development. To that end the applicant has submitted flood consequences assessment in support of the application. The study evaluates the impact of flooding on the proposed development from river flooding and from overland flows. The study concludes that the development will not increase the site's impermeable area and as such will have no impact on local flood risk. The study also suggests appropriate mitigation measures including –

- Finished floor levels being no lower than existing ground floor levels.
- Using flood resistant materials and services being placed as high as practicable to reduce flooding impacts.
- Occupants signing up to NRW's emergency flood warning direct service.
- Safe egress to flood zone 1 remaining available to the west of the site.

The Flood Consequences Assessment concludes taking into account climate change, the vulnerability of its users and the proposed mitigation measures, that the proposed development would be safe for its lifetime and will not increase flood risk elsewhere. Given the above the proposed development is considered acceptable and there is no basis for resisting the current proposals on flooding grounds.

## **Other issues**

Members will note the requirement in the comments of the Public Health & Protection Division relating to noise, dust and the disposal of waste. Whilst the contribution is appreciated these matters are more effectively addressed through other legislation.

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

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

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

## **Conclusion**

The application is considered to comply with the relevant policies of the Local Development Plan that relate to the range of uses proposed and those that aim to preserve the character and appearance of the conservation area. Additionally, the impacts of the proposed development on amenity are manageable and acceptable. The flooding issues has been adequately addressed. Consequently, a positive recommendation to support the application is made.

## **RECOMMENDATION: Grant**

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

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

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

- Site location plan and block plan drawing no. jw 1037 – 100
- Existing plans and elevations drawing no: jw 1037 – 101
- Existing/proposed plans and elevations drawing no: jw 1037 – 102A
- The Flood Consequences Assessment prepared by STM Environmental dated 24/08/2021.

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

3. There shall be no outside storage whatsoever on the site, unless otherwise agreed in writing by the Local Planning Authority.

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

4. The development for which permission is hereby granted shall not be commenced until full details of the surfacing materials proposed to be used on any roadway, footpath, car park, lay-by, play areas or other paved or



metalled areas have been submitted to and approved, in writing, by the Local Planning Authority and no dwellings shall be occupied until the works have been completed in accordance with the approved details.

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

5. Opening hours for the uses approved under this planning application shall be as follows –

Monday to Friday	08:00 to 23:00 hours
Saturday	08:00 to 23:00 hours
Sunday and Bank Holidays	10:00 to 23:00 hours.

Reason: to ensure that any 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.

6. Deliveries to and collections from the site relating the uses hereby approved are restricted to the following hours of operation –

Monday to Friday	08:00 to 18:00 hours
Saturday	08:00 to 18:00 hours
Sundays and Bank Holidays	10:00 to 16:00 hours

Reason: to ensure that any 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.

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## **PLANNING & DEVELOPMENT COMMITTEE**

**16 SEPTEMBER 2021**

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

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

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 21/0960/10 (JE)  
**APPLICANT:** Mr G Day  
**DEVELOPMENT:** Remove existing raised decking area and install new raised decking to rear of property.  
**LOCATION:** 57 HILLSIDE VIEW, PONTYPRIDD, CF37 2LG  
**DATE REGISTERED:** 07/07/2021  
**ELECTORAL DIVISION:** Town (Pontypridd)

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#### **RECOMMENDATION: APPROVE**

**REASONS:** The application is considered to comply with the relevant policies of the Local Development Plan in respect of its visual impact and the impact it has upon the amenity and privacy of the neighbouring residential properties.

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

The applicant is a serving Elected Member or their immediate family.

#### **APPLICATION DETAILS**

Full planning permission is sought for the removal of an existing raised decking and construction of new raised decking to the rear of 57 Hillside View, Pontypridd, CF37 2LG.

The existing raised decking at the property measures a maximum width of 4.5 metres and protrudes outwards to a depth of 1.8 metres. The existing decking is elevated on posts and measures a maximum height of 1.5 metres above ground level.

The proposed decking would measure a maximum width of 5.6 metres and would incorporate an area to the side of the property within the decking structure. The decking would protrude outwards to a maximum depth of 2.9 metres from the rear elevation with steps accessing the remainder of the rear amenity space alongside the

decking. The proposed decking would also be elevated on posts and measure a maximum height of 1.5 metres above ground level.

## **SITE APPRAISAL**

The application property is a semi detached split level dwelling located within the residential area of Graigwen, Pontypridd. The property is attached on its eastern side elevation and benefits from an area of raised hardstanding providing off street parking at the street level to the front. The nature of the area slopes sharply from n-s with the level of the property significantly lower towards the rear. The property benefits from side access along its western boundary with a number of steps and terraced areas providing access to the rear. The rear amenity space of the dwelling is bounded on its side elevations by neighbouring properties at Hillside View and a neighbouring property Midway located at a lower level to the rear.

Neighbouring properties most consist of three storey townhouses on the northern side of Hillside View and similar split level dwellings along the southern side of the highway. A number of neighbouring properties including both adjacent dwellings benefit from existing raised decking structures.

## **PLANNING HISTORY**

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

## **PUBLICITY**

The application has been advertised by direct notification to 9 neighbouring properties.

No letters of objection or representation have been received.

## **CONSULTATION**

No consultation has been undertaken.

## **POLICY CONTEXT**

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

The application site lies within the settlement boundary for Pontypridd and isn't allocated for a specific purpose.

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

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

## Supplementary Planning Guidance

- A design guide for householder development

## **National Guidance**

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

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

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

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

Other policy guidance considered:

PPW Technical Advice Note 12 - Design

## **REASONS FOR REACHING THE RECOMMENDATION**

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

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

## **Main Issues:**

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

The application relates to the demolition of an existing raised decking and construction of a new raised decking at an existing residential dwelling. The principle of development is therefore acceptable subject to the criteria set out below.

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

Given its location to the rear of the property, the proposed decking would have no impact upon the principal elevation of the dwelling and would be largely screened from view. It is noted that the decking could be viewed from a number of cross valley viewpoints which is discouraged by the Council's SPG on householder development. However, when considering the scale of the decking and the fact that it would largely replace an existing structure at the property, it is not considered to result in any adverse impact upon the character and appearance of the area.

In addition, the enlarged area of decking would be no greater in scale than existing raised decking's located to the rear of both adjacent dwellings 56 & 58 Hillside View. As such, the proposed decking would be consistent with the existing pattern of development in the vicinity.

Taking the above into account, it is considered that the proposals will not detract from the character or appearance of the area and are considered acceptable in this regard.

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

There is no doubt that the proposed decking allows for direct views into the rear amenity space of No.56 Hillside View to the west. However, when considering the existing opportunities for overlooking that have been established by the existing rear decking at the property, the proposed decking is not considered to result in any significant additional opportunities for overlooking. Additionally, the proposal would be matching in scale to the existing decking at No.56. Any impact would be no greater than already exists between properties within in the vicinity and would not be significant enough to warrant a refusal of the application.

When considering the impact upon the attached dwelling No.58 Hillside View as there is an existing larger conifer hedge along the side boundary, the proposed decking would result in no impact upon the amenity and privacy on this elevation. With regard to Midway to the rear, due to its siting lower in level and existing boundary treatments and vegetation providing screening, the proposed decking is not considered to result in any additional impact over the existing decking on this property.

Taking the above into account, the proposal is not considered to adversely impact upon residential amenity and is considered acceptable in this regard.

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

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

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

## **Conclusion**

It is considered the proposal would not have a significant impact on the character and appearance of the locality or upon the residential amenity of the surrounding neighbouring properties. 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(s)
  - 780.002
  - 780.003

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**

**16 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 23/08/2021 – 03/09/2021

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**

**16 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:** 20/1254  
**APPEAL REF:** A/21/3281290  
**APPLICANT:** Mr D J Ellis  
**DEVELOPMENT:** Barn for winter feed & agricultural vehicles.  
**LOCATION:** LAND ADJ TO DELFRYN, DEGAR ROAD,  
LLANHARRY, PONTYCLUN, CF72 9JX  
**APPEAL RECEIVED:** 23/08/2021  
**APPEAL START DATE:** 23/08/2021

**APPLICATION NO:** 21/0532  
**APPEAL REF:** A/21/3281821  
**APPLICANT:** Mr M A Saleem  
**DEVELOPMENT:** Proposed conversion of former post office into a hot food take away, new shop front and installation of extraction flue.  
**LOCATION:** 4 ELIZABETH STREET, ABERCYNON, MOUNTAIN ASH,  
CF45 4NS  
**APPEAL RECEIVED:** 27/08/2021  
**APPEAL START DATE:** 03/09/2021

### APPEALS RECEIVED

**APPLICATION NO:** 20/1343  
**APPEAL REF:** A/21/3272817  
**APPLICANT:** Mr A Evans  
**DEVELOPMENT:** Conversion of basement to a self contained studio flat.  
**LOCATION:** 2 SCRANTON VILLAS, HIGH STREET, CYMMER,  
PORTH, CF39 9EU  
**DECIDED:** 25/01/2021  
**DECISION:** Refused  
**APPEAL RECEIVED:** 09/06/2021  
**APPEAL DECIDED:** 24/08/2021  
**APPEAL DECISION:** Dismissed

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**Report for Development Control Planning Committee**

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**Hirwaun**

**21/0959/10** Decision Date: 31/08/2021

**Proposal:** Rear single storey extension.

**Location:** 103 CAE FELIN PARC, HIRWAUN, ABERDAR, CF44 9QQ

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**Penywaun**

**21/0964/10** Decision Date: 03/09/2021

**Proposal:** Ground floor extension.

**Location:** 66 COED GLAS, PEN-Y-WAUN, ABERDARE, CF44 9DU

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**Aberdare West/Llwydcoed**

**21/0929/10** Decision Date: 23/08/2021

**Proposal:** Demolition of existing garage and erection of new larger garage.

**Location:** 25 PARK GROVE, TRECYNON, ABERDARE, CF44 8EL

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**Ynysybwl**

**21/0875/10** Decision Date: 27/08/2021

**Proposal:** Raised decking area to the rear (Retrospective) (Amended plan received 05/08/2021).

**Location:** 51 HIGH STREET, YNYSYBWL, PONTYPRIDD, CF37 3EE

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**Report for Development Control Planning Committee**

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**Treherbert**

**21/0681/10** Decision Date: 23/08/2021  
**Proposal:** Demolition of existing rear extension and construction of new two storey rear extension (Amended plans received 26th July 2021).  
**Location:** 18 DUNRAVEN STREET, TREHERBERT, TREORCHY, CF42 5BG

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**21/0957/10** Decision Date: 02/09/2021  
**Proposal:** Proposed Single storey rear extension with internal modifications  
**Location:** BRODAWEL HOUSE, BRYNFEDWEN CLOSE, TREHERBERT, TREORCHY, CF42 5PB

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**Treorchy**

**21/0411/10** Decision Date: 23/08/2021  
**Proposal:** Construction of a detached garage.  
**Location:** LAND TO THE REAR OF BRYNHYFRYD STREET, YNYSWEN, TREORCHY

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**21/0940/10** Decision Date: 25/08/2021  
**Proposal:** Single storey rear extension.  
**Location:** 22 CARDIFF STREET, TREORCHY, CF42 6BG

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**21/0941/10** Decision Date: 23/08/2021  
**Proposal:** Garage conversion and internal alterations.  
**Location:** 3 OAK STREET, TREORCHY, CF42 6RD

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**21/0993/10** Decision Date: 02/09/2021  
**Proposal:** Two storey side extension, single storey garage extension, and single storey rear extension.  
**Location:** 3 TAN-Y-FRON, TREORCHY, CF42 6HA

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**Llwynypia**

**21/0945/10** Decision Date: 26/08/2021  
**Proposal:** Erection of a summer house.  
**Location:** 11 INVERLEITH TERRACE, LLWYN-Y-PIA, TONYPANDY, CF40 2EX

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**21/0953/10** Decision Date: 31/08/2021  
**Proposal:** Construction of a wooden summer house (Retrospective).  
**Location:** 10 INVERLEITH TERRACE, LLWYNYPIA, TONYPANDY, CF40 2EX

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**21/0963/10** Decision Date: 02/09/2021  
**Proposal:** Two storey rear extension.  
**Location:** 4 CAMPBELL TERRACE, LLWYNYPIA, TONYPANDY, CF40 2EU

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**Report for Development Control Planning Committee**

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**Cymmer**

**21/1079/10** Decision Date: 02/09/2021  
**Proposal:** Two storey rear extension (Resubmission of 21/0514/10).  
**Location:** 91 HENLLYS, TREBANOG, PORTH, CF39 9PJ

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**Ynyshir**

**21/0815/10** Decision Date: 27/08/2021  
**Proposal:** Construction of 2 garages with storage area.  
**Location:** LAND TO THE EAST OF 69 SOUTH STREET, YNYSHIR, PORTH

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**Maerdy**

**21/0615/10** Decision Date: 03/09/2021  
**Proposal:** Storage shed (Retrospective).  
**Location:** 44 RICHARD STREET, MAERDY, FERNDAL, CF43 4AU

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**21/0980/10** Decision Date: 23/08/2021  
**Proposal:** Two storey rear extension.  
**Location:** 27 HILL STREET, MAERDY, FERNDAL, CF43 4DR

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**Glyncoch**

**20/0942/10** Decision Date: 02/09/2021  
**Proposal:** Metal framed bolt together building to store vehicles and installation of solar panels to bungalow roof.  
**Location:** 13 ASHGROVE, GLYNCOCH, PONTYPRIDD, CF37 3DW

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**Town (Pontypridd)**

**20/0515/10** Decision Date: 02/09/2021  
**Proposal:** Painted mural on westward facing wall.  
**Location:** 42 MILL STREET, PONTYPRIDD, CF37 2SN

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**21/0636/10** Decision Date: 27/08/2021  
**Proposal:** Change of use from A1 (Retail) to A3 (Coffee Shop/Cafe).  
**Location:** 107 TAFF STREET, PONTYPRIDD, CF37 4UY

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**21/0978/10** Decision Date: 31/08/2021  
**Proposal:** Change of use of ground floor of building so that existing first floor and ground floor become combined as one dental practice along with works associated with the change of use.  
**Location:** 20 MORGAN STREET, PONTYPRIDD, CF37 2DS

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**Report for Development Control Planning Committee**

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**Hawthorn**

**21/0933/08** Decision Date: 24/08/2021  
**Proposal:** 1.5m high aluminium signs fixed to the ground with poles, at points adjacent to roundabout exits.  
**Location:** ROUNDABOUT AT TESCO, UPPERBOAT

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**Ffynon Taf**

**21/0972/23** Decision Date: 02/09/2021  
**Proposal:** Prior Approval for construction of Traction Power System (TPS) Feeder Station.  
**Location:** LAND TO THE SOUTH WEST OF TAFF'S WELL RAILWAY STATION

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**Church Village**

**21/0564/19** Decision Date: 26/08/2021  
**Proposal:** Proposed 15% crown reduction of mature maple located in rear garden.  
**Location:** 38 NANT ARIAN, CHURCH VILLAGE, PONTYPRIDD, CF38 1SE

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**21/0918/09** Decision Date: 01/09/2021  
**Proposal:** Certificate of lawful development for a proposed single storey rear extension.  
**Location:** 8 WAKELIN CLOSE, CHURCH VILLAGE, PONTYPRIDD, CF38 1GA

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**21/1005/10** Decision Date: 31/08/2021  
**Proposal:** Change of use from B1 (office) to C3 (dwelling), construction of a two storey extension and detached garage (re-submission).  
**Location:** GWYNFA HOUSE, MAIN ROAD, CHURCH VILLAGE

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**Gilfach Goch**

**21/0912/09** Decision Date: 31/08/2021  
**Proposal:** 2 bed Dwelling (existing).  
**Location:** THE STABLES, TYNEWYDD FARM, BLACKMILL ROAD, HENDREFORGAN, GILFACH-GOCH, BRIDGEND, CF35 6EN

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**Tonyrefail West**

**21/1065/10** Decision Date: 01/09/2021  
**Proposal:** Widening of pavement crossover.  
**Location:** 6 ELY COURT, FRANCIS STREET, THOMASTOWN, TONYREFAIL, PORTH, CF39 8EP

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**21/1066/10** Decision Date: 23/08/2021  
**Proposal:** Single story rear extension.  
**Location:** 103 WORCESTER COURT, TONYREFAIL, PORTH, CF39 8JU

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**Report for Development Control Planning Committee**

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**Beddau**

**21/0955/10** Decision Date: 23/08/2021  
**Proposal:** 2 storey side extension and porch to the front.  
**Location:** 54 HEOL SEWARD, BEDDAU, PONTYPRIDD, CF38 2SR

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**Town (Llantrisant)**

**21/0932/08** Decision Date: 01/09/2021  
**Proposal:** 1.5 high aluminium signs fixed to the ground with poles, at points adjacent to roundabout exits.  
**Location:** ROUNDABOUT ALONG A4119/A473, TALBOT GREEN

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**21/1028/18** Decision Date: 02/09/2021  
**Proposal:** Works to trees - Sycamore tree (cut back), multi stem Cherry tree (remove) and multi stem Sycamore tree (remove).  
**Location:** TABOR BAPTIST CHURCH, HIGH STREET, LLANTRISANT, CF72 8BR

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**Talbot Green**

**21/0828/10** Decision Date: 03/09/2021  
**Proposal:** Single storey front / side extension. (Amended Plans received 18/08/21)  
**Location:** 18 HEOL JOHNSON, TALBOT GREEN, PONTYCLUN, CF72 8HR

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**21/0947/10** Decision Date: 03/09/2021  
**Proposal:** Installation of rear apex dormer and front and rear roof windows.  
**Location:** PRIMROSE HILL, TALBOT ROAD, LLANTRISANT, PONTYCLUN, CF72 8AW

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**Pontyclun**

**20/1410/10** Decision Date: 02/09/2021  
**Proposal:** Bungalow and garage.  
**Location:** RAILWAY TERRACE, TALBOT GREEN

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**21/1003/10** Decision Date: 02/09/2021  
**Proposal:** Two storey side extension.  
**Location:** 11 PARK CRESCENT, PONT-Y-CLUN, PONTYCLUN, CF72 9BR

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**Llanharry**

**21/1068/09** Decision Date: 03/09/2021  
**Proposal:** Lawful Development Certificate for a single storey rear extension.  
**Location:** 24 TREM Y GARTH, LLANHARRY, PONTYCLUN, CF72 9NL

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**Report for Development Control Planning Committee**

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**Llanharan**

**21/0907/10**

Decision Date: 02/09/2021

**Proposal:**

Single storey extension to rear, proposed loft conversion with dormer and hip to gable extensions.

**Location:**

6 TERRY'S WAY, LLANHARAN, PONTYCLUN, CF72 9UJ

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**Brynna**

**21/1008/10**

Decision Date: 23/08/2021

**Proposal:**

Demolition of existing garage /workshop. Proposed single storey side extension with loft conversion complete with dormer to rear. Existing main entrance re-located.

**Location:**

33 RED ROOFS CLOSE, BRYNNAU GWYNION, PENCOED, BRIDGEND, CF35 6PL

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Total Number of Delegated decisions is 39

Ynysybwl

21/0764/10

Decision Date: 27/08/2021

**Proposal:** 12 no. storage containers. The containers are 6m x 2.4m x 2.6m high.

**Location:** LAND TO THE SOUTH OF GELLI ROAD, YNYSYBWL, PONTYPRIDD

**Reason: 1** The residential road Gelli Road leading to the proposed site is unsuitable to cater for the type of commercial traffic that will be generated by the proposed resulting in increased hazards to all highway users.

In the absence of continuous pedestrian facilities leading to the site, the proposed development would create increased hazards to the safety of all highway users.

The applicant has no control over the land required to provide for a satisfactory means of access to the proposed development site.

As such, the application is contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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Report for Development Control Planning Committee

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Cilfynydd

21/0909/10

Decision Date: 24/08/2021

**Proposal:** Residential development and associated works (corrected plans received 9th July 2021).

**Location:** SITE AT FORMER BRITISH LEGION CLUB, HOWELL STREET, CILFYNYDD, PONTYPRIDD

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

Furthermore, the windows within the proposed rear elevation would enable intrusive views towards the gardens and windows of habitable rooms of the neighbouring properties to the west.

Consequently, the proposal is considered to have a significant detrimental impact on the amenities of neighbouring occupiers and represents development inappropriate to the local context, which would therefore not comply with Policies AW5 and AW6 of the Rhondda

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Total Number of Delegated decisions is 2