



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, 7FED HYDREF, 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** ERBYN 5PM AR DYDD MAWRTH, 5 HYDREF 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 26.08.21

Cadarnhau cofnodion o gyfarfod y Pwyllgor Cynllunio a Datblygu a gynhaliwyd ar 26 Awst 2021.

5 - 8

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

5. CAIS RHIF: 20/0233

Bwriad i addasu ac ychwanegu estyniad 3 llawr i'r adeilad swyddfa presennol i ddarparu 10 uned breswyl ac 1 uned fasnachol (siop goffi/caffi). (Derbyniwyd adroddiad arolwg ystlumod 02/09/2021)

YR HEN ADEILADU CYFRADDAU, 42/43 Y STRYD FAWR, ABERDÂR, CF44 7AA

9 - 26

6. CAIS RHIF: 20/1365

3 Anheddau ar wahân gyda 4 ystafell wely, pob un â lle parcio oddi ar y ffordd ar gyfer 3 char. (Ailgyflwyno cais 19/0449/10) (Derbyniwyd yr Adroddiad Ecoleg ar 5 Rhagfyr 2020. Derbyniwyd cynlluniau diwygiedig, lleihau maint ffin y safle ac ail-leoli anheddau arfaethedig ar 5 Ionawr 2021. Derbyniwyd cynllun diwygiedig, gan ychwanegu sribed bioamrywiaeth / ecoleg, 14 Ebrill 2021).

TIR GER BRYNLLAN, Ffordd Trebanog, Trebanog, Porth, CF39 9DU

27 - 44

ARCHWILIAD O'R SAFLE

7. CAIS RHIF: 21/0431

Amrywio amod 2 (cynlluniau wedi'u cymeradwyo) i ofyn am ganiatâd ar gyfer lleoliad adeilad, uchder adeilad, cwrt blaen a chladin allanol diwygiedig. (Cais gwreiddiol 19/0791/10). (Derbyniwyd cynlluniau diwygiedig ar 02/08/21)

UNED STORIO ODDI AR HEOL Y BEDDAU, PONTYPRIDD, CF38 2AG

45 - 58

8. CAIS RHIF: 21/0635

Byngalo 3 ystafell wely ar wahân gyda pharcio ar gyfer 3 char (Yn effeithio ar Hawl Tramwy Cyhoeddus PON/4/1).

FFERM BODWENARTH, LLYS YR ALBION, CILFYNYDD, PONTYPRIDD, CF37 4JA

59 - 72

CEISIADAU WEDI'U GOHIRIO

9. CAIS RHIF: 21/0809

Trosi llofft dormer cefn arfaethedig, cyntedd blaen ac estyniad i'r gegin.

38 CLOS MYDDLIN, BEDDAU, PONTYPRIDD, CF38 2JS

73 - 80

10. CAIS RHIF: 21/0058

Tŷ ar wahân gyda garej ddwbl.

HEN SAFLE GLEN TRANSPORT, HEOL PENYCOEDCAE, PENYCOEDCAE, PONTYPRIDD

81 - 100

11. CAIS RHIF: 21/0335

Newid defnydd siop wag i fflat hunangynhwysol, ehangu ffenestr 'dormer' gefn a gwaith cysylltiedig (derbyniwyd cynlluniau diwygiedig ar 11/05/2021).

90 STRYD Y FRENHINES, TREFFOREST, PONTYPRIDD, CF37 1RN

101 - 110

12. CAIS RHIF: 21/0720

Parhau â gwaith cloddio a gweithrediadau cysylltiedig heb gydymffurfio ag amodau 1 i 4 ac amodau 45 a 46 a osodwyd ar atodlen o amodau Adolygiadau o Hen Ganiatadau Mwynau (ROMP) Deddf yr Amgylchedd a gyhoeddwyd gan Gyngor Bwrdeistref Sirol Rhondda Cynon Taf ar 24 Ebrill 2013 cyf: 08/1380/10

CHWAREL CRAIG YR HESG, HEOL BERW, PONTYPRIDD, CF37 3BG

111 - 152

ADRODDIAD ER GWYBODAETH

13. GWYBODAETH I AELODAU SY'N YMWNEUD Â'R CAMAU GWEITHREDU WEDI'U CYMRYD O DAN BWERAU DIRPRWYEDIG

Rhoi gwybod i Aelodau am y canlynol, ar gyfer y cyfnod 06/09/2021 – 24/09/2021

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

153 - 168

14. MATERION BRYD

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

Cyfarwyddwr Gwasanaeth y Gwasanaethau Democraidd 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 D Williams, Y Cynghorydd S Powderhill ac Y Cynghorydd W Lewis

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

PWYLLGOR CABINET CYNGOR RHONDDA CYNON TAF PWYLLGOR CYNLLUNIO A DATBLYGU

Cofnodion o gyfarfod rhithwir y Pwyllgor Cynllunio a Datblygu a gynhaliwyd Dydd Iau, 26 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 D Grehan
Y Cyngorydd G Hughes Y Cyngorydd W Lewis
Y Cyngorydd W Owen Y Cyngorydd S Powderhill
Y Cyngorydd J Williams Y Cyngorydd D Williams

Swyddogion oedd yn bresennol

Mr J Bailey, Pennaeth Cynllunio
Mr S Humphreys, Pennaeth y Gwasanaethau Cyfreithiol
Mr A Rees, Uwch Beiriannydd
Mr G Purnell, Swyddog Rheoli Llygredd
Mr N Pilliner, Rheolwr Diogelu'r Amgylchedd a Safonau Tai

Y Cyngorwyr Bwrdeistref Sirol eraill oedd yn bresennol

Y Cyngorydd R Bevan
Y Cyngorydd M Powell

Y Cyngorydd H Fychan
Y Cyngorydd T Williams

41 DATGAN BUDDIANT

Yn unol â'r Cod Ymddygiad, cafodd y datganiadau o fuddiant canlynol eu gwneud:

- 1) Fe wnaeth y Cyngorydd Bwrdeistref Sirol P Jarman ddatgan buddiant personol mewn perthynas â chais 20/1182 i ddatblygu 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, mae'n byw'n lleol ac rydw i wedi siarad gydag e i gadarnhau manylion yr ymweliad â'r safle yn unig."
- 2) Fe wnaeth y Cyngorydd Bwrdeistref Sirol D Williams ddatgan buddiant personol sy'n rhagfarnu ynglŷn â chais 21/0720/15, sef parhau â gwaith cloddio a gweithrediadau cysylltiedig heb gydymffurfio ag amodau 1 i 4 ac amodau 45 a 46 a osodwyd ar atodlen o amodau Adolygiadau o Hen Ganiatadau Mwynau (ROMP) Deddf yr Amgylchedd a gyhoeddwyd gan Gyngor Bwrdeistref Sirol Rhondda Cynon Taf ar 24 Ebrill 2013 cyf: 08/1380/10 Chwarel Craig yr Hesg, Berw Road, Pontypridd CF37 3BG.
"Rwy'n Aelod o grŵp sy'n Gwrthwynebu Chwarel Hanson."

42 DEDDF HAWLIAU DYNOL 1998 A PHENDERFYNIADAU RHEOLI DATBLYGU

PENDERFYNWYD nodi y dylai Aelodau o'r Pwyllgor, wrth benderfynu ar faterion 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.

43 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 nhw.

44 Cofnodion

PENDERFYNWYD cadarnhau'r cofnodion o gyfarfod y Pwyllgor Cynllunio a Datblygu a gynhaliwyd ar 24 Mehefin 2021 yn rhai cywir, yn amodol ar newid y canlynol ar gais Pennaeth y Gwasanaethau Cyfreithiol i funud 15, sef:

- Cyflwynodd y Pennaeth Materion Cynllunio yr adroddiad i'r Pwyllgor ac yn dilyn trafodaeth hir **PENDERFYNWYD** cymeradwyo cymryd camau gorfodi yn unol ag argymhelliad Cyfarwyddwr Gwasanaeth Materion Ffyniant a Datblygu ond yn amodol ar leihau'r amser a argymhellir ar gyfer cydymffurfio o 12 mis i 6 mis o'r diwrnod y daw'r rhybudd i rym, gan fod y datblygiad yn dwysáu'r defnydd o lôn is-safonol heb lain weledd, man troi, digon o led, cilfachau pasio na strwythur digonol. Byddai'r elfennau yma'n effeithio ar ddiogelwch y briffordd a llif y traffig ar yr A4059, ac o ganlyniad, ystyrir nad yw'r datblygiad yn cydymffurfio â Pholisïau AW5 a NSA12 o Gynllun Datblygu Lleol Rhondda Cynon Taf.

(**Nodyn:** Roedd y Cynghorydd Bwrdeistref Sirol P Jarman yn dymuno cofnodi iddi ymatal rhag y bleidlais ar y gwelliant yma gan nad oedd yn bresennol yn ystod y cyfarfod a gynhaliwyd ar 24 Mehefin 2021.)

45 CAIS RHIF: 21/0720/15

Parhau â gwaith cloddio a gweithrediadau cysylltiedig heb gydymffurfio ag amodau 1 i 4 ac amodau 45 a 46 a osodwyd ar atodlen o amodau Adolygiadau o Hen Ganiatadau Mwynau (ROMP) Deddf yr Amgylchedd a gyhoeddwyd gan Gyngor Bwrdeistref Sirol Rhondda Cynon Taf ar 24 Ebrill 2013 cyf: 08/1380/10 Chwarel Craig yr Hesg, Berw Road, Pontypridd CF37 3BG

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:

- Mr G Jenkins (Asiant)

- Mr M Hervey (Gwrthwynebydd)
- Ms S Griffiths (Gwrthwynebydd)
- Mr S Pritchard (Gwrthwynebydd)

Nododd y Pwyllgor nad oedd Mr R Davies (Gwrthwynebydd) a oedd wedi gofyn am gael annerch yr Aelodau ynglŷn â'r cais yn bresennol i wneud hynny.

Arferodd yr Asiant, Mr G Jenkins, yr hawl i ymateb i'r sylwadau a wnaed gan y gwrthwynebwyr.

Siaradodd yr Aelodau Lleol, y Cynghorydd Bwrdeistref Sirol H Fychan a'r Cynghorydd M Powell, nad ydyn nhw'n aelodau o'r Pwyllgor, am y cais gan nodi eu pryderon ynglŷn â'r datblygiad arfaethedig.

(Nodwch: Ar ôl datgan buddiant yn y cais yn flaenorol (Cofnod Rhif 41), arferodd yr Aelod o'r Pwyllgor/Aelod Lleol, Cynghorydd y Fwrdeistref Sirol D Williams, ei hawl i annerch y Pwyllgor ar y cais o dan adran 14(2) o'r Cod Ymddygiad. Amlinellodd ei bryderon ynglŷn â'r datblygiad arfaethedig a gadawodd y cyfarfod yn ystod y drafodaeth ddilynol).

Amlinellodd y Pennaeth Cynllunio gynnwys llythyr 'hwyr' gan Vikki Howells AS yn gwrthwynebu'r cais. Cafodd 13 llythyr 'hwyr' arall a dderbyniwyd gan drigolion eu crynhoi ar gyfer Aelodau'r Pwyllgor.

Cyflwynodd y Pennaeth Materion Cynllunio y cais i'r Pwyllgor ac, yn dilyn trafodaeth, **PENDERFYNWYD** gwrthod y cais uchod yn groes i argymhelliad y Cyfarwyddwr Materion Ffyniant a Datblygu, a hynny am eu bod nhw o'r farn bod modd i'r cais niweidio'r amwynder a niweidio lles yr ardal. O ganlyniad i hynny, caiff y mater ei ohirio tan y cyfarfod priodol nesaf o'r Pwyllgor Cynllunio a Datblygu fel bod modd derbyn adroddiad gan y Cyfarwyddwr Materion Ffyniant a Datblygu, a gaiff ei lunio drwy ymgynghori â Chyfarwyddwr y Gwasanaethau Cyfreithiol yn ôl yr angen. Bydd yr adroddiad yn tynnu sylw at y cryfderau a'r gwendidau posibl sydd ynghlwm â gwneud penderfyniad yn groes i argymhelliad swyddog, neu unrhyw reswm arfaethedig neu reswm cynllunio dros wneud penderfyniad o'r fath. Caiff yr adroddiad yma ei ystyried cyn dod i benderfyniad ar y mater.

46 CAIS RHIF: 20/1182

(Nodwch: Ar y pwynt yma, dychwelodd Cynghorydd y Fwrdeistref Sirol D Williams i'r cyfarfod)

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:

- Mr R Warren (Asiant)
- Ms K Doughton (Gwrthwynebydd)

Arferodd yr Asiant, Mr R Warren, yr hawl i ymateb i'r sylwadau a wnaed gan y gwrthwynebydd.

Siaradodd yr Aelod Lleol, y Cynghorydd Bwrdeistref Sirol T Williams, nad yw'n aelod o'r Pwyllgor, am y cais gan fynegi ei phryderon ynglŷn â'r Datblygiad

arfaethedig.

Amlinellodd y Pennaeth Materion Cynllunio gynnwys llythyr 'hwyr' a dderbyniwyd gan yr Aelod nad yw ar y Pwyllgor / Aelod Lleol, y Cynghorydd Bwrdeistref Sirol J Elliott, yn gwrthwynebu'r cais.

Cyflwynodd y Pennaeth Materion Cynllunio y cais i'r Pwyllgor. Ar ôl trafod y cais, **PENDERFYNWYD** cymeradwyo'r cais yn unol ag argymhelliad y Cyfarwyddwr Materion Ffyniant a Datblygu, yn amodol ar yr amodau a amlinellir yn yr adroddiad, yn ogystal â'r amodau ychwanegol canlynol, yn unol â chais Isadran y Priffyrdd:

- Amod 11 - Serch y manylion ar y cynlluniau sydd wedi'u cyflwyno, fydd y datblygiad ddim yn cychwyn nes bod cynlluniau'n cynnwys addasiad i ffin y safle ger y ffordd ddiennw / Rhos Morgan i gynnwys llain welededd o 2.4m x 40m o Faes y Pwll wedi'u cyflwyno i'r Awdurdod Cynllunio Lleol ac wedi'u cymeradwyo'n ysgrifenedig gan yr Awdurdod.
- Amod 12 - Cyn i'r datblygiad gychwyn, bydd adroddiad yn nodi methodoleg ar gyfer cynnal arolwg amodau o ffyrdd lleol (y gallai'r datblygiad arfaethedig effeithio arnyn nhw) yn cael ei gyflwyno i'r Awdurdod Cynllunio Lleol a'i gymeradwyo'n ysgrifenedig. Dylai'r adroddiad gynnwys: yr amserlenni ar gyfer cynnal yr arolygon a'r dull(iau) o adrodd ar y canfyddiadau i'r Awdurdod Cynllunio Lleol; ffotograffau cynhwysfawr; a threfniadau iawndal posibl. Fydd y datblygiad ddim yn cael ei ddefnyddio nes bydd yr arolwg terfynol (ar ôl cwblhau'r datblygiad a gymeradwyir drwy hyn) ac unrhyw drefniadau iawndal wedi'u cyflwyno i'r Awdurdod Cynllunio Lleol a'u cymeradwyo'n ysgrifenedig.

Daeth y cyfarfod i ben am 4.40 pm

Y Cynghorydd S Rees
Cadeirydd.



PLANNING & DEVELOPMENT COMMITTEE

7 OCTOBER 2021

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 20/0233/10 (BJW)
APPLICANT: Mr J Evans
DEVELOPMENT: Proposed conversion of and 3 storey extension to existing office building to provide 10 residential units and 1 commercial unit (coffee shop/cafe). (Bat survey report received 02/09/2021)
LOCATION: THE FORMER RATES BUILDING, 42 HIGH STREET, ABERDARE, CF44 7AA
DATE REGISTERED: 02/09/2021
ELECTORAL DIVISION: Aberdare East

RECOMMENDATION: Approve.

REASONS: The application proposes the productive use of a currently semi-derelict, disused and vandalised pair of Georgian semi-detached houses, last used as offices, through internal conversion and a rear extension as a commercial premise and a total of 10 apartments.

The approach to the proposal has been informed through a thorough evaluation of the heritage asset by way of the Heritage Impact Assessment (HIA) and the accompanying Listed Building Consent (LBC) application accepted by Cadw.

The proposal would retain the character and appearance of the vast majority of the external features of the front elevation as well as an important internal staircase that would be retained in situ as a feature at the property.

It is considered that the current proposal represents a positive and acceptable opportunity to bring this disused and semi-derelict building into productive use. For this reason it is considered that the alterations would be acceptable.

The use of the property would be sympathetic and in keeping with surrounding land uses, which include commercial use on the ground floor and residential upper floors, and would comply with the requirements of the Council's

Supplementary Planning Guidance (SPG) for the conversion of larger buildings for residential purposes. The proposal would also add to the vitality and viability of the retail centre of the Principal Town of Aberdare. The works would also be appropriate to the character and appearance of the Aberdare Town Conservation Area.

Furthermore, it is considered that the proposal would not have a detrimental impact on neighbouring properties, the visual amenity of the area or highway safety considerations.

Details in respect of the Air Quality Management Area (AQMA) can be secured through the imposition of an appropriately worded condition.

Consequently, it is considered that the proposal for the conversion of the building would be justified in this instance and a recommendation to approve the application is offered.

REASON THE APPLICATION IS BEING REPORTED TO COMMITTEE

The application is for more than 5 units of accommodation and, as such, is within a category of development where the decision-making powers are not delegated to officers.

APPLICATION DETAILS

Full planning permission is sought for the conversion and extension of the former Rates Building, 42-43 High Street, Aberdare into a commercial unit on the ground floor and ten residential apartments over the ground, first and second floors (six within the new rear extension).

Specifically, the proposal would propose the following:

- Ground floor – an open plan commercial unit (café/coffee shop) retaining the existing pitch pine stairs as an “in situ” feature. Opening hours would be 8am to 6pm Monday to Saturday and 10am to 4pm Sundays;
- Conversion of the upper two floors of both properties to form 1 x 1bed and 1x 2 bed apartments on each floor (4 units in total); and
- Erection of a new, three storey rear extension measuring a total of 13m in width (over two gables of 6.5m in width each) by 11.3m in depth by 9.6m to the eaves and 11.9m to the apex of the gables. Each floor would consist of 1x 1 bed and 1x 2 bed apartments (6 units in total).

Access to the ground floor and upper floor accommodation of the existing building and the new extension would be formed at the side of the new extension where it meets

the corner of the existing building and would be via a glazed, full height door and would also feature a series of glazed features for each upper floor.

This application is accompanied with the following additional information:

- Heritage Impact Statement (HIS) – Holland Heritage (March 2021) (to accompany the LBC application);
- Additional details have been submitted in relation to removal of the ceiling, the reuse of columns, the retention and cleaning of memorial plaques, roof-light and shared utility apparatus; and
- Bat Survey Report – Koru Ecology Associates (September 2021)

The application for Planning Permission was also accompanied by an application for Listed Building Consent (LBC), reference no. 20/0212/12. The associated LBC application has already been forwarded to Cadw as the ecology report that has delayed the consideration of the full planning application was not required to inform that application. Cadw have resolved that the scheme for LBC, which is considered acceptable by the Local Planning Authority, does not need to be referred to the Welsh Ministers for consideration and can be determined by the Council.

SITE APPRAISAL

The site is a three-storey building within Aberdare town centre and Town Centre Conservation Area, between Aberdare Constitutional Club, the Health Centre and the rear of properties in Maendy Place. It was previously a disused office building for a prolonged period of time (in excess of 15 years) and is now partially derelict and suffering from continued deterioration due to lack of maintenance, disuse, vandalism and rodent infestation.

The applicant's agent is of the opinion that the building has not been used since the early 1990s, before which it was used as a rates building by Cynon Valley Borough Council. However, there is some evidence to suggest the building was used for storage until 2003.

As stated above, the building is grade II listed. It is thought to have been built in the early to mid 19th century, and it has a fine façade, which retains the majority of its original features, including its sash windows, original pattern of fenestration, slate roof and ionic porch. The Aberdare Conservation Area Appraisal and Management Plan (2008) states the following in respect of this building:

“42-43 High Street is listed as an early to mid 19th century three-storey late Georgian building with a rendered façade, plinth and first floor sill band detailing. The slate roof, with its ridge of crested tiles, has three narrow rendered chimney stacks and wide boarded eaves with deep curved brackets. The building has a five bay window arrangement with architraves to the twelve-pane sashes and small pane tripartite windows at either end on the ground floor. An ionic porch with iron columns, dentil

cornice, deep-boarded fascia and panelled reveals identifies the main entrance. This building has similar architectural detailing to the late-Georgian Black Lion Hotel, and its location on a main route in and out of town gives the impression of a former important building.”

The Listing details for the properties are detailed in record nos. 10852 (No. 42) and 10853 (No. 43).

PLANNING HISTORY

20/0212	The Former Rates Building, 42-43 High Street, Aberdare, CF44 8AA	LBC for conversion of office building to 10 residential units and 1 commercial unit (coffee shop/cafe).	Pending (Listed Building Consent has been authorised by Cadw – 13/05/2021)
10/0853	As above	Works to trees in Conservation Area	Withdrawn 14/11/2014
08/0023	As above	Proposed Change of Use from offices to bar/restaurant and second floor flat, demolition of existing rear 2 storey extension and single storey pre-fab annex. Proposed 2 storey extension to rear of property, material improvements to existing elevations and external areas.	Granted 29/06/2010
08/0020	As above	Proposed Change of Use from offices to bar/restaurant and second floor flat, demolition of existing rear 2 storey extension and single storey pre-fab annex. Proposed 2 storey extension to rear of property, material improvements to existing elevations and external areas. (Application for LBC)	Granted 29/06/2010

PUBLICITY

This has included site notices, a press notice and the direct notification of properties surrounding the site. Responses have been received from two separate parties, the main points of which are detailed below:

1. Loss of privacy in our office due to the upper levels of 42 High Street being converted into flats.

2. Another coffee shop in an already saturated town full of eating places and coffee shops.
3. Existing coffee shop on same street which will mean that they will be approx. 100 yards apart.
4. Existing eating place next door in Aberdare Conservative Club.
5. Cleanliness – debris from existing coffee shop already impacting on cleanliness of area.
6. Parking for residents – public car parks already overcrowded
7. Historical building – will it be subjected to conform under the historical building regulations?
8. My wife and I would welcome the renovation of what is a splendid building left to ruin over recent years. Our only but important objection would be to the proposed coffee shop as it would duplicate what already exists directly opposite. This perhaps would also be in contravention of your Policy AW2 – The design/use 2. Would not unacceptably conflict with surrounding uses.
9. We have been invited along with others to use both the Black Lion and the Boot Hotel sites for coffee shops without success so this would be just another too close to already saturated facilities of this kind.
10. I'm hopeful that other retail uses can be found or perhaps in this case as it is on the edge of the town centre that the whole building becomes residential?

CONSULTATION

Transportation Section – no objection, subject to a condition to secure additional cycle parking provision within the curtilage of the site for the use of the residents of the proposed flats.

Flood Risk Management - no objection or recommendation for condition. In relation to surface water flood risk for this application it is considered that the developments' surface water flood risk will be adequately managed by both the Building Regulations and Schedule 3 of the Flood and Water Management Act 2010.

Public Health and Protection Division – no objection, subject to the following conditions:

Hours of operation during the construction phase of the development.

The application site is within an Air Quality Management Area. As such there is the potential for future occupiers of these proposed residential units to be adversely affected by poor air quality.

In order to ensure that future occupiers of the residential units are not adversely affected by poor air quality, an air quality assessment should be carried out. The report should include any Mitigation measures identified. The report shall be submitted to and agreed by the local planning authority prior to determination. If any mitigation

measures are specified they should be carried out and approved prior to beneficial use.

A condition in relation to extraction systems for the proposed café/coffee shop including a noise assessment of the apparatus and associated grease traps.

Dwr Cymru Welsh Water – no objection, subject to conditions and informative notes.

Countryside, Landscape and Ecology – the Bat Report for this application is a very competent and appropriate assessment. The application can proceed, subject to conditioning for details of all ecological mitigation and enhancement measures (including repeat surveys) as identified in Section 6 Recommendations of the Koru Ecology Associates survey report for the 'Former Rates Building, Aberdare' 2021.

South Wales Fire and Rescue Service – no objection. The developer should consider the need to ensure an adequate supply of water for fire-fighting purposes and access for emergency fire-fighting appliances.

South Wales Police – raise no objection. Advice is offered in relation to features that are Secured by Design to assist in the reduction of crime and disorder.

Where appropriate South Wales Police would ask the authority to consider placing conditions on developers to reduce the potential for future crime and disorder issues.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The properties are within the defined settlement boundary, within the retail area of a Principal Town (Aberdare), within a Conservation Area (Aberdare Town) and are Grade II Listed Buildings.

Policy AW 1 - sets provisions for the creation of new housing throughout Rhondda Cynon Taf between 2006 –2021.

Policy AW 2 - supports development proposals in sustainable locations including sites within the defined settlement boundary.

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

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

Policy AW7 – refers to the protection and enhancement of the built environment. This policy states that development which impacts upon sites of architectural and historic merit will only be permitted where it can be demonstrated that the proposal would preserve or enhance the character and appearance of the site.

Policy AW10 – requires development proposals to have an acceptable impact on health and safety and local amenity in respect of issues such as pollution control and flooding.

Policy NSA1 – identifies the criteria for assessment of residential and commercial development within the defined town centre of Aberdare.

Policy NSA12 – identifies the criteria for assessment of development proposals within and adjacent to settlement boundaries.

Policy NSA18 – identifies the retail hierarchy for the Northern Strategy Area with Aberdare being classed as the Principal Town. Supports retail development and Class A uses in the retail centre of Aberdare that would maintain or enhance its position at the top of the retail hierarchy.

Policy NSA19 – considers retail development in Principal Towns. New and improved retail (Class A) facilities and other uses that are appropriate within the town centre will be permitted within the retail centre of Aberdare subject to certain criteria, including a limit of 25% on A2 and A3 units along the primary retail frontages.

Supplementary Planning Guidance (SPG): Development of Flats - Conversion and New Build

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, it is considered the scheme aligns with the overarching sustainable development aims of FW2040.

Other relevant national policy guidance consulted:

Technical Advice Notes

- PPW Technical Advice Note 24: The Historic Environment.
- PPW Technical Advice Note 4: Retailing and Town Centres;

- PPW Technical Advice Note 11: Noise;
- PPW Technical Advice Note 12: Design.

Other relevant national planning policy guidance

- Historic Environment (Wales) Act 2016;
- Planning (Listed Building and Conservation Areas) Act 1990.

Cadw guidance

- Managing Change to Listed Buildings in Wales, May 2017;
- Managing Historic Character in Wales, May 2017.

The above chapters and Technical Advice notes and guidance set out the Welsh Government's policy on planning issues relevant to the determination of this planning application.

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.

This property is a Listed Building that is located within the Aberdare Town Conservation Area and the retail area of the Principal Town of Aberdare.

The property has been disused and in a derelict and worsening condition for more than 20 years and is currently visually detrimental to the character and appearance of the Conservation Area and the vitality and viability of the retail area.

Despite a previous approval for an alternative scheme to re-develop the site in 2010 which saw some aspects of the development, mainly demolition, being undertaken, the site has been in decline for a considerable period of its most recent history.

As set out above, the associated LBC application that accompanied the planning application has already been forwarded to Cadw as the ecology report that has delayed the consideration of the planning application was not required to inform that

application. Cadw have resolved that the scheme for LBC, which is considered acceptable by the Local Planning Authority, does not need to be referred to the Welsh Ministers for consideration and can be determined by the Council.

The proposal is fairly strident and consists of a change of use of the ground floor for commercial use, the creation of apartments within the upper floors and an enabling development by way of a large rear extension.

The planning merits for the re-use of a prominent, landmark, building of acknowledged historical and architectural merit within both the Conservation Area and retail centre are clear. The proposal would secure a suitable and acceptable alternative use for the building that would be consistent with surrounding land uses, which are mainly commercial. The use of the upper floors for residential purposes would also be in keeping with development plan policy as well as established national guidance.

The proposal would also retain, preserve and enhance the most important remaining features of the existing front façade of the property, as well as retaining its sense of scale and prominence.

While it is acknowledged that the enabling development to the rear represents a large, contemporary addition to the property, it is considered that this approach is acceptable due to its location at the rear of the site and the “honest” nature of this type of addition to the property.

As is detailed above, the property has been disused for a considerable period of time. Its last use was as a rates office for the Local Authority which would be considered as Class B1 – Offices. It has not been in use by Rhondda Cynon Taf CBC with the previous use being undertaken by Cynon Valley District Council up until local government reorganisation in 1996.

Consequently, due to the length of time since its previous substantive use, any new use would be considered as additional to the existing provision within the area.

In this regard National Guidance considers that retail uses (A1) should underpin centres however a lively mix of uses, including A2 and A3 uses, is encouraged in order to promote and improve vitality and viability.

Additionally, Development Plan Policy (NSA 19) recognises that A3 uses can add vitality and viability by attracting footfall that benefits the daytime and evening economy in existing retail centres. It does however aim to avoid an over-concentration of such uses as they inevitably detract from the established retail character of the area. The policy seeks day time opening hours and encourages cafes and restaurants that complement the retail centre, thus avoiding hot food takeaways that are closed throughout the day make only a limited contribution to the Principal Town.

As this application proposes to open from 8am until 6pm (with reduced hours on Sundays and Bank Holidays) it is considered that it would not have a detrimental impact upon the retail frontage within Aberdare. It is also considered that an over-concentration of A3 uses would not be an issue in this instance as there would still be a predominance of properties in A1 use. Additionally, the change would not result in the loss of A1 floor space as the property has been disused for such a lengthy period. Consequently, the predominant use within the centre would remain as A1 in Aberdare and as such the character of the retail centre is maintained.

Consequently, it is considered that the principle of a change of use to an A3 use is acceptable.

The use of the upper floors is considered to be sound in terms of development plan policy, the SPG for flats and established National Guidance. Residences over shops within existing centres maintain levels of activity and surveillance at times where activity would be less due to the closure of the commercial use. This generally leads to greater levels of community engagement, a sense of ownership and reduced crime and antisocial behaviour.

Having regard to the assessment above, the principle of the development is considered to be acceptable.

Impact on the retail area of a Principal Town (Aberdare)

The site is within the retail area of a Principal Town. As such developments for retail units and other uses should enhance or maintain the centre's position within the retail hierarchy.

As detailed above, due to the length of inactivity at the site the proposed use is actually considered to be additional provision of commercial facilities. Furthermore, it is considered that the change of use of the ground floor to an A3 use would add to the mix of shops within the retail area and consequently, to the vitality and viability of the area. Additionally, the development would also bring this part of the disused building into a more productive commercial use.

Consequently, it is considered that the change of use would positively meet the requirements of the policy for the retail centre and maintain and enhance the centre's position in the retail hierarchy and is acceptable.

The use of the upper floors for residential use and the additional provision by way of the rear extension as enabling development is also considered to align with development plan policy, SPG and National Guidance in terms of acceptable supplemental uses.

Impact on amenities of neighbouring properties

The property is on the edge of the retail area of the Principal Town of Aberdare. Consequently, neighbouring uses are predominantly commercial although there are some properties with residential uses on the upper floors.

Due to the relationship of the existing property with its immediate neighbours, it is not considered that the proposed development would have a detrimental impact on the existing levels of privacy and amenity to either existing residences or those being created. Indeed, no objections have been raised by neighbouring residential properties in this regard.

The comments made by one respondent, that the upper floor residences would impact on the privacy of their offices are acknowledged. In this regard it is considered that the site is off-set from the objector's property and has a reasonable minimum distance of over 18m, window-to-window. Additionally, the original use of the property was as a pair of Georgian semi-detached dwellings and the property was previously approved for a first-floor residence (flat) in 2010. Furthermore, the office use could secure additional privacy measures through the use of reflective film or blinds.

Character and appearance of the area

The proposal would affect minimal alterations to the front façade of the property and what is proposed is considered to be sympathetic and in keeping with the special historic and architectural significance of the property and the Conservation Area. Materials and other details, including replacement windows, rainwater goods etc. can be adequately controlled through appropriately worded conditions.

The large enabling development to the rear of the property is considered to be capable of being accommodated at the site without leading to over-development.

Due to the glazed link arrangement and its location the new extension would be read as an obvious and honest addition to the property. This is an approach that is often used when making additions to historic buildings and has been successfully employed, as it is here, to enable the wider conservation of a historic property by adding financial viability to the overall package.

The renovation of the property would have the obvious benefit of improving the visual appearance of this currently disused and dilapidated property which has been a notable eyesore within the street-scene and wider locality for many years.

Consequently, the proposal is considered to be acceptable in this respect, subject to conditions.

Highway safety

The application has been subject to consultation with the Transportation Section who have raised no objection, subject to a condition requiring the provision of cycle stands to serve the development.

In coming to this view Highway colleagues have made the following observations:

Site Location

The proposed is located in the retail area of Aberdare Zone 1 close to a number of local facilities, public car parks and public transport links with both bus and rail stops in close proximity.

Access

Primary access to the proposed is directly off High Street A4233 for the retail / commercial unit with access to the flats via an adopted footway to the side elevation. High Street A4233 provides safe and satisfactory vehicular and pedestrian access.

Traffic Regulations

There are double yellow lines on both sides of the carriageway along High Street A4233 preventing on street car parking and loading at any time. The town centre car parks are short term for the use of the town centre trade. However, are available for use free of charge outside peak trading times.

Parking

The proposed flats Zone 1 require up-to a maximum of 1 off-street car parking space per unit (10 spaces) in accordance with the SPG Access, Circulation & Parking 2011 with none provided.

There is no access to the rear to provide off-street car parking for the proposed.

There is concern that the proposed will result in indiscriminate on-street car parking within the residential streets in the vicinity of the site increasing risk of harm to all highway users. The town centre car parks are free for use after 18:00pm outside of the current temporary restriction where the car park charging system operates until 10:00am only.

Aberdare Town Centre has already gone through a parking review with residents parking, and various other parking restrictions implemented to maintain free flow of traffic and maximise resident permit parking.

The existing / proposed has restrictions on both sides of High Street A4233 preventing indiscriminate on-street car parking.

The proposed A3 use would require no off-street car parking provision. The SPG requires that servicing can take place without unduly affecting highway safety and free flow of traffic. There is concern that the nearest service bay is located on Cannon

Street A4233 some 40m away. However, taking into account the restriction fronting the site preventing any parking including loading, on-balance is acceptable.

Cycle Parking

There is potential to provide secure cycle storage within the site to promote sustainable modes of transport with less reliance placed on the private motor vehicle and a condition has been suggested accordingly.

Conclusion

There is concern that long term residential parking will take place in the residential streets to the detriment of safety of all highway users and free flow of traffic. However, taking into account the sustainable location of the proposed in Zone 1 Principal Town, the existing restrictions in place preventing on-street parking, the close proximity of the public car park which can be utilised free of charge 18:00pm-08:00am and the proposed brings a derelict building back into use, on-balance the proposed is considered acceptable, subject to the condition referred to earlier in this section of the report.

Having regard to this through assessment of the proposal it is considered that, subject to the suggested condition, the proposal is acceptable in this respect.

Other issues

The comments of the Public Health and Protection Division in respect of a condition to restrict the hours of operation during construction are acknowledged, however it is considered that this issue can be better addressed through other legislative controls open to the Council.

The requirement for an air quality assessment is acknowledged. However, it is considered that this can be included as a restrictive condition to be produced and approved prior to commencement and implemented prior to beneficial occupation.

Similarly, the requirement for odour control, noise and grease containment for the food premises are considered to be reasonable and necessary to regulate the proposed development.

In terms of the comments of neighbouring residents, where these issues have not been addressed already within the report, the following comments are offered:

The use of the property as an A3 use (café/coffee shop) does not displace any additional commercial use at the site due to the prolonged period of inactivity. The commercial use is, therefore, the new provision of commercial activity, in addition to the existing provision within the retail centre.

As detailed above, this would add to the vitality and viability of the retail centre of the Principal Town of Aberdare, consistent with development plan policy. In terms of other

uses of a similar nature, it is not the function of the planning process to regulate competition as this is a function of the market.

In terms of the retail centre, the predominant use remains retail (A1) with a fairly high vacancy rate (around 15%) and it is not considered that this proposal, which is additional provision would alter the mix in an adverse manner.

The point regarding increased litter is acknowledged. This matter is dealt with as part of the Council's provision of commercial waste collection and street cleansing. Should this become an issue the Council has powers with which to resolve these issues.

It is acknowledged that the site does not provide any parking provision to serve the development. However, the site has been subject to a comprehensive assessment by the Council's Transportation Section who have concluded that parking provision is not required. This is due to the sustainable location of the site, within the town centre, close to amenities and alternative modes of transport. This is also consistent with other, larger residential schemes over commercial properties such as the nearby former Town Hall conversion, the Boot Hotel and the Black Lion.

The comments received from South Wales Police are acknowledged. The use of secured by design features are something that could be further explored by the developer during the Building Regulations element of the development. It is not considered appropriate to include any conditions of this nature given the potential conflict with the building's status as a Listed Building, although it is acknowledged that it is likely that a greater number of concessions would be allowed given the poor condition of the property.

Finally, the issue in relation to statutory protected species has been adequately addressed in the submitted Bat Survey Report and can be secured through the use of planning conditions.

Community Infrastructure Levy (CIL) Liability

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

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

Conclusion

The current application represents a rather sad position for any Listed Building to find itself in, particularly following the approval of a similarly invasive and strident application to re-develop the property over ten years ago.

It is evident that other than the removal of internal partitions and the rear extension, approved as part of the previous application, that very few positive works have been undertaken in relation to these properties.

The LBC application has already been assessed by Cadw who have confirmed that the Local Authority can determine the application in accordance with the report sent to them recommending approval. Consequently, the merits with regard to the impact on the heritage assets are considered to be acceptable in this case.

The planning merits of the proposal are also considered to be acceptable in that the proposal would preserve, enhance and restore this prominent Listed Building benefiting the building itself, its immediate locality, the wider street-scene including the Aberdare Conservation Area and the retail area of the Principal Town of Aberdare.

It is acknowledged that there are issues to be addressed with this proposal, however it is considered that these can be dealt with by appropriately worded conditions.

Consequently, it is considered that the proposal to convert these Listed properties would be acceptable, subject to the conditions below.

RECOMMENDATION: Grant

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

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

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

- Site location plan and existing survey, Plan No. TRB/2020/001
- Proposed Drawing – proposed floor plans, front, side (N) and rear elevations, Plan No. TRB/2020/002
- Proposed Drawing – proposed side (S) elevation, Plan No. TRB/2020/003

and documents received by the Local Planning Authority on 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 details on the approved plans, before work starts, the design and details of the following shall be submitted to and approved in writing by the Local Planning:

- Window repairs and replacements;
- rainwater goods;
- soffits and fascias;
- boundary treatments;
- chimney repairs;
- roof repairs; and
- a scheme for the retention and repair of the existing staircase

The works shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the proposed works will be in keeping with the special architectural and historic character of the listed buildings; in accordance with Policy AW7 of the Rhondda Cynon Taf Local Development Plan.

4. All disturbed fabric shall be made good to match the existing building.

Reason: To ensure that the appearance of the proposed works will be in keeping with the special architectural and historic character of the listed buildings; in accordance with Policy AW7 of the Rhondda Cynon Taf Local Development Plan.

5. The use of the ground floor commercial premises shall be restricted to a café/coffee shop and for no other purpose; including any other purpose in Class A3 of the Schedule to the Town and Country Planning (Use Classes) Order, 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.

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

6. The use of the ground floor commercial premises shall be restricted to the following opening times:

Mondays to Saturdays	08.00 to 18.00
Sundays and Bank Holidays	10.00 to 16.00

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

7. 10 no. secure cycle stands shall be provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to any works starting on site. The cycle stands shall be installed in accordance with the approved details prior to beneficial occupation of any unit; and shall remain thereafter for the use of the residents of the 10 no. apartments.

Reason: In the interests of highway safety and to promote sustainable modes of transport with less reliance on the private motor, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

8. Prior to the development hereby approved commencing an air quality assessment shall be submitted to and approved in writing by the Local Planning Authority. The report shall include any mitigation measures identified. If any mitigation measures are specified they shall be carried out and approved prior to beneficial occupation of any unit and shall remain thereafter.

Reason: To ensure that residents of the proposed residential units are not adversely affected by poor air quality in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

9. Equipment such as extraction systems, discharge stacks and odour control systems etc. shall be installed to suppress and disperse fumes and smells produced by the preparation and cooking of food. All equipment shall be maintained and operated for as long as the premises operates as a food outlet. Details of the exhaust ventilation/intended exhaust ventilation equipment must be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the use of the ground floor premises as a food outlet.

Reason: To protect the amenities of the occupiers of adjoining properties in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan

10. Notwithstanding the approved plans, if there are inhabited premises in close proximity to the intended discharge point of the extraction system a noise impact assessment must be carried out by a competent person and must be submitted to and approved in writing by the Local Planning Authority prior to the installation of the extraction system.

Reason: To protect the amenities of the occupiers of adjoining properties in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan

11. Details of the system intended to prevent waste cooking oil, fats, grease and food debris entering the foul drainage system must be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the use of the ground floor premises as a food outlet. The system shall be operated for as long as the premises operates as a food outlet.

Reason: In the interest of health and safety and environmental amenity in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan

12. Notwithstanding the approved plans, the package of ecological mitigation and enhancement measures (including repeat surveys) identified in section 6 - Recommendations of the Koru Ecology Associates survey report for the 'Former Rates Building, Aberdare' 2021 shall be implemented prior to beneficial occupation of any unit.

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



PLANNING & DEVELOPMENT COMMITTEE

7 OCTOBER 2021

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 20/1365/10 (GH)
APPLICANT: Mr P Caddy
DEVELOPMENT: 3 no. Detached 4 bed dwellings each with off road parking for 3 cars. (Resubmission of application 19/0449/10) (Ecology Report received 5th December 2020. Revised plans, reducing extent of site boundary and repositioning proposed dwellings, received 5th January 2021. Revised plan, introducing biodiversity/ecology strip received 14th April 2021).
LOCATION: LAND ADJACENT TO BRYNLLAN, TREBANOG ROAD, TREBANOG, PORTH, CF39 9DU
DATE REGISTERED: 14/04/2021
ELECTORAL DIVISION: Cymmer

RECOMMENDATION: GRANT SUBJECT TO THE CONDITIONS BELOW:

REASONS: This proposal for three new dwellings, would be located within the settlement boundary and in a sustainable location, as defined by LDP Policies AW1, AW2 and NSA12. The principle of residential development would therefore be acceptable and the land use compatible with the closest neighbouring properties.

The scale, design and siting of the new houses would be appropriate to the appearance and context of the street scene; and would not affect the amenity of third parties to an unacceptable degree. The application is also considered to be acceptable in respect of its access and any highway safety considerations.

REASON APPLICATION REPORTED TO COMMITTEE

Five letters of objection have been received.

APPLICATION DETAILS

Full planning consent is sought to construct three detached dwellings on land adjacent to the property known as Brynllan, Trebanog.

The proposal is a resubmission of planning application 19/0449/10 which was refused under delegated powers on the basis of intrusion into the Green Wedge; the absence of necessary ecological survey work and detriment to neighbour outlook. The scheme has been amended in an attempt to overcome the earlier issues with the site no longer encroaching into the adjacent Green Wedge, ecological information provided, and the number of units reduced and site layout altered.

The three dwellings would be of an identical modern design providing accommodation of generous size over two floors. The ground floor would include living and dining rooms together with a study, utility room, WC and large breakfast kitchen. To the first floor there would be a bathroom and four bedrooms, one of which would benefit from an ensuite.

With the exception of a forward-facing gable with ground floor bay window, and a small ground floor projection to the rear, the dwellings would have a near-rectangular footprint. Private garden space would be provided to the west facing rear and each house would have a driveway with turning head and parking for three cars to the side.

Access to each dwelling would be via new vehicular crossovers leading directly onto Trebanog Road. The submitted plans also indicate a footway would be provided between the carriageway and the front boundary of the three dwellings.

In terms of external finishes, the elevations would be rendered and subject to quoin, cill and head details of reconstituted stone. Fenestration would be of white uPVC and each dwelling would be enclosed by a roof of dark grey concrete tiles.

As a result of concerns raised during consultation, the extent of the site was reduced to remove a section overlapping with the land of a third party, and revised plans later received to introduce a buffer strip for the purposes of biodiversity mitigation and enhancement.

The application is accompanied by a Coal Mining Risk Assessment and Preliminary Ecological Appraisal.

SITE APPRAISAL

The application site is a field located to the southern side of Trebanog, comprising an area of maintained grass land and a vegetated highway verge, the latter within the ownership of this Council.

The site comprises a surface area of roughly 0.14 hectares, all of which lies within the defined settlement boundary and there is a general fall in level towards the south-west.

The site is bounded by the A4233 (Trebanog Road) to the east, from where the vehicular and pedestrian access is proposed, and to the north shares a boundary with the property known as Brynllan.

To the south and west the site is adjacent to open countryside, which is also designated as Green Wedge. Both the site and surrounding area are part of a Registered Landscape of Outstanding Historic Interest in Wales.

Other neighbouring properties are located on the opposite side of Trebanog Road, at least 28m from the opposing boundary of the application site.

PLANNING HISTORY

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

- 19/0449/10:** Proposed 4 detached houses each with off road parking for 3 cars. Decision: 01/07/2020, Refused.
- 18/5158/41:** Pre-application advice. Decision: 14/03/2019, Raise Objections.
- 15/1319/13:** Residential development including roundabout access and associated works (Outline). Decision: 02/02/2016, Withdrawn by Applicant.

PUBLICITY

The application has been advertised by direct notification to eleven neighbouring properties and notices were erected on site. Upon receipt of the revisions referred to above a second consultation was undertaken.

Letters of objection were received from five households. One of these letters was from a resident who organised and submitted a petition, containing 26 signatures objecting to the previous application (19/0449/10), requesting that the earlier petition be taken into account for the current proposal. Members are advised that the points set out in the earlier petition have been considered.

The following issues were raised:

- Three separate accesses to the new properties would be dangerous and on the summit of the hill.
- The development would jeopardise highway safety for all residents.
- A request for a second entrance to the cul-de-sac on the opposite side of Trebanog Road was declined due to road safety concerns.

- Traffic speeds on the A4233 are high and not all drivers observe the existing 30mph limit.
- On-street parking during rugby matches reduces visibility.
- A gravity foul sewer connection may not be possible due to the level of the site and a pump station would alter the development.
- Natural beauty of the site would be ruined, and the historical landscape would be affected.
- The verge at the front of the site is not within the ownership of the applicant.
- The site is partly within a Green Wedge.
- The revised design shows the development of the houses further away from my home but would still have a big impact on my home with parking spaces right on my boundary and my lounge doors looking directly at the gable end of the properties.
- Disruption, noise and dust arising from the construction process.
- The dwellings will be opposite our house and will take away beautiful views.

CONSULTATION

Highways and Transportation Section

No objection subject to conditions.

South Wales Police – Traffic Section

The recommended highways condition, in respect of the extension of the 30mph zone, is necessary.

Waste Management

No objection since the bin collection point would be at the front of the properties adjacent to Trebanog Road.

The Coal Authority

The Coal Authority is satisfied with the conclusions of the Coal Mining Risk Assessment Report (24 July 2019). The Coal Authority therefore has no objection to the proposed development, and it will be for the Building Regulations process to ensure that the most appropriate foundation design is installed accordingly.

Western Power Distribution

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

Dwr Cymru Welsh Water

There are no issues with regards to capacity to accommodate the foul flows from the proposed development and it is understood that the surface water will be dealt with by alternative means. Following the introduction of Private Sewers Legislation 2011 all drainage outside of the individual plots will need to be adopted and comply with Sewers for Adoption 7th Edition (Section 104 Water Industry Act 1991) and adopted by the Statutory Sewerage Undertaker (Dwr Cymru Welsh Water). Therefore, it is down to the developer to provide a scheme that meets these requirements. It should also be noted that an adoption agreement has to be in place prior to any drainage works commencing.

Flood Risk Management

Since the proposed development will encompass works with drainage implications for an area over 100m², Schedule 3 of the Flood and Water Management Act 2010 will apply. No objection or recommendation for condition in relation to surface water flood risk is recommended for this application as this will be adequately managed by both the separate Building Regulations and Sustainable Drainage Systems approval processes.

Countryside, Landscape and Ecology – Ecologist

No objection subject to a condition for the provision and management of species and habitat mitigation.

Natural Resources Wales

No objection subject to a condition for a Construction Environmental Management Plan.

Public Health and Protection

Conditions are proposed in respect of demolition, hours of operation, noise, dust and waste. However, these matters can be better controlled within the scope of existing environmental health legislation and therefore an informative note is considered to be acceptable.

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

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies within the settlement boundary for Trebanog,

Policy CS1 - emphasises building strong, sustainable communities in the Northern Strategy Area.

Policy AW1 - this policy is concerned with the supply of new housing within the Borough. It stipulates that the supply will be met by the development of unallocated land within the defined settlement boundaries of the Principal Towns, Key Settlements and Smaller Settlements.

Policy AW2 - provides for development in sustainable locations which are within the settlement boundary; would not unacceptably conflict with surrounding uses; and have good accessibility by a range of sustainable transport options.

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

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

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

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

Policy NSA10 - requires housing density to be a minimum of 30 dwellings per hectare, unless justified to protect the character of the site and residential amenity.

Policy NSA12 - permits housing development in the settlement boundary subject to criteria and allows development outside but adjoining the settlement boundary subject to criteria which includes the site not being within a Green Wedge.

Supplementary Planning Guidance

- Delivering Design and Place-making
- Access, Circulation and Parking Requirements
- Nature Conservation

National Guidance

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

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

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

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

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

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

SE Wales Policies

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

Other relevant national policy guidance consulted:

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

Manual for Streets

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

National Sustainable Placemaking Outcomes

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

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

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

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

- **Creating and Sustaining Communities:** The development density is appropriate for the edge of settlement location and would contribute to the overall housing requirement within the Northern Strategy Area
- **Facilitating Accessible and Healthy Environments:** The application site is located on a bus route with some services and facilities located within walking distance and being within the settlement boundary is considered to be a sustainable location.
- **Maximising Environmental Protection:** The development would result in an area of approximately 150m² to be set aside for biodiversity mitigation and enhancement.
- **Growing Our Economy in a Sustainable Manner:** The development would have a small but positive effect in terms of construction jobs.

In respect of the other national outcomes listed the development would not be considered to have a negative impact.

Principle of the proposed development

The application relates to the construction of three dwellings on the southern side of the settlement of Trebanog, within the settlement boundary. According to Natural Resources Wales the site is located around 250m to the east of the Rhos Tonyrefail SSSI, and it is also within an area designated as a historic landscape.

In the context of the Local Development Plan Policy AW1 recognises that the supply of new housing, over the period of the Plan, will be delivered by various means. This includes the development of unallocated land within the defined settlement boundaries of smaller settlements.

Furthermore, Policy AW2 supports residential proposals in sustainable locations. By virtue of its location within the settlement boundary, compatibility with neighbouring land uses, public transport access and proximity to existing infrastructure, i.e. water, power and communications, the relevant criteria set out within this Policy would be met.

On this site residential proposals in the Northern Strategy Area would also be required to comply with Policies NSA10 and NSA12.

The former requires that housing developments should achieve a density of 30dph unless a variation can be justified. The application site has a surface area of 0.14ha which would result in a density of 21.42dph. However, in this case, as the Policy confirms, this can be less if the character of the site or residential amenity would be affected. As this is an edge of settlement location and a gap between the development and the property to the north would benefit the outlook and amenity of the existing neighbouring resident, it is considered that a greater density would not be desirable.

Policy NSA12 allows residential development within the settlement boundary so long as it meets certain criteria, which include that neither the provision of open space, highway network or existing car parking provision are adversely affected. Whilst site-specific highway issues are considered further below, the development would accord with this Policy.

Therefore, the proposed development would comply with Policies AW1, AW2 and NSA12 and is therefore considered acceptable in principle.

Impact on the character and appearance of the area

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

The new dwellings would be of a contemporary design and similar to the type of dwellings that might be constructed by a volume house builder. In terms of how they would fit into the street scene, the variety of the surrounding residential properties means that there is no overriding uniformity of style or pattern of development within close proximity to the application site

For example, the two dwellings immediately to the north are of a contrasting style to the majority of the semi-detached dwellings to the east, being of recent construction. Further to the north-east development is characterised by linear terraces of typical Victorian appearance, most of which have retained their natural stone-faced principal elevations.

The current iteration of the proposal is considered to be an improvement over the earlier refused application, since the number of properties has been reduced by one. Although this has also resulted in a reduction in housing density, the physical spacing of the houses would be relatable to that of the neighbouring houses to the north. In addition, development on the edge of settlements tends to be less dense, better suiting the character of the locality.

Consequently, notwithstanding that the application site is currently an undeveloped field, it is considered that the proposed new dwellings would be acceptable in terms of their visual impact.

Amenity of neighbouring occupiers

The siting of the three dwellings means that most of the neighbouring residents living at properties on the opposite side of Trebanog Road would not be directly affected by the development. A minimum separation distance of 28m would be maintained, and if the distance between opposing elevations is taken into account, the gap would be approximately 38m.

Although a number of Trebanog Road residents acknowledged that the construction of the properties may cause some local disturbance and noise, this would only occur for a limited period. Disruption caused by any construction activities necessary to carry out an approved development would not be a sustainable reason for refusing planning permission.

Conversely, the residents of the property known as Brynllan, to the north, would be more likely to be directly affected, not in terms of any intrusive views or overshadowing, since the new elevation facing the shared boundary would contain one small bathroom window and the new house would be set lower in the ground, but in respect of outlook.

As highlighted by the residents of Brynllan, their ground floor living room is served by a single large window comprising French doors and sidelights, which is located within the south facing side elevation of the rear offshot.

One of the reasons for the refusal of an earlier application (19/0449/10) was, in part, due to the impact of the development on the outlook from this window, and whilst an amendment was sought to increase the gap between the window and the elevation of Plot 1, the enlarged gap of 11m was felt to be insufficient. At the time it was suggested that reducing the number of dwellings to three might help in this regard, as the current application has done.

The site layout plan shows how the three houses would be arranged and with particular relevance to Brynllan, demonstrates that there would be a gap of around 14m between the living room window and that part of the side elevation of Plot 1 which would be visible. Although direct views from Brynllan to the south would be partly obscured from this window, the loss of a view, either in whole or in part is not a material planning consideration. Furthermore, 14m is considered to be great enough a distance to avoid the development being overbearing, particularly when the outlook would not be wholly altered.

Nevertheless, although the submitted plans show that the new dwellings would be set at a lower ground level, there is a concern about how the development will deal with the fall in levels. Therefore, to ensure that there is no unacceptable impact on neighbours, either from the dwelling on Plot 1 or the associated amenity space and car parking, condition 3 is recommended for the submission of site levels pre and post development.

Accordingly, the proposed development is considered to be acceptable in respect of the amenity of neighbouring occupiers.

Highways and accessibility

Access

The application site is served from Trebanog Road (A4233) which is a principal interurban route carrying a high volume of traffic and links the A4119 and A4058 roads. Trebanog Road has a carriageway width of 6.8m with a 1.8m wide footway on the opposite side and a highway verge on the development side.

The Council's Highways and Transportation Section advises that there is a general presumption against further individual accesses to principal roads which would create hazards to the detriment of safety of all highway users and free flow of traffic.

There is a concern that vehicles approaching the site from the south would be travelling in excess of 30mph which raises cause for concern. However, there is potential to mitigate against this concern by extending the 30mph speed limit further south along the A4233 to reduce speeds approaching the proposed plot access points.

Furthermore, considering the local context and that the proposal incorporates a turning area to facilitate access/egress in forward gear, the view of the Transportation Section is that the access would be acceptable subject to a number of conditions.

Visibility

The required vision splays for a 30mph speed limit, as stated within TAN18, are 2.4m x 40m. At present it is of significant concern that the 70m stopping distance for the 30mph speed limit area is within the approach to plot three. However, as referred to above, the extension of the 30mph speed limit to the south would reduce speeds approaching the plot access points.

It is noted that the cost of amending the speed limit would be in the region of £10,000 and the Highways and Transportation Section has recommended that any planning consent should be subject to a condition for these works to be undertaken prior to occupation.

Active Travel

PPW establishes a hierarchy of sustainable modes of travel and places walking and cycling foremost, followed by public transport and then the private car. The Active Travel (Wales) Act 2013 also requires safe and satisfactory provision of a footway and cycleway to encourage sustainable modes of travel.

The submitted information and details do not assess and mitigate to comply with these requirements and as such are considered unacceptable. However, since there is potential to provide a shared cycle and footway facility this matter can be addressed by a condition accordingly. The combined cycle and footway would also ensure unobstructed vision splays for vehicles entering and leaving the parking spaces within the site curtilage.

Off-Street Parking

With regard to off-street parking requirements, the Council's SPG requires a maximum of 3 spaces per 4-bed dwelling, with which the development would comply. Access and egress must take place in forward gear and the submitted plans demonstrate that there is space within the front garden curtilage to enable this.

Community Concern

In addition to the above and due to the level of community concern and representations about the position of the proposed site access and the potential harm to highway safety in respect of speeding traffic and available sight lines, the views of South Wales Police Traffic Section were sought.

SW Police has noted that on approach to the site from the south towards Trebanog, there is an uphill gradient on a slight sweeping left hand bend, with limited visibility and line of sight to the proposed site entrance. This section of road falls within the national speed limit area of 60mph, whereas the 30mph speed limit begins just prior to the brow of the hill on entering Trebanog,

From experience SW Police has advised that vehicles are still accelerating up the gradient through the 30mph signage and that there would be a risk for conflict between construction traffic and the speed of vehicles approaching the site from the south. This situation would be the same for the occupants entering and exiting the new dwellings. Consequently, their conclusion is that an extension of the existing 30mph limit is warranted on the grounds of road safety.

Clarification was also sought about whether there would be any remaining safety concerns if the 30mph extension was introduced. SW Police raised a concern about the line of sight exiting from the site due to foliage and trees within the highway verge.

Nonetheless, the Highways and Transportation Section has recommended a further condition for the setting back of the site boundary fronting Trebanog Road to provide for a 3m wide cycle way/footway and link to the existing footway network, which would enable sufficient sightlines to the south and for traffic approaching the site to have visibility of any exiting vehicles.

Site Meeting

A site meeting was held with the representatives of the Highways Section, Planning Case Officer and Chair and Vice-Chair of the Planning Committee on July 16th, 2021.

This gave the opportunity for the abovementioned matters to be reconsidered and concerns about the absence of a safe pedestrian crossing point, the reduction in visibility due to inclement weather, and previous accidents in the vicinity caused by speeding traffic were also highlighted.

Conclusion

Having considered the details of the application and the various representations and concerns raised, the advice from the Highways Section to Members, following the site meeting of July 16th remains the same, and that the concerns can be mitigated via the use of conditions and the speed limit extension.

On balance therefore, and subject to the imposition of the aforementioned conditions outlined above, in particular conditions 6 and 7 below, it is considered that the development would be acceptable in terms of highway safety.

Ecology

With reference to the Preliminary Ecological Assessment, the most significant ecological impact is the loss of the roadside hedgerow/narrow copse. As described in the PEA that is probably an older area of roadside planting and natural regeneration with sycamore, ash, hawthorn and Scot's pine and secondary woodland ground flora. The adjacent field is relatively species poor comprising semi-improved grassland, with a band of bramble scrub.

The affected trees are semi-mature, and the PEA concludes that there is no bat roost present (although bat foraging use is likely), the trees/scrub/bramble will support nesting birds, and there is some reptile potential. The PEA found no badger sett evidence, although Japanese's Knotweed is present.

Since submission of the initial proposal the Applicant has now identified a 3 metre habitat buffer strip to the rear of the three new properties. This would be in accordance with the recommendations of the PEA and is sufficient for the Council's Ecologist to remove his objection.

Therefore, whilst the site affected is of relatively limited ecological value, despite immediately local value for nesting bird habitat, potential bat foraging habitat and for reptiles, any planning permission will need to include a condition for the ecological mitigation and enhancement identified in Section 5 of the PEA and a 10 year aftercare management plan.

Lastly, NRW has recognised that the development site is based uphill from the Rhos Tonyrefail SSSI and notes that the PEA indicates suitable pollution prevention control

methods will be required to reduce any potential impacts from the proposed development.

Since no pollution prevention control methods have been included within the PEA, or as part of the application, NRW has advised that a condition should be appended to any planning permission to require the submission of a Construction Environmental Management Plan.

Other matters

A number of other matters were raised by objectors, including a concern that the development would not be able to create a gravity connection to the main sewer. However, the consultation response from Dwr Cymru Welsh Water has stated that it is up to the developer to provide a workable scheme.

It would therefore not be reasonable to refuse consent on these grounds since this would suggest that the Planning Authority was confident that a workable scheme could not be provided, or that there would be no other possible solutions for dealing with foul water – which is not the case.

Concern was also raised about the ownership of the highway verge. In this regard, the land is within the ownership of the Council. The Applicant completed Certificate B of the application form and served the required notice. Whether the Applicant needs to acquire control or ownership of the land to be able to carry out the development is not a material planning consideration.

Lastly, none of the application site falls within land designated as Green Wedge, following the amendments referred to in the description of development.

Community Infrastructure Levy (CIL) Liability

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

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

Conclusion

The application property is within the settlement boundary and therefore the principle of residential development would be supported by LDP Policies AW1, AW2 and NSA12.

In respect of other material matters, it is considered that the new dwellings would not be detrimental to the character of the area or be harmful to the amenity of neighbours, to a degree that would warrant a recommendation of refusal. In addition, sufficient biodiversity mitigation and enhancement can be provided to satisfy the Council's Ecologist.

Whilst there are strong community concerns regarding highway safety in the vicinity of the site, the Council's Highways and Transportation Section has advised that such matters can be satisfactorily addressed by the use of planning conditions. On this basis, and in light of the foregoing consideration, Members are recommended to approve the application.

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 drawing numbers:
 - PC01 Rev. C
 - PC02 Rev. C
 - PC03 Rev. B

and details and documents received on 2nd December 2020, 5th January 2021, and 14th April 2021.

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

3. No development shall commence until details of the existing and finished site levels of Plot 1, to include the ground floor FFL, external amenity space, and boundary treatment adjacent to the property known as Brynllan, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

4. No development, including any site clearance, shall commence until a site wide or phase Construction Environmental Management Plan (CEMP) has

been submitted to and approved in writing by the Local Planning Authority. The CEMP should include but not be limited to:

- a) General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containment areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, wheel wash facilities, concrete mixing and washing areas) and any watercourse or surface drain.
- b) Pollution Prevention: demonstration of how relevant guidelines for pollution prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan, and self-reporting of any breaches of the CEMP or pollutions that happen during construction to NRW.
- c) Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details.
- d) Resource Management: details of fuel and chemical storage and containment; details of materials; details of waste generation and its management; details of water consumption, wastewater, and energy use.
- e) Biodiversity Management: details of tree and hedgerow protection; invasive species management; species and habitats protection, avoidance and mitigation measures.

The CEMP shall be implemented as approved during the site preparation and construction phases of the development.

Reason: To protect water quality and ensure protection of the natural environment during construction, in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

5. No development shall commence, including any works of site clearance, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority to provide for:

- a) The means of access into the site for all construction traffic,
- b) The parking of vehicles of site operatives and visitors,
- c) The management of vehicular and pedestrian traffic,
- d) Loading and unloading of plant and materials,
- e) Storage of plant and materials used in constructing the development,
- f) Wheel cleansing facilities,
- g) The sheeting of lorries leaving the site.

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

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

6. No development shall commence until details of a scheme for the setting back of the site boundary fronting Trebanog Road (A4233), to provide for a 3m wide cycle way/footway and link to the existing footway network, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented prior to any beneficial occupation of the development.

Reason: In the interests of highway and pedestrian safety and to encourage sustainable modes of travel in accordance with PPW11 and Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

7. No development shall commence until details of a scheme for the provision of a Traffic Regulation Order (TRO) along the A4233 Trebanog Road, to extend the 30mph speed limit to the south, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented prior to any beneficial occupation of the development.

Reason: To ensure deliverability of traffic management measures and restrictions in the interests of highway safety in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

8. No development shall commence until a scheme for the relocation of street furniture service poles affected by the proposal has been submitted to and approved in writing by the Local Planning Authority and implemented on site.

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

9. No development shall commence until details of the following have been submitted to and approved in writing by the Local Planning Authority:

- a) A scheme for the provision of species mitigation and enhancement measures, to include integral bird nesting and bat roosting bricks within the new dwellings and bat sensitive lighting, as identified in Section 5 of the Preliminary Ecology Assessment (MPS Ecology dated December 2020). These measures shall be provided on site prior to the beneficial occupation of the new dwellings and maintained in perpetuity.

- b) A protection and management plan for the 3m wide hedgerow/buffer strip along the western site boundary for a minimum period of ten years

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

10. Prior to any beneficial occupation of the development the parking and turning facilities shall be laid out in accordance with drawing number PC.02 Rev. C. The car parking and turning areas shall be retained solely for this purpose.

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

11. No HGV deliveries during construction shall take place between 7:30-8:30am and 16:30-17:30pm on week days.

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

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

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



RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

PLANNING & DEVELOPMENT COMMITTEE

21st September 2021

SITE MEETING

APPLICATION NO: 21/0431/15 Variation of condition 2 (approved plans) to seek permission for amended building location, building height, forecourt and external cladding. (Original application 19/0791/10) (Amended plans received 02/08/21).

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

REPORT OF THE SERVICE DIRECTOR, DEMOCRATIC SERVICES & COMMUNICATION

Author: Jessica Daniel, Council Business Unit.

1. PURPOSE OF THE REPORT

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

2. RECOMMENDATION

It is recommended that Members:

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

3. BACKGROUND

- 3.1 In accordance with Minute No 54 (Planning and Development Committee – 2nd September 2021) a site inspection was undertaken on Tuesday 21st September 2021 to consider the distance from nearby properties, whether the proposed development is in keeping with the local area and highways matters concerning the lane accessing the site.

- 3.2 The meeting was attended by the Planning and Development Committee Members County Borough Councillors S. Rees, G. Caple, D. Grehan and J. Williams.
- 3.3 Members met at the entrance to the site at land off Heol Y Beddau and walked onto the site. The Planning Officer advised Members that the application seeks to vary the plans previously approved within planning permission ref. 19/0791/10. The previous application gained consent for the construction of a single storey storage unit at the site for the personal storage of the applicant's classic car collection.
- 3.4 The Planning Officer pointed out to Members that development works have started on site and it is apparent that they are not progressing in accordance with the approved plans. The unit has not been located in the position previously set out and its height has increased. The Planning Officer advised that this application therefore seeks consent to retain the structure as built / being built by amending the wording of Condition 2 in line with the updated proposed plans/design. The proposed amendments consist of the following:
- Resiting of the unit 4.5 metres to the south of its original position, towards the centre of the plot. It has been indicated that this was required due to the location of a sewer line towards the northern boundary of the site that would have needed to be moved or built over.
 - The ridgeline of the building has increased from 6.5 metres to 7.4 metres in height, with the eaves height increasing by 1 metre, from 5 metres to 6 metres.
 - The forecourt depth to the east of the building has been reduced by 0.5 metres, from 10 metres to 9.5 metres.
 - The applicant has also indicated that he wishes to amend the approved cladding colour from Goosewing Grey to Merlin Grey.
- 3.5 The Planning Officer talked Members through details of the original report presented at Committee on 2nd September covering the site appraisal, planning history and the details of responses received as part of the public and statutory body consultation. The Planning Officer addressed the points raised by objectors as part of the public consultation including concerns regarding impact on character and appearance of the area and the impact on residential amenity and privacy. Members were advised that the overall appearance of the development does not vary significantly from the originally approved scheme. The Planning Officer outlined that the alteration in siting is not considered to result in a significant difference in layout/appearance from that originally approved. Additionally, whilst the amendment has seen the height increased by 1 metre, the structure would still remain largely screened from view outside of the immediate vicinity of the site and would therefore not be any more prominent than that

previously approved. Regarding the impact on residential amenity and privacy, Members were advised that the unit would still be separated from the rear of these properties by at least approximately 25 metres and that it is not considered to result in such an impact that would warrant a refusal of the application.

- 3.6 The Planning Officer also discussed concerns raised by objectors regarding highways safety regarding the use of the access lane and junction with Heol Y Beddau. Members were reminded that as set out in the original report there were no objections raised by the Council's Transportation Section noting that the site is large enough to meet its SPG access, turning and parking requirements and the amended site layout is acceptable. The Planning Officer also addressed concerns raised regarding the use of the land as a turning point by residents. It was confirmed to Members that the land is under the ownership of the applicant and surrounding residents have no right of access.
- 3.7 Members also discussed the concerns regarding SuDs approval at the site. The Planning Officer confirmed that the development has commenced despite it not benefitting from SuDS approval. Members were advised that the Council's Flood Risk Management team noted that SuDS consent has not been granted at the site but that there is sufficient scope within the site to implement an appropriate scheme and that a retrospective application was possible, which should overcome any concerns. Following this point, the Planning Officer reminded Members of the suggested condition as outlined in the report requiring full site drainage arrangements be submitted to the Council for approval within 56 days of consent, and the unit shall not be brought into beneficial use until the approved drainage arrangements have been implemented on site.
- 3.8 Members raised a question regarding if enforcement action had taken place at the site. The Planning Officer advised that Enforcement Officers had attended site and noted the difference in the previously approved details and the structure that was being built. Members were advised that Enforcement Officers requested that work cease on the site whilst the revised application was submitted.
- 3.9 Local Member, County Borough Councillor J. Barton and County Borough Councillor G. Holmes spoke on the application. One Member outlined their concerns regarding the requirement for the storage unit to be built to such a large scale noting the building appeared to impose as an industrial unit in a residential area. One Member also raised concerns regarding the distance of the development to nearby residential properties and the proximity of the development to sewer lines at the site. Further concerns were raised regarding highways safety and the ability of emergency services to access the site if required.

3.9 The Chair thanked the officers for the report and closed the meeting.

PLANNING & DEVELOPMENT COMMITTEE

2 SEPTEMBER 2021

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

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

RECOMMENDATION: APPROVE

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

REASON APPLICATION REPORTED TO COMMITTEE

Three or more letters of objection have been received.

APPLICATION DETAILS

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

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

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

and documents received by the Local Planning Authority on 18/07/19, unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

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

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

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

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

SITE APPRAISAL

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

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

PLANNING HISTORY

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

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

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

Decision: 23/10/2019, Grant

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

Discharge of Condition 6 (Site Investigation Report)

Decision: 18/09/2020, Grant

PUBLICITY

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

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

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

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

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

CONSULTATION

Transportation Section: No objection subject to conditions.

Public Health and Protection: No objection.

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

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

Flood Risk Management (Drainage): No objection raised.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

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

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

Policy AW2 – supports development in sustainable locations.

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

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

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

Supplementary Planning Guidance

- Design and Placemaking
- Access, Circulation and Parking

National Guidance

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

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

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

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

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

Other policy guidance considered:

PPW Technical Advice Note 12 - Design

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

Principle of the proposed development

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

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

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

Impact on the character and appearance of the area

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

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

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

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

Impact on residential amenity and privacy

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

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

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

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

Impact on highway safety

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

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

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

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

Drainage

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

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

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

Land Ownership

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

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

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

Other issues raised by the objectors

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

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

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

Community Infrastructure Levy (CIL) Liability

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

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

Conclusion

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

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

RECOMMENDATION: Grant

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

PLANNING & DEVELOPMENT COMMITTEE

21st September 2021

SITE MEETING

**APPLICATION NO: 21/0635/10 Detached 3 bed bungalow with parking for 3 cars (Affecting Public Right of Way PON/4/1).
Bodwenarth Farm, Albion Court, Cilfynydd, CF37 4JA**

REPORT OF THE SERVICE DIRECTOR, DEMOCRATIC SERVICES & COMMUNICATION

Author: Jessica Daniel, Council Business Unit.

1. PURPOSE OF THE REPORT

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

2. RECOMMENDATION

It is recommended that Members:

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

3. BACKGROUND

- 3.1 In accordance with Minute No 53 (Planning and Development Committee – 2nd September 2021) a site inspection was undertaken on Tuesday September 2021 to consider the potential drainage issues and height of the proposed fence.
- 3.2 The meeting was attended by the Planning and Development Committee Members County Borough Councillors S. Rees, G. Caple, D. Grehan and J. Williams.

- 3.3 Members met at the front of the site at Bodwenarth Farm and walked around the site to view the rear of the proposed development. The Planning Officer advised Members that full planning permission was previously granted for a dwelling at Bodwenarth Farm in Cilfynydd and all conditions discharged. Members noted that Construction of the dwelling has commenced, however it is being constructed 1m above the approved slab level. As no formal application had been submitted for the changes, this application has been submitted to attempt to authorise those works. It was advised the access and the size and design of the dwelling being constructed is the same as previously permitted with some minor elevation changes i.e. the front of the dwelling would be render and not stone.
- 3.4 The Planning Officer advised Members that the plans detail a 900mm high stone wall that would be provided to mark the front boundary. A 1.8m high close boarded fence would be provided along the remaining boundaries. To the rear, between the site and rear gardens of dwellings on Hilltop Avenue, it is detailed there would be a buffer zone of soft landscaping. Members observed the site from the rear of the property to view the area of proposed fencing and soft landscaping. Members noted the distance to the rear of properties in Hilltop Avenue and the presence of dwellings alongside the proposed development site of two storeys. It was advised photographs taken from the perspective of the occupiers of dwellings on Hilltop Avenue are available to view in the presentation to Committee.
- 3.5 Members also considered the concerns regarding potential drainage issues. The Planning Officer outlined the response from the Councils Flood Risk Management team and Structural Officer as contained in the original report. Members noted the gradient of the land running backwards towards the property.
- 3.6 The Planning Officer also highlighted that there are less conditions on this recommended permission, as compared to the original permission, as this application is retrospective, conditions on the original permission have been previously discharged and the necessary conditions for this application are a response to the consultation comments as highlighted in the original report.
- 3.7 The Chair thanked the officers for the report and closed the meeting.

PLANNING & DEVELOPMENT COMMITTEE

2 SEPTEMBER 2021

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

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

RECOMMENDATION: GRANT

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

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

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

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

REASON APPLICATION REPORTED TO COMMITTEE

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

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

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

APPLICATION DETAILS

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

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

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

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

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

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

SITE APPRAISAL

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

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

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

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

PLANNING HISTORY

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

PUBLICITY

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

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

CONSULTATION

Dwr Cymru/Welsh Water – no objection subject to a condition that no surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network. Advisory notes with regard sewers is provided.

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

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

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

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

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

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

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

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

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

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

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

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

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

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

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

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

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

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

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

Supplementary Planning Guidance:

Access, Circulation and Parking

Design and Placemaking

Nature Conservation

National Guidance

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

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

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

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

- Policy 2 – Shaping Urban Growth – Sustainability/Placemaking

Other relevant policy guidance consulted:

PPW Technical Advice Note 5: Nature Conservation and Planning

PPW Technical Advice Note 12: Design;

PPW Technical Advice Note 18: Transport; and

PPW Technical Advice Note 23: Economic Development.

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

Principle of development

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

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

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

Impact on residential amenity and privacy

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

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

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

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

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

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

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

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

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

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

Impact on the character and appearance of the area

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

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

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

Access and highway safety

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

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

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

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

Public Rights of Way (PROW)

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

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

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

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

Drainage and flooding

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

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

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

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

Site Stability

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

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

Ecology

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

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

Other Issues

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

Public Health Comments

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

Community Infrastructure Levy (CIL) Liability

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

The application is for development of a kind that is liable for a charge under the CIL Regulations 2010 as amended. The application lies within Zone 2 of Rhondda Cynon Taf's Residential Charging Zones, where there is a liability of £40 / sqm for residential development.

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

Conclusion

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

RECOMMENDATION: GRANT SUBJECT TO THE FOLLOWING

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

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

and documents received by the Local Planning Authority on 28th April and 21st June 2021, unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

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

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

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

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

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

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

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

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

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

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

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

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



PLANNING & DEVELOPMENT COMMITTEE

7 OCTOBER 2021

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

1. PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

Application No: **21/0809 - Proposed rear dormer loft conversion, front porch & kitchen extension, 38 Clos Myddlyn, Beddau, Pontypridd**

2. RECOMMENDATION

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

3. BACKGROUND

This application was originally reported to the 2nd September 2021 meeting of the Planning and Development Committee with an officer recommendation of approval. A copy of the original report is attached as **APPENDIX A**. At that meeting Members were minded to refuse the application contrary to the officer recommendation as they considered the proposal would result in overdevelopment of the site and an unacceptable level of overlooking of properties to the rear (Minute No. 55 refers).

As a consequence, it was resolved to defer determination of the application for a further report from the Service Director of Prosperity and Development to highlight the potential strengths and weaknesses of taking a decision contrary to officer recommendation.

4. PLANNING ASSESSMENT

The officer considerations in respect of the potential impact the proposed development works would have upon the character and appearance of the area and residential amenities of surrounding residents are set out in the original Committee report, however, a brief summary is set out below:

It is acknowledged that the proposal would see the construction of a rear dormer and front extension to the property which would inevitably

impact upon the overall character and appearance of the dwelling. However, when considering the fallback position that could see similar structures of a slightly smaller scale constructed under the properties permitted development rights, it is not considered that any potential impact would be great enough to warrant a refusal of the application.

In relation to the loss of privacy, as highlighted above, given the fallback position that could see a similar dormer with a comparable fenestration arrangement located to the rear of the property without the need for planning permission, it is considered that any opportunities for overlooking from the proposed dormer would not be significantly above those which could occur if a dormer were to be constructed under the properties permitted development rights. As such, it is not considered any potential impact would result in an impact great enough to warrant a refusal of the application.

Members are advised however that the impact of any development upon the character and appearance of the property and upon the amenities of neighbouring residents is subjective. The original considerations were an 'on balance' recommendation, highlighting that the proposed development will result in considerable additions and alterations to the application property and that the proposed dormer would inevitably result in loss of privacy to the occupiers to the rear.

Therefore, whilst the application is recommended for approval, if, having considered the above advice and after further consideration, Members remain of a mind to refuse planning permission, it is suggested that the following reason would reflect those views:

REASON: The proposed extensions, by virtue of their scale, overall resulting mass and location, would represent a visually incongruous and un-neighbourly form of development that would lead to overdevelopment of the site and an unacceptable level of direct overlooking of the surrounding properties, contrary to Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

PLANNING & DEVELOPMENT COMMITTEE

2 SEPTEMBER 2021

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

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

RECOMMENDATION: APPROVE

REASONS:

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

REASON APPLICATION REPORTED TO COMMITTEE

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

APPLICATION DETAILS

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

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

0.18 metres. The proposed dormer would have a Juliet balcony and bathroom window on its rear elevation.

The proposed single storey extension would be located to the front of the property at an area currently forming amenity space. It would measure a width of 4.4 metres and would protrude outwards to a depth of 1.6 metres. The addition would have a mono pitched roof design measuring a maximum height of 3.1 metres sloping to 2.6 metres at the eaves.

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

SITE APPRAISAL

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

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

PLANNING HISTORY

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

PUBLICITY

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

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

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

CONSULTATION

No consultation has been undertaken.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

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

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

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

Supplementary Planning Guidance

- A design guide for householder development

National Guidance

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

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

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

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

Other policy guidance considered:

PPW Technical Advice Note 12 - Design

REASONS FOR REACHING THE RECOMMENDATION

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

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

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

Main Issues:

Principle of the proposed development

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

Impact on the character and appearance of the area

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

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

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

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

Impact on residential amenity and privacy

The objectors concern with regards to loss of privacy and light pollution created by the proposed dormer are acknowledged. However, when considering the permitted development fallback position of a slightly smaller dormer of a similar design with fenestration along its rear elevation, as highlighted above, it is not

considered that the any impact would be great enough to warrant a refusal of the application on this basis. Additionally, given the location of the dormer within the plane of the roof, it is not considered it would result in any detrimental overbearing or overshadowing impact upon neighbouring properties.

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

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

Other issues raised by the objectors

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

Community Infrastructure Levy (CIL) Liability

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

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

Conclusion

It is not considered the proposals would have a significant impact upon the character and appearance of the locality or upon the residential amenity and privacy standards currently enjoyed by the surrounding properties. The application is therefore considered to comply with the relevant policies of the Local Development Plan (AW5 and AW6).

RECOMMENDATION: Grant

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

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

2. The development hereby approved shall be carried out in accordance with the approved plan(s) no:
 - Drawing No. 002

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

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



PLANNING & DEVELOPMENT COMMITTEE

7 OCTOBER 2021

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

1. PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

Application No: **21/0058** - Detached house with integral double garage, Former Glen Transport Site, Penycoedcae Road, Penycoedcae, Pontypridd

2. RECOMMENDATION

That Member consider this report and determine the application having regard to the advice given.

3. BACKGROUND

This application was originally reported to the Development Control Committee on 2nd September 2021 (A copy of the original report is attached as Appendix A). Following consideration of the application, Members resolved to approve planning permission, contrary to the recommendation of the report. Members reached this conclusion as they considered that the site would be acceptable for residential use and the development would have a beneficial impact on the site.

Whilst it is acknowledged that the proposal appears to be acceptable in terms of its potential impacts upon, the character and appearance of the area, amenity of neighbouring occupiers and highway safety; from a planning policy perspective, the scheme proposes the construction of new residential development on land outside of settlement limits, in an unsustainable location. Therefore, in the absence of an appropriate justification, it is considered that the development is contrary to the policy framework within the Rhondda Cynon Taf Local Development Plan and Planning Policy Wales.

In the assessment of any application for residential development, the first consideration must be the location of the site in planning policy terms. In this case the plot is clearly located outside of the defined settlement limits, in a location where planning policy aims to restrict new residential development. Whilst planning policy does make provision for certain exceptions, it is not considered that the current proposal represents such an exception. Although it is located at the periphery of the village of Penycoedcae, the site is outside and separate from the settlement boundary. Whilst the site is served by public

transport, this is a very low frequency bus route, generally passing the site once every two hours. It is also noted that the site has very poor access to key services and facilities within the local vicinity. The site, therefore, cannot be considered a sustainable location for development as it does not accord with policy AW 2 or indeed national policy.

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

It is also reiterated that the planning history of the site illustrates a number of refusals of earlier planning applications on the same site, for the same reason; that being the scheme proposes unjustified development, outside of settlement limits in an unsustainable location. The most recent of these decisions was in 2010 (10/1048/10). Not only was this application refused planning permission, but it was subsequently dismissed at appeal. The Inspector's decision is reproduced in full as Appendix B, however the arguments presented by the current applicant, are the same as those presented by the applicant in support of the 2010 application and appeal. These being that, the site is served by public transport, that there are neighbouring properties in the vicinity of the site and that the land has previously been developed.

In response to the fact that the site is served by public transport the Inspector commented that;

'Although there are some bus services, I would not regard the site as being accessible by a range of sustainable modes of transport. Accordingly, I find that the proposal would be contrary to LDP Policies CS2 and AW2. It would conflict also with Planning Policy Wales (PPW) which says that new building in open countryside away from settlements or areas allocated for development in development plans must be strictly controlled.'

In response to the fact that there are existing neighbouring properties in the vicinity of the site the Inspector commented that;

'PPW says that sensitive infilling of small gaps within small groups of houses, or minor extensions to groups, may be acceptable though much will depend upon the character of the surroundings and the number of small groups in the area. Whilst there are dwellings further south of the appeal site on the opposite side of the road, the proposed development would extend the line of buildings further into open countryside on the eastern side of the road. The proposal would thus not be considered infill development and given the distance between the appeal site and the neighbouring bungalow to the north, it could not reasonably be described as a minor extension to a group of houses.'

And finally, in response to the fact that there is an existing garage on the site, the Inspector commented that;

'It is not disputed that the site is previously developed land. Nonetheless, PPW makes clear that there is no presumption that previously developed land is necessarily suitable for development.'

Therefore, it is not considered that the current application presents any new arguments or evidence, which would lead to a conclusion that differs to that of the earlier applications for residential development at the site, which were refused planning permission.

As such, to conclude, whilst the development may be acceptable in terms of its appearance, potential impacts upon residential amenity and highway safety, it is considered that scheme is contrary to the requirements of the Local Development Plan and Planning Policy Wales, representing unjustified residential development, outside of settlement limits, in an unsustainable location.

Notwithstanding the above, if Members are still minded to approve permission, the following conditions are considered appropriate.

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

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

2. The development hereby approved shall be carried out in accordance with the approved plan(s) no(s)
 - Drawing no. 2013 PL-01 Location plan
 - Drawing no. 2013 PL-02 Proposed site plan
 - Drawing no. 2013 PL-03 A Ground and first floor plans
 - Drawing no. 2013 PL-04 Proposed roof plan
 - Drawing no. 2013 PL-05 A Proposed west and south elevations
 - Drawing no. 2013 PL-06 A Proposed East and North Elevations

and documents received by the Local Planning Authority on 18/01/21, 08/02/21 and 15/02/21 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. The proposed driveway indicated on submitted drawing no. "2013.PL-02" shall be constructed in permanent materials and together with the proposed integral garage shall remain for the purpose of vehicular parking only.

Reason: To ensure that vehicles are parked off the highway, in the interests of road safety.

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

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

5. The development hereby permitted shall not begin until a scheme to deal with contamination has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include all of the following measures unless otherwise agreed in writing by the Local Planning Authority:
 1. A desk-top study to identify and evaluate all potential sources and impacts of contamination relevant to the site. The desk top study should contain a conceptual site model.
 2. A site investigation shall be carried out to fully and effectively characterise the nature and extent of any contamination and its implications. The site investigation shall not be commenced until a desk-top study has been agreed in writing with the Local Planning Authority.
 3. A written method statement for the remediation of contamination affecting the site
Reason: In the interest of health and safety and environmental amenity and so as to accord with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.
6. No dwelling, hereby permitted, shall not be occupied until the measures approved in the scheme (referred to in Condition 5) have been implemented and a suitable validation report of the proposed scheme has been submitted to and approved in writing by the Local Planning Authority.

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

7. If during development works any contamination is encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals then work shall cease and revised contamination proposals shall be submitted to the Local Planning Authority. The development shall not re-commence until the additional proposals have been agreed in writing by the Local Planning Authority.

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

8. Any topsoil [natural or manufactured], or subsoil, to be imported shall be assessed by a competent person for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Subject to approval of the scheme of investigation, sampling of the material received at the development site to verify that the imported soil is free from contamination shall be undertaken by a competent person in accordance with a scheme and timescale to be agreed in writing by the LPA. Only material approved by the Local Planning Authority shall be imported.

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

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

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

10. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be

completed before the building is occupied. Development shall be carried out in accordance with the approved details.

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

PLANNING & DEVELOPMENT COMMITTEE

2 SEPTEMBER 2021

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

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

RECOMMENDATION: Refuse

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

Reason Application Reported To Committee

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

Application Details

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

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

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

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

Site Appraisal

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

Planning History

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

08/0624/10

Re-grading of site and erection of gabion baskets to sloping boundary to South and East (part only).

Granted
14/01/09

Publicity

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

Consultation

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

Transportation Section – no objections subject to conditions.

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

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

The Coal Authority – no objections raised, sufficient information has been provided to demonstrate that the site is safe, stable and suitable for the development proposed.

Countryside, Landscape & Ecology – Given the characteristics of the building, bat roost potential is negligible, and as such no survey work is required, however informative notes are recommended.

Dwr Cymru – no objections raised.

Land Drainage – no objections raised, informative notes suggested.

Policy Context

Rhondda Cynon Taf Local Development Plan

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

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

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

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

AW2 promotes development in sustainable locations and ensures that development proposals are only supported when located in sustainable locations. Such locations: 1) are within a defined settlement boundary; 2) would not unacceptably conflict with surrounding uses; 3) have good accessibility by a range of sustainable transport options; and 4) have good access to key services and facilities.

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

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

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

AW 14 refers to the safeguarding of Minerals

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

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

National Guidance

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

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

It is not considered that the proposed development is consistent with the key principles and requirements for placemaking set out in PPW; nor is it consistent with the Well-being of Future Generations (Wales) Act's

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

It is not considered the proposed development is compliant with the NDF, with the following policies being relevant to the development proposed:

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

Reasons for Reaching the Recommendation

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

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

Main Issues

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

Principle of Development

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

In their observations, the Council's Planning Policy Team comment that although being located at the periphery of the village of Penycodcae, the site is outside and separate from the settlement boundary. Whilst the site is

served by public transport, this is a very low frequency bus route, generally passing the site once every two hours. It is also noted that the site has very poor access to key services and facilities within the local vicinity. The site, therefore, cannot be considered a sustainable location for development as it does not accord with policy AW 2 or indeed national policy.

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

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

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

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

location, the presence of protected species or valuable habitats or industrial heritage, or because it is highly contaminated.

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

Character and Appearance

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

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

The design would incorporate a number of projecting gables and dormer additions, with a proportion of the first floor space being accommodated within the roof space of the property. This approach would ensure that the visual mass and bulk of the dwelling is limited and the varying roof line adds interest to each of the elevations. It is proposed that elevations being finished in a combination of render with cedarwood/ cedar cladding, with grey cement roof tiles and zinc sheets to the dormers.

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

Residential amenity

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

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

Highway Safety

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

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

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

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

Ecology

As the application involves the demolition of an existing garage on site, it is necessary to consider the potential for bats at the site. However, having assessed the building, its construction and condition, the Council's Ecologist has concluded that any bat potential would be negligible and therefore not bat survey is required. As such, the proposal complies with the requirements of policy AW 8 of the Local Development Plan.

Coal Mining Risk

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

Community Infrastructure Levy (CIL) Liability – Outline applications

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

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

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

Conclusion

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

RECOMMENDATION: Refuse

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

Appeal Decision for application 10/1048/10

APPLICATION No.: 21/0058/10

APPLICANT : Mr G. Israel

LOCATION: Former Glen Transport Site, Penycoedcae Road, Penycoedcae, Pontypridd

PROPOSAL: Detached house with integral double garage.

APPENDIX B – Appeal Decision for application 10/1048/10

Penderfyniad ar yr Apêl Appeal Decision

Gwrandawriad a gynhaliwyd ar 21/06/11

Ymweliad â safle a wnaed ar 21/06/11

Hearing held on 21/06/11

Site visit made on 21/06/11

**gan R Phillips BA (Hons) MSc DipM MCIM MRTPI
by R Phillips BA (Hons) MSc DipM MCIM MRTPI**

**Arolygydd a benodir gan Weinidogion Cymru an Inspector appointed by the
Welsh Ministers**

Dyddiad: 26/07/11 Date: 26/07/11

Appeal Ref: APP/L6940/A/11/2149851

**Site address: Glen Transport, Penycoedcae Road, Penycoedcae,
Pontypridd,
CF39 1PU**

**The Welsh Ministers have transferred the authority to decide this appeal
to me as the
appointed Inspector.**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Paul Glastonbury against the decision of Rhondda Cynon Taf County Borough Council.
- The application Ref 10/1048/10, dated 24 September 2010, was refused by notice dated 25 November 2010.
- The development proposed is erection of a detached four bedroom dwelling for transport company owner.

Decision

1. I dismiss the appeal.

Main Issues

2. I consider the main issues to be whether this is an acceptable location for new housing and the effect of the proposed dwelling on the character and appearance of the surrounding area.

Policy Background

3. The Rhondda Cynon Taf Local Development Plan up to 2021 (LDP) has recently been adopted. It replaces the Rhondda Cynon Taf (Taff Ely) Local Plan and the adopted Mid Glamorgan Replacement Structure Plan which were current at the time the Council considered the planning application. Policies EV1 and H2 of the Structure Plan and policies en1, en2, en3 and en26 of the Local Plan quoted in the reason for refusal are therefore no longer extant, although the thrust of these policies has been maintained in Policies CS2 and AW2 of the adopted LDP which seeks to focus development within defined settlement boundaries.

Reasons

4. The appeal site is located between the village of Penycoedcae and the settlement of Beddau and is thus within open countryside. Since the adoption of the LDP, Penycoedcae village no longer has a settlement boundary. LDP Policy CS2 relates to development in the south of the County, which includes the appeal site, and says that the emphasis will be on sustainable growth. The policy seeks to achieve this by, amongst other things, focusing development within defined settlement boundaries. Therefore to allow a dwelling here would undermine the strategy aimed at generally restricting unsustainable rural development.

5. LDP Policy AW2 says that development proposals will only be supported in sustainable locations. Sustainable locations include sites that are within the defined settlement boundary, have good access to key services and facilities and have good accessibility by a range of sustainable transport options.

6. The nature of the road in the vicinity of the appeal site with limited pedestrian footways and the distance to the nearest settlement may deter walking and cycling to services and facilities. Whilst there are nearby public footpaths, many of these are across fields. The bus stop is some distance away, although it is my understanding that passengers are collected and dropped off near to the appeal site on an informal basis. The new local bus timetable indicates that there has recently been a reduction in the frequency of service from Penycoedcae to Beddau and the main town of Pontypridd and that buses now run on an hourly basis during peak hours. Although there are some bus services, I would not regard the site as being accessible by a range of sustainable modes of transport. Accordingly, I find that the proposal would be contrary to LDP Policies CS2 and AW2. It would conflict also with Planning Policy Wales (PPW) which says that new building in open countryside away from settlements or areas allocated for development in development plans must be strictly controlled.

7. The appeal site forms part of a commercial transport yard comprising a forecourt area, commercial vehicle garage and smaller office building. There are open fields to the south and east of the site and a single storey bungalow to the north of the transport yard. The road slopes down from north to south in front of the site but it is raised above the adjoining field to the south. When viewed from the approach from the south, the proposed two-storey dwelling would appear prominent by virtue of its

scale and elevated position above the adjacent open field. Whilst a large garage occupies the site, this and the smaller commercial building are set well back within the plot, further away from the road. Notwithstanding the topography of the site, the proposed dwelling would be noticeably larger than the neighbouring bungalow to the north. It would lie along the same building line thereby accentuating the difference in scale between the two dwellings.

8. PPW says that sensitive infilling of small gaps within small groups of houses, or minor extensions to groups, may be acceptable though much will depend upon the character of the surroundings and the number of small groups in the area. Whilst there are dwellings further south of the appeal site on the opposite side of the road, the proposed development would extend the line of buildings further into open countryside on the eastern side of the road. The proposal would thus not be considered infill development and given the distance between the appeal site and the neighbouring bungalow to the north, it could not reasonably be described as a minor extension to a group of houses.

9. Accordingly, I find that the proposal would be detrimental to the character and appearance of the surrounding area in conflict with LDP Policy AW5 which supports proposals including where the scale, form and design of the development would have no unacceptable effect on the character and appearance of the site and surrounding area and where it would be accessible by a range of sustainable modes of transport. It would conflict also with LDP Policy AW6 which supports proposals including where they are appropriate to the local context in terms of siting, appearance, scale, height and massing. It would conflict also with PPW.

10. My attention has been drawn to examples of other developments in the area and to a previous appeal decision (Ref APP/L6940/A/09/2097731). However, each case has to be determined on its own particular circumstances. Whilst I have had due regard to the previous decision, I have determined this appeal on its own merits and by reference to the development plan.

11. I have taken into account that the dwelling would be for use by the appellant and his family and that by living at his place of work, the distance that he would have to commute would be reduced. I have considered also that living on site may help to protect commercial vehicles and plant from theft and damage. However, other security measures could be implemented and neither of these considerations would justify an exception to the control over new residential development in the countryside.

12. It is not disputed that the site is previously developed land. Nonetheless, PPW makes clear that there is no presumption that previously developed land is necessarily suitable for development. Consequently, and for the reasons outlined above, I find that the proposal would be contrary to both national and local policy objectives. I have

considered all the other matters raised, but I have not found anything of sufficient weight to change my decision to dismiss the appeal.

Rebecca Phillips
INSPECTOR

tudalen wag



PLANNING & DEVELOPMENT COMMITTEE

7 OCTOBER 2021

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

1. PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

Application No:	Change of use of vacant shop to self-contained flat, enlargement of rear dormer window and associated works (amended plans received 11/05/2021), 90 Queen Street, Treforest, Pontypridd
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2. RECOMMENDATION

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

3. BACKGROUND

This application was reported to the 2nd September 2021 Planning and Development Committee meeting with an officer recommendation of approval. A copy of the original report is attached as Appendix A. At the meeting, Members were minded to refuse the application against officer recommendation. Members considered that the proposed development would have a detrimental impact on car parking provision and would also result in a loss of amenity and overbearing impact to the occupiers of neighbouring properties. Members also voiced concern that the proposal would result in the overdevelopment of the site.

As a consequence it was resolved to defer determination of the application for a further report to highlight the potential strengths and weaknesses of taking a decision contrary to officer recommendation.

4. PLANNING ASSESSMENT

In terms of the impact of the proposal on highway safety, it is noted that there is a shortfall in the number of off street car parking spaces proposed. The Council's Highways Department have raised no objections to the proposal on the basis that the site is located in a sustainable location with good access to public transport. In addition, in order to retain a degree of car parking associated with the site (in a

location where many properties do not benefit from off street parking provision), it is recommended to include a condition requiring the existing garages be used for purposes ancillary and incidental to the use of the proposed flats.

In terms of the impact of the proposal on loss of amenity, it is noted that, when compared to the existing property, there would be one additional side facing window at first floor level and the rear dormer window would be enlarged. In terms of the side facing first floor window, it would be obscurely glazed and serve a shower room. Furthermore, whilst it is noted that the dormer window would be enlarged, it would retain a separation distance of approximately 24 metres from the properties directly to the rear on King Street. There is already a flat contained at first floor level and within the loft space of the existing property and it is not considered that the proposed changes would create significant additional impacts upon residential amenity in a location characterised by a substantial degree of mutual overlooking. In terms of overbearing impact, the footprint of built development at the site would remain largely as existing and external works would not result in additional overshadowing. Furthermore, the new flat at ground floor level would reflect the predominately residential land use of the area.

Concerns regarding the overdevelopment of the site are noted, however the proposed external works are considered to be subservient to the host property, for example the dormer is set down from the main ridgeline and set away from the eaves. In addition, the property is already subdivided into two separate units, a shop at ground floor level and flat above. It is not considered that the use of the ground floor as a flat would significantly intensify the use of the site and lead to overdevelopment.

5. RECOMMENDATION

If, having considered the above advice, Members remain of a mind to refuse planning permission, it is suggested that the following reasons for refusal would be appropriate:

1. The proposed development would generate a greater intensity of indiscriminate parking to the detriment of highway safety in the vicinity of the site. It would therefore be contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan.
2. The proposed development would result in a loss of amenity and have an overbearing impact on nearby properties, contrary to Policy AW 5 of the Rhondda Cynon Taf Local Development Plan.
3. The proposal would result in the overdevelopment of the site, to the detriment of the character and appearance of the area and contrary to Policies AW 5 and AW 6 of the Rhondda Cynon Taf Local Development Plan.

PLANNING & DEVELOPMENT COMMITTEE

2 SEPTEMBER 2021

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

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

RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS

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

REASON APPLICATION REPORTED TO COMMITTEE

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

APPLICATION DETAILS

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

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

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

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

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

SITE APPRAISAL

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

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

PLANNING HISTORY

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

PUBLICITY

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

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

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

CONSULTATION

Highways - No objections and no conditions recommended.

Drainage - No objections and no conditions recommended.

Public Health and Protection - No objections, conditions recommended.

Pontypridd Town Council - No response received.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan:

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

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

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

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

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

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

Policy AW 10 – Environmental Protection and Public Health: Prohibits development proposals that would cause or result in a risk of unacceptable harm to health and/or local amenity.

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

National Guidance:

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

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

relevant to the determination of all planning applications. FW2040 sets out the National Development Framework for Wales (NDF), 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) 12 – Design

PPW TAN 18 – Transport

Supplementary Planning Guidance:

Design and Placemaking

Access, Circulation and Parking

Development of Flats – Conversion and New Build

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

Principle of the proposed development:

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

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

Impact on the character and appearance of the area:

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

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

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

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

Impact on Amenity:

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

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

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

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

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

Impact on Highway Safety:

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

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

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

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

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

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

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

Community Infrastructure Levy (CIL) Liability

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

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

Conclusion:

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

RECOMMENDATION: Grant

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

- Location Plan, dated 04/03/2021;
- Proposed Elevations, dated 11/05/2021;
- Proposed Floor Plans and Elevations, dated 25/05/2021

and documents received by the Local Planning Authority on 04/03/2021 unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

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

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

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

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



PLANNING & DEVELOPMENT COMMITTEE

7 OCTOBER 2021

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

1. PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

Application No: **21/0720/15 - Continuation of quarrying and related operations without complying with conditions 1-4 inclusive and conditions 45 & 46 imposed on the Environment Act ROMP schedule of conditions issued by Rhondda Cynon Taf County Borough Council on 24th April 2013 (ref:08/1380/10), Craig Yr Hesg Quarry, Berw Road, Pontypridd**

2. RECOMMENDATION

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

3. BACKGROUND

The application was reported to the 26th August 2021 Planning and Development Committee meeting with a recommendation of approval, subject to conditions and the applicant first entering into a legal section 106 agreement (a copy of the original report is attached as Appendix 'A').

At that meeting Members were minded to refuse the application, contrary to the officer recommendation. Following a lengthy discussion Members were of the view that the proposal is a detriment to the amenity and well-being of the area.

Consequently, it was resolved to defer determination of the application for a further report to highlight the potential strengths and weaknesses of making a decision contrary to the officer recommendation.

4. PLANNING ASSESSMENT

The considerations regarding the issues of concern to Members, as detailed above, are set out in full within the original report, however, further comment is provided below:

Health and Air Quality Local air quality is recognised as the largest environmental risk to public health in the UK and is a public health priority for Wales. It is also understood that often the most vulnerable within our

communities are most at risk from the potential effects of air pollutants and perversely are often most likely to experience it. The unborn child, children, the old, those suffering from certain common medical conditions and those on low incomes can be particularly vulnerable to poor air quality. This vicious cycle can lead to significant health inequalities, where communities (or parts of the community) that struggle or otherwise can't achieve full economic participation are often disproportionately more affected by poor air quality, which can perversely result in further inhibiting their ability to fully participate within society. It is acknowledged that Glyncoch, a suburban residential area, located adjacent to Craig-yr-hesg Quarry, is ranked as one of the most deprived within Rhondda Cynon Taf. The impact on Health and Local Air Quality are therefore recognised as being a significant concern to the local community.

The original report considers the issue of health and air quality in detail. It notes that the law requires the Local Authority to regularly review air quality in its area against Air Quality Objectives [AQO]. Whilst it has been acknowledged that it may not be possible to set an exposure level where no health effect may occur, relevant Air Quality Objectives are considered to provide a pragmatic public health safeguard. In reviewing air quality within RCT, the Local Authority has identified two air pollutants, Nitrogen Dioxide [NO₂] and Fine Particulate Matter [PM₁₀], as requiring closer examination.

Air Quality Regulations prescribe National Air Quality Strategy (NAQS) – objectives to be achieved for a range of pollutants such as PM₁₀ particulates which are relevant to mineral working and NO₂ relevant for associated HGV emissions. The original report provides data to indicate that the PM₁₀ levels are well within the annual mean NAQS objective and the daily mean NAQS objective. The Local Air Quality Management - Air Quality Progress Report 2020 produced by the Council, indicates that at present it is believed that the levels of Fine Particulate Matter (PM₁₀) at Glyncoch are compliant with the relevant NAQS Objectives for Fine Particulate Matter and Nitrogen Dioxide. As well as maintaining Air Quality Objectives national policy has increased the relevance of the 'burden reduction' approach to help bring about the greatest public health gain. In doing so air quality exposure indicators, relevant to PM_{2.5}, PM₁₀ and NO₂, have been published. Although Glyncoch is believed to observe levels of air quality that are compliant to Air Quality Objectives, it is also acknowledged that actions to improve air quality by reducing a long-term local source, may result in some public health benefits. This may be pronounced where, as in the case of Glyncoch, few other local industrial sources are prevalent. By achieving these benefits within a deprived community this could magnify any resultant public health gain, although it is not realistically possible to quantify the significance or not of such gain. It may also be the case that associated improvement from a reduction in transport related emissions may also have a marginal effect in other nearby local communities, where compliance to the annual mean AQO for NO₂ may not have been achieved. It has also

been acknowledged that, due to its nature, location and scale the winning and processing of mineral at Craig Yr Hesg Quarry will inevitably have an influence, to some degree, on local air quality. Road transport needs associated with Craig Yr Hesg Quarry would also likely be a potential, if marginal, source of nitrogen dioxide [NO₂] and transport noise within nearby communities in which these transport routes traverse. Notwithstanding the above, there is a fundamental weakness in referencing adverse impacts on health and air quality as a reason for refusal of this application. Specifically, Cwm Taf Morgannwg University Health Board and Public Health Wales both indicate that local air quality is compliant with the relevant PM₁₀ AQO. In addition, they confirm that subject to satisfactory checks of the underpinning data used to inform the impact assessments supplied by the applicant and provided the site is operated using best available techniques to control emissions, then they have no grounds for objection based upon public health considerations. In addition, Council's Public Health, Protection & Community Services consider that processes at the quarry can be managed to ensure a limited impact upon the level of air quality and neighbour amenity in respect of particulate matter and therefore the application is considered to be acceptable in this respect.

Minerals Technical Advice Note (MTAN) 1: Aggregates (Paragraphs 70 and 71) identifies a suitable minimum distance between hard rock quarries and sensitive development as 200 metres. It states that any reduction from this distance should be evidenced by clear and justifiable reasons. It is acknowledged that parts of the quarry are within 200 metres of housing. An assessment must therefore be made in the context of Policies CS10, AW5 and AW10 of the Local Development Plan. These policies essentially seek to ensure no unacceptable harm to or significant impact on the amenities of neighbouring occupiers as a result of development. The original report considers the potential impact of both nuisance and respirable dust, the impacts associated with blasting and the impact of operational noise. The issue of air quality has been addressed above and is not duplicated below. As indicated in the original report, mineral dust coarser than 10µm may constitute a 'nuisance' due to soiling of surfaces but does not pose a risk to human health. Although, in itself, annoyance environmental dust (visible particulate matter) is unlikely to manifest any direct significant long-term health effects, disturbance may increase awareness and associated concerns within the local community as well as potentially affect the amenity of outdoor private and public spaces. There are no statutory or recommended levels of dust deposition which constitute an acknowledged nuisance, but 200 mg/m²/day is often quoted as a threshold for nuisance dust. Large dust particles, which make up the greatest proportion of dust emissions from mineral workings (up to 95%) will largely deposit within 100m of the source. Intermediate particles can travel further but it is unlikely that adverse impacts will occur at distances in excess of 250m. In terms of nuisance dust there are 17 sensitive properties within 100m of the quarry but adverse impacts from nuisance dust are not anticipated provided

standard dust management controls continue to be applied as per existing planning conditions. The risk of annoyance dust may be managed through the adoption of best practical means but nonetheless annoyance dust may still arise from time to time.

Although current ambient environmental noise levels within parts of Glyncoch are believed to be very low, noise has been identified as a key issue given the relative proximity of the quarry to noise sensitive properties. Adverse environmental noise can markedly affect public health. Where exposure to high levels of adverse environmental noise, especially during peoples rest-periods, may be associated with a range of significant health effects as well as often mirroring the social impacts also attributed to poor air quality. It is the case that minimum expectations for industrial noise can be set but that this may not necessarily eliminate awareness or incidental disturbance of the industrial noise.

It has been acknowledged that, due to its nature, location and scale the winning and processing of mineral at Craig Yr Hesg Quarry will inevitably have an influence, to some degree, on environmental noise and the risk of annoyance dust. Local engagement, undertaken as part of the application, suggest that the perception of the above environmental factors may support increased anxiety and concern within the local community. This may be further exacerbated about certain inherent uncertainties often associated with the evaluation of well-being impacts. It is possible these additional well-being impacts can, if not successfully mitigated by robust control mechanisms, monitoring and oversight, result in a reduction of local community amenity compounded by a lack of community confidence hindering possible mitigation. However, these robust control mechanisms can be imposed within suitable planning conditions and within any Environmental Permit issued for the plant.

In addition, the original report set out in detail the need for additional crushed rock reserves within the County to comply with Policy CS10(1) of the Local Development Plan and the requirements of the Regional Technical Statement for Aggregates – 2nd Review. If this application is refused it should be noted that this need will increase significantly. Alternative arrangements to meet that need will have to be made by the Council in order to comply with Policy CS10(1) of the LDP and Welsh Government Policy.

CONCLUSION

Whilst the application is recommended for approval, subject to the conditions and S106 agreement set out in the original report, if, having considered the above advice, Members remain of a mind to refuse planning permission, it is suggested that the following reason for refusal would reflect those views:

1. The additional period of 6 years proposed for the working of the quarry unacceptably extends the period of mineral operations within 200m of

sensitive development within Glyncoch. Glyncoch is a deprived community, and such communities are acknowledged as being disproportionately affected by health problems. The continuation of quarrying within 200m of that community extends the impacts of quarrying (especially in terms of noise, dust and air quality) to the detriment of the amenity and well-being of residents contrary to the well-being goal of a healthier Wales as set out in the Well-being of Future Generations (Wales) Act 2015. The need for the mineral does not outweigh the amenity and well-being impacts.

PLANNING & DEVELOPMENT COMMITTEE

26 AUGUST 2021

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 21/0720/15 (GD)
APPLICANT: Hanson UK
DEVELOPMENT: Continuation of quarrying and related operations without complying with conditions 1-4 inclusive and conditions 45 & 46 imposed on the Environment Act ROMP schedule of conditions issued by Rhondda Cynon Taf County Borough Council on 24th April 2013 ref:08/1380/10
LOCATION: CRAIG YR HESG QUARRY, BERW ROAD, PONTYPRIDD, CF37 3BG
DATE REGISTERED: 24/05/2021
ELECTORAL DIVISION: Town (Pontypridd)

RECOMMENDATION: APPROVE, SUBJECT TO A S.106 AGREEMENT

REASONS: PPW11 states that society needs, and will continue to need for the foreseeable future, a wide range of minerals. The role of the planning authority in relation to mineral extraction is to balance the fundamental requirement to ensure the adequate supply of minerals with the protection of amenity and the environment.

MTAN1 states that the overarching objective being to ensure supply is managed in a sustainable way so that the best balance between environmental, economic, and social considerations is struck, whilst making sure that the environmental and amenity impacts of any necessary extraction are kept to a level that avoids causing demonstrable harm to interests of acknowledged importance.

The economic need for the mineral has been clearly demonstrated and without these reserves the Authority would fall below the 10-year landbank required by Policy CS10 of the LDP with no prospect of realistic alternatives being found in the short term. This needs to be balanced against the potential environmental and amenity impacts raised by objectors. In considering those potential impacts it must be noted that the impacts can be controlled to nationally set standards by planning conditions attached to any planning permission.

On balance it is concluded that there is an overriding economic need for the mineral which is not outweighed by any potential environmental and amenity issues.

REASON APPLICATION REPORTED TO COMMITTEE

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

APPLICATION DETAILS

Currently, the site operates under four planning permissions for mineral extraction, which date between 1949 and 1993. These are listed in “Planning History” below. The access is covered by a separate planning permission (reference 13/1039/10).

The conditions under all four applications were reviewed under a Review of Minerals Permission (ROMP) application (reference 08/1380/10), in accordance with the requirements of the Environment Act 1995, to bring the operating conditions up to date and in line with modern standards. A schedule of 49 conditions was issued including conditions imposing time limits.

Conditions 1 & 2- time limit of 31st December 2022 for the winning and working of minerals and the deposit of mineral waste;

Conditions 3 & 4– time limit of 31st December 2023 to remove all plant and machinery and residual stocks of material;

Condition 45 – time limit of 31st December 2022 to submit a final restoration plan;

Condition 46 – time limit of 31st December 2024 to implement the approved final restoration plan

This application seeks to extend the time limit set out in condition 1 of the ROMP permission up to 31st December 2028 and to amend conditions 2, 3, 4, 45 and 46 to add 6 years to the current date. The application states that there were 3.3 million tonnes of rock remaining within the existing quarry on 31st December 2020. There are no restrictions on production at the site but historically the output has averaged some 400,000 tonnes per annum. Based on the average production the existing reserves would provide for a quarry life of 8 years (31st December 2028).

No changes are proposed to the lateral extent, depth, working methods, or existing operational elements within the quarry such as the processing plant, surface water drainage lagoons and ancillary site infrastructure, the existing hours of working at the site and the output and traffic generated at the site.

Following the completion of extraction operations, a period of 12 months is proposed to remove remaining sandstone stocks, decommission all plant, and remove it from the site, and a period of 2 years to restore the site in accordance with an agreed restoration scheme. The proposed restoration strategy is intended to enhance the ecological and nature conservation features of the site. Quarry faces will retain rocky crags and crevices where different vegetation types will colonise, scree slopes will create different ground conditions, quarry benches will be provided with a range of treatments and conditions, and the quarry floor would be restored using quarry fines and soils to provide ground conditions to aid the development of species rich grassland with wetland areas.

As well as the plans and application form, the application is accompanied by an Environmental Statement.

SITE APPRAISAL

Craig Yr Hesg Quarry lies on the western side of the Taff Valley about 1km north of the built-up area of Pontypridd. The total area of land inside the planning application site boundary is 28.8 hectares, the active quarry covering some 13.6ha; undisturbed land, woodland and scrub some 12.7ha; and the plant/production area some 2.5ha. The quarry has reached its lateral limits and future development of the site will be confined to the existing footprint.

The quarry is bounded by Glyncoch Rugby Ground and Clubhouse and the residential areas to the north; grazing land to the west and northwest (currently subject of a planning appeal relating to the refusal of the extension of the quarry); the prominent ridgeline of Coed Craig yr Hesg to the southwest, and to the east by a narrow corridor of woodland between the site and the B4273 Ynysybwl Road, and also by residential properties along this road.

The main area where the quarry is currently being worked lies within the western part of the quarry site, with the processing plant lying in the eastern part of the quarry, approximately 60m from the nearest residential property at Garth Avenue. At present the quarry faces and benches are being developed in a north-westerly direction.

Much of the existing quarry site and its surroundings are covered by a Woodland Tree Preservation Order (No 10). The Cwm Clydach Special Landscape Area lies to the south and west but does not encroach into the site.

Two-way access to the quarry is from the B4273 (Ynysybwl Road). The previous 'exit only' road is now only used for emergency use. Adjacent to the access road are a small number of residential properties, including Rogart Terrace.

The quarry produces aggregate from a deposit of pennant sandstone which is one of the highest quality sources of skid resistant surfacing aggregate in the UK. This makes it particularly suitable for major road surfacing projects such as motorways, interchanges, and airport runways. The material has been used in infrastructure provided for the 2012 Olympics as well as more locally in the construction of the Porth Bypass and the Newport Southern Distributor Road.

PLANNING HISTORY

The applications for quarry extraction activities at the site are as follows:

15/0666/10: Western Extension to include phased extraction of 10 million tonnes of pennant sandstone, construction of screening bunds and associated work and consolidation of all previous mineral planning permissions. Refused 23 July 2020 (Appeal lodged but not determined to date)

08/1380/10: Application for determination of conditions for mineral site incorporating the four existing planning permissions listed below. (ROMP under The Environmental Act 1995) Approved 24/04/13.

56/86/0827: Extension to Existing Sandstone Quarry. Approved 20/08/93.

349(Z)970: Extension of Quarry Working Area. Approved 27/01/70.

P22/Z/596: Extension to Quarry. Approved 20/08/65.

5183: Quarry. Approved 07/01/49.

Other significant consents are as follows:

13/1039/10: Improvements to quarry entrance to provide two-way quarry entrance and exit. Granted 14/03/13.

13/0825/23: Erection of an asphalt plant within Class B, Part 19 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995. Granted 18/1/13.

T/99/2567: Proposal to replace part of existing dry stone processing plant- Approval of detailed plans under the Town and Country Planning (General Permitted Development) Order 1995. Granted 06/09/99.

349/223/71: Crushing, screening, and coating plant. Permitted Development (no date).

PUBLICITY

The application has been the subject of neighbourhood notification, site notices and press notices, due to the application being a major application that has been submitted with an Environmental Statement. 14 letters of objection have been received.

The letters of objection are summarised as follows:

Policy Issues

The application has been specifically timed to exploit the downtime with the current LDP coming to an end and its replacement still under consideration

It appears somewhat coincidental the application being made now whilst the replacement LDP is being consulted on taking advantage of an unsettled situation.

This application takes the boundary of the site to within 150m of the school boundary and dormer houses this was relevant in the rejection of the quarry extension and is relevant to the current application

The proposals are contrary to the requirements of the Wellbeing of Future Generations Act and does not support the objectives delivering a resilient Wales or a healthier Wales.

The earlier application that is subject of an appeal

Last year the applicant's earlier application to extend the quarry was refused and is now subject of an appeal. The Inspector dealing with the appeal has required an updated environmental statement should be provided this will take time and the current application should not be determined until such time as its findings is known.

Blasting operations, noise, and vibration

The consequences of blasting activities are now worse than ever.

Blasting limits have been breached

Vibration testing should be attached to the walls of homes as near as possible to ground level and not paced flat on a flag-based driveway. Quarry operators indicate that test apparatus for vertical walls is not available though they are.

There is no testing station at Rogart Terrace and testing only happens there after complaints.

Due to the inclination of the rock the quarry are blasting and drilling into the rock that the houses on Rogart terrace are built on.

The depth and location of the blast sites currently gives the experience of a World War 2 bomb going off nearby.

Many complaints have gone to Sardis house and yet nothing is done.

Vibration data is only up to 01/12/2020 and does not reflect more recent complaints to the Council. It is essential the Council compare the data provided against the complaints

Dust, blasting, and noise are all injurious to human health

Damage caused by vibration is extensive. Hansen claim that blasting at current levels cannot cause property damage but the objections to the Council confirm damage has occurred at a greater rate than if it were general wear and tear. Also, there is increasing concern that the increase and weight of traffic is having an adverse impact on the Old Bridge.

No warning is given when blasting is due to take place and the lack of warning leads to disturbance and upset amongst local residents.

The quarry will have records of complaints from local residents, and these should be taken into account.

Dust pollution and air quality

The residents of upper Glyncoch have suffered the most from this and the Council have been provided with doctors reports directly linking it to asthma, lung, COPD, and pulmonary ill health as well as several deaths particularly from the dust coming from crusher operations. There is also a suggestion that chemicals within the dust might also contain carcinogens and this problem needs to be properly evaluated. There is medical evidence by way of a GP's report that is suggestive of a problem in the area and this needs to be explored further.

It is claimed that dust monitoring stations are no longer working what do local reports currently show in respect of air quality.

Have updated air quality standards been applied to and to what extent?

Speed limits on the A470 have been reduced due to air quality concerns – given the concerns have proven accurate continued monitoring should take place in the wider Pontypridd area to full characterise the problem.

The dust problem is not restricted to the locality and can affect the Whiterock/Graigwen area of the town to fully characterise the problem monitors should also be placed in Cilfynydd, Town, Trallwyn and Glyncoch wards.

The dust control officer does not respond to complaints and one objector has been waiting for him to view the problem from his home.

Lorry washing down pit

No longer exists in operation according to quarry management as the water supply was no longer sufficient for the volume of use

Water from lagoons is used when available but is not viable during dry periods and is also not appropriate as it is already contaminated.

Washing down processes do not the sheeting over the loads in the wagons as they cannot reach them.

The quarry access road

The quarry access road was widened some years ago though the proposals contained glaring faults

The slit drains at the bottom of the road were always inadequate and have never worked properly e.g., the road level at the junction with Ynysybwl Road is now 450mm higher than previously causing flooding and a back fall to Rogart Terrace and as a consequence increasing dust nuisance.

Storm water drains connected to those in Ynysybwl Road are 70% blocked with dust from the quarry again contributing to flooding and the Councils Highways division have not responded to complaints about this.

The haul road

The haul road was originally a single-track railroad with an 8-ton locomotive housing 10-ton wagons to the Darren Park Sidings where they meet the main railway hence no loaded trucks used Berw Road. As this was replaced with road wagons up to 200 movements per day. The rail tracks were removed, and the area was also used in part for the storage of bitumen coated stone chippings with no council approval.

No drainage was installed hence during periods of wet weather bitumen contamination runs off the site into the surrounding area.

No consolidation or road preparation before the use of the haul road by 48-ton trucks Just above the Berw Road railway bridge the haul road is some 10m higher than the road and only 4.5m horizontally making it very dangerous for pedestrians using the road.

The impact of heavy vehicles on the road was evident in the quarry having to replace what drains were there due to them being blocked some years ago.

The heavy wagons have pushed down manholes and broken drains resulting in water flowing down the banking.

Jet wash sprays access road

Simply do not work continually because of the contaminated water – they're probably silt blocked, and they add to the dust washing down the access road.

Highway issues

The footpath and road between the site and Pontypridd is contaminated with dust and grit from passing wagons.

The rail bridge originally had a 20-ton weight restriction and inexplicably had a speed limit increase to 40mph no testing of the bridge and abutments was undertaken. The only change was the placing of solid steel sheets to the wing walls. There was no strengthening to accommodate heavier vehicles.

The steel panels obstruct the view of pedestrians looking for traffic coming up the hill
The footpath on the hill is narrow and only 350mm wide – how can anyone pushing a pram safely negotiate a blind bend on the road carriageway? When installing the steel panels why did they not also provide a cantilevered footway on the south side?

Two 48-ton wagons cannot use the bridge at the same time

Highways know about this but do nothing

The white bridge being closed adds to congestion at the town lights - only the highways department could have been surprised at the scouring that has caused its closure

The bottom end of Berw Road is also subject to scouring which is not helped by the passage of 48-ton vehicles. There are two further areas on Berw road cannot pass each other at the same time where pedestrians are constantly at risk.

The development has the potential to lead to an increase in the size and volume of vehicles using local roads

The number of lorries passing through the dangerous junction opposite the Llys Cadwyn development is dangerous and adds to pollution

Residents remain concerned for the effects of potential accidents, lorry breakdowns and traffic jams, the limits on the number of lorries using the site are regularly exceeded

Glyncoch primary school

Under no circumstances should pupils at the school be subject to pollution from the quarry and the crushing activities that take place there.

Closing the quarry on the approved date will allow local children to benefit from noise and dust free learning.

Cefn Primary would be used to merge both schools while this will free up the old Ty Gwyn site as a local Welsh language primary school in the north of Pontypridd benefitting the language in line with Welsh Government objectives

Other issues

Heidelberg only bought Hanson's because German conditions are stricter and enforced.

Allowing the current proposal would be detrimental to the wellbeing of current residents who have made life decisions and based future anticipation in the original end date being maintained.

Local green space would be lost to the development

The impact of the development on local species has not been fully evaluated

Woodland will be lost and will not be remediated for many years

They are seeking permission to quarry on land in third party ownership which could affect house sales and the red line should be moved back to their property

CONSULTATION

Public Health, Protection & Community Services: Have provided advice on what measures are required to ensure potential impacts from the quarry in terms of air quality, noise and well-being can be prevented, mitigated, or ameliorated as far as reasonably practicable - including a dust management plan and monitoring programme; noise limits, noise management scheme and monitoring programme; limitations on the duration of certain activities and a scheme for communicating with the local community.

Transportation Section: No highway objections are raised subject to the developer entering into a legal agreement to provide a financial contribution towards the additional maintenance liability resulting from the heavy goods vehicle movements. The financial expectation would be calculated as 5 pence per tonne of material transported from the site to enable the Council as Highway Authority to undertake regular inspections and maintenance of the haulage route along the B4273 between the quarry and the A4223 Bridge Street traffic signals.

Countryside: The Peregrine nesting site is a clear priority and should form an integral part of any Wildlife Protection Plan serving the whole site should planning permission be granted.

Flood Risk Management: no objection in relation to surface water flood risk for this application as the developments surface water flood risk will be adequately managed by both the Building Regulations and Schedule 3 of the Flood and Water Management Act 2010.

Cwm Taf Morgannwg University Health Board: Local air quality is compliant with the relevant PM10 AQO (as measured near the existing site operations) but there is a need for continued air quality monitoring at existing locations. Crucial is the continued implementation of a dust management plan.

Subject to satisfactory checks of the underpinning data used to inform the impact assessments supplied by the applicant, then we have no grounds for objection based upon public health considerations and provided the site is operated using best available techniques to control emissions.

Given that the application seeks to extend the life of quarry operations by years, we would also recommend that the operator seeks to engage proactively with local community residents with regard to information on the monitoring and mitigation of impacts e.g. noise and air quality.

Public Health Wales: Local air quality is compliant with the relevant PM10 AQO (as measured near the existing site operations) but there is a need for continued air quality monitoring at existing locations. Crucial is the continued implementation of a dust management plan.

Subject to satisfactory checks of the underpinning data used to inform the impact assessments supplied by the applicant, then we have no grounds for objection based

upon public health considerations and provided the site is operated using best available techniques to control emissions.

Given that the application seeks to extend the life of quarry operations by years, we would also recommend that the operator seeks to engage proactively with local community residents with regard to information on the monitoring and mitigation of impacts e.g. noise and air quality.

Natural Resources Wales: No objection, subject to the quarrying depth being limited to 100 metres AOD. Note that peregrine falcon has been known to nest in the southern faces of the quarry and protection of peregrine falcon is included in the site Wildlife Protection Plan.

Coal Authority: No objection raised.

Cadw: No objection raised as the development as the quarry has reached its development footprint and therefore the extension of the operational period will not increase the impact on the setting of designated assets.

Glamorgan Gwent Archaeological Trust: No comments received

Dwr Cymru Welsh Water: No objection raised, but respectfully request that any drainage related conditions are brought forward if minded to grant consent.

RSPB: No comments received

Welsh Government Planning Division: No comments received.

Wales & West Utilities: No comments received

Western Power Distribution: make the applicant aware that if they require a new connection or a service alteration, they will need to make a separate application to WPD.

South Wales Fire and Rescue: No comments received

Pontypridd Town Council: object on the following grounds:

Contrary to the Well-being of Future Generations (Wales) Act 2015 especially a resilient Wales and a healthier Wales

There is a reasonable expectation of local residents that quarrying activities would be limited in duration. Residents have made life decisions and have future anticipations based on the limited duration of the original permission.

Current Local Development Plan Out of Date

Any decision in this matter should be delayed until the Appeal report is received and fully digested, and the implications discussed with local communities.

Impact of Air Quality / Dust

Impact on Highways/Roads/Access

Proximity to residential homes and local school

Impact of Noise / Vibration

Impact on Environment / Biodiversity

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan (LDP)

The following are shown on the Local Development Plan Proposals Map:

A small section of the western edge of the site is part of a far broader Site of Importance for Nature Conservation- Craig Yr Hesg/Lan Wood, but is outside of the extraction area Policy (AW8.77);

The existing quarry site is a recognised Regionally Important Geological Site (Policy AW8.213);

There is a 200 metres buffer zone around the existing quarry and the designated Preferred Area of Known Mineral Resource, to safeguard against development that would adversely affect their operations. (Policy AW14);

The site is adjacent to a broader Special Landscape Area designation- Cwm Clydach (Policy NSA 25.4).

The following policies in the Local Development Plan are considered to be most relevant to this proposal:

CS2 - Development in the South

CS10 - Minerals

AW4 – Community Infrastructure & Planning Obligations

AW8 - Protection and Enhancement of the Natural Environment

AW10 - Environmental Protection and Public Health

AW14 - Safeguarding of Minerals

NSA25 - Special Landscape Areas

The following Supplementary Planning Guidance is also considered relevant:

Delivering Design & Placemaking – Access, Circulation & Parking

Nature Conservation

Employment Skills

Planning Obligations

National Legislation and Policy Context

The Well-being of Future Generations (Wales) Act 2015 is relevant and imposes a duty on public bodies to carry out ‘sustainable development’ in accordance with the ‘sustainable development principle’.

“Sustainable development” means the process of improving the economic, social, environmental, and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the well-being goals.

'Sustainable development principle' means that Local Authorities must act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

In order to achieve this principle, the Act introduces five ways of working to support decision making which ensures public bodies take account of: long-term thinking, an integrated approach, engagement, collaboration, and preventative action.

Well-being goals identified in the Act are:

- A prosperous Wales;
- A resilient Wales;
- A healthier Wales;
- A more equal Wales;
- A Wales of cohesive communities;
- A Wales of vibrant culture and thriving Welsh language; and
- A globally responsible Wales

The Environment (Wales) Act 2016 has been designed to complement the Wellbeing of Future Generations (Wales) Act 2015 by applying the principles of sustainable development to the management of Wales' natural resources.

It also imposes a duty to require all public authorities, when carrying out their functions in Wales, to seek to "maintain and enhance biodiversity" where it is within the proper exercise of their functions. In doing so, public authorities must also seek to "promote the resilience of ecosystems".

The "sustainable management of natural resources" means— (a) using natural resources in a way and at a rate that promotes achievement of sustainable development and the well-being goals (b) taking other action that promotes achievement of that objective, and (c) not taking action that hinders achievement of that objective.

Planning Policy Wales – Edition 11 - (PPW) is considered relevant to this proposal.

Minerals Technical Advice Note (MTAN) 1: Aggregates is also considered relevant.

The Regional Technical Statement for the North Wales and South Wales Regional Aggregate Working Parties - Second Review (2020) is also relevant as this apportions crushed rock requirements to be provided in each Authority over a 25-year period (based on the usual 15-year life of an LDP with the need to have a minimum 10-year supply remaining at the end of the plan period)

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.

It is important to recognise that this application, if granted, would extend the life of the existing operational area of the quarry by 6 years. Therefore, the continuing impacts of the operation of the existing area are the main consideration in this case and consideration of whether the existing environmental and amenity controls imposed as planning conditions via the ROMP Review remain appropriate for the extended duration of the operation, or whether additional or amended controls are required

Need for the Mineral

PPW11 sets out the Welsh Government's general policies for mineral development in Chapter 5.14. Paragraph 5.14.4 states: -

Mineral working is different from other forms of development in that:

extraction can only take place where the mineral is found to occur;
it is transitional and cannot be regarded as a permanent land use even though operations may occur over a long period of time; and
when operations cease land needs to be reclaimed to a high standard and to a beneficial and sustainable after-use so as to avoid dereliction and to bring discernible benefits to communities and/or wildlife.

Paragraph 5.14.1 states that society needs, and will continue to need for the foreseeable future, a wide range of minerals. The role of the planning authority in relation to mineral extraction is to balance the fundamental requirement to ensure the adequate supply of minerals with the protection of amenity and the environment.

The key principles are to:

provide positively for the safeguarding and working of mineral resources to meet society's needs now and in the future, encouraging the efficient and appropriate use of high-quality materials;
protect environmental and cultural characteristic of places, including those highly cherished for their intrinsic qualities, such as wildlife, landscapes, ancient woodlands, and historic features, and to protect human health and safety and general well-being;
reduce the impact of mineral extraction and related operations during the period of working by ensuring that impacts on relevant environmental qualities caused by mineral extraction and transportation, for example air quality and soundscape, are within acceptable limits; and
achieving, without compromise, a high standard of restoration and aftercare so as to avoid dereliction and to bring discernible benefits to communities, heritage and/or wildlife, including beneficial after uses or opportunities for enhancement of biodiversity and the historic environment.

These principles are expanded upon in MTAN1 with the overarching objective being to ensure supply is managed in a sustainable way so that the best balance between environmental, economic, and social considerations is struck, whilst making sure that

the environmental and amenity impacts of any necessary extraction are kept to a level that avoids causing demonstrable harm to interests of acknowledged importance.

In order to provide an adequate supply of minerals that society needs, PPW11 and MTAN 1 require 10-year land banks of crushed rock permitted reserves to be maintained at all points throughout the LDP period in each Local Planning Authority, including at the end of the Plan period. Policy CS10(1) of the LDP reflects the requirement to maintain a minimum landbank of 10 years permitted rock reserves throughout the plan period.

The 2019 Annual Report published by the SWRAWP in May 2021 indicates that the landbank in RCT was 11 years based on the average sales over a the 3-year period from 2010. Therefore, at current rates of extraction RCT would be below the 10-year landbank requirement by 2021.

MTAN1 also requires the production of Regional Technical Statements (RTS) to ensure that there is an adequate supply of primary aggregates within a region. The role of the RTS is to consider the required supply in each LPA area in order to ensure an adequate supply.

The RTS 2nd Review (RTS2) for South Wales was published in September 2020. RTS2 indicated that at the base date of 31st December 2016, the 25-year requirement for crushed rock in RCT was 18.816 million tonnes and that the stock of crushed rock reserves stood at 9.830 million tonnes – a shortfall of a minimum of 8.986 million tonnes. On that basis RCT is required to make allocations for crushed rock working in the LDP as an adequate supply is not in place.

The RTS is clear that the apportionments are a minimum requirement. In addition, they are a snapshot of the situation at the base date. They are also not split into different types of stone (Hendy and Forest Wood are both limestone quarries, whereas Craig yr Hesg is a sandstone quarry), nor take account of the different purposes or markets the stone is required for. Therefore, while the RTS2 should be the starting point in the consideration of need, it is recognised that there are significant issues in solely using the RTS for the purposes of assessing the need for the level of reserves proposed as part of this application.

There is a clear need for additional reserves of crushed rock to be released in RCT to meet the RTS requirements and comply with policy CS10(1) of the LDP. If existing reserves are no maintained at Craig yr Hesg that need will be exacerbated significantly.

In addition, the resource to be released is high polished stone value sandstone which whilst plentiful in Wales it is not available in other parts of the UK. It is therefore recognised as being of national importance in terms of meeting the needs of society as the mineral can only be worked where it is found to occur. However, it has to be acknowledged that is currently no shortage of supply of high polished stone value sandstone in South Wales.

Acceptability of Impacts

It is considered that one of key considerations of this proposal is in respect of the health, well-being, and amenity of local residents. These are considered to comprise both the impacts on the residents and users of other sensitive development of extending the life of the existing operational area.

In respect of the acceptability of impacts, Policy CS10 of the Local Development Plan is the core policy in that document relating to minerals. As well as seeking to ensure a supply of minerals is maintained throughout the Plan period, it seeks to ensure that impacts upon residential areas and sensitive land uses from mineral operations and the transportation of mineral are limited to an “acceptable proven safe limit”.

Policy AW5 seeks to ensure no significant impact on the amenities of neighbouring occupiers. Policy AW10 states 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 various types of pollution, including air pollution and noise, unless it can be demonstrated that measures can be taken to address any significant adverse risk to public health, the environment and / or impact upon local amenity.

It is considered that the key issues for health, well-being, and amenity in respect of this application are the impacts on air quality due to fine and very fine particulate matter and “nuisance” dust, blasting and operational noise. These are considered in turn below.

Dust and Air Quality

Concern has been expressed by objectors in relation to dust and the health effects of the dust. In Mineral Technical Advice Note 1: Aggregates (MTAN1) the Welsh Government indicates that research has indicated that people living close to mineral workings consider dust to be the main impact of mineral extraction.

It is recognised that the principal sources of dust from a mineral working are likely to be associated with the excavation of soil, overburden and quarry waste material; drilling and blasting operations; the movement of vehicles within the site and the processing and storage of excavated stone. Condition 30 of the ROMP permission sets out the controls the applicant is required to put in place to control dust on the existing site.

The existing processing plant is recognised as potentially the most significant source of dust from the quarry and it is located close to sensitive development. However, it has to be recognised that the processing plant is already a contributor to the current air quality position which is not considered to be in breach of the current NAQS objective levels for PM10. The processing plant also benefits from an Environmental Permit to control air emissions. There are no proposals to increase annual output as a result of this planning application but it is acknowledged that the quarry life will extend for a longer period.

Mineral dust coarser than 10µm may constitute a ‘nuisance’ due to soiling of surfaces but does not pose a risk to human health. Fine particles of 10µm or less, referred to as PM10 can be inhaled and depending on the concentrations and the nature of the

particles, they can be associated with health impacts. The very fine particles of 2.5µm or less are referred to as PM2.5.

There are no statutory or recommended levels of dust deposition which constitute an acknowledged nuisance, but 200 mg/m²/day is often quoted as a threshold for nuisance dust. Large dust particles (>30µm), which make up the greatest proportion of dust emissions from mineral workings (up to 95%) will largely deposit within 100m of the source. Intermediate particles (10-30µm) can travel further but it is unlikely that adverse impacts will occur at distances in excess of 250m. The submitted dust assessment considers potential receptors within 400m of the site boundary. It assesses the estimated risk of nuisance dust impacts at 14 locations around the site and considers that the risk of impacts is negligible at all locations, except at Garth Avenue where the risk is assessed as low.

It should be noted that there are seventeen residential properties within 100m of the quarry plant. However, the impact on these properties was considered as part of the ROMP permission and controls were put in place which can be replicated in any new planning permission granted. The mineral crushing and screening plant and directly associated equipment also operates under the terms of an Environmental Permit issued by the Council. The terms of the Permit seek to ensure that all appropriate preventative measures are taken to avoid pollution of the air.

The law requires the Local Authority to regularly review air quality in its area against Air Quality Objectives [AQO]. In doing so, the Local Authority has identified two air pollutants, Nitrogen Dioxide [NO₂] and Fine Particulate Matter [PM₁₀], as requiring closer examination.

Air Quality Regulations prescribe National Air Quality Strategy (NAQS) – objectives to be achieved for a range of pollutants such as PM₁₀ and PM_{2.5} particulates which are relevant to mineral working and NO₂ relevant for associated HGV emissions.

Predicted PM₁₀ data from DEFRA shows that the 2021 average PM₁₀ concentrations in the area occupied by the site are 11.57 µg/m³, 29% of the annual mean NAQS objective for PM₁₀ of 40µg/m³. The NAQS daily mean objective for PM₁₀ is 50µg/m³ which should not be exceeded more than 35 times per year. It is important to note that the NAQS objectives represent a threshold above which government considers the health risks associated with air pollution are unacceptable, nonetheless it is also recognised that efforts to reduce pollution more widely may be beneficial. Data for 2020 has been obtained by the applicant from the Air Quality in Wales website. This reports the 2020 annual mean PM₁₀ concentrations to have been 14.44 µg/m³ and there to have been 4 exceedances across the year, well within the NAQS objective.

There are also 3 Local Authority monitoring stations at Garth Avenue, within 91m of the site processing facilities. The measured annual mean PM₁₀ concentrations at all 3 locations, and in particular at location 130 that uses the EU Reference method, have been well below the long-term UK AQO (<75%) between 2015 and 2020. RCT local monitoring data from these stations indicates that annual mean PM₁₀ concentrations for 2019 ranged between 14.4µg/m³ and 22.3µg/m³, which equates to between 36% and 55.75% of the annual mean NAQS objective of 40µg/m³ with 15 daily means exceeding the 50µg/m³ NAQS objective.

The Local Air Quality Management - Air Quality Progress Report 2020 produced by the Council, indicates that at present it is believed that the levels of Fine Particulate Matter (PM10) at Glyncoch are compliant with the relevant NAQS Objectives for Fine Particulate Matter and Nitrogen Dioxide.

Glyncoch is currently monitored due to long term monitoring previously identifying the area of Glyncoch as experiencing levels of PM10 potentially incongruous to other areas of Rhondda Cynon Taf. Glyncoch appears to observe a widely fluctuating trend which may indicate the influence of particular local factors. It is possible that during 2019 the impact of Craig Yr Hesg Quarry on local PM10 levels may have been subdued, a trend which has been observed since 2015 and may be as a result of ongoing improvements to reduce PM10 emissions from Craig Yr Hesg Quarry. Changes to locally prevailing weather and future changes at Craig Yr Hesg Quarry, means it is difficult to know if future compliance will continue. Therefore, the Local Authority intends to continue to monitor PM10 within the local community for the foreseeable future. Public Health, Protection & Community Services have requested a financial contribution towards allowing the Local Authority to carry out monitoring of air quality in the Community due to the proposals and the issues they raise. This has been agreed by the applicants and can be covered by a Section 106 Agreement which is considered further below.

The Council's Public Health, Protection & Community Services considers that with regard to the precautionary principle, the contribution to the overall observed levels of particulate matter by the development on a potentially localised neighbouring area, community feedback and Officer's understanding, the development has the potential to prolong the identified adverse impact at specific residential locations along Garth Avenue, that are in close proximity to the Site. However, given current understanding and the present legislative framework this impact is not expected, at present, to result in an exceedance of a relevant Air Quality Objective for particulate matter. Cwm Taf Morgannwg University Health Board and Public Health Wales also confirm that local air quality is compliant with the relevant PM10 AQO (as measured near the existing site operations) but there is a need for continued air quality monitoring at existing locations. Crucial is the continued implementation of a dust management plan.

It is proposed that a Dust and Particulate Management Plan and Dust Monitoring Plan (DMP) is agreed with RCT which would draw together the existing mitigation and management measures taking into account the existing planning permission and Permit controls for the continuation of the existing activities. This would include a scheme in relation to fugitive dust monitoring.

Blasting

A review of the chapter of the Environmental Statement on blasting has concluded that the development can achieve the ground vibration level of 6mm per second for 95% of all blasts within a 6-month period, with no single blast greater than 10 mm per second. This is the standard set out in MTAN 1 and in existing ROMP condition 23.

At a blasting level of 6 mm per second when measured at the nearest residential properties, it is highly likely that local residents will feel the vibration, either through the

ground or through the air, even if it is not causing damage. BS 5228 – Code of Practice for Noise and Vibration Control on Construction and Open Sites: Vibration (Part 2) acknowledges that human beings are known to be very sensitive to vibration, the threshold of perception being typically in the ppv range of 0.14 to 0.3 mm/sec. A ppv of 1 mm/sec is likely to give rise to complaints and blasting at this site does generate complaints.

Analysis of blasting data indicates that there have been no known exceedances of the 6 mm per second level, when measured from the agreed monitoring points. It is acknowledged that many residents find the blasts that occur an unpleasant experience and feel, despite the contents of BS5228 and the compliance with the 6 mm per second standard, that the blasts are causing damage to their properties.

However, BS 5228 states that the level at which cosmetic damage to residential structures will occur is 15 mm/sec at 4 Hz, rising to 20 mm/sec at 15 Hz and 50 mm/sec at 40Hz and above. Minor damage could occur at vibration magnitudes which are greater than twice these levels (30 mm/sec at 4 Hz, rising to 40 mm/sec at 15 Hz and 100 mm/sec at 40Hz and above) and major damage could occur at values greater than 4 times these levels (60 mm/sec at 4 Hz, rising to 80 mm/sec at 15 Hz and 200 mm/sec at 40Hz and above). Therefore, even at the lowest level for cosmetic damage of 15 mm/sec this is significantly higher than the blast vibration limit of 6mm/sec for 95 % of blasts over a 6-month period and no blast greater than 10mm/sec.

These blast vibration limits are set in national guidance and therefore it would be considered unreasonable to reduce this without very good reason. Therefore, while it is anticipated that blasting at the quarry may generate complaints, in respect of the impact of blast vibrations on residential properties, the proposed ground vibration blasting levels are considered acceptable.

In respect of air over pressure, condition 24 of the ROMP permission seeks to ensure blasts are designed to not exceed 120 dB when measured from the nearest residential properties. There have been some exceedances of this level in the past, but there are acknowledged difficulties in taking readings for air over pressure, principally due to the influence of climatic conditions. However, requiring a review of blasting design if the level of 120dB is exceeded should assist in minimising the impact of air overpressure going forward.

Operational Noise

The existing noise limits between 7am and 7pm are specified in Condition 18 of the ROMP permission as follows:

Receptor	Criteria (1 hour)
No 36 Conway Close	49 dB LAeq
No 3 Pen y Bryn	47 dB LAeq
Flat above shop Garth Avenue	54 dB LAeq
No 1 Rogart Terrace	55 dB LAeq

The noise assessment submitted in the Environmental Statement suggests that the limits at Penybryn, Garth Avenue and Rogart Terrace remain appropriate but the limits at Conway Close should be reduced to 46dB LAeq (1 hour)

Night-time (7pm to 7am) noise levels are set in Condition 19 of the ROMP permission at 42 dB LAeq at the same locations. This accords with the guidance set out in MTAN1.

MTAN1 allows for higher noise limits up to 67dB LAeq to be imposed 'during temporary and short-term operations for periods of up to 8 weeks in a year. This is reflected in condition 20 of the ROMP permission.

In respect of general operational noise, the protection of the local community from excessive noise is considered an important element in maintaining public health. Public Health, Protection & Community Services have advised that these levels are acceptable.

It is therefore considered that the effects of the proposal can be mitigated and managed to an acceptable level where they have a minimal impact on sensitive developments surrounding the site.

Health & Well-being

In considering health & wellbeing, the submission identifies the "main themes of concern regarding the proposed development are anticipated to relate to noise, blast vibration and dust". In the assessment of the air quality theme, it states "it is unlikely that the extension of time [the development] would cause respirable particles to exceed the relevant objective threshold set to be protective of human health". In respect of noise and vibration the submission highlights "the worst-case noise levels predicted would comply with noise limits set to be protective of human health" and "no blasting events have exceeded the ground vibration limit set to protect human health".

In addition to considering the above themes the submission also remarks, in the respect of the potential impact on ground and surface waters, that "no health and wellbeing effects are predicted"

In conclusion on wellbeing & health, the submission states, "existing activities have shown that, unless out of the operator's control, exposure to environmental determinants of health would remain within objective thresholds set to be protective of the environment and human health" and "overall, no significant adverse health and wellbeing effects are associated with the extension of time application".

By utilising previous work undertaken the submission has attempted to take account of a range of views and concerns associated with this type of development. Although some of this information may have aged and, in part, focused on additional elements more relevant to the previous planning application it is likely that it does provide a reasonable evidence base. In addition, the submission may not explicitly address if the development could likely have an express health and wellbeing impact upon inequality, although by considering various aspects of the development and the local circumstances this may, nonetheless, have been implicitly considered.

It may be noted that even where health-based standards and objectives are met the risk of impact upon health and wellbeing can still occur in relation non-tangible effects. For instance, the concerns that can be generated within the local community, if exposed to persistent levels of potential nuisance particulate matter, can go beyond any obvious nuisance effect. Its observance may increase anxiety in relation to particulate matter exposure and public health and dissuade the community from fully utilising its inherent amenity.

In addressing the potential benefit of constructive relationships between the development and the local community, the submission does highlight the importance of a range of communication and engagement mechanisms. With the overall aim to disseminate relevant information and improve understanding whilst also potentially further enabling the involvement of the local community. This in turn may help in general to support community well-being, inclusion and maximise community benefit from the development, should it be granted permission.

OTHER ISSUES

Ecology

Part 1(6) of the Environment (Wales) Act 2016 imposes a duty on a public authority to seek to maintain and enhance biodiversity in the exercise of functions in relation to Wales, and in so doing promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions.

The Craig-yr-Hesg Local Nature Reserve is located to the south of the existing quarry and forms part of the much larger Craig-yr-Hesg/Lan Wood SINC which extends to 89.72 hectares of predominantly ancient semi-natural woodland with smaller areas of grassland and bracken habitats. The SINC adjoins the western boundary of the extension site.

The applicants have carried out an Ecological Impact Assessment which is included within the Environmental Statement. In summary, the conclusions reached/measures previously agreed and considered valid are:

No direct or indirect potential significant impacts have been identified upon any identified statutory or non-statutory designated sites for nature conservation. Craig-yr-Hesg / Lan Wood SINC occurs partially within the application site boundary but is beyond the working area and would be complemented by the nature conservation-based site restoration.

The presence of notable habitats i.e., those identified as priorities under Section 7 of the Environment Act and the LBAP, has been identified in peripheral areas (including the identified SINC) (i.e., broadleaved woodland), although no losses would occur and no significant residual impacts are predicted.

The potential presence of roosting bats has been identified although the occurrence of such is considered unlikely. However, the 2010 ROMP set out an approach to review quarry faces during quarry development works. As some face progression

would take place, this is considered to remain appropriate and has been included in the EMP.

Common reptile species (adder, common lizard, grass snake and slow worm) have been confirmed, again this relates to peripheral areas that may be subject to minor disturbance during final restoration. An approach to reptile mitigation was set out in the 2010 ROMP which is considered to remain appropriate and is included in the EMP

Peregrine falcon and a range of other breeding bird species occur; this predominantly relates to presence in peripheral habitats that will be retained or subject to minor disturbance during final restoration. Working protocols set out in the 2010 ROMP with regard to peregrine falcon are considered to remain valid and is included in the EMP.

The proposed restoration reflects that approved as part of the 2013 ROMP determination. This will deliver significant habitat gains of biodiversity value for a range of species. The delivery of this restoration was not required to address any specified predicted impact to habitats or species and so a delay of seven years is not considered significant or in need of any additional ecological / biodiversity compensation.

In terms of the restoration of the new quarry bowl and benches, the principle of the restoration is based on a balance of allowing natural restoration of grassland and scrub/woodland habitats in some areas, while undertaking strategic tree planting in more visually prominent locations. This is considered acceptable in principle, but it is considered that the full details of the restoration should be subject to future review and agreement. It is considered this can be done via a suitably worded condition on long-term restoration.

It is also considered that long-term restoration should seek to provide nesting opportunities for peregrine falcons on inaccessible quarry ledges as part of a design objective of that restoration.

Landscape and Visual Amenity

The Environmental Statement has considered the impact of the development on landscape character and visual impact.

The landscape baseline is set by the LANDMAP Database hosted by Natural Resources Wales. LANDMAP separates landscape character into 5 defining aspects – Visual and Sensory, Geological, Landscape Habitat, Historic Landscape and Cultural Landscape.

The overall evaluation of the site in relation to the five LANDMAP aspect areas is as follows:

Visual and Sensory – Moderate
Geological Landscape – Moderate
Landscape Habitats – High
Historic Landscape – High
Cultural Landscape – High

The landscape character of the site area is one characterised as hillside and scarp slopes mosaic comprising of an open landscape of rough grazing with conifer plantations, small scale irregular fields, small clumps of deciduous broadleaf woodland.

It is important to note that the quarry has reached its full lateral extent and further disturbance beyond the current excavation limits will be limited to restoration works. Thus, there would be limited alterations to the existing landscape elements/features during working and after restoration, which results in a low degree of change to the overall character of the baseline conditions, the change is discernible but the underlying landscape character as a result of the development would be similar to the baseline conditions.

At a local level, the proposed development would not alter the current classification of the application site as an “active quarry”, followed by its restoration to “sheltered valley (with mixed rocky grassland, scrub, and woodland mosaic)”, albeit over an extended period of time.

The development would be positioned within and would not alter the published key characteristics of the National Landscape Character Area “NLCA37 South Wales Valleys” or LANDMAP units. There would thus be no changes to the principal landscape impacts, with the effects confined to a longer duration to complete the phased extraction programme, and a delay to the implementation of the final restoration strategy. This time extension and delay is considered to represent a slight adverse / neutral landscape effect.

In visual terms, the proposals would not reduce the existing and effective mitigation measures at the site, with existing views anticipated to be largely unchanged. This would ensure that the extended period of quarrying activities would be well integrated into the landscape and the restoration proposals would still add to the overall landscape value (whilst in the interim the site continues to provide for local roadstone requirements).

The development proposals would not cause unacceptable harm to the important landscape character of the nearby Special Landscape Area (SLA). The unspoilt valley slopes and ridges which form a visual backdrop to the settlements of the area would be unaffected by the proposed development. Although the extension of time would delay the final restoration of the site, the existing mineral working would continue to be well integrated into the surrounding landscape, due to the surrounding topography and high woodland cover.

Hydrology and Hydrogeology

The quarry depth is limited to 100m AOD which is above the maximum groundwater level of 97.53mAOD. There is no dewatering being undertaken at the quarry in relation to groundwater as groundwater inflow from perched water tables and effective rainfall discharge through the underlying strata.

Impacts on surface water systems are limited to potential minor impacts on Cefn springs although it is unlikely that there will be any impact given that there appears to be a perched water table between the site and the springs.

Highways

There are no proposals to increase production at the site, which averages 400,000 tonnes per annum and therefore the impact of quarry traffic will be unchanged. However, the impact will be extended for a further 6 years. In recent years' improvements to the southern access to facilitate two-way movements have allowed cessation of the use of the northern access as an exit for HGV's. The northern access is retained for emergency use only.

Traffic survey data was collected in November/December 2020. The vast majority of traffic leaving the site turns right at the exit and travels south towards Pontypridd. Daily traffic movements along the B4273 for a 5-day period (Monday to Friday) ranged between 8,663 and 9,728 vehicles per day with the average being 9,142, of which 318 (3.5%) were HGV's. The HGV movements from the quarry over the same survey period averaged 88 per day (<1%). In terms of the design capacity of the B4273 the current peak flows are approximately 67% of the design capacity of the road. Even with predicted traffic growth 20% capacity is predicted to remain by 2029. The road therefore has more than sufficient design capacity to cope with the quarry traffic which is a relatively small percentage of overall traffic movements.

Members will note that the Transportation Section are seeking a financial contribution of 5 pence per tonne to cover road inspections and maintenance. However, it is considered that this matter is more appropriately dealt with by Section 59 of the Highways Act 1980. This deals with recovering expenses due to extraordinary traffic, and gives the Highway Authority powers to recover expenses from site operators where their traffic is causing damage to the highway due to excessive weight or for other "extraordinary reasons".

Cultural Heritage

The Environmental Statement has concluded that there are no proposals to amend the quarry development scheme or the existing footprint of the quarry. Therefore, there would be no additional effect on any potential below ground archaeological features and no change to the effect on the setting of any listed buildings.

Other

Objectors have made a number of comments which are not material planning considerations and cannot therefore be taken into account in the determination of the application:

Questioning the motives of the applicant in submitting the application at this time.
Complaints in relation to the Councils response to complaints made at this site, which are matters for planning enforcement.
Issues relating to the quarry access road construction as the access road is covered by a separate planning permission.

Issues in relation to the condition of the public highway as these are outside of the applicants control

PLANNING OBLIGATIONS

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

A planning obligation (under S.106) may only legally constitute a reason for granting planning permission if it is:

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

PPW advises that contributions from developers may be used to offset negative consequences of development, to help meet local needs, or to secure benefits which will make development more sustainable. Further guidance regarding what types of obligations developers may be expected to contribute towards is also contained within Policy AW4 of the Local Development Plan and the Council's SPG on Planning Obligations, however it is made clear that this is intended to form the basis of negotiations between all parties.

In this case the Section 106 requirements that meet the legislative requirements are as follows:

Public Health, Protection & Community Services have asked for a contribution towards air quality monitoring for levels of particulate matter in the local community. This is due to acknowledged uncertainties in future particulate matter levels, the variability of prevailing weather conditions, the increased importance of burden reduction and the possible need to gather information to address community concerns. The applicant has indicated their agreement to this.

It is therefore considered appropriate that, if approved, the applicant should enter into a Section 106 Agreement in relation to this application in order to secure a contribution towards the costs of the Council's air quality monitoring within the local community. The sum of £5,975.00 to be paid in the first year with the same amount in subsequent years increased at the RPI rate for each year that the quarry remains operational.

RECOMMENDATION: APPROVE, SUBJECT TO THE FOLLOWING CONDITIONS:

1. The extraction and processing of minerals from the site shall cease by 31st December 2028, all residual stocks, fixed plant, and buildings to which this permission relates shall be removed by 31st December 2029 and restoration shall be completed by 31st December 2030.

For a period of 5 years from the date of completion of restoration the site shall be managed in accordance with the approved aftercare scheme submitted under the provisions of Condition 43 below.

The planning permission shall expire following the complete restoration and aftercare of the site in accordance with the approved restoration and aftercare schemes submitted under the provisions of Conditions 41 and 43 respectively.

Reason: The minerals development permitted is temporary in nature.

2. The development shall be carried out strictly in accordance with the following approved plans and documents, unless otherwise stipulated by conditions:

- CYH1 – Site Location Plan
- CYH2 – Application Site Plan
- CYH3 – Aerial Photograph
- CYH4 – Current Topographical Survey
- CYH5 – Interim Quarry Development Plan
- CYH6 – Final Quarry Development Plan
- CYH7 – Restoration Concept Plan
- CYH8 – Sections
- CYH9 – Bench Treatment Sections
- CYH C31 – Additional Tree Screening at Primary Crusher

Reason: Required to be imposed pursuant to Section 71ZA of the Town and Country Planning Act 1990 (as amended).

3. A copy of this permission and the approved plans showing the method and direction of working and restoration shall be displayed in the operator's site office at all times during the life of the site. Any subsequent approved amendments shall also be displayed.

Reason: To ensure the operator and site contractors are aware of the working programme and the conditions attached to carrying out the development.

4. The operator shall submit detailed survey plans of the site, including levels to Ordnance Datum, every 5 years from the date of commencement until completion of restoration of the site.

Reason: to enable the Local Planning Authority to monitor the achievement of the quarry profiles in each phase of the development.

5. Except in emergencies, to maintain safe quarry working (which shall be notified to the Local Planning Authority as soon as practicable), or unless the Local Planning Authority has otherwise agreed beforehand in writing (including email):

Quarrying operations shall only be carried out between the hours of:

- 0700 hours and 1900 hours Monday to Friday; and
- 0700 hours and 1600 hours Saturdays; and
- not at any time on Sundays or Statutory Public Holidays.

For the purposes of this permission “quarrying operations“ shall mean the stripping of overburden, the development of the quarry faces (including drilling), the loading and transportation of stone to the primary crusher and the operation of the primary crusher or any replacement thereof.

Reason: To protect the amenities of local residents in accordance with Policies CS10 and AW10 of the Rhondda Cynon Taff Local Development Plan.

6. No vehicles other than those associated with the manufacture of coated road stone, the production of ready-mix concrete or the servicing, maintenance and testing of plant and machinery shall enter/leave the Quarry except during the hours of 07.00 and 19:00 Mondays to Friday and 07.00 and 16.00 on Saturday.

Reason: To protect the amenities of local residents in accordance with Policies CS10 and AW10 of the Rhondda Cynon Taf Local Development Plan.

7. No extraction of minerals shall take place below 100m A.O.D. other than those works necessary for the construction of the quarry sump.

Reason: the impact of the proposed development on the natural environment has only been assessed to a depth of 100m AOD

8. No excavation shall take place below the depth of the water table until a Hydro Geological Impact Appraisal for dewatering and a scheme of working has been submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the approved scheme, unless otherwise approved in writing by the Local Planning Authority.

Reason: To prevent derogation of the ground water resource at the site in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

9. Except in emergencies, or unless the Local Planning Authority has otherwise agreed beforehand in writing, all HGV's and commercial vehicles must enter and leave the site via the access located to the south of Rogart Terrace

Reason: In the interests of highway safety.

10. No loaded HGVs shall leave the site un-sheeted except those only carrying stone in excess of 75mm.

Reason: In the interests of highway safety.

11. Within 3 months of the date of this permission the developer shall submit for the approval of the Local Planning Authority a scheme indicating the facilities and/or methods to be put in place to ensure deleterious material is not carried onto any part of the public highway, including provision for revision in the event of the scheme being ineffective and any remedial measures to be put in place to clear the highway of any such material. The scheme shall be implemented as approved and utilised during the period of operation of the quarry.

Reason: In the interests of highway safety.

12. The controls set out in Dust Management and Monitoring Plan dated 16 August 2017 shall be implemented from the date of commencement of the development and shall be complied with at all times until the expiry of the permission. The first formal review set out in section 5.2 of the Plan will be due 2 years from the date of this permission.

Reason: To protect the amenities and health of local residents in accordance with Policies CS10 and AW10 of the Rhondda Cynon Taf Local Development Plan.

13. The best practicable means shall be used to restrict the generation of dust on the haul roads and access road and within the remainder of the quarry, as a result of the storage and transportation of any material at the site e.g., pre-coated bituminous road stone or as a result of blasting. The best practicable means shall include the provision for haul roads and access roads to be watered during dry weather to lay the dust.

Reason: To ensure that dust emitted is not a source of nuisance so as to protect the amenities of local residents in accordance with Policies CS10 and AW10 of the Rhondda Cynon Taf Local Development Plan.

14. At all times during the carrying out of operations, a water bowser or similar equipment shall be available on site, and shall be used to minimise the emission of dust from the operational area.

Reason: To ensure that dust emitted is not a source of nuisance so as to protect the amenities of local residents in accordance with Policies CS10 and AW10 of the Rhondda Cynon Taf Local Development Plan.

15. Measures shall be taken to minimise dust emissions from quarrying operations, in accordance with the following protocols:

- i) Soils and overburden shall not be handled during dry conditions which could result in the emission of visible dust unless the

material has been suitably treated with water or other suitable agents.

- ii) Drilling of shot holes shall be undertaken by drilling rigs fitted with a suitable dust collection system;
- iii) Site roads within the quarry shall be dampened down as appropriate, using a water bowser, in accordance with the requirement of Condition 14;
- iv) The speed of haulage vehicles at the site will be restricted to 10mph.
- v) All site vehicles will be fitted with upswept exhausts and radiator fan shields.
- vi) Lorries will be loaded to avoid spillages.
- vii) All site traffic will be kept to the designated haul routes.
- viii) Any product or waste spillages will be cleared to avoid accumulations.
- ix) Drop heights will be minimised at loading and discharge points.
- x) Measures shall be taken to ensure that mud and other detritus from site operations shall not accumulate onto the public highway. Such measures shall include the weekly cleaning/sweeping of the public highway used to access the site, as well as additional cleaning/sweeping of the public highway, if, in the opinion of the Local Planning Authority, significant accumulations have occurred which require action.
- xi) Regular compaction, grading and maintenance of all on site non metalled roads used as a consequence of the quarrying operations.
- xii) All product and waste stockpiles shall be watered as and when necessary to minimise the suspension of dust.
- xiii) Existing vegetation along the site boundary to the north of the site which provides screening protection from dust shall be maintained unless a suitable screening replacement is otherwise approved in writing by the Local Planning Authority.
- xiv) Before entering onto the public highway the wheels, of all lorries travelling from the site shall be cleaned and, their loads shall be secured and fully covered and in such a condition as to avoid the deposit of slurry, mud, or other material upon the public highway.

Reason: To ensure that dust emitted is not a source of nuisance so as to protect the amenities of local residents in accordance with Policies CS10 and AW10 of the Rhondda Cynon Taf Local Development Plan.

16. No mobile crushing or screening equipment shall be operated within 200 metres of the boundary of the curtilage of any residential properties without the prior express permission of the Local Planning Authority unless the equipment is located on land below 180m AOD.

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

17. The operator of the quarry shall maintain and operate an automatic weather monitoring station at the primary crusher, in a manner to ensure the accurate measurement of atmospheric temperature, wind direction, wind speed and precipitation. All data shall be recoded in an accessible format and retained by the operator for at least two years and made available for examination by any authorised officer as determined by the Local Planning Authority.

Reason: To ensure informed management of the operations at the site to ensure that dust emitted is not a source of nuisance so as to protect the amenities of local residents in accordance with Policies CS10 and AW10 of the Rhondda Cynon Taf Local Development Plan.

18. Unless the Local Planning Authority has otherwise agreed beforehand in writing (including e-mail) drilling operations shall only be carried out between the hours of 10.00 and 16.00 on Monday to Friday, and not at any time on Saturdays or Sundays or Statutory Public Holidays above 180 metres A.O.D. in the existing quarry.

Reason: To protect the amenities of local residents in accordance with Policies CS10 and AW10 of the Rhondda Cynon Taf Local Development Plan.

19. In any part of the quarry below 180m AOD, drilling operations shall only be carried out between the hours of 07.00 and 18.00 Monday to Friday, and not at any time on Saturdays or Statutory Public Holidays unless the Local Planning Authority has agreed beforehand in writing (including e-mail).

Reason: To protect the amenities of local residents in accordance with Policies CS10 and AW10 of the Rhondda Cynon Taf Local Development Plan.

20. Except in the case of emergency to maintain safe quarry working, no blasting shall take place at the site except between 10.00 a.m. – 16.00 p.m. Monday to Friday inclusive and there shall be no blasting on Saturdays, Sundays, and Public Holidays.

For the purpose of this Condition 20, "emergency" means any circumstances in which the operator has a reasonable cause for apprehending injury to persons or serious damage to property.

Reason: To protect the amenities of local residents in accordance with Policies CS10 and AW10 of the Rhondda Cynon Taf Local Development Plan.

21. Blasting shall be undertaken in such a manner to ensure that ground vibration at any vibration sensitive building, measured as a maximum of three mutually perpendicular directions taken at the ground surface, does not exceed a peak particle velocity (ppv) of 6mms per second in 95% of all blasts measured over any continuous six-month period, and no single blast shall exceed a ppv of 10mms per second. The measurement is to be taken at or near the

foundations of any vibration sensitive building in the vicinity of the quarry existing at the date of this permission.

Reason: To limit ground vibration from blasting operations so as to protect the amenities of local residents and the structure of buildings in accordance with Policies CS10 and AW10 of the Rhondda Cynon Taf Local Development Plan.

22. No secondary blasting shall be carried out on the site.

Reason: To protect the amenities of local residents in accordance with Policies CS10 and AW10 of the Rhondda Cynon Taf Local Development Plan.

23. All individual blasts shall be designed, managed, and implemented to minimise the extent of air overpressure resulting from blasts. If air overpressure exceeds 120dB at any nearby sensitive residential property (not owned by the applicant) the Local Planning Authority shall be informed within 7 days and the design, management and implementation of the blasts must be reviewed prior to any further blasting being undertaken at the site, with all future blasting being undertaken in accordance with the findings of the review.

Reason: To limit air overpressure from blasting operations so as to protect the amenities of local residents and the structure of buildings in accordance with Policies CS10 and AW10 of the Rhondda Cynon Taf Local Development Plan.

24. Each individual blast shall be monitored in accordance with the Blast Monitoring Scheme submitted on 30 July 2018. All monitoring shall be undertaken in accordance with the terms of the approved scheme for the duration of quarrying operations at the site. In addition:

(a) Blasting times shall be clearly advertised at the Quarry;

(b) A warning, audible at the site boundary, shall be sounded prior to any blasting operations taking place, and shall be sounded again immediately after blasting has finished.

Reason: To ensure that the impact of blasts on residents is minimised, and to protect the amenities of local residents in accordance with Policies CS10 and AW10 of the Rhondda Cynon Taf Local Development Plan.

25. Between the hours of 07:00 and 19:00 the free field Equivalent Continuous Noise Level LAeq (1 hour) resulting from operations within the site shall not exceed the relevant noise limit specified in Table 1 below at each selected noise sensitive property. Measurements taken to verify compliance shall have regard to the effects of extraneous noise and shall be corrected for any such effects. Measurements and assessments shall be made in accordance with BS4142.

Table 1

Receptor	Criteria
No 36 Conway Close	46 dB LAeq
No 3 Pen y Bryn	47 dB LAeq
Flat above shop Garth Avenue	54 dB LAeq
No 1 Rogart Terrace	55 dB LAeq

Reason: To ensure that the noise emitted is not a source of nuisance, and to protect the amenities of local residents in accordance with Policies CS10 and AW10 of the Rhondda Cynon Taf Local Development Plan.

26. Between the hours of 19:00 and 07:00 the free field Equivalent Continuous Noise Level LAeq (1 hour) due to operations in the site shall not exceed 42 dB LAeq at each selected noise sensitive property specified in Table 1 set out in condition 25 above.

Reason: To ensure that the noise emitted is not a source of nuisance, and to protect the amenities of local residents in accordance with Policies CS10 and AW10 of the Rhondda Cynon Taf Local Development Plan.

27. Noise levels attributable to operations of a temporary nature within or on the periphery of the site such as the formation, removal or alteration of spoil tips, screening landforms and storage embankments, measured at any noise sensitive property specified in Table 1 in condition 25 above, shall not exceed a level of 67dB LAeq, 1hour (free field) These noise limits shall only apply for a maximum of 8 weeks in any calendar year.

Reason: To ensure that the noise emitted is not a source of nuisance, and to protect the amenities of local residents in accordance with Policies CS10 and AW10 of the Rhondda Cynon Taf Local Development Plan.

28. The best practicable means shall be used to minimise noise from reversing warning devices which are fitted to mobile plant and vehicles on the site. This may include fitting broadband directional alarms to vehicles.

Reason: To ensure that the noise emitted is not a source of nuisance, and to protect the amenities of local residents in accordance with Policies CS10 and AW10 of the Rhondda Cynon Taf Local Development Plan.

29. Noise shall be monitored in accordance with the Noise Management Plan approved under planning reference 13/1188/38 on 27th November 2014.

Reason: To ensure that the noise emitted is not a source of nuisance, and to protect the amenities of local residents in accordance with Policies CS10 and AW10 of the Rhondda Cynon Taf Local Development Plan.

30. Any facilities for the storage of oils, fuels or chemicals on the site shall be sited in impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, or the combined capacity of inter-connective tanks, plus 10%. All filling points, vents, gauges and site glasses shall be located within the bund. The drainage system of the bund shall be sealed with no discharge to any water course, land, or underground strata. Associated pipe work shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund.

Reason: To prevent pollution of nearby watercourses and drainage systems in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

31. Throughout the period of working, restoration and aftercare, the operator shall protect and support any ditch, stream, water course or culvert passing through the site and neither impair the flow nor render less effective drainage onto and from adjoining land. Satisfactory provision will be made to deal with any surface water run-off from the site and, in particular, no run-off water from the site shall be permitted to flow down the quarry access road and onto the Berw Road.

Reason: To prevent pollution of nearby watercourses and drainage systems in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

32. Any settlement ponds at the site shall be kept clear of mud and silt as necessary so as to keep them in good order, and the discharge of waste, oil or other pollutant to any settlement pond, ditch, stream, watercourse or other culvert is not permitted.

Reason: To prevent pollution of nearby watercourses and drainage systems in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

33. No floodlighting other than that in existence at the date of this consent, shall be used on the site without the prior written approval of the Local Planning Authority. Any request for prior written approval must identify the impact of the additional lighting on bats and the amenity of nearby residents potentially affected.

Reason: To prevent any unacceptable light pollution and to protect the amenities of local residents in accordance with Policies AW8, CS10 and AW10 of the Rhondda Cynon Taf Local Development Plan.

34. The Wildlife and Protection Plan approved under planning reference 13/1189/38 on 27th November 2014 shall be implemented for the duration of the permission.

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

35. The existing trees, bushes, and hedgerows within the control of the developer (other than those shown as being removed on any of the approved plans) shall be retained and shall not be felled, lopped, topped, or removed in areas outside of the area of mineral working without the prior written consent of the Local Planning Authority. Any such vegetation removed without consent, dying, being severely damaged or becoming seriously diseased shall be replaced with trees or bushes of such size and species as may be specified by the Local Planning Authority, in the planting season immediately following any such occurrences.

Reason: In the interests of amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

36. Trees, shrubs, and hedges planted in accordance with the Additional Tree Screening at the Primary Crusher shall be maintained and any plants which within five years of planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

Reason: In the interests of amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

37. All topsoil and subsoil shall be permanently retained on site and used in restoration.

Reason: To prevent loss of soil.

38. All disturbed areas of the site and all topsoil, soil making material and overburden mounds shall be kept free from agricultural weeds until the completion of aftercare.

Reason: To prevent a build-up of harmful weed seeds in soils that are being or will be used for restoration in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

39. Topsoil, subsoil and soil making material shall only be stripped when they are in a dry and friable condition, and no movement of soils shall occur during the months November to March (inclusive), unless otherwise agreed in writing with the Local Planning Authority

Reason: to avoid adverse impacts on soil structure and to ensure soils are suitable for use in restoration

40. Within 6 months of the date of this permission, an Interim Restoration Scheme shall be submitted for the written approval of the Local Planning Authority. The Interim Restoration Scheme shall cover the restoration of final

benches located outside active quarrying areas and other land within the quarry boundary not required for operational purposes. The Scheme shall be implemented as approved.

Reason: In the interests of the amenity of the local area in accordance with Policy CS10 the Rhondda Cynon Taf Local Development Plan.

41. Not later than 31 December 2028 or the expiry of 6 months following the permanent cessation of the winning and working of minerals and the depositing of mineral waste, whichever is the sooner, a detailed final restoration scheme, including drawings to illustrate the proposals for the final restoration of the quarry shall be submitted to and approved by the Local Planning Authority in writing. The final restoration scheme shall be based upon the restoration concept plan CYH7 and include, inter alia the following matters:

- (a) the nature of the intended after use of the site;
- (b) the location, depth, and treatment of any dust/fine aggregate on the site;
- (c) the ripping of the quarry floor (other than where comprised of bedrock) and the re-spreading over the floor of the excavated area of any overburden, subsoil and topsoil previously stripped from the site, in that order;
- (d) the ripping of any compacted layers of final cover to ensure adequate drainage and aeration; such ripping should normally take place before placing of the topsoil;
- (e) the machinery to be used in soil re-spreading operations;
- (f) the final proposed levels of the site on a contour plan at 5m intervals and the gradient of the restored slopes which shall be graded to prevent ponding of, or erosion by surface water and to conform with the surrounding land;
- (g) the drainage of the restored land including the formation of suitably graded contours to promote natural drainage and the installation of artificial drainage where necessary,
- (h) the position and design of any ditches and watercourses where all such features shall be designed to achieve maximum ecological diversification;
- (i) the reinstatement of the plant site and access roads by clearing plant, buildings, machinery and concrete or brickwork, and other obstructions, replacing of subsoil and then topsoil previously stripped from the site;
- (j) details of the spreading of soils previously stripped and stored on the site including depths and placement areas;
- (k) the method of soil replacement and soil handling;
- (l) position and erection of boundary fencing;
- (m) the position of any roadways, footpaths, and bridleways to be provided linked with existing Public Rights of Way, including the crossing and surfacing of such routes.

The restoration works shall be carried out in accordance with the approved restoration scheme and shall be fully implemented within two years of the date of approval of the scheme or by 31st December 2030, whichever is the sooner.

Reason: In the interests of the amenity of the local area in accordance with Policy CS10 the Rhondda Cynon Taf Local Development Plan.

42. Prior to the commencement of the Final Restoration Scheme, the operator shall submit a scheme to deal with any potential contamination on the site. The scheme shall include such of the following steps as the Local Planning Authority shall reasonably deem necessary:
- (a) A desk-top study and walk-over survey shall be carried out by a competent person to identify and evaluate all potential sources and impacts of contamination relevant to the site. A report of the desk-top study and walk over survey shall be submitted to the Local Planning Authority without delay upon completion.
 - (b) Unless the report supplied under i) above satisfies the Local Planning Authority that it is not required, a site investigation shall be carried out by a competent person to fully and effectively characterise the nature and extent of any contamination and its implications.
 - (c) A scheme containing a written method statement for the remediation of any contamination revealed by the site investigation in ii) above shall be agreed in writing with the Local Planning Authority prior to commencement and all requirements shall be implemented and completed by a competent person in accordance with a timescale to be approved in writing by the Local Planning Authority.
 - (d) A suitable validation report of any remedial works carried out under iii) above shall be submitted to and approved by the Local Planning Authority.

If during restoration works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in any remediation proposals above then revised remediation proposals shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with an agreed timescale with the Local Planning Authority.

Reason: In the interests of health and safety and environmental amenity in accordance with Policy AW10 the Rhondda Cynon Taf Local Development Plan.

43. Not later than 30 December 2028 or the expiry of 24 months following the permanent cessation of the winning and working of minerals and the depositing of mineral waste, whichever is the sooner, an aftercare scheme, for amenity after use that promotes the use of the site for nature conservation

shall be submitted for the approval of the Local Planning Authority. The aftercare scheme shall include the following elements:

- (a) A five-year period of aftercare following restoration;
- (b) The inclusion of all areas affected by the quarrying activities, and areas outside the extraction area that have been used to store soil or overburden and areas subject to trafficking by mobile plant and equipment;
- (c) The steps to be taken and the period during which they are to be undertaken and who shall be responsible for taking those steps;
- (d) The timing and pattern of vegetation establishment (including grass seeding of restored areas with a suitable herbage mixture and application rates to achieve species rich grassland and heath land restoration, the distribution of native tree and shrub planting including stock types, sizes, spacing, method and position of planting).
- (e) Cultivation practices for the preparation of soils;
- (f) Fertilising and lime application based on soil analysis, weed control;
- (g) Land management techniques;
- (h) The provision of boundary treatment;
- (i) Entry onto the site shall be granted to officials of the Welsh Government at all times during soil stripping or replacement operations, restoration, and aftercare of the site;
- (j) An aftercare habitat management plan which shall include;
- (k) The details of the provision of areas to be restored to nature conservation and their application to local biodiversity objectives (to include nesting sites for peregrine falcon and raven, roosting and hibernation areas for bats, native woodland restoration, natural species –rich grassland and heath land restoration);
- (l) Description and evaluation of features to be managed;
- (m) Ecological trends and constraints that may influence management;
- (n) Aims and objectives of management;
- (o) Appropriate management options for achieving aims and objectives;
- (p) Prescription for management actions;
- (q) Work Schedule;
- (r) Personnel responsible for implementation of plan;
- (s) Monitoring and remedial/contingency measures triggered by monitoring.

Aftercare operations shall be carried out in accordance with the approved aftercare scheme unless otherwise approved in writing by the Local Planning Authority

Reason: In the interests of the amenity of the local area in accordance with Policy CS10 the Rhondda Cynon Taf Local Development Plan.

44. Before 31st March of every year during the aftercare period, the site operator shall arrange a formal site meeting to review the aftercare operations which have taken place on the site during the previous year, and also the

programme of management for the following year. The parties invited to this meeting shall include the site operator, the owners of the land (if not the operator), any other relevant occupiers, the Local Planning Authority, and such relevant advisors and/or representatives of the Local Planning Authority as it shall nominate. At least one month before the date of each annual review meeting, the site operator shall provide a written report to the Local Planning Authority. The report shall contain details of the management and other operations carried out on the site in the previous year and those which are planned for the ensuing year.

Reason: In the interests of the amenity of the local area in accordance with Policy CS10 the Rhondda Cynon Taf Local Development Plan.

45. Within 6 months of the date of this permission a strategy shall be submitted for communication and engagement with the local community. This shall include measures for the setting up of a Community Liaison Group. The strategy shall be implemented in accordance with the approved details

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

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PLANNING & DEVELOPMENT COMMITTEE

7 OCTOBER 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 06/09/2021 – 24/09/2021

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

7 OCTOBER 2021

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

REPORT

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

OFFICER TO CONTACT

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

See Relevant Application File

APPEAL DECISIONS RECEIVED

APPLICATION NO: 20/1100
APPEAL REF: A/21/3269758
APPLICANT: Mr G Pacitti
DEVELOPMENT: Proposed detached two bed dwelling (re-submission).
LOCATION: 1 KINGSBURY COURT, LLWYDCOED, ABERDARE,
CF44 0YN
DECIDED: 24/11/2021
DECISION: Refused
APPEAL RECEIVED: 08/05/2021
APPEAL DECIDED: 22/09/2021
APPEAL DECISION: Dismissed

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Report for Development Control Planning Committee

Hirwaun

- 21/1067/09** Decision Date: 06/09/2021
Proposal: Garage conversion, single storey extension to rear of garage.
Location: 10 THE PINES, HIRWAUN, ABERDARE, CF44 9QW
-

Penywaun

- 21/0604/10** Decision Date: 15/09/2021
Proposal: Fit new replacement fibreglass roof on garage.
Location: 9 TRENANT, HIRWAUN, ABERDARE, CF44 9LD
-

- 21/0937/10** Decision Date: 16/09/2021
Proposal: Demolition of clinic and construction of a detached dwelling with garage.
Location: FORMER PEN-Y-WAUN CLINIC, DERLWYN, ABERDARE, CF44 9LR
-

Aberdare West/Llwydcoed

- 21/0736/10** Decision Date: 09/09/2021
Proposal: First floor side extension.
Location: 6 THE RIDINGS, CWMDARE, ABERDARE, CF44 8AJ
-

- 21/0738/10** Decision Date: 08/09/2021
Proposal: Development of four bed dwelling (Amended plans received 11/08/2021).
Location: PLOT 3, PLAS NEWYDD ISA, MERTHYR ROAD, LLWYDCOED, ABERDARE, CF44 0YF
-

- 21/0995/10** Decision Date: 13/09/2021
Proposal: Proposed two storey extension.
Location: 18 QUEEN STREET, CWMDARE, ABERDARE, CF44 8TT
-

- 21/1021/10** Decision Date: 10/09/2021
Proposal: Proposed two storey extension with alterations, construction of a balcony.
Location: KERN, 57 MOUNT PLEASANT STREET, TRECYNON, ABERDARE, CF44 8NG
-

- 21/1047/10** Decision Date: 09/09/2021
Proposal: Rear extension over existing single storey annexe.
Location: 45 BRYN TERRACE, CWMDARE ROAD, CWMDARE, ABERDARE, CF44 8RA
-

- 21/1076/10** Decision Date: 17/09/2021
Proposal: Single storey rear extension.
Location: 45 TAN Y BRYN GARDENS, LLWYDCOED, ABERDARE, CF44 0TQ
-

Report for Development Control Planning Committee

Aberdare East

21/0722/10 Decision Date: 08/09/2021
Proposal: Change of use from 2 No. apartments and 1No. house to 2No. houses and 1No. apartment
Location: 43A CARDIFF STREET, ABERDARE, CF44 7DG

21/1055/10 Decision Date: 17/09/2021
Proposal: Change of use of ground floor from shop (Use Class A1) to restaurant with take away (Use Class A3) and the installation of fume extraction system.
Location: STOPS AHEAD, 37 COMMERCIAL STREET, ABERDARE, CF44 7RW

21/1185/23 Decision Date: 09/09/2021
Proposal: Demolition of commercial building.
Location: GALLERY LOFT CONVERSIONS, 4 ABERNANT ROAD, ABER-NANT, ABERDARE, CF44 0PY

Cwmbach

21/1050/10 Decision Date: 09/09/2021
Proposal: Replacement of rear boundary wall, installation of roller shutter (retrospective).
Location: 5 GREENFIELD TERRACE, TIRFOUNDER ROAD, CWM-BACH, ABERDARE, CF44 0BG

Mountain Ash West

21/0405/10 Decision Date: 23/09/2021
Proposal: Development of three linked dwellings (Amended plans received 21/05/2021).
Location: SITE OF OLD SALVATION ARMY HALL, WOODLAND STREET, MOUNTAIN ASH

21/1034/10 Decision Date: 21/09/2021
Proposal: Retrospective application for raising of levels to the front garden.
Location: 28 FOREST VIEW, MOUNTAIN ASH, CF45 3DU

Penrhiwceiber

21/0794/10 Decision Date: 21/09/2021
Proposal: First floor extension.
Location: 3 OSBORNE TERRACE, PENYBRYN ROAD, PENRHIWCEIBER, MOUNTAIN ASH, CF45 3SX

21/1052/10 Decision Date: 20/09/2021
Proposal: Construction of extension to rear at first floor and existing single storey annexe.
Location: 70 THOMAS STREET, MOUNTAIN ASH, CF45 3BP

Report for Development Control Planning Committee

Ynysybwl

- 20/1151/10** Decision Date: 17/09/2021
Proposal: Construction of new detached bungalow. (Amended Address received 01/03/21)(Amended Plans and Redline Boundary received 08/07/21)
Location: GREEN GABLES, NEW ROAD, YNYSYBWL, PONTYPRIDD, CF37 3ED
-

- 21/0856/10** Decision Date: 22/09/2021
Proposal: Construction of a garden shed (retrospective).
Location: 131 DAN-Y-CRIBYN, YNYSYBWL, PONTYPRIDD, CF37 3ES
-

Aberaman North

- 21/0983/10** Decision Date: 17/09/2021
Proposal: Single storey garage to rear.
Location: 2 COBDEN STREET, GODREAMAN, ABERDARE, CF44 6EL
-

- 21/1019/10** Decision Date: 15/09/2021
Proposal: Proposed first floor rear extension.
Location: 38 COBDEN STREET, GODREAMAN, ABERDARE, CF44 6EN
-

Treorchy

- 21/0969/10** Decision Date: 09/09/2021
Proposal: First floor extension.
Location: 44 REGENT STREET, TREORCHY, CF42 6PN
-

- 21/1037/15** Decision Date: 07/09/2021
Proposal: Variation of condition 2 (plans) of planning permission for a single storey extension (Ref- 20/0291/10). Replacement of the existing pitched roof over kitchen to a flat roof construction.
Location: 53 REGENT STREET, TREORCHY, CF42 6PN
-

Report for Development Control Planning Committee

Pentre

21/0746/10 Decision Date: 09/09/2021
Proposal: Proposed extensions and alterations to existing dwelling and retrospective planning for landscaping works to the rear of the dwelling (Amended red line boundary received 08/07/2021).
Location: 28 MAINDY CRESCENT, TONPENTRE, PENTRE, CF41 7ES

21/0782/10 Decision Date: 07/09/2021
Proposal: First floor extension to rear & single storey ground floor extension.
Location: 70 BAILEY STREET, TON PENTRE, PENTRE, CF41 7EN

21/1100/10 Decision Date: 07/09/2021
Proposal: Rear garden alterations to create a raised brick garden area, with steps, glass balustrades and new fencing (retrospective).
Location: 50 DINAM PARK, TONPENTRE, PENTRE, CF41 7DY

Ystrad

21/0745/10 Decision Date: 08/09/2021
Proposal: Demolition of existing garage and proposed residential development of three dwellings, with parking provision and associated works (Amended Plans Received 16th August 2021).
Location: LAND OPPOSITE 28 & 30 BODRINGALLT TERRACE, YSTRAD, PENTRE

Llwynypia

21/1035/01 Decision Date: 21/09/2021
Proposal: 2000mm high x 3000mm wide fixed page LED signage board with 2000mm high brushed aluminium base pan with supporting steel subframe. This application is for permanent signage.
Location: THE COURT HOUSE, LLWYNYPIA ROAD, LLWYNYPIA, TONYPANDY, CF40 2HZ

21/1136/10 Decision Date: 21/09/2021
Proposal: Erection of an outbuilding to rear garden.
Location: 9 INVERLEITH TERRACE, LLWYNYPIA, TONYPANDY, CF40 2EX

Cwm Clydach

21/1033/10 Decision Date: 16/09/2021
Proposal: Two storey extension & detached garage.
Location: 35 RAILWAY TERRACE, CLYDACH, TONYPANDY, CF40 2DA

Report for Development Control Planning Committee

Tonypandy

21/0709/10 Decision Date: 24/09/2021
Proposal: First floor extension.
Location: 99 THOMAS STREET, TONYPANDY, CF40 2AH

21/1080/10 Decision Date: 13/09/2021
Proposal: Single storey flat roof extension.
Location: 137 PRIMROSE STREET, TONYPANDY, CF40 1BN

Penygraig

21/0304/10 Decision Date: 13/09/2021
Proposal: Awning/shelter.
Location: COFFEE AT CAFE, CORNWALL ROAD, WILLIAMSTOWN, TONYPANDY, CF40 1PT

21/0928/10 Decision Date: 15/09/2021
Proposal: Double storey rear extension.
Location: 52 PENYGRAIG ROAD, PENYGRAIG, TONYPANDY, CF40 1HB

Porth

21/1139/10 Decision Date: 21/09/2021
Proposal: Loft conversion with feature dormer rooflights.
Location: 25 PLEASANT HEIGHTS, PORTH, CF39 0LZ

Ynyshir

21/1116/10 Decision Date: 21/09/2021
Proposal: Removal of existing ground floor lean to and the erection of a two storey extension and the addition of a bay window to the front elevation.
Location: 12 PLEASANT VIEW, WATTSTOWN, PORTH, CF39 0PW

Tylorstown

21/1083/10 Decision Date: 23/09/2021
Proposal: First floor extension to rear.
Location: 12 UPPER TERRACE, STANLEYTOWN, FERNDALE, CF43 3EU

Report for Development Control Planning Committee

Ferndale

21/0998/10 Decision Date: 06/09/2021
Proposal: External lift & associated groundworks.
Location: 25 MOUNTAIN ROW, BLAENLLECHAU, FERNDALE, CF43 4PA

Glyncoch

21/1062/10 Decision Date: 17/09/2021
Proposal: Demolish the existing conservatory and replace with a full rear width extension which will connect to an existing extension. Enlarge the existing dormer extension.
Location: GLYNDWR, DARREN-DDU ROAD, GLYN-COCH, PONTYPRIDD, CF37 3HE

Town (Pontypridd)

21/1041/10 Decision Date: 15/09/2021
Proposal: Erection of a garage and workshop.
Location: LAND REAR OF 6 LEWIS TERRACE, PONTYPRIDD, CF37 2AF

21/1043/10 Decision Date: 21/09/2021
Proposal: External flue at rear of property.
Location: 6 FRATERNAL PARADE, TAFF STREET, PONTYPRIDD, CF37 4UG

Trallwn

21/0721/10 Decision Date: 09/09/2021
Proposal: Change of use of first floor from Use Class A2 (Financial Services) to Use Class D1 (Education Centre).
Location: LLANOVER ARMS PUBLIC HOUSE, 20 BRIDGE STREET, PONTYPRIDD, CF37 4PE

Rhondda

21/1058/10 Decision Date: 23/09/2021
Proposal: Single storey and two storey extensions, and alterations to existing property.
Location: LAN DRAW FARM, GELLIWION ROAD, MAESYCOED, PONTYPRIDD, CF37 1EY

Graig

21/0956/10 Decision Date: 17/09/2021
Proposal: Two storey side/rear extension.
Location: 16 ST ANDREWS ROAD, PENYCOEDCAE, PONTYPRIDD, CF37 1XF

Report for Development Control Planning Committee

Treforest

21/0961/10 Decision Date: 23/09/2021
Proposal: Retrospective application for change of use from petrol station to car wash.
Location: 180-181 THE BROADWAY, BROADWAY, PONTYPRIDD, CF37 1BH

Hawthorn

21/0865/10 Decision Date: 20/09/2021
Proposal: Change of use of first floor from residential to commercial nail bar/ beauty treatment room.
Location: PREMIER STORE, 95 YNYSLYN ROAD, RHYDYFELIN, PONTYPRIDD, CF37 5AR

Llantwit Fardre

21/0838/10 Decision Date: 16/09/2021
Proposal: Detached Garage (Amended Plans received 16/08/2021).
Location: 10 PINE COURT, LLANTWIT FARDRE, PONTYPRIDD, CF38 2NX

21/1048/10 Decision Date: 17/09/2021
Proposal: Side and rear extension
Location: 37 PENYWAUN, EFAIL ISAF, PONTYPRIDD, CF38 1AY

Church Village

21/1125/10 Decision Date: 08/09/2021
Proposal: Two storey extension to rear, loft conversion and a single storey side extension.
Location: 7 CAE CADNO, CHURCH VILLAGE, PONTYPRIDD, CF38 1UL

Tonteg

21/0871/10 Decision Date: 21/09/2021
Proposal: Removal of detached garage, construction of single storey rear extension.
Location: 4 MENAI CLOSE, TONTEG, PONTYPRIDD, CF38 1HS

Tonyrefail West

21/0984/10 Decision Date: 17/09/2021
Proposal: Hip to gable extensions, construction of a rear dormer and insertion of rooflights to the front elevation.
Location: 15 SWYN Y NANT, THOMASTOWN, TONYREFAIL, PORTH, CF39 8FE

Report for Development Control Planning Committee

Tonyrefail East

21/0407/10 Decision Date: 23/09/2021
Proposal: Demolish existing garage and construct a new garage and garden shed combined.
Location: 22 MAES-Y-BRYN, TONYREFAIL, PORTH, CF39 8LA

21/0531/10 Decision Date: 09/09/2021
Proposal: Garage.
Location: UPLANDS, TYLCHAWEN TERRACE, TONYREFAIL, PORTH, CF39 8AH

21/0570/10 Decision Date: 13/09/2021
Proposal: Amended house design and plot layout to plots 9, 20 and 21 and omission of plots 7 and 8 inclusion of detached garages to plots 9 11 & 30 and modifications to plot boundaries to plots 10, 11, 12,13 & 30 of
Location: PLOTS7, 8, 9, 20 & 21 TREM Y DOLAU, TONYREFAIL

21/1098/10 Decision Date: 10/09/2021
Proposal: Proposed rear first floor extension.
Location: 53 HIGH STREET, TONYREFAIL, PORTH, CF39 8PH

Beddau

21/0948/10 Decision Date: 09/09/2021
Proposal: Single storey rear extension.
Location: 10 CWRT-Y-WAUN, BEDDAU, PONTYPRIDD, CF38 2JJ

21/1042/09 Decision Date: 16/09/2021
Proposal: Single storey extension and garage conversion.
Location: 52 CLOS MYDDLIN, BEDDAU, PONTYPRIDD, CF38 2JT

Ty'n y Nant

21/0905/10 Decision Date: 24/09/2021
Proposal: Three storey side extension and porch to front of house (Amended plans received 07/09/2021).
Location: 63 FAIRVIEW, BEDDAU, PONTYPRIDD, CF38 2DE

21/1101/10 Decision Date: 16/09/2021
Proposal: Proposed porch to front elevation.
Location: 20 CRAWFORD CLOSE, BEDDAU, PONTYPRIDD, CF38 2SD

Report for Development Control Planning Committee

Town (Llantrisant)

21/1024/10 Decision Date: 22/09/2021
Proposal: Two storey side extension and single storey extension to rear.
Location: 8 LONGACRE CLOSE, LLANTRISANT, PONTYCLUN, CF72 8DS

21/1032/10 Decision Date: 09/09/2021
Proposal: Convert part of garage into a study.
Location: 9 TAN-YR-ALLT, CROSS INN, LLANTRISANT, PONTYCLUN, CF72 8PY

Talbot Green

21/0987/01 Decision Date: 06/09/2021
Proposal: New signs on shop front.
Location: UNIT 3B GAME, NEWPARK DISTRICT SHOPPING CENTRE, TALBOT GREEN, PONTYCLUN, CF72 8SY

Pontyclun

21/1006/09 Decision Date: 22/09/2021
Proposal: Proposed single storey extension to the rear of the property.
Location: 53 DOL Y LLAN, MISKIN, PONTYCLUN, CF72 8RY

21/1009/10 Decision Date: 20/09/2021
Proposal: Single storey rear extension and first floor side extension.
Location: 5 BRYN CREIGIAU, GROES-FAEN, PONT-Y-CLUN, PONTYCLUN, CF72 8RT

21/1030/10 Decision Date: 09/09/2021
Proposal: Single storey side and rear extension.
Location: 32 DOL Y LLAN, MISKIN, PONT-Y-CLUN, PONTYCLUN, CF72 8RY

21/1057/10 Decision Date: 08/09/2021
Proposal: Single storey rear extension (Re-submission of 21/0045/10).
Location: 17 BRYN DEWI SANT, MISKIN, PONT-Y-CLUN, PONTYCLUN, CF72 8TJ

Llanharan

21/1060/10 Decision Date: 09/09/2021
Proposal: First floor side extension with garage conversion.
Location: 124 PARC BRYN DERWEN, LLANHARAN, PONTYCLUN, CF72 9TX

Report for Development Control Planning Committee

Bryнна

21/0949/09 Decision Date: 15/09/2021
Proposal: Certificate for an existing use as a horticultural nursery.

Location: LLANILID NURSERIES, LLANILID, PENCOED, CF35 5LA

21/1097/10 Decision Date: 17/09/2021
Proposal: Two storey extension.

Location: 23 LLANBAD, BRYNNA, PONTYCLUN, CF72 9QQ

Total Number of Delegated decisions is 69

Rhondda

21/0985/10

Decision Date: 10/09/2021

Proposal: The construction of a single self-build residential dwelling with associated landscaping and parking.

Location: LAND TO THE SOUTH OF LANDRAW ROAD, MAESYCOED, PONTYPRIDD, CF37 1EU

Reason: 6 The proposed development would generate vehicular reversing/turning movements to and from the highway, creating traffic hazards to the detriment of highway safety and the free flow of traffic, contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Reason: 5 The proposed access lacks an adequate turning area to cater for vehicular turning movements to and from the site and would therefore create hazards to the detriment of highway and pedestrian safety, contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Reason: 4 The proposed access lane lacks adequate geometry, width of carriageway, segregated footway, turning area and forward visibility and therefore further intensification of use would be to the detriment of safety of all highway users and the free flow of traffic, contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Reason: 3 The proposed additional use of the sub-standard lane as a principal means of access to serve the proposed development would create increased traffic hazards to the detriment of highway and pedestrian safety, contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Reason: 2 The proposed development would be contrary to Policy AW6 and SSA23 of the Rhondda Cynon Taf Local Development Plan, in that it would create unacceptable levels of harm to the Mynydd Y Glyn & Nant Muchudd Basin Special Landscape Area.

Reason: 1 The proposed development would be contrary to Policies CS2, AW1, AW2 and SSA13 of the Rhondda Cynon Taf Local Development Plan and Planning Policy Wales, in that it would represent unjustified sporadic development in an unsustainable location, outside of the established settlement boundaries.

Tonyrefail West

21/0658/10

Decision Date: 07/09/2021

Proposal: Construction of two x 4 bed detached dwellings with associated car parking and double garages.

Location: PONDOROSA, GILFACH ROAD, TONYREFAIL, CF39 8HL

Reason: 3 Insufficient information has been submitted to enable a full assessment of the impact of the proposal on ecology and biodiversity. As such the development would be contrary to Policies AW 5 and AW 8 of the Rhondda Cynon Taf Local Development Plan.

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

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

Total Number of Delegated decisions is 2