



**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, 4YDD TACHWEDD, 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, 2 TACHWEDD 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 agendwm 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 16.09.21**

Cadarnhau cofnodion o gyfarfod y Pwyllgor Cynllunio a Datblygu a gynhaliwyd ar 16 Medi, 2021 yn rhai cywir.

5 - 8

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

### **5. CAIS RHIF: 21/0185**

Trosi hen dafarn/gwesty yn 14 o fflatiau hunangynhwysol. (Derbyniwyd arolwg ystlumod 27 Awst 2021, a derbyniwyd cynllun safle diwygiedig, gyda lleoedd parcio oddi ar y stryd ar 8 Medi 2021)  
**Hen Westy'r Gordon, 60 Heol y Gelli, Gelli, Pentre**

9 - 22

### **6. CAIS RHIF: 21/0895**

Garej ddomestig sengl  
**Wrth ymyl 22 Stryd Clarence, Ton Pentre, Pentre**

23 - 30

## **ARGYMHELLION I'W GWRTHOD GAN Y CYFARWYDDWR MATERION FFYNIANT A DATBLYGU**

### **7. CAIS RHIF: 21/0883**

Newid defnydd o garej fasnachol i 4 uned fanwerthu hunangynhwysol gydag estyniad unllawr ac addasiadau  
**Trealaw Tyres, Heol Brithweunydd, Trealaw, Tonypanyd**

31 - 40

## **ARCHWILIAD O'R SAFLE**

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

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

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

**41 - 56**

## **CEISIADAU WEDI'U GOHIRIO**

### **9. 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**

**57 - 76**

### **10. 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**

**77 - 90**

## **ADRODDIAD ER GWYBODAETH**

### **11. 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 11/10/2021 – 22/10/2021.

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

**91 – 104**

## **12. MATERION BRYS**

Trafod unrhyw faterion sydd, yn ôl doethineb y Cadeirydd, yn rhai brys 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 ac 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 Lewis,  
Y Cynghorydd W Owen, Y Cynghorydd D Williams ac Y Cynghorydd S Powderhill

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, 16 Medi  
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 P Jarman  
Y Cyngorydd D Grehan    Y Cyngorydd G Hughes  
Y Cyngorydd J Williams    Y Cyngorydd W Owen  
Y Cyngorydd W Lewis    Y Cyngorydd D Williams  
Y Cyngorydd S Powderhill

**Swyddogion oedd yn bresennol**

Mr J Bailey, Pennaeth Cynllunio  
Mr S Humphreys, Pennaeth y Gwasanaethau Cyfreithiol  
Mr A Rees, Uwch Beiriannydd

**61 Croeso ac Ymddiheuriadau**

Daeth ymddiheuriad am absenoldeb gan Gyngorydd y Fwrdeistref Sirol J Bonetto.

**62 DATGAN BUDDIANT**

Yn unol â Chod Ymddygiad y Cyngor, roedd Cyngorydd y Fwrdeistref Sirol D Grehan wedi datgan buddiant personol mewn perthynas â Chais 21/0960/10 - Tynnu'r ardal deciau uchel bresennol a gosod deciau uchel newydd y tu ôl i'r eiddo. 57 TREM OCHR Y BRYN, PONTYPRIDD, CF37 2LG "Rydw i'n adnabod yr ymgeisydd".

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

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

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

**PENDERFYNWYD** nodi bod Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015 yn gosod dyletswydd ar gyrff cyhoeddus i gynnal datblygiadau cynaliadwy

yn unol â'r egwyddor datblygu cynaliadwy, ac i weithredu mewn modd sy'n anelu at sicrhau y caiff anghenion y presennol eu diwallu heb amharu ar allu cenedlaethau'r dyfodol i ddiwallu eu hanghenion hwythau.

**65 Cofnodion**

**PENDERFYNWYD** cadarnhau'r cofnodion o gyfarfod y Pwyllgor Cynllunio a Datblygu a gynhaliwyd ar 12 Awst 2021 yn rhai cywir.

**66 CAIS RHIF: 21/0256/10**

**Newid defnydd eiddo masnachol yn rhannol i eiddo preswyl er mwyn creu dau adeilad masnachol ac wyth fflat, ynghyd â gwaith cysylltiedig (Derbyniwyd Adroddiad Canlyniadau Llifogydd ar 05/07/2021, a derbyniwyd Cynlluniau Diwygiedig ar 07/07/2021). 22-22A STRYD CAERDYDD, ABERDÂR, CF44 7DP**

Cyflwynodd y Pennaeth Cynllunio y cais i'r Pwyllgor ac yn dilyn trafodaeth, **PENDERFYNWYD** gohirio'r cais er mwyn i'r Pwyllgor Cynllunio a Datblygu gynnal Ymweliad Safle i drafod effaith bosibl yr estyniad arfaethedig ar y stryd, yr effaith ar gyfleusterau parcio a man storio ar gyfer gwastraff.

**67 CAIS RHIF: 21/0521/10**

**Codi adeilad allanol a gwneud addasiadau i'r deciau presennol yn yr ardd gefn a chodi ffens i gefn ac ochr ddeheuol ffiniau'r ardd gefn (derbyniwyd cynlluniau diwygiedig ar 16/08/21). BYNGLO PHILDEN, STRYD RHYS, TREALAW, TONYPANDY, CF40 2QQ**

Cyflwynodd y Pennaeth Materion Datblygu a Buddsoddi Sylweddol y cais uchod i'r Pwyllgor. Yn dilyn trafodaeth hir, **PENDERFYNWYD** cymeradwyo'r cais yn unol ag argymhelliad y Cyfarwyddwr - Materion Ffyniant a Datblygu, yn amodol ar ddiwygio amod 1, fel a ganlyn:

1. Cyn pen 56 diwrnod o ddyddiad y caniatâd hwn, bydd y dec presennol yn cael ei newid yn unol â'r cynlluniau sy'n cael ei ganiatáu. Cyn manteisio ar y deciau newydd, rhaid gosod sgriniau preifatrwydd ar ochr ogleddol, ddeheuol a gorllewinol y strwythur. Bydd manylion y rhain yn cael eu cyflwyno a'u cymeradwyo gan yr Awdurdod Cynllunio Lleol yn gyntaf. Rhaid gosod y sgriniau preifatrwydd yn unol â'r manylion wedi'u cymeradwyo a rhaid iddyn nhw aros yna am byth.

Rheswm: Diffinio maint y caniatâd hwn ac amddiffyn preifatrwydd ac amwynder y trigolion cyfagos, yn unol â Pholisi AW5 Cynllun Datblygu Lleol Rhondda Cynon Taf.

**68 CAIS RHIF: 21/0924/10**

**Newidiadau allanol a mewnol i ddefnydd presennol A1 (Siopau) a galluogi defnydd ychwanegol - A2 (Ariannol a Phroffesiynol), A3 (Bwyd a Diod) a B1 (Busnes) a gwaith tirlunio caled tu allan i'r llawr gwaelod a'r islawr. LLAWR GWAELOD AC ISLAWR 56 - 58 STRYD Y TAF, PONTYPRIDD, CF37 4TD**

Amlinellodd y Pennaeth Cynllunio gynnwys llythyr 'hwyr' gan Gyfoeth Naturiol Cymru sy'n gwrthwynebu'r cais.

Cyflwynodd 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.

**69 CAIS RHIF: 21/0960/10**

**Tynnu'r ardal deciau uchel bresennol a gosod deciau uchel newydd y tu ôl i'r eiddo. 57 TREM OCHR Y BRYN, PONTYPRIDD, CF37 2LG**

**(Nodwch:** Cyhoeddodd Gynghorydd y Fwrdeistref Sirol P Jarman fuddiant personol mewn perthynas â chais 21/0960/10 "Rydw i'n adnabod yr ymgeisydd.")

**(Nodwch:** Cyhoeddodd Gynghorydd y Fwrdeistref Sirol J Williams fuddiant personol mewn perthynas â chais 21/0960/10 "Rydw i'n adnabod yr ymgeisydd.")

Cyflwynodd 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.

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

**PENDERFYNODD** yr Aelodau dderbyn adroddiad y Cyfarwyddwr Gwasanaeth – Materion Cynllunio mewn perthynas â'r Penderfyniadau Apeliadau Cynllunio a Gorfodi a ddaeth i law, Cymeradwyaethau Penderfyniadau a Gwrthodiadau Dirprwyedig gyda rhesymau, Trosolwg o Achosion Gorfodi a Phenderfyniadau Gorfodi Dirprwyedig ar gyfer y cyfnod 23/08/2021 – 03/09/2021.

**Daeth y cyfarfod i ben am 3.45 pm**

**Y Cynghorydd S Rees  
Cadeirydd.**

tudalen wag





## PLANNING & DEVELOPMENT COMMITTEE

4 NOVEMBER 2021

### REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

#### PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 21/0185/10 (GH)  
**APPLICANT:** LIFESTYLE DIMENSIONS LTD  
**DEVELOPMENT:** Conversion of former public house/hotel into 14 no. self contained flats. (Bat survey received 27th August 2021, revised site layout plan, to incorporate off-street parking received 8th September 2021)  
**LOCATION:** FORMER GORDON HOTEL, 60 GELLI ROAD, GELLI, PENTRE, CF41 7LY  
**DATE REGISTERED:** 27/08/2021  
**ELECTORAL DIVISION:** Ystrad

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**RECOMMENDATION: GRANT SUBJECT TO A SECTION 106 AGREEMENT AND THE CONDITIONS BELOW:**

**REASONS:** The development would result in the beneficial re-use of a vacant and increasingly derelict building in a highly sustainable location. The proposed flats would provide a welcome contribution towards the local housing supply and result in a considerable improvement to the appearance of the property and street scene.

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#### REASON APPLICATION REPORTED TO COMMITTEE

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

#### APPLICATION DETAILS

Full planning consent is sought to convert the former Gordon Hotel at 60 Gelli Road, Gelli, to provide 14 flats.

The accommodation would be arranged over all four floors to include the following:

Basement: 2 x one-bed flats, communal laundry room and storage space.  
Ground Floor: 4 x one-bed flats  
First Floor: 4 x one-bed flats  
Second Floor: 4 x one-bed flats

All flats would have primary access from the main entrance to the front of the building, via a central staircase. A further side door would lead from the laundry room to the bin area, whilst the upper floors would have access to the separate fire escape steps on the side and rear elevations of the building.

Originally, due to the limited size of external amenity space, there would not have been any off-street parking provision, and the rear yard was proposed to accommodate only a drying area and a covered cycle store. However, an amended site layout plan was later submitted to provide 5 spaces with the approval of the Council's Highways and Transportation Section.

With the exception of very minor changes to the fenestration in the rear and western side elevations of the building, together with the general replacement and repair of external finishes and fittings required to bring the property back into use, no other alterations are proposed.

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

- Design and Access Statement
- Preliminary Bat Survey
- Bat and Nesting Bird Survey Report
- Pre-Application Consultation (PAC) Report
- Building Survey Examination and Report

## **SITE APPRAISAL**

The application property is a former public house and hotel, which is located towards the centre of Gelli.

This three-storey Victorian building, plus basement, occupies a prominent position on the northern side of the B4223 Gelli Road, where its principal elevation and main entrance are immediately adjacent to the highway.

Having been vacant and unoccupied for a considerable time, the building appears to be in a state of some dereliction, with no users having come forward in the intervening period.

Most of the site, which amounts to a surface area of approximately 450m<sup>2</sup> comprises the footprint of the building, although there is a gated entrance to its western side which leads to a rear yard, and there is also an adopted rear lane which provides access to the Hotel and neighbours

The surrounding properties include a mix of residential and some retail uses, with further shops and services located a short distance to the west.

## **PLANNING HISTORY**

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

**98/6360/25:** Informal Enquiry for extension to ventilation system. Decision:  
19/06/1998, PRQ

## **PUBLICITY**

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

No letters of objection or representation have been received.

## **CONSULTATION**

### Highways and Transportation

No objection, subject to conditions regarding parking, reinstatement of the footway, surface water drainage and highway tie-in.

### Flood Risk Management

The site location plan provided identifies that the existing site boundary is a Brownfield area, and appears to be surrounded by a low, medium and high surface water flood area, with a pluvial conveyance route to the rear (mapping provided by Natural Resources Wales).

From the Lead Local Flood Authority perspective, the key element required to satisfy TAN 15 paragraph 8 will be the site's surface water discharge rate. The applicant should note that where the site is proposed on a Brownfield a minus 30% discharge rate will be required to reduce the inherent surface water.

Furthermore, the proposed development will encompass works that have drainage implications over 100m<sup>2</sup>. As such the applicant should be made aware of the requirement of Schedule 3 of the Flood and Water Management Act 2010.

The Flood Risk Management team does not raise an objection or recommendation for condition in relation to surface water flood risk since it is satisfied that the 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

Conditions are recommended in respect of hours of operation, noise, dust and waste. However, it is considered that such issues are best controlled by powers contained within the scope of existing public health legislation.

### Natural Resources Wales

No objection, subject to an informative note regarding the need for an EPS Licence.

### Dwr Cymru Welsh Water

No objection, subject to an informative note regarding sewer connections.

### Western Power Distribution

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

### South Wales Fire and Rescue Service

No objection. The service has provided fire safety guidance for the benefit of the Applicant.

### Countryside – Ecologist

No objection, subject to a condition for nesting bird provision.

### Housing Strategy Team

No objection, subject to an affordable housing contribution for a 1 bedroom flat for low cost home ownership (market standard).

### South Wales Police

No objection. A list of recommendations, in respect of designing out crime, have been submitted for forwarding to the developer.

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 Gelli.

**Policy CS1** – the emphasis is on sustainable growth in the Northern Strategy Area and is to be achieved by promoting residential development in locations which support and reinforce the roles of Key Settlements.

**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** - The policy 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 option.

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

**Policy AW6** - The policy supports development proposals that are of a high standard of design that reinforce attractive qualities and local distinctiveness. In addition, 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** – The policy prevents development which could cause or result in a risk of unacceptable harm to health or local amenity due to land instability, contamination, or any other identified risk to local amenity and public health.

**Policy NSA10** – The policy stipulates that the net residential density must be a minimum of 30 dwellings per hectare, and lists criteria where lower density levels are permitted.

**Policy NSA12** – The policy permits development within settlement boundaries if they demonstrate that infrastructure and car parking will not be adversely affected.

**Policy NSA13** – The conversion of large buildings within the Northern Strategy Area will be permitted where there is no economically viable alternative use for the building.

### **Supplementary Planning Guidance**

- Delivering Design and Placemaking
- Access, Circulation and Parking Requirements
- Development of Flats
- Affordable Housing
- Planning Obligations

### **National Guidance**

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

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

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

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

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

## SE Wales Policies

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

Other relevant national policy guidance consulted:

PPW Technical Advice Note 2: Planning and Affordable Housing  
PPW Technical Advice Note 12: Design  
PPW Technical Advice Note 18: Transport  
Manual for Streets

## **REASONS FOR REACHING THE RECOMMENDATION**

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

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

### **Main Issues:**

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

Residential development on unallocated land within the settlement boundary is supported by LDP Policy AW1, which includes the conversion of suitable structures to provide housing.

The site is within the settlement boundary and being located in the centre of Gelli has good access to a range of shops and services. There is also good access to sustainable transport, with the property being located on a bus route and within walking distance of Ton Pentre Railway Station. Consequently, this site would be considered to be a very sustainable location and accord with the relevant criteria of Policy AW2.

Currently, the building is in a poor state of repair and does not make a positive contribution to the surrounding streetscape. This development proposal would resolve the evident dereliction by making beneficial re-use of the site, which would be supported by Policies CS1 and NSA13. The latter Policy usually requires evidence to demonstrate that there are no other viable commercial uses for the site, however this is considered unnecessary given the length of time that the building has been vacant.

The plans include provision for five car parking spaces to the rear of the building. Policy NSA12 seeks that residential development does not have an adverse effect on the provision of car parking in the surrounding area, meanwhile Policy AW5 requires development proposals to have car parking provision in accordance with the Council's

'Delivering Design and Placemaking: Access, Circulation and Parking Requirements' SPG.

It is acknowledged that there would be a shortfall of off-street parking spaces for the proposed residential use, albeit nowhere near as large a shortfall for the established hospitality use. Nonetheless, Committee Members will recall having considered similar applications for the conversion of large buildings within urban centres, where their previous uses have become unviable.

Whilst these specific highway concerns and other material matters are considered further below, it is considered that the beneficial re-use of the building, the provision of housing, the removal of decay and the positive planning policy framework weigh heavily in favour of the proposal, such that the development is acceptable in principle.

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

The application details show that save for some minor changes to windows and doors and fire escape provision, the scale and form of the building would be unchanged

It is considered that the refurbishment of the building and that within its curtilage would bring about a welcome improvement, since its current state of repair is extremely poor, and it has detracted badly from other well-maintained properties within the public realm.

Therefore, the development would represent an improvement to the appearance of the building as a whole and would be a positive enhancement to the street scene.

### **Impact on neighbouring occupiers**

Most of the properties close to the application site are residential or retail units and comprise a mix of older and more traditional dwelling types. In the absence of any significant development the relationship between neighbouring properties, in terms of their built form, would be largely unchanged.

Therefore, since the conversion of the building to flats would involve mostly internal construction work and recommissioning, the development would not alter the outlook from other properties, except for an evident improvement to the fabric of the property and its curtilage.

In relation to the Council's SPG for the Development of Flats, the proposal has been considered against the SPG's requirements relating to access, the amenity of future occupiers, including drying areas, external space and the communal laundry facilities, together with the availability of natural light and windows for habitable rooms. In general terms, the development accords with the SPG.

As a result, and in the absence of any representations from members of the public, it is considered that the development would not cause detriment to the amenity and privacy of neighbouring occupiers and is therefore acceptable in this regard.

### **Access and highway safety**

## Access

The application property is located on the B4223 Gelli Road which carries a substantial amount of vehicular and pedestrian movement. There are traffic regulations to the front of the site to maintain the free flow of traffic in the interest of highway safety. Any indiscriminate on-street car parking at this location would impact traffic flow and block sight lines to the adjacent junction, which would be detrimental to safety. To the rear is an adopted metalled lane that provides satisfactory secondary access for the proposed and existing dwellings.

## Pedestrian Access

Pedestrian access is gained via 1.8m wide footways which are acceptable. However, there are cellar openings in the footway which will become redundant and require reinstating as part of the proposed redevelopment. No information has been submitted with regards reinstatement of the cellar opening in the footway and a condition is recommended accordingly.

## Sustainability

The proposed is located in a sustainable location close to local amenities and public transport which is acceptable.

## Parking

The Council's SPG for Access, Circulation and Parking Requirements identifies that the existing use as a public house and hotel requires in the region of 78 car parking spaces.

The SPG notes that the proposed redevelopment of 14 x 1 bed flats requires a maximum of 28 spaces for residents and 3 visitor spaces - a total of 31 off-street car parking spaces with only 5 provided. The Council has provided traffic regulations preventing on-street car parking for peak hours to maintain a running width for vehicular traffic along the B4233 due to the existing high on-street car parking demand within the area with the majority of terraced dwellings having limited or no off-street car parking provision.

There is existing high on-street car parking demand due to the nature of the surrounding terraced dwellings with limited or no off-street car parking provision, together with a number of retail units with no off-street car parking facilities.

## Cycle Parking

The applicant has provided 12 secure cycle stands which goes some way to mitigate the impact of the proposal and promote sustainable modes of travel.

## Conclusion



There is concern that the proposed requires 31 off-street car parking spaces with only 5 provided. However, taking into account the sustainable location of the site, the car parking requirement of the existing use and the fact that the applicant has provided the maximum amount of workable car parking spaces with the space available, on-balance, the proposed is acceptable.

### **Ecology and Biodiversity**

The Applicant's Bat Survey Report found two small bat roosts and sets out the need for a EPS Licence with extensive mitigation, including a purpose built bat loft. Having read the report the Council's Ecologist has confirmed that the ecological assessment and mitigation do look appropriate, but as an EPS Licence will be needed, NRW would need to confirm they are happy with the proposed approach contained within Section 6 of the Acer Ecology Report.

Although no evidence of nesting birds was found, the ecologist has recommended a biodiversity enhancement condition for nesting bird provision including swift bricks.

NRW has subsequently stated that it has no objection to the proposed development as submitted, and although the development is unlikely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range, an EPS Licence is necessary.

Lastly, NRW has noted that the proposed development is approximately 1.3km from the Craig Pont Rhondda Site of Special Scientific Interest (SSSI), but that the proposed development is not likely to damage the features for which SSSI is of special interest.

### **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 positive placemaking merits of the scheme within the sections of the report above, 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 central 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, close to a railway station, and benefits from many services and facilities located within walking distance, including Gelli Park. Being within the settlement boundary is considered to be a sustainable location and would not be car dependent.
- **Maximising Environmental Protection:** The development would result in biodiversity mitigation and enhancement for bats (via EPS measures) and nesting birds.
- **Growing Our Economy in a Sustainable Manner:** The development would have a positive effect in terms of construction jobs and contribute footfall to the High Street.
- **Making Best Use of Resources:** The development supports the prioritisation of use of previously developed land and existing buildings

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

### **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 payable.

### **Section 106 Contributions / Planning Obligations**

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

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

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

Welsh Office Circular 13/97 Planning Obligations provides procedural guidance on the role of planning obligations in mitigating the site-specific impacts of unacceptable development to make it acceptable in planning terms. The Welsh Government Development Management Manual also advises planning obligations should only be

used where it is not possible to address unacceptable impacts through a planning condition and when it meets the three tests above. Further guidance regarding what types of obligations developers may be expected to contribute towards is also contained within Policy AW4 of the Local Development Plan and the Council's SPG on Planning Obligations, however it is made clear that this is only intended to form the basis of negotiations between all parties.

### **The Section 106 requirements in this case**

In this case Policy NSA 11 of the adopted LDP requires a 10% affordable housing provision on sites of 10 units or more in the Northern Strategy Area. As the proposal concerned is for 14 residential units, 1 unit of affordable housing should be secured to satisfy these requirements.

Based on the findings of the Local Housing Market Assessment 2017/23, it is recommended that the following affordable housing unit mix be secured on site to satisfy these requirements:

- 1 x 1 bedroom flat for low cost home ownership (market standard)

Any Low Cost Home Ownership units should be built to the same standard as the equivalent open market units made available for sale to Council nominated first time buyers from the Homestep Register. The developer's contribution should equate to 25% of the open market value for each unit, i.e. the nominated purchaser should pay no more than 75% of the open market value per unit (refer to Paragraph 4.2 of the Affordable Housing SPG).

Therefore, a S106 agreement will be required to secure the affordable housing contribution outlined above.

### **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, and would accord particularly well with several of the National Sustainable Placemaking Outcomes in PPW11.

In respect of other material matters, the visual improvement to the property would have wider benefits to the street scene and the residential use would be compatible with the surrounding land uses.

No other issues, in relation to highway safety or biodiversity have arisen that cannot be satisfactorily addressed by the use of planning conditions. Therefore, the recommendation to Members is that the development is acceptable.

**RECOMMENDATION: GRANT SUBJECT TO A SECTION 106 AGREEMENT AND THE CONDITIONS BELOW:**

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

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

2. The development hereby approved shall be completed in accordance with the approved drawings and documents:

- 20/822/02 Rev A
- 20/822/DET1
- 20/822/10
- 20/822/11
- 20/822/12
- 20/822/13
- 20/822/14
- 20/822/15
- 20/822/16

and details and documents received on 9<sup>th</sup> February 2021, 18<sup>th</sup> March 2021, 27<sup>th</sup> August 2021 and 8<sup>th</sup> September 2021.

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

3. No development shall take place until the details of a scheme for nesting bird provision, including swift boxes, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to beneficial occupation.

Reason: In the interest of biodiversity mitigation and enhancement in accordance with PPW11 and Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

4. No development shall take place until full engineering design and details of a scheme for blocking off and making good the pavement, following the removal of the cellar doors on Gelli Road, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to beneficial occupation.

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

5. No development shall take place until design and detail of the tie in of the car parking areas with the adopted lane have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to beneficial occupation.

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

6. Before the development is brought into use the means of access, together with the parking and turning facilities, shall be laid out in accordance with the submitted drawing number 20/822/02 as approved by the Local Planning Authority. The car parking spaces shall be retained for the parking of vehicles thereafter.

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

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

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

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## PLANNING & DEVELOPMENT COMMITTEE

4 NOVEMBER 2021

### REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

#### PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 21/0895/10 (JE)  
**APPLICANT:** Mr Higgins  
**DEVELOPMENT:** Single domestic garage.  
**LOCATION:** SIDE OF 22 CLARENCE STREET, TON PENTRE,  
PENTRE, CF41 7LP  
**DATE REGISTERED:** 15/07/2021  
**ELECTORAL DIVISION:** Pentre

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#### RECOMMENDATION: APPROVE

**REASONS:** The principle of development at the site is considered acceptable. In addition, it is not considered the proposal would have a significant impact upon the character and appearance of the area, the residential amenity of the surrounding neighbouring properties, or highway safety within the vicinity of the site. The application is therefore considered to comply with policies AW5, AW6 and AW10 of the Rhondda Cynon Taf Local Development Plan.

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#### 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 detached domestic garage on land to the rear 22 Clarence Street, Ton Pentre. The garage would measure 3 metres in width by a depth of 6 metres. The proposed garage would have a mono pitch roof design measuring a maximum height of 3.5 metres sloping to 3 metres at the eaves. The garage would front a northerly direction onto the lane which is situated in-between Ton Row and Clarence Street.

The garage would have a roller shutter door, box profile steel sheet roof and would have textured render exterior walls.

## **SITE APPRAISAL**

The application site forms a small, rectangular parcel of land situated to the rear of Clarence Street, Ton Pentre. It is located within an area where there are a number of garages served by an access point off the highway of Ton Row. The application site is situated to the north-east of number 22 Clarence Street and approximately 11 metres from the River Rhondda to the east. The site is flat in level but is elevated slightly above the rear garden of number 22 and the area of ground immediately to the south with a small retaining wall along its southern boundary. At the time of the Officer's site visit there was a storage container located at the site.

## **PLANNING HISTORY**

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

**15/0345/10:** LAND TO REAR OF 23 CLARENCE STREET, TON PENTRE, CF41 7LP.

Single detached garage with blockwork construction and flat roof. (Amended plans received 30/04/15)

Decision: 25/06/2015, Grant

**20/0061/38:** LAND TO THE REAR OF 23 CLARENCE STREET, TON PENTRE, CF41 7LP

Discharge of condition 3 - Drainage arrangements of planning permission 15/0345/10.

Decision: 14/04/2020, Refuse

## **PUBLICITY**

The application has been advertised by direct notification to neighbouring properties as well as notices displayed at the site. 5 letters of objection have been received, with the points raised summarised below:

- Clarence Street is already experiencing parking and traffic issues associated with the nearby Ton Pentre Infants School which would be exacerbated by the proposed development.
- Limit turning capacity at the bottom of Clarence Street.
- Nearby garages already used by people outside of the vicinity which creates existing parking/access issues.
- Land is used frequently for people accessing the nearby field.

## **CONSULTATION**

**Transportation Section:** No objection subject to conditions.

**Dwr Cymru/Welsh Water:** No objection.



**Flood Risk Management (Drainage):** No objection.

## **POLICY CONTEXT**

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

The application site lies within the settlement boundary for Ton Pentre but is not allocated for a specific purpose.

**Policy CS1** – sets out the criteria for development in the Northern 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 placemaking, including landscaping.

**Policy AW10** - does not permit development that would result in an adverse impact upon the health and/or amenity.

#### **Supplementary Planning Guidance**

- 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.

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 national policy guidance considered:

PPW Technical Advice Note 12 – Design  
PPW Technical Advice Note 18 – Transport

## **REASONS FOR REACHING THE RECOMMENDATION**

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

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

### **Main Issues:**

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

The application relates to the construction of a detached garage for domestic use on an unallocated site within the settlement boundary for Ton Pentre. The application site is situated in an area where there are a number of similar domestic scale garages fronting onto the adjacent lane. Subsequently, there would not be a conflict of uses in land use terms. In addition, planning permission was granted for a similar development at the site in 2015. As such, it is considered that the principle of the development has already been established and the proposal is acceptable subject to an assessment of considerations set out below.

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

As noted above, the application site is situated in an area that has a number of similar garages abutting the rear gardens of Clarence Street. Although it is accepted that the land immediately surrounding the application site has remained undeveloped, it is difficult to sustain an argument that the erection of the proposed garage would be visually harmful in the context of a rear street scene that is already host to a number of comparable garages. The proposed garage is also of a limited scale and is smaller than the existing garages situated to the west of the site. As such, it is not considered that the garage would adversely impact on the character of the surrounding area.

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

The proposed garage would be sited to the west and rear of number 22 Clarence Street. It is not considered to be of a scale or siting which would be overbearing to or result in a significant loss of light to the garden area of number 22.

In addition, the application proposes the erection of a garage for domestic purposes only. Therefore, it is not considered that such a use would result in a level of noise and disturbance which would be harmful to the existing levels of amenity of those living closest to the site. It is noted that the applicant does not live within the area, however, this alone is not a justified reason dispute its domestic use. And should the applicant seek to use the garage for a commercial use in future, a separate planning application would be required.

A restrictive condition is also suggested below that would also ensure the use of the garage is limited to domestic purposes only.

Subsequently, the proposal is considered to be acceptable in this respect.

### **Highway Safety and Parking Provision**

A number of concerns were raised following consultation with residents in relation to access and parking. These concerns were focused around the highway at Clarence Street and the loss of the turning head. Members should note that the proposal would be served by the rear access lane and would have no impact upon the turning head at Clarence Street. Nevertheless, the Council's Transportation Section were consulted during the consultation period in order to provide comments with regard to highway safety. The following response was received:

The proposed garage would be served off an access lane via Ton Row to the north west of the site. The lane leading to the proposed garages is not metalled and lacks visibility at the junction with Ton Row. Any further intensification of use of this sub-standard junction would be to the detriment of highway and pedestrian safety. Ton Row has traffic calming measures along its length to reduce speeds to in the region of 20Mph which requires a vision splay of 2.4m x 22m in accordance with TAN 18. On street car parking in close proximity to the junction of the lane with Ton Row impacts further on the sub-standard visibility.

There are concerns with regards the intensification of use of this sub-standard access. However, the proposed garage is sufficient to contain one vehicle and would be of domestic use which will generate on average two trips per day. There are also a number of existing garages and a caravan storage business served by the lane.

Taking the above into account, whilst there is some concern regarding the intensification of use of the sub-standard lane with regards to poor visibility and structural integrity, when considering the vehicular speeds along Ton Row and the proposal could potentially remove some on-street car parking in the area, on balance,

the proposal is considered acceptable subject to a condition restricting its use to domestic purposes only.

## **Drainage**

The applicant has noted that surface water run-off from the proposed development would be dealt with by the use of a soakaway. Nevertheless, concern was originally raised by the Council's Flood Risk Management team due to the site's location within a high surface water flood risk zone. However, following confirmation from the applicant that the site levels would not be lowered, and that the storage container would be removed from the site, it was concluded that the proposed development will not increase surface water flood risk in the area. As such, the application is considered acceptable in this regard.

Dwr Cymru/ Welsh Water noted in their response that there are a number of assets on this site and it is understood that this could restrict the development of the site. Members should note however that the applicant has entered into a deed of release with DCWW which satisfies the concerns around foul sewers. DCWW have also advised that following discussions with the applicant, they are confident that the garage would be separated by more than 3 metres from the public sewer. As such, DCWW are satisfied with the proposal subject to the works being overseen by a DCWW Site Controller. In addition, the granting of planning permission does not override legislation held by other statutory bodies. It is applicant's responsibility to ensure that all necessary permissions are obtained prior to the commencement of the 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 not CIL liable under the CIL Regulations 2010 (as amended).

## **Conclusion**

The principle of development at the site is considered acceptable and already established. In addition, it is not considered the proposal would have a significant impact on the character and appearance of the area, the residential amenity of the surrounding neighbouring properties, or highway safety within the vicinity of the site. The application is therefore considered to comply with policies AW5, AW6 and AW10 of the Rhondda Cynon Taf Local Development Plan.

## **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):

- Sheet 1
- Sheet 2
- Sheet 3
- Block Plan

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

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

3. The use of the garage hereby approved, shall at all times be restricted to purposes normally associated with a domestic use and no trade or business shall be carried out therein.

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.

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

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## PLANNING & DEVELOPMENT COMMITTEE

4 NOVEMBER 2021

### REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

#### PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 21/0883/10 (GW)  
**APPLICANT:** Mr I Aslam  
**DEVELOPMENT:** Change of use from commercial garage to 4 self-contained retail units with a single storey extension and alterations.  
**LOCATION:** TREALAW TYRES, BRITHWEUNYDD ROAD, TREALAW, TONYPANDY  
**DATE REGISTERED:** 31/08/2021  
**ELECTORAL DIVISION:** Trealaw

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#### RECOMMENDATION: REFUSE FOR THE FOLLOWING REASONS

**REASONS:** The proposal would provide beneficial retail facilities for the local area. However, the following objections have been raised by the Council's Transportation Section in relation to parking and highway safety:

The proposal would give rise to a greater intensity of short-term on-street parking along Brithweunydd Road (B4278) and nearby adjoining streets and would affect the safety and free flow of traffic, to the detriment of highway and pedestrian safety.

The proposal will result in additional on-street parking in an area where there is already substantial demand, to the detriment of highway safety.

The proposed development will generate additional on-street parking by commercial service vehicles in an area where there is already considerable demand impacting on the free flow of traffic along Brithweunydd Road (B4278), increasing hazards to the detriment of highway safety.

The proposed development will result in reversing movements to and from Brithweunydd Road (B4278) with restricted vision due to high on-street car parking demand to the detriment of safety of all highway users.

**In all other material planning considerations the application would be acceptable.**

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## **REASON APPLICATION REPORTED TO COMMITTEE**

The application has been called to Committee by Cllr Rosser to assess the impact of the proposed development on highway safety.

### **APPLICATION DETAILS**

Full planning permission is sought for a change of use from a commercial tyre garage to 4 self-contained retail units with a single storey extension and other alterations. The extension would be to the front and side of the building nearest 51 Brithweunydd Road and the alterations would include new fenestration and a level platform area to the front of the retail units with ramped accesses. The main retail unit would have internal access to the basement level.

The proposed opening hours are Monday to Saturdays 07:00am to 21:00pm and Sunday & Bank Holidays 08:00am to 21:00pm.

7 no. off street parking spaces are proposed to the front of the units.

An area for recycling bins would be located adjacent the parking area.

The application is supported by:

- Statement on proposed opening hours.
- Coal Mining Risk Assessment.

### **SITE APPRAISAL**

The application site is an existing commercial unit (Trealaw Tyres) on Brithweunydd Road in Trealaw. It consists of an industrial type building set back from the road with a forecourt area.

A set of steps to the side of the building adjacent to number 261 provides public pedestrian access to the rear and New Century Street. A further set of steps within the application site (adjacent to number 251) also leads to the rear of the site. This is not a Public Right of Way as queried in the public consultation exercise. Vehicle access to the rear lane can be made from New Century Street.

On the opposite side of Brithweunydd Road is Egypt Street and this leads to Alaw County Primary School.

### **PLANNING HISTORY**

None

### **PUBLICITY**



The application has been advertised via the erection of a site notice and by direct neighbour notification. Five letters of objection have been received and their comments are summarised below:

- Opening another convenience store in close proximity to an existing store may put me out of business.
- It will result in parking problems. There is a local primary school within close proximity and could pose a danger for children crossing at the school patrol point, as cars could reverse on to the busy road and into oncoming traffic.
- There is limited access at the rear and deliveries would have to be via the front. Delivery vehicles may wait on the carriageway, which is a safety concern.
- It will result in youngsters hanging around.
- If they can serve alcohol it will result in people with drink and drug problems hanging around. When an Off Licence was in the area it resulted in a high crime rate which was only resolved when the licence was revoked.
- The red line includes the Public Right of Way next to 251 Brithweunydd Road.

## **CONSULTATION**

**Coal Authority** – The site falls within the defined Development High Risk Area for former coal mining works. It is considered that the content and conclusions of the Coal Mining Risk Assessment are sufficient for the purposes of the planning system in demonstrating that the application site is safe and stable for the proposed development. The Coal Authority therefore has no objection to the proposed development.

**Dwr Cymru / Welsh Water** – No objection subject to a condition that no surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system. To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment. Advice on sustainable drainage and public sewers is provided.

**RCT Countryside** – No comments received at the time of writing this report.

**RCT Flood Risk Management** – No objection but recommended conditions in relation to surface water drainage details and flood risk.

**RCT Public Health and Protection** – No objection subject to conditions on the demolition of existing dwellings, contaminated land, noise during construction and noise from activities from the use, dust, waste and lighting.

**RCT Transportation Section** – Objects. The proposal would give rise to a greater intensity of short-term on-street parking along Brithweunydd Road (B4278) and nearby adjoining streets and affect the safety and free flow of traffic to the detriment of highway and pedestrian safety.

The proposal will result in additional on-street parking in an area where there is already substantial demand, to the detriment of highway safety.

The proposed development will generate additional on-street parking... by commercial service vehicles in an area where there is already considerable demand impacting on free flow of traffic along Brithweunydd Road (B4278) increasing hazards to the detriment of highway safety.

The proposed development will result in reversing movements to and from Brithweunydd Road (B4278) with restricted vision due to high on-street car parking demand to the detriment of safety of all highway users.

## **POLICY CONTEXT**

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

The site is inside the settlement boundary as defined by the Rhondda Cynon Taf Local Development Plan. It is also identified as being in the Rhondda Historic Landscape area as designated by Cadw and includes areas of high risk from former coal mining works.

**Policy CS 1** – sets out criteria for achieving sustainable growth including: promoting the reuse of under used and previously developed land and buildings and providing opportunities for significant inward investment in sustainable locations that will benefit the economy of RCT and the Capital Region.

**Policy AW 2** - advises that development proposals on non-allocated sites will only be supported in sustainable locations.

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

**Policy AW 6** - requires development to involve a high quality design and to make a positive contribution to placemaking, including landscaping.

**Policy AW 8** - sets out criteria for the protection and enhancement of the natural environment.

**Policy AW 10** - development proposals must overcome any harm to public health, the environment or local amenity.

### **Supplementary Planning Guidance:**

Access Circulation and Parking.  
Design and Placemaking.

### **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) set out the Welsh Government's (WG) current position on planning policy. The documents incorporate the objectives of the Well-being of Future Generations (Wales) Act into town and country planning and set out the WG's policy on planning issues relevant to the determination of planning applications.

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

It is also considered the proposed development is not compliant with FW2040, with the following policies being relevant to the development proposed:

- Policy 2 – Shaping Urban Growth – Sustainability/Placemaking.

Other relevant national policy guidance consulted:

PPW Technical Advice Note 4: Retailing and Commercial Development;

PPW Technical Advice Note 11: Noise;

PPW Technical Advice Note 12: Design;

PPW Technical Advice Note 18: Transport;

PPW Technical Advice Note 23: Economic Development

Building Better Places: The Planning System Delivering Resilient and Brighter

Futures: Placemaking and the Covid-19 recovery; and

Manual for Streets

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

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

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

## **Main issues:**

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

The site is a vacant commercial property located inside the settlement boundary identified in the Rhondda Cynon Taf Local Development Plan (LDP). The re-use of an existing vacant commercial building is supported in the LDP and in Planning Policy Wales (PPW).

It is noted PPW supports a 'town centre' first approach for the location of new retail development. The proposal is however relatively small in scale and it is considered it would be unlikely to have a significant detrimental impact on the nearby defined retail centres such as Tonypany and Penygraig. As such, taking into account the requirements in TAN 4: Retail and Commercial Development, it is considered a Retail Impact Assessment would not be required for this application. The development would beneficially provide additional retail facilities in a local area that is not currently well served. In addition, it is considered improved local facilities would contribute to a more sustainable way of living for local residents.

An objection has been raised, from the public consultation exercise, that it would result in a detrimental impact on the business of existing retail premises in the area. Whilst this is noted, section 1.19 of PPW states "It is not the function of the planning system to interfere with or inhibit competition between users of and investors in land. It should not discriminate against or favour any particular group or members of society". Therefore this issue would not warrant a refusal reason.

Therefore, taking the above into account, the principle of the proposed development could be acceptable, subject to compliance with the material considerations below:

### **Access, Parking and Highway Safety**

A number of objections have been received from the public consultation exercise with regard the proposal resulting in highway safety issues, particularly close to a crossing and junction used to access the nearby Alaw Primary School.

The Council's Transportation Section have provided the following highway assessment:

#### "Access

*The proposed is served off Brithweunydd Road (B4278) which is a principle route and bus route carrying a substantial amount of vehicular traffic. Brithweunydd Road (B4278) has a carriageway width of 7.3m with continuous footway links which are acceptable for vehicular and pedestrian movement.*

*There are double yellow lines on the opposite carriageway lane preventing on-street car parking to maintain free flow of traffic. However, this in turn results in high on-street car parking demand on the development side with the existing dwellings having little or no off-street car parking facilities.*

### Parking

*In accordance with the Council's Supplementary Planning Guidance Access, Circulation & Parking 2011 the proposed retail A1 with a GFA of 710m<sup>2</sup> requires the following parking requirement: Shops and small supermarkets (201m<sup>2</sup> – 1000m<sup>2</sup>) - 2 commercial vehicle spaces and 1 space per 20m<sup>2</sup>.*

*Therefore, the proposed requires up-to a maximum of 36 off-street car parking spaces and 2 commercial spaces with only 8 car parking spaces provided resulting in high on-street car parking demand on a principle route (B4278), which is already oversubscribed with high on-street car parking impacting on the free flow of traffic to the detriment of safety of all highway users.*

### Commercial Vehicle Parking

*There is no space within the curtilage of the site for service vehicles to park and unload resulting in on-street parking for unloading on Brithweunydd Road (B4278) impacting on the free flow of traffic to the detriment of highway safety.*

### Reversing Movements

*At present there is potential for vehicles parking at the front to reverse into the space within the curtilage of the site and access / egress the site out onto Brithweunydd Road in forward gear. The proposed ramp access / footway adjacent to the building removes the possibility of turning within the site resulting in reversing movements to and from Brithweunydd Road (B4278) to the detriment of safety of all highway users.*

### Conclusion

*The proposed with limited off-street car parking facilities will result in indiscriminate on-street car parking along Brithweunydd Road (B4278 which is a classified route carrying substantial vehicular movement increasing hazards and impacting on the free flow of traffic to the detriment of safety of all highway users.*

*The proposed development will result in increased reversing movements to and from Brithweunydd Road (B4278) to the detriment of safety of all highway users."*

Therefore, taking into account the above assessment, there is a highway objection to the proposal and the application is therefore considered not to be in compliance with Policy AW 5 of the LDP in regard of these matters.

### **Impact on Neighbouring Amenity**

The application site is within a residential area with dwellings in close proximity to the site. The existing use is a partly industrial use and it could be argued the change of use to a potentially less disturbing retail use would benefit the amenity of local residents. Some objectors have however raised the issue with regard the proposal leading to issues with youths hanging around, crime and issues with people who drink and take drugs. Whilst these issues would not be welcomed, no evidence has been submitted to demonstrate the proposal would result in these issues and they are also not considered land use planning matters that would warrant a refusal reason.

The proposed use may however increase comings and goings to the site and control of the impact of this issue would mainly be from the hours of opening. No objection has been raised to the opening hours proposed and a condition restricting the units to these hours would be considered necessary.

Furthermore, the Council's Public Health and Protection Section detail noise from deliveries and collections may result in some detrimental impact, particularly at unsociable hours, and as such they recommend a further condition to control these times.

Therefore, it is considered, subject to the suggested conditions, the use would not have an unacceptable impact on the amenities of the occupiers of the neighbouring properties.

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

In relation to the visual impact, the proposed extension and other alterations would improve the visual appearance of the existing building and would not result in a significant detrimental visual impact on the character of the area. Therefore, there would be no objection on these grounds.

#### **Impact from Contamination**

The Council's Public Health and Protection Section detail a search of their records relating to potentially contaminating past land uses has shown that a garage formerly occupied the application site. They therefore consider that there is a potential for contamination to exist on site and a condition is suggested for a site investigation prior to the development commencing. In the interest of public health and safety it is considered this would be necessary.

#### **Impact on Biodiversity**

Section 6.4.5 of Planning Policy Wales requires development must provide a net benefit to biodiversity. It is considered this could be met with the provision of some mitigation measures. A condition requiring these details would therefore be considered reasonable and necessary if permission were to be granted.

#### **Other Issues**

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

### **Drainage**

No objection is raised by the Council's Flood Risk Management Section subject to a condition with regard to surface water discharge rates. They also state the development's surface water flood risk will be adequately managed by both the separate Building Regulations process and Schedule 3 of the Flood and Water Management Act 2010.

The condition suggested by Dŵr Cymru/Welsh Water that no surface water should go to the public sewer is not considered necessary as it can be controlled by other legislation. An informative note with regard this issue and their further advice can be added if permission is granted.

### **Public Health Comments**

Whilst the comments raised by the Public Health and Protection Section with regard demolition, noise from construction works, dust, waste, lighting and the importation of soils are appreciated, it is considered these matters can be more efficiently controlled by other legislation. An appropriate note can be added to any permission concerning these issues if permission were to be granted.

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

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

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

### **Conclusion**

It is considered the application does not comply with the relevant policies of the Local Development Plan in respect of access and highway safety (Policy AW 5).

Furthermore, the development would not contribute to national sustainable placemaking outcomes, identified in Planning Policy Wales, in the following areas: Provides equality of access, Feels safe and inclusive and has good connections.

**RECOMMENDATION: Refuse**

1. The application is considered to be contrary to Policy AW 5 of the Rhondda Cynon Taf Local Development Plan for the following reasons:
  - i. The proposal would give rise to a greater intensity of short-term on-street parking along Brithweunydd Road (B4278) and nearby adjoining streets and affect the safety and free flow of traffic, to the detriment of highway and pedestrian safety.
  - ii. The proposal will result in additional on-street parking in an area where there is already substantial demand, to the detriment of highway safety.
  - iii. The proposed development will generate additional on-street parking by commercial service vehicles in an area where there is already considerable demand impacting on free flow of traffic along Brithweunydd Road (B4278) increasing hazards, to the detriment of highway safety.
  - iv. The proposed development will result in reversing movements to and from Brithweunydd Road (B4278) with restricted vision due to high on-street car parking demand, to the detriment of safety of all highway users.





## **RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

### **PLANNING & DEVELOPMENT COMMITTEE**

**5<sup>th</sup> October 2021**

#### **SITE MEETING**

**APPLICATION NO: 21/0256/10 Partial change of use from commercial to residential to create two commercial premises and eight flats, along with associated works (Flood Consequence Report received 05/07/2021, Amended Plans received 07/07/2021).**  
**22-22A CARDIFF STREET, ABERDARE, CF44 7DP**

#### **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 66 (Planning and Development Committee – 16<sup>th</sup> September 2021) a site inspection was undertaken on Tuesday 5<sup>th</sup> October 2021 to consider the potential impact the proposed extension would have on the street scene, the impact on parking and the storage location for refuse.

- 3.2 The meeting was attended by the Planning and Development Committee Members County Borough Councillors S. Rees, G. Caple, D. Williams and P. Jarman.
- 3.3 Members met at the front entrance to the building on Cardiff Street. The Planning Officer informed Members that the application seeks full planning permission for the conversion and partial change of use from a commercial premises with residential accommodation above to two commercial premises and eight residential flats at 22-22a Cardiff Street, Aberdare. The Planning Officer outlined the proposed layout of the building noting the commercial use to the front ground floor and rear basement units with accommodation mainly on the upper floors.
- 3.4 The Planning Officer advised site is positioned within the defined retail boundary of Aberdare, which is designated as a Principal Town Centre within the retail hierarchy. Surrounding land is most commonly made up of commercial and residential properties. The Planning Officer highlighted to Members the current condition of the building and the reasoning for the recommendation to approve the application.
- 3.5 Members noted the number of residential accommodation units and queried who the intended market would be for these. Following discussion with the applicant the Planning Officer advised that it is believed they would appeal to a variety of tenants, including young couples and families.
- 3.6 Members also queried the fire safety aspects of the application noting that a single fire escape route was outlined on the application. The Planning Officer advised that the development would be required to meet full building regulations and a full sprinkler system throughout the building was proposed. Members also raised questions regarding the location of the bin storage and the Planning Officer outlined that following re-submission of the application bike and bin storage has been moved to the front of the building, rather than within the basement to the rear.
- 3.7 Members walked to the rear of the property to view the site for the proposed extension. The Planning Officer showed Members the visual plans for the extension and pointed out buildings of a similar height on the street. Members noted the scale in comparison.
- 3.8 Members queried access to the nearest amenity space for young children. The Planning Officer advised Members of the close distance to the Sobell Sports Centre and Fields as well as Aberdare Park. Members however noted the requirement to cross busy highways and the distance to access these spaces. Members also noted the lack of outdoor space for purposes such as laundry drying.

- 3.9 Members also queried the provision of parking at the proposed development. The Highways Officer advised that the site was within zone 1 and would require 8 parking spaces in accordance with the SPG. The development would retain commercial use to both Cardiff Street and Duke Street and therefore the loading bay in Duke Street would need to be retained to serve the development and adjacent businesses. In response to Members enquiry with regard parking permits, the flats would be addressed into Cardiff Street and as such would have potential to apply for parking permits for the Cardiff Street and associated zone.
- 3.10 Local Member, County Borough Councillors S Bradwick and M. Forey spoke on the application and outlined their concerns in regards to parking. They noted the location of the building in close proximity to the Town Centre but raised concerns that there will be an increased demand for residential parking permits in the area as a result.
- 3.11 The Chair thanked the officers for the report and closed the meeting.

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## **PLANNING & DEVELOPMENT COMMITTEE**

**16 SEPTEMBER 2021**

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

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

Members are asked to determine the planning application outlined below:

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

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

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

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

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

#### **APPLICATION DETAILS**

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

The layout of the building is proposed as follows:

Basement:

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

#### Ground Floor:

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

#### First Floor:

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

#### Second Floor:

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

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

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

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

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

### **SITE APPRAISAL**

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

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

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

### **PLANNING HISTORY**

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

06/0519/10

New restaurant frontage with roller shutters  
incorporated behind fascia

Refused  
14/06/2006

## **PUBLICITY**

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

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

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

## **CONSULTATION**

### Highways:

No objections, no conditions recommended.

### Drainage:

No response received.

### Public Health and Protection:

No objections, conditions recommended.

### Ecology:

No objections.

### Waste Services:

No objections.

### Dwr Cymru Welsh Water:

No objections, conditions recommended.

### Natural Resources Wales:

No objections.

## **POLICY CONTEXT**

### Rhondda Cynon Taf Local Development Plan:

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

Supplementary Planning Guidance:

Design and Placemaking

Access, Circulation and Parking

Development of Flats – Conversion and New Build

Design in Town Centres

National Guidance:

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

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

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

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

Other policy guidance considered:

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

PPW TAN 12 – Design

PPW TAN 15 – Development and Flood Risk

## **REASONS FOR REACHING THE RECOMMENDATION**

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

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

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

### **Main Issues:**

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

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

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

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

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

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

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

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

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

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

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

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

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

**Impact on Amenity:**

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

The SPG relating to the development of flats provides support where a high quality of accommodation and amenity can be provided for residents. It is considered that the property is of a sufficient scale to provide its occupiers with an acceptable standard of accommodation whereby there would be adequate natural light serving habitable rooms as well as sufficient ventilation and a reasonable outlook. In addition, the SPG indicates that flats should have a main entrance to the front of the building and have access to either private or communal outdoor space. All eight of the flats would be accessed via a shared entrance to the front of the building which would be separate from the main shop front. It is noted that the site is not capable of providing outdoor private or shared amenity space, however given the building is located in close proximity to a number of public amenity spaces, it is not considered that this issue would be significant enough to warrant the refusal of the application.

The SPG provides support for proposals that do not result in the creation of undue nuisance arising from the intensity of the residential use that flats can create. Whilst the proposed use would reflect surrounding land uses, it is accepted that a degree of noise/disturbance would inevitably occur from the development. It is however considered that a greater degree of general noise it is to be expected within a town centre location when compared to a purely residential location. As such it is not considered that any adverse impact relating to noise/disturbance would be so severe as to warrant the refusal of the application.

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

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

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

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

#### **Impact on Highway Safety:**

The Council's Highways Department have been consulted on the proposal and raise some concern that long term residential parking would take place in the residential streets which surround the application site, which would be detrimental to the safety of all highway users and the free flow of traffic.

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

**Flood Risk:**

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

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

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

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

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

**Conclusion:**

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

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

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

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

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

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

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

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

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

and documents received by the Local Planning Authority on 22/02/2021 and 05/02/2021, unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

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

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

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

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

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

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

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

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

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

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

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

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

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## RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

### MUNICIPAL YEAR 2021-2022:

**PLANNING AND  
DEVELOPMENT COMMITTEE  
4th NOVEMBER 2021**

**REPORT OF: DIRECTOR  
PROSPERITY AND  
DEVELOPMENT**

	<b>Agenda Item No. 9</b>
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	<b>APPLICATION NO: 20/1365 – 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). Land adjacent to Brynllan, Trebanog Road, Trebanog, Porth</b>
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**1. PURPOSE OF THE REPORT**

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

**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 originally reported to the Planning and Development Committee meeting of 7<sup>th</sup> October 2021. A copy of the original report is attached as Appendix A.

Following consideration of the application Members resolved that they were minded to refuse the application, contrary to the recommendation of the Director for Prosperity and Development, due to concerns in respect of highway safety.

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**

The views expressed by Members during the Committee meeting of 7<sup>th</sup> October 2021 are acknowledged. They reflect the representations and petition received during public consultation, in respect of highway safety matters, for both the current application and the previous application for residential development at this site.

During discussion of the application no particular concerns were highlighted in respect of the principle of the development, its sustainable location, or in relation to any particular visual or direct neighbour impact, rather that the proposed provision of three new accesses directly onto the A4233 would be harmful to highway safety.

The original Committee report to Members considered the matter of highway safety and both the Council's Highways and Transportation Section and South Wales Police shared a view that traffic travelling along the A4233 towards the site from the south would still be accelerating up towards the brow of the hill and beyond the point at which the 30mph speed limit applies.

Nonetheless, following further consideration and the informal site visit referenced within the original Committee report, the Highways Section advised that such matters of concern could be satisfactorily dealt with by an extension to the 30mph zone, and that appropriate visibility splays would be possible with a 3m wide section of shared foot and cycle way fronting the site. Both of these improvements would have been achieved by the use of planning conditions.

However, Members concerns about the potential dangers of three separate site accesses are also noted. In this regard, reference was made during the debate to the Highways Section's comments that there is a general presumption against the provision of new accesses onto principal routes.

Members, as well as the two contributing residents, shared their experience of the heavy volume of fast flowing traffic, the difficulties of navigating and entering the stream of traffic from existing access points, and how these were exacerbated by the bend and brow of the hill at the southern entry to Trebanog.

Consequently, in light of the debate and despite the recommended improvements referred to above, Members took the view that it could not be satisfactorily demonstrated that the development and the creation of the three new accesses would not be unacceptably detrimental to highway safety and the amenity of residents.

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

**On account of the proximity of the development to the brow of a hill and a bend and their connection to a busy principal highway, the three proposed new vehicular accesses would be considered to have an unacceptable impact on the safety of highway users and the amenity of residents. The development would therefore be contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan and the Council's SPG for Access, Circulation and Parking Requirements.**

**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

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**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.

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**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:

1. Three separate accesses to the new properties would be dangerous and on the summit of the hill.
2. The development would jeopardise highway safety for all residents.
3. 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.
4. Traffic speeds on the A4233 are high and not all drivers observe the existing 30mph limit.
5. On-street parking during rugby matches reduces visibility.

6. A gravity foul sewer connection may not be possible due to the level of the site and a pump station would alter the development.
7. Natural beauty of the site would be ruined, and the historical landscape would be affected.
8. The verge at the front of the site is not within the ownership of the applicant.
9. The site is partly within a Green Wedge.
10. 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.
11. Disruption, noise and dust arising from the construction process.
12. 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 100m<sup>2</sup>, 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

- 13. Delivering Design and Place-making
- 14. Access, Circulation and Parking Requirements
- 15. 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:

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

SE Wales Policies

18. 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:

19. 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

20. 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.
21. Maximising Environmental Protection: The development would result in an area of approximately 150m<sup>2</sup> to be set aside for biodiversity mitigation and enhancement.
22. 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 16<sup>th</sup>, 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 16<sup>th</sup> 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:

23.PC01 Rev. C  
24.PC02 Rev. C  
25.PC03 Rev. B

and details and documents received on 2<sup>nd</sup> December 2020, 5<sup>th</sup> January 2021, and 14<sup>th</sup> 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

### MUNICIPAL YEAR 2021-2022:

**PLANNING AND  
DEVELOPMENT COMMITTEE  
4th NOVEMBER 2021**

**REPORT OF: DIRECTOR  
PROSPERITY AND  
DEVELOPMENT**

	Agenda Item No. 10
<p><b>APPLICATION NO: 21/0431 – 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</b></p>	

#### 1. PURPOSE OF THE REPORT

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

#### 2. RECOMMENDATION

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

#### 3. BACKGROUND

This application was originally reported to the 2<sup>nd</sup> September 2021 meeting of the Planning and Development Committee with an officer recommendation of approval. A copy of the original report is attached at **APPENDIX A**. At that meeting Members were minded to defer the application for a site visit which took place on 21<sup>st</sup> September 2021 (minutes are attached at **APPENDIX B**). The application was then reported back to the 7<sup>th</sup> October 2021 meeting of the Planning and Development Committee where Members were minded to refuse the application contrary to the officer recommendation as they considered, due to its scale, design and height, the building forms an industrial type structure that is incongruous and out of keeping with the character and appearance of the surrounding residential area; and also has a detrimental impact upon highway safety in the area due to the substandard nature of the access lane Members also raised concerns relating to potential commercial use at the property in future (Minute No. 78 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 highway safety are set out in the original Committee report, however, a brief summary is set out below:

Planning permission has been granted at the site for a similar storage unit but the unit currently under construction has not been located in the position previously set out and its height has increased. As such this application 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.

It is acknowledged that the proposal would see an industrial style building located within a residential area, however, a building of a similar scale, design and appearance could be constructed at the site, albeit at a slightly different siting and slightly lower height, through extant permission ref. 19/0791/10. Whilst a prominent addition to the application site, the building is largely screened outside of the immediate vicinity and it is therefore considered it has a limited impact upon the character and appearance of the wider area. The increased eaves and ridge height result in a building of a greater mass that would inevitably be more prominent from neighbouring properties than that previously approved, however, when considering the fallback position, it is not considered the alterations would result in significantly more visual impact than the previously approved scheme.

Members are advised however that the impact of any development upon the character and appearance of the area and upon the visual amenity of neighbouring residents is subjective. The building is of a large scale/height and industrial design, which it is not common in such residential locations, and the original officer considerations were an 'on balance' recommendation highlighting that the proposed development will result in a significant addition to the application site. Therefore, the proposal could be considered an incongruous form of development that is not suitable for this residential area, being out of keeping with and detrimental to the character and appearance of the locality.

With respect to highway safety, following consideration of the scheme no objections were raised by the Council's Transportation Section. They considered that the amendments would not have any further detrimental impact upon highway safety than the originally approved scheme. They did however note in their assessment that the means of access to the site is severely sub-standard and gives cause for concern. It is therefore accepted that the access to the site does not meet the relevant Council

specifications and could be considered inappropriate an unacceptable, resulting in additional vehicular movements along the access and the creation of hazards, to the detriment of highway safety and the free flow of traffic.

Finally, Members also raised concerns in respect of a commercial/business use operating out of the site in the future. However, this application seeks consent for personal storage use only and would see no change in the use of the building from that previously approved, with a condition recommended to restrict the use of the building to personal storage only. Subsequently, any future change of use would require separate planning permission.

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 reasons would reflect those views:

**REASONS:**

- 1. The building as constructed, by virtue of its scale, industrial design and excessive height would represent an incongruous and unneighbourly form of development that would adversely impact upon visual amenity of neighbouring occupiers and the character and appearance of the site and surrounding area, contrary to Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.**
- 2. The proposed additional use of the sub-standard lane as a principal means of access to serve the proposed development will create increased traffic hazards to the detriment of highway and pedestrian safety. In addition, the proposed development will generate vehicular reversing movements to and from the public highway, creating traffic hazards to the detriment of highway safety, contrary Policy AW5 of the Rhondda Cynon Taf Local Development Plan.**

**PLANNING & DEVELOPMENT COMMITTEE**

**2 SEPTEMBER 2021**

**REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT**

**PURPOSE OF THE REPORT**

Members are asked to determine the planning application outlined below:

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

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**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.

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**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 23<sup>rd</sup> 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 02<sup>nd</sup> 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 (31<sup>st</sup> August 2021). Any responses that are received between the time of writing and the Committee meeting will be reported to Members as late letters.

## **CONSULTATION**

**Transportation Section:** No objection subject to conditions.

**Public Health and Protection:** No objection.

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

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

**Flood Risk Management (Drainage):** No objection raised.

## **POLICY CONTEXT**

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

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

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

**Policy AW2** – supports development in sustainable locations.

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

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

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

### **Supplementary Planning Guidance**

- Design and Placemaking
- Access, Circulation and Parking

### **National Guidance**

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

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

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

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

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

Other policy guidance considered:

PPW Technical Advice Note 12 - Design

## **REASONS FOR REACHING THE RECOMMENDATION**

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

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

**Main Issues:**

## **Principle of the proposed development**

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

It is therefore considered the principle of development at the site has already been established and that the key considerations in the determination of this application are whether the amendments to the scheme would have any further impact than the structure original approved, an assessment of which is set out below.

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

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

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

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

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

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

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

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

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

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

### **Impact on highway safety**

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

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

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

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

### **Drainage**

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

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

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

### **Land Ownership**

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

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

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

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

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

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

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

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

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

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

### **Conclusion**

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

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

### **RECOMMENDATION: Grant**

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

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

2. The development hereby approved shall be carried out in accordance with the approved plan(s) no(s):
  - Drawing No. 001 RevA
  - Drawing No. 002 RevB

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

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



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

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

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

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

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

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

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

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

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

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





## **PLANNING & DEVELOPMENT COMMITTEE**

**4 NOVEMBER 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 11/10/2021 – 22/10/2021

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**

**4 NOVEMEBR 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**

No new appeals received  
No new appeal decision received

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**Report for Development Control Planning Committee**

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**Rhigos**

**21/1182/10** Decision Date: 19/10/2021  
**Proposal:** Two storey rear extension, increase roof height and pitch of main roof for formation of attic room and changes to windows to primary elevation.  
**Location:** GERNANT, CWM-HWNT, RHIGOS, ABERDARE, CF44 9HX

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**Hirwaun**

**21/0732/10** Decision Date: 19/10/2021  
**Proposal:** Proposed garage conversion with first floor extension, single storey side extension, raised balcony to rear (amended plans and description received 10/09/2021).  
**Location:** 9 BUTE TERRACE, HIRWAUN, ABERDARE, CF44 9SG

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**Aberdare East**

**21/1164/10** Decision Date: 18/10/2021  
**Proposal:** Change of use of ground floor from Bridal Shop (A1) to Take-Away Food Premises (A3).  
**Location:** MR AND MRS BRIDAL BOUTIQUE, 19 CROSS STREET, ABERDARE, CF44 7EG

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**21/1171/10** Decision Date: 21/10/2021  
**Proposal:** Retention of decked area to north east boundary.  
**Location:** 4 GLANYNYS HOUSE, CWMBACH ROAD, ABER-NANT, ABERDARE, CF44 0NF

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**21/1214/19** Decision Date: 21/10/2021  
**Proposal:** Felling and reduction works to trees located within the grounds of Meadowlands Nursing Home.  
**Location:** MEADOWLANDS NURSING HOME, HOSPITAL ROAD, ABER-NANT, ABERDARE, CF44 0RE

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**Mountain Ash East**

**21/1173/10** Decision Date: 18/10/2021  
**Proposal:** Retention and completion of single storey garden outhouse.  
**Location:** TY GWYN, TREM Y DYFFRYN, MOUNTAIN ASH, CF45 4AQ

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**21/1279/10** Decision Date: 20/10/2021  
**Proposal:** Demolition of existing shed and extension of rear garden to the boundary line, construction of new outbuilding (retrospective).  
**Location:** TY BRENHINOEDD, 17 LON-Y-FELIN, CEFNPENNAR, MOUNTAIN ASH, CF45 4ES

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**Report for Development Control Planning Committee**

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**Ynysybwl**

**21/1231/10** Decision Date: 20/10/2021  
**Proposal:** Boundary wall to perimeter of property and associated works (retrospective).  
**Location:** 2 BRYN AWEL, YNYS-Y-BWL, PONTYPRIDD, CF37 3DH

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**21/1254/30** Decision Date: 12/10/2021  
**Proposal:** New building for the storage of machinery.  
**Location:** HENDRE HOUSE, MILL ROAD, YNYS-Y-BWL, PONTYPRIDD, CF37 3LS

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**21/1296/30** Decision Date: 12/10/2021  
**Proposal:** Proposed replacement steel building.  
**Location:** HENDRE HOUSE, MILL ROAD, YNYS-Y-BWL, PONTYPRIDD, CF37 3LS

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**Aberaman North**

**21/1121/10** Decision Date: 13/10/2021  
**Proposal:** New single and double-storey side extensions, remodelling of existing garden, proposed new summer house and new external stairway to the rear leading to the first-floor bedroom, new external cladding to a portion of  
**Location:** 1 AND 2 BLAENGWAWR COTTAGES, MAESYFFYNON LANE, ABERAMAN, ABERDARE, CF44 6EX

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**21/1148/10** Decision Date: 14/10/2021  
**Proposal:** Two storey rear extension.  
**Location:** 13 VALLEY VIEW STREET, GODREAMAN, ABERDARE, CF44 6EG

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**Treorchy**

**21/1103/10** Decision Date: 18/10/2021  
**Proposal:** Rear basement extension (Amended plans received 15/09/2021 and 28/09/2021).  
**Location:** 9 CASTLE STREET, CWM-PARC, TREORCHY, CF42 6UY

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**21/1253/10** Decision Date: 21/10/2021  
**Proposal:** Single storey garage to rear.  
**Location:** 94 REGENT STREET, TREORCHY, CF42 6PR

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**Report for Development Control Planning Committee**

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**Ystrad**

**21/0704/10** Decision Date: 20/10/2021

**Proposal:** Decking (retrospective)

**Location:** 9 GREEN HILL, PENTRE, CF41 7PT

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**21/0814/10** Decision Date: 15/10/2021

**Proposal:** Single storey rear extension and front bay window.

**Location:** 38 ARTHUR STREET, YSTRAD, PENTRE, CF41 7QB

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**Cwm Clydach**

**21/1134/10** Decision Date: 14/10/2021

**Proposal:** First floor rear extension.

**Location:** 68 JONES STREET, CLYDACH, TONYPANDY, CF40 2BY

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**Penygraig**

**21/1126/10** Decision Date: 14/10/2021

**Proposal:** Single storey extension and single garage.

**Location:** 8 BROOK STREET, WILLIAMSTOWN, TONYPANDY, CF40 1RB

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**21/1127/10** Decision Date: 14/10/2021

**Proposal:** Single storey extension and single garage.

**Location:** 9 BROOK STREET, WILLIAMSTOWN, TONYPANDY, CF40 1RB

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**21/1217/10** Decision Date: 20/10/2021

**Proposal:** Demolition of existing single storey rear extension and construction of new two storey rear extension.

**Location:** 64 AMOS HILL, PEN-Y-GRAIG, TONYPANDY, CF40 1PP

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**Cymmer**

**21/1226/10** Decision Date: 18/10/2021

**Proposal:** Demolish and rebuild the existing side and rear extensions with the addition of a new front porch.

**Location:** 153 TREBANOG ROAD, TREBANOG, PORTH, CF39 9DT

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**Ynyshir**

**21/1045/10** Decision Date: 14/10/2021

**Proposal:** Two storey rear extension.

**Location:** 25 HEOL LLECHAU, WATTSTOWN, PORTH, CF39 0PP

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**Report for Development Control Planning Committee**

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**Tylorstown**

**21/1251/10** Decision Date: 21/10/2021  
**Proposal:** Proposed construction of a single domestic garage.  
**Location:** LAND OPPOSITE 9 GWERNLLWYN TERRACE, TYLORSTOWN, FERNDALE, CF43 3DP

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**Trallwn**

**21/1162/10** Decision Date: 22/10/2021  
**Proposal:** Proposed two storey rear extension. (Amended Plans received 15/10/21)  
**Location:** 5 RALPH STREET, PONTYPRIDD, CF37 4RS

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**Rhydyfelin Central**

**21/1213/09** Decision Date: 14/10/2021  
**Proposal:** Proposed single storey extension.  
**Location:** 3 LIME STREET, RHYDYFELIN, PONTYPRIDD, CF37 5BU

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**Hawthorn**

**20/0554/10** Decision Date: 19/10/2021  
**Proposal:** Removal of existing extension roof and removal of conservatory, extend existing extension, installation of EPDM flat roof.  
**Location:** 86 YNYSLYN ROAD, RHYDYFELIN, PONTYPRIDD, CF37 5AR

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**Ffynon Taf**

**21/1114/15** Decision Date: 20/10/2021  
**Proposal:** Variation of condition - 1 (time limit) of planning permission 18/0712/15.  
**Location:** LAND OFF TYLA GWYN/A468, NANTGARW, CF15 7TD

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**21/1181/10** Decision Date: 18/10/2021  
**Proposal:** Single storey extension and garage to rear of property  
**Location:** 86 TY RHIW, TY-RHIW, TAFF'S WELL, CARDIFF, CF15 7RX

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**Report for Development Control Planning Committee**

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**Llantwit Fardre**

**21/1225/10** Decision Date: 14/10/2021  
**Proposal:** Proposed extension to rear of property to increase kitchen / living area at ground floor with extended first floor level to provide bathroom to existing bedroom.  
**Location:** TY PICA HOUSE, HEOL FFRWD PHILIP, EFAIL ISAF, PONTYPRIDD, CF38 1BA

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**21/1228/10** Decision Date: 21/10/2021  
**Proposal:** Single storey rear extension.  
**Location:** 25 ST ANNES DRIVE, LLANTWIT FARDRE, PONTYPRIDD, CF38 2PB

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**21/1229/10** Decision Date: 21/10/2021  
**Proposal:** Single storey rear extension.  
**Location:** 27 ST ANNES DRIVE, LLANTWIT FARDRE, PONTYPRIDD, CF38 2PB

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**Church Village**

**21/0674/10** Decision Date: 15/10/2021  
**Proposal:** Rear two storey extension and first floor side extension. (Amended Plans received 20/09/21)  
**Location:** 12 LLANERCH GOED, LLANTWIT FARDRE, PONTYPRIDD, CF38 2TB

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**Gilfach Goch**

**21/1071/10** Decision Date: 19/10/2021  
**Proposal:** Detached house with annexe and garage. (Previous application no.16/0176/10).  
**Location:** FORMER BLANDY ARMS PUBLIC HOUSE, 174A HIGH STREET, GILFACH-GOCH, PORTH, CF39 8SH

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**Tonyrefail West**

**21/0986/11** Decision Date: 18/10/2021  
**Proposal:** The proposed works are to take down and re-build the parapet walls of 4No. small gabled bays to left and right hand side elevation and main chimney. All structures are to be re-built using salvaged materials on a  
**Location:** TONYREFAIL COMPREHENSIVE SCHOOL, GILFACH ROAD, TONYREFAIL, PORTH, CF39 8HG

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**21/1044/10** Decision Date: 22/10/2021  
**Proposal:** Replace destroyed timber outbuilding with a masonry build (Amended Description 14th October 2021).  
**Location:** 17 ELM WOOD DRIVE, TONYREFAIL, PORTH, CF39 8JA

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**Tonyrefail East**

**21/0997/10** Decision Date: 13/10/2021  
**Proposal:** Two storey side extension (Amended red line boundary received 18/08/2021).  
**Location:** TYLCHA ISAF, TYN-Y-WERN, TONYREFAIL, PORTH, CF39 8AW

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**Report for Development Control Planning Committee**

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**Talbot Green**

**21/1278/10** Decision Date: 22/10/2021  
**Proposal:** Proposed new garage to replace the former dilapidated garage.  
**Location:** 16 LANELAY CLOSE, TALBOT GREEN, PONTYCLUN, CF72 8JA

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**Pontyclun**

**21/1093/10** Decision Date: 20/10/2021  
**Proposal:** Decking (Retrospective).  
**Location:** 38 TYLER HENDY, MISKIN, PONT-Y-CLUN, PONTYCLUN, CF72 8QU

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**21/1187/10** Decision Date: 14/10/2021  
**Proposal:** Gym and home office adjoining garage with decking linking the gym with the existing garden room and re-roofing of existing single storey rear extension from flat to pitched.  
**Location:** 8 HEOL BROFISCIN, GROES-FAEN, PONT-Y-CLUN, PONTYCLUN, CF72 8RR

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**21/1203/10** Decision Date: 11/10/2021  
**Proposal:** Raising a small proportion of the ground level in the garden to build a level patio. Erecting a fence over 2 metres in height.  
**Location:** 8 CLOS YNYSDDU, PONT-Y-CLUN, PONTYCLUN, CF72 9WQ

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**21/1287/10** Decision Date: 22/10/2021  
**Proposal:** Part garage conversion to a reception room/study.  
**Location:** 23 ST DAVID'S HEIGHTS, MISKIN, PONT-Y-CLUN, PONTYCLUN, CF72 8SW

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**Llanharry**

**21/0991/10** Decision Date: 13/10/2021  
**Proposal:** Two storey and single storey rear extension.  
**Location:** 14 LAURELDENE, LLANHARRY, PONTYCLUN, CF72 9JN

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**21/1036/10** Decision Date: 20/10/2021  
**Proposal:** Convert existing garage and construct a first floor extension above.  
**Location:** 19 STRYD SILURIAN, LLANHARRY, PONTYCLUN, CF72 9GB

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**Llanharan**

**21/1138/10** Decision Date: 18/10/2021  
**Proposal:** Remove existing conservatory and construct two storey rear extension and a first floor extension.  
**Location:** 44 PARC BRYN DERWEN, LLANHARAN, PONTYCLUN, CF72 9TU

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**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**  
**Development Control : Delegated Decisions (Permissions) between:**

**11/10/2021 and 22/10/2021**

**Report for Development Control Planning Committee**

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**Brynna**

**21/1290/10** Decision Date: 21/10/2021

**Proposal:** Ground floor side and rear extension.

**Location:** 215 MEADOW RISE, BRYNNA, PONTYCLUN, CF72 9TN

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Total Number of Delegated decisions is 45

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Report for Development Control Planning Committee

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Ynyshir

21/1195/10 Decision Date: 21/10/2021

**Proposal:** Five lock up garages (Re-submission of 20/1458/10).

**Location:** LAND OPPOSITE 25 - 27 STANDARD VIEW, YNYSHIR PORTH

**Reason: 1** The proposed development would have a harmful impact upon the character and appearance of the area, contrary to Policy AW6 of the Rhondda Cynon Taf Local Development Plan.

**Reason: 2** Insufficient information has been provided to assess the potential impact upon ecology on and around the site, contrary to Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

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Tonyrefail East

21/0777/10 Decision Date: 18/10/2021

**Proposal:** Increase storage in open area from 6 cars to 15 and extend opening hours of site for cars sales.

**Location:** UNIT 1, 116 MILL STREET, TONYREFAIL, PORTH, CF39 8AF

**Reason: 1** The increased intensification of the use and extension of opening hours in close proximity to the rear of residential dwellings would result in noise and disturbance to the detriment of residential amenity. As such the proposal would not accord with Policies AW 5 and AW 10 of the Rhondda Cynon Taf Local Development Plan

**Reason: 2** The private access lane is sub-standard to withstand the increase in traffic and pedestrian movement generated by the proposed resulting in increased hazards to the detriment of safety of all highway users and free flow of traffic. As such the proposal would not accord with Policy AW 5 of the Rhondda Cynon Taf Local Development Plan

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**Town (Llantrisant)**

**20/1105/10** Decision Date: 18/10/2021

**Proposal:** 3 detached 4-bed houses with integral garages, served by a private access road.(CMRA received 30/10/20. Revised location and site plan/topographical survey received 22/02/21. Revised tree removal and planting plan, landscape mitigation plan and PEA addendum [bat and bird surveys] received 12/8/21).

**Location:** LAND AT THE LAURELS, HIGH STREET, LLANTRISANT, CF72 8PB

**Reason: 1** The proposed development would represent a sprawling, incoherent and incongruous feature within the southern approach to Llantrisant Town that would have a detrimental and harmful impact and would, therefore, fail to either preserve or enhance the character and appearance of the Conservation Area. The proposal would therefore be contrary to LDP Policies AW6 and AW7 and the Council's SPG: The Historic Built Environment.

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**Pontyclun**

**21/1160/10** Decision Date: 13/10/2021

**Proposal:** Restoration and conversion of an existing barn for use as a new detached dwelling.

**Location:** MAENDY FARM, LLANTRISANT ROAD, GROES-FAEN, PONT-Y-CLUN, PONTYCLUN, CF72 8NJ

**Reason: 1** It has not been demonstrated that there are any viable alternative uses and there is no overriding architectural or historic merit that would warrant the buildings retention. As such the proposal conflicts with Policy AW 9 of the Rhondda Cynon Taf Local Development Plan.

**Reason: 2** The access leading to the proposed is sub-standard in terms of width for safe two-way vehicular movement visibility with Llantrisant Road (A4119), sub-standard forward vision, lack of segregated footway facilities, sub-standard surface water drainage, no street lighting to serve the increase in vehicular and pedestrian traffic generated by the proposed development. As such the development would be contrary to Policy AW 5 of the Rhondda Cynon Taf Local Development Plan.

**Reason: 3** The applicant has no control over land required to provide a safe and satisfactory access to the proposed development site and therefore the existing access cannot be improved to provide a safe and satisfactory access. As such the development would be contrary to Policy AW 5 of the Rhondda Cynon Taf Local Development Plan.

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Total Number of Delegated decisions is 4